

## Notice of meeting of

### Executive Member For Neighbourhood Services and Advisory Panel

**To:** Councillors Bowgett (Chair), Ayre (Vice-Chair), Crisp, Holvey, King, Reid (Executive Member), Taylor and Watt

**Date:** Wednesday, 15 October 2008

**Time:** 5.00 pm

**Venue:** The Guildhall

### AGENDA

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

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

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

To approve and sign the minutes of the meeting held on Thursday 4 September 2008.

#### 3. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Panel's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is **Tuesday 14 October 2008** at **5pm**.

#### 4. **Forward Plan**

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

**5. National Service Planning Requirements for Environmental Health and Trading Standards Services** (Pages 11 - 14)

This report presents the service plans for food law enforcement, health & safety law enforcement and animal health enforcement which are produced on an annual basis in response to national requirements.

**6. Neighbourhood Services Staff Wellbeing Initiatives** (Pages 15 - 18)

This report outlines a number of health and wellbeing initiatives being introduced in Neighbourhood Services (NS) to tackle absence proactively.

**7. Sales of Age Restricted Products** (Pages 19 - 26)

This report informs Members of the work undertaken by the council's trading standards service to prevent the sales of age-restricted products.

**8. Noise Complaints Update** (Pages 27 - 32)

This report updates the Executive Member and Advisory Panel on the current position regarding noise nuisance and the operation of the council's weekend night time Noise Patrol service.

**9. Statutory Declaration of Regulation of Pollution from Crematoria** (Pages 33 - 40)

This report requests Members to review the previous decision and confirm their approval to install mercury abatement equipment and respond to the statutory direction accordingly.

**10. City of York Council Public Toilets Review - Update** (Pages 41 - 52)

This report informs the Executive Member as to the progress to date on the complete review of public toilet provision for York and updates the position reported on 5<sup>th</sup> June 2008.

**11. Yorkshire in Bloom 2008 Update** (Pages 53 - 74)

This report informs Members of the outcome of the entry into the Yorkshire in Bloom competition 2008 and the work undertaken in relation to the entry.

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

Democracy Officers:

Name: Catherine Clarke and Louise Cook (job share)

Contact Details:

- Telephone – (01904) 552030
- E-mail – [catherine.clarke@york.gov.uk](mailto:catherine.clarke@york.gov.uk) and [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

(If contacting us by e-mail, please send to both Democracy Officers named above)

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.

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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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### Further information about what's being discussed at this meeting

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

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

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

### **Scrutiny Committees**

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

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

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City of York Council

Committee Minutes

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MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	4 SEPTEMBER 2008
PRESENT	COUNCILLORS BOWGETT (CHAIR), AYRE (VICE-CHAIR), CRISP, HOLVEY, KING, REID (EXECUTIVE MEMBER), TAYLOR AND WATT

**17. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. There were no declarations of interest.

**18. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of annexes 2 and 3 to agenda item 9 (2008-09 First Monitoring Report – Finance and Performance) (minute 95 refers) on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). This information was classed as exempt under Paragraphs 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

**19. MINUTES**

RESOLVED: That the minutes of the meeting held on 5 June 2008 be approved and signed by the Chair as a correct record subject to the list of Members present at the meeting being amended to indicate that Councillor Waller attended the meeting as a substitute for Councillor Reid (Executive Member).

**20. PUBLIC PARTICIPATION**

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

**21. SMOKEFREE LEGISLATION UPDATE**

Further to a report which was brought to and approved at the Meeting of the Executive Member for Neighbourhood Services and Advisory Panel on 7 June 2008, Members received a report which provided an update on how smokefree legislation had been implemented in the City of York Council area.

The Assistant Director (Neighbourhoods and Community Safety) reported that the level of compliance had been high and people had generally accepted the new legislation. He advised Members that now the two temporary Smokefree Officer posts, which had been funded through the grant, had expired, the occasional complaints being received had been incorporated into the existing work load of enforcement officers in the health and safety team.

Members discussed the consequences of the smokefree legislation and it was noted that there had been an increase in planning applications for smoking shelters at licensed premises. Members also discussed the problem of increased noise outside premises where people congregated to smoke and chat and also an increase in litter caused by people not recognising dropping cigarette ends at littering.

The Assistant Director (Neighbourhoods and Community Safety) acknowledged the problems. He advised Members that enforcement action was taking place and some fixed penalty notices had been issued. Furthermore his team were liaising with businesses with regard to providing ashtrays/bins to staff/customers smoking outside and cleaning up around buildings where people had been smoking. With regard to the noise problem he advised Members that a report from the Noise Nuisance Team would be brought to the Committee in the near future.

The Executive Member conveyed Members' thanks to officers for their hard work in the implementation of the legislation.

Advice of the Advisory Panel

That the Executive Member be advised to note the contents of the report.

Decision of the Executive Member:

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

REASON: In order that the Executive Member and Advisory Panel are updated on how smokefree legislation has been implemented in the City of York Council area.



**22. REGIONAL SCAMBUSTER TEAM**

Members received a report informing them of an initiative by the Department for Business, Enterprise and Regulatory Reform (BERR) to establish regional trading standards 'Scambuster Teams' to tackle cross boundary rogue trading. The report also informed Members that that City of York Council were successful in their bid to attract approximately £750k of grant funding over 3 years to establish and host a scambusting team on behalf of the Yorkshire and the Humber region.

Members raised the point that not all scam threats were local or regional but could be national or international and enquired as to how the team would deal with these levels of treats. The Assistant Director (Neighbourhoods and Community Safety) explained that the Regional Scambuster Team was able to deal with level 2 threats whereas any threats at level 3 threats would be dealt with by the National Team and level 1 threats could be dealt with by the local authority. A referrals process up and down the hierarchy was in place.

Members queried what would happen to the team at the end of the 3 year period covered by the grant. The Assistant Director (Neighbourhoods and Community Safety) stated that reporting mechanisms were in place and if it could be proved with statistics that money had been taken from criminality then there was the hope that a team could continue after the initial 3 years.

Members congratulated officers in their success in the bid made by City of York Council on behalf of the Yorkshire and the Humber Trading Standards Group.

Advice of the Advisory Panel

That the Executive Member be advised to note the contents of the report.

Decision of the Executive Member:

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

REASON: To make Members aware of the establishment of the Regional Scambuster Team, with York as the host authority.

**23. NEIGHBOURHOODS & COMMUNITY SAFETY GROUP LEGAL ACTIONS**

Members received a report informing them of the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1<sup>st</sup> April – 30<sup>th</sup> June 2008.

The Assistant Director (Neighbourhoods and Community Safety) drew Members' attention to the annex which summarised completed prosecutions and the fixed penalty notices and cautions that had been issued.

Advice of the Advisory Panel

That the Executive Member be advised to note the contents of the report.

Decision of the Executive Member:

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

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

**24. AIR QUALITY UPDATE**

Members received a report updating them of the outcome of the recent Air Quality Support Grant (AQSG) applications made to the Department for Environment, Food and Rural Affairs (DEFRA). Three AQSG bids were made in relation to the council's ongoing Local Air Quality Management (LAQM) work. The report provided an overview of the planned expenditure of the AQSG and required a decision to be taken on the amount of AQSG to be accepted from DEFRA. The report also provided a general update on local air quality management in York.

The report presented the following options for consideration:

(a) To accept air quality grants from DEFRA totalling £15,000 and allow the air quality projects outlined in paragraphs 6 to 11 to proceed.

(b) To reject some or all of the air quality grants from DEFRA and revise the planned air quality projects for 2008/2009 accordingly.

The Assistant Director (Neighbourhoods and Community Safety) advised Members that in previous years City of York had been very successful in their bids and attracted some of the highest grants outside London. However this year, due to a national shortfall in the amount of grant available, the Council had provisionally been allocated an award well below the amount it had bid for.

Members expressed their concerns over the level of grant allocated stating that it would impinge on their ability to monitor air quality in the City of York area. They asked that a letter of complaint be sent to DEFRA to this effect.

Officers answered Members queries in relation to specific air quality issues and on work which was required on air quality monitoring, air quality modelling and air quality action planning. They explained how the low level of grant would impact on the planned work.

Advice of the Advisory Panel

- (i) That the Executive Member be advised that Option (a), as outlined at paragraph 28, to accept air quality grants from DEFRA totalling £15,000, be approved and allow the air quality projects outlined in paragraphs 6 to 11 to proceed. <sup>1</sup>
- (ii) That a letter be sent to DEFRA advising them that the Council is not happy with the level of grant received as it impinges on their legal duty to monitor air quality. <sup>2</sup>

Decision of the Executive Member:

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

REASON: It represents the most appropriate way of funding the continuation of LAQM in the city. This is a statutory undertaking that contributes towards the corporate priorities on improving the health of residents and encouraging the use of public, and other environmentally friendly, modes of transport.

Action Required

- 1. To accept air quality grants from DEFRA totalling £15,000 and allow the air quality projects outlined in paragraphs 6 to 11 to proceed. KS
- 2 That a letter be sent to DEFRA regarding the level of grant received. KS

**25. 2008-09 FIRST MONITORING REPORT - FINANCE AND PERFORMANCE**

Members received a report presenting the latest projections for revenue and capital expenditure for the Neighbourhood Services portfolio and traded accounts and progress against the directorate plan priorities, including performance against target for the directorate's key performance indicators.

The Director of Neighbourhood Services updated Members on performance. He reported that the graffiti website had now been launched and appealed to members of public to work with the Council by taking photos of graffiti tags and submitting them through the website and passing on any information they had on taggers to enable officers to update the database. He reported that recently there had been a number of arrests for graffiti.

The Director of Neighbourhood Services reported a positive improvement in sickness levels by announcing that the forecast for sickness absence for 2008-09 was down by 1.5% on 2007-08. The Executive Member requested

information on actions that the department was taking regarding sickness including figures which make a distinction between long term sickness and those illnesses requiring only 1-2 days off work. <sup>1</sup>

The Director of Neighbourhood Services answered Members queries in relation to other performance issues. He then updated Members on financial issues and responded to questions raised on specific areas.

Advice of the Advisory Panel

That the Executive Member be advised to:

- (i) approve the financial and performance position of the portfolio.
- (ii) approve the request to release contingency, subject to the approval of the Executive. <sup>2</sup>

Decision of the Executive Member:

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

REASON: In accordance with budgetary and performance monitoring procedures.

Action Required

- 1. To circulate information on sickness requested by the Executive Member. KS
- 2. To refer to the Executive for approval as part of the Corporate Finance & Performance Monitoring Report KS

**26. FORWARD PLAN**

The Director of Neighbourhood Services updated Members on items listed on the Forward Plan for the Executive Member for Neighbourhood Services and Advisory Panel (EMAP) for the 2008/09 municipal year.

He advised Members that reports on the following issues would be presented at the next meeting on 15 October 2008.

- Update on City of York Public Toilet Review
- Yorkshire in Bloom 2008 Update
- Update on Litter Enforcement Policy and juveniles
- Statutory Declaration of Regulation of Pollution from Crematorium
- Staff Wellbeing Initiatives
- Update on Noise Nuisance Team Activities
- Environmental Health National Service Plans

Councillor Taylor asked for an update on his request for a report on reuse of waste and the Director of Neighbourhood Services advised him that this

report would be presented to Members at the meeting on 4 December as well as a report on security at the Depot.

Advice of the Advisory Panel

That the Executive Member be advised to note the update on the Forward Plan.

Decision of the Executive Member

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

REASON: To inform Members of forthcoming issues.

COUNCILLOR A WALLER,  
EXECUTIVE MEMBER

COUNCILLOR D BOWGETT,  
CHAIR

[The meeting started at 5.00 pm and finished at 6.50 pm].

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**Agenda Item**

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**Meeting of the Executive Member For  
Neighbourhood Services and Advisory Panel**15<sup>th</sup> October 2008

Report of the Director of Neighbourhood Services

**National Service Planning Requirements for Environmental  
Health and Trading Standards Services****Summary**

1. Service plans for food law enforcement, health & safety law enforcement and animal health enforcement are produced on an annual basis in response to national requirements.
2. The purpose of this report is to seek member approval for these plans.

**Background**

3. In 2001 the food standards agency (FSA) introduced mandatory service planning arrangements for local authority food law enforcement services. In 2002 the government extended service planning regimes into other areas of local authority regulatory work. The Department of Trade and Industry (DTI) introduced a national performance framework for trading standards services (which originally required the production of an annual community service delivery plan but has now been replaced by peer review) and the Health & Safety Commission (HSC) placed a duty on local authorities to produce a health & safety enforcement service plan.
4. In 2004/05 the Department for the Environment, Food and Rural Affairs (DEFRA) added an additional plan. This plan covers animal health and welfare and was introduced to improve local authority enforcement practices following the national outbreak of foot and mouth disease.
5. The previous national plans were approved by the Neighbourhoods EMAP on 17<sup>th</sup> October 2007.
6. The purpose of each plan is similar in that they are to contain details of how local authorities are addressing national (FSA, HSC and DEFRA) enforcement priorities and how activities locally work towards meeting local authority corporate objectives and priorities. The guidance for completing each plan (issued by the FSA, HSC and DEFRA) states that it should be submitted to the appropriate member forum for approval.

7. All plans must demonstrate that a local authority is providing core functions and an appropriate 'mix' of regulatory activities. The mix includes:
- conducting inspections of premises to a risk based inspection programme to ensure compliance with legislation.
  - taking samples of food to ensure they are safe and correctly described.
  - investigating complaints.
  - taking formal enforcement action (including prosecution) where necessary.
  - providing an educational, promotional and advisory programme to raise standards.
  - working in partnership with business and other enforcement agencies.
8. The plans are extensive in nature and their format prescriptive. They will be available on the council's web site during the week before the meeting and can be accessed through the [Meeting agenda](#).

Alternatively, copies can be obtained by contacting Catherine Clarke or Louise Cook, Democracy Officers, by telephone on (01904) 552030, Fax: (01904) 551035 or by email on [catherine.clarke@york.gov.uk](mailto:catherine.clarke@york.gov.uk) or [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk).

Copies of the plans will also be available at the meeting.

### **Reporting and Monitoring**

9. The council is required to submit an annual monitoring report on each plan. The FSA have used these reports to 'name and shame' poor performing local authorities and to target their audits of local authority enforcement services. The HSC has indicated that they may use their default powers to take over a local authority's health and safety enforcement responsibilities in circumstances where insufficient resources are allocated to this function.
10. The 2008/09 food and health & safety plans include performance variances with targets set in the 2007/08 plans. Reporting these variances is a requirement of the national bodies.



## **Consultation**

11. Staff in environmental health and trading standards have been involved in the development of their respective plans and consulted on the targets that have been incorporated into the supporting work programmes. The activities set out in the animal health plan have been agreed with the DEFRA Divisional Veterinary Manager.

## **Analysis**

12. Each of the plans represents an appropriate mix of enforcement, educational and advisory work required of modern local authority environmental health and trading standards services. Approval of the plans by members is a requirement of the FSA, HSC and DEFRA.
13. It is not known what action will be taken against the council if any of these plans does not receive member approval although it is likely to result in close scrutiny of the council's ability to provide the relevant service.

## **Corporate Priorities**

14. Enforcement activities in the Health and Safety Enforcement Service Plan and Food Law Enforcement Service Plan support the corporate priority to improve the health and lifestyles of the people who live in York.

## **Financial Implications**

15. The work programme outlined in the 2008/09 plans can be resourced from existing budgets. DEFRA are currently directly funding additional animal health and welfare enforcement. This funding is conditional on submission of a service plan that is acceptable to DEFRA.

## **Legal Implications**

16. It is a legal requirement to set a service plan for food law enforcement and health and safety enforcement (Food Standards Act 1999 and Health and Safety at Work etc Act 1974) respectively.

## **Human Resources (HR) and Other Implications**

17. There are no HR, or other implications associated with this report.

## **Risk Management**

18. In compliance with the Councils risk management strategy. There are no risks associated with the recommendations of this report

## Recommendations

19. That the Executive Member approves the plans and recommends that they are referred to Full Executive for approval.

Reason: In order that the council can discharge its statutory obligations in regard to service planning for environmental health and trading standards services.

**Author:**

Colin Rumford  
Head of Environmental Health  
and Trading Standards  
Neighbourhood Services

Phone: 551502

**Chief Officer Responsible for the report:**

Andy Hudson  
Assistant Director  
Neighbourhoods and Community Safety

Phone: 551814

**Report Approved**

3

**Date**

15<sup>th</sup> September  
2008

**Specialist Implications Officer(s)**

*None*

**Wards Affected:**

All

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

**Copies of the national service plans will be available on the council's web site for the week prior to the meeting – they can be accessed through the [Meeting agenda](#)**

**Background Papers:**

Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement  
Health and Safety Commission Section 18 HSC Guidance to Local Authorities  
DEFRA Framework Agreement

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

**15 October 2008**

Report of the Director of Neighbourhood Services

### **Neighbourhood Services Staff Wellbeing Initiatives**

#### **Summary**

1. This report outlines a number of health and wellbeing initiatives being introduced in Neighbourhood Services (NS) to tackle absence proactively. The initiatives have been developed with colleagues in Occupational Health and Human Resources.
2. The initiatives focus on the directorate's Civil Engineering department, although a number of the initiatives will potentially benefit all staff across the directorate.

#### **Background**

3. The NS HR Advisor took a report to NS Management Team on 17th July 2008, initially as a discussion document, outlining proposals on how to address the high levels of sickness absence in the Civil Engineering department.
4. All of the options were relevant across Neighbourhood Services, so from the initial proposals document a number of ideas were developed that would have benefit across the whole directorate. This report highlights the outcomes and agreements of that meeting and sets out a timetable of ongoing and immediate actions.

#### **Rationale behind the proposals**

5. The number of fte (full-time equivalent) days lost through sickness absence for the whole of the City of York Council was 9.5 days in 2007/08. The number of fte days lost through sickness absence for the whole of Neighbourhood Services was 15.5 days in 2007/08. While the directorate has been successful in reducing absence levels over the last few years (from 19.2 days per fte in 2005/06) our absence level remains higher than other directorates.
6. NS currently manage all absences (both short and long term) under the council's absence and attendance management procedure. This policy, introduced in October 2007, has been key to maintaining a reduction in absence, as the new 10 day trigger point pushes more employees through the formal short-term procedure. Using the policy we are likely to achieve a figure of around 14 days lost per fte in 2008/09 – a further 1.5 day reduction on 07/08. However managing employees through the procedure in isolation will not reduce sickness absence levels significantly and will not obviously lead to further reductions beyond 2008/9. A more proactive and preventative approach will be required in addition.

7. The number of days lost through sickness absence for Civil Engineering was 24 days per fte in 2007/08. Examples of the type of work done in the department include planned and reactive carriageway and footpath repairs, winter maintenance, drain clearing, pest control work and restoration of the city walls. Absence levels in this department have been consistently high for a number of years, and so this appeared to be a good service area in which to pilot different approaches to absence management.

### **Findings, considerations and actions**

8. Analysis of 2007/08 sickness absence statistics for Civil Engineering show that there were 116 different incidences of absence in the year, losing 1,429 fte days. 41 of these absences were Musculo-Skeletal Disorder (MSD) related absences, accounting for 823 fte days - 57% of all absence.
9. 224 fte days absence was due to one long-standing individual absence (which has now been resolved). If we remove this absence from the overall figures, MSD then accounts for 68% of all absences in 2007/08. The department has had a member of staff to coordinate training on safe lifting issues since mid-2007.
10. A series of options was discussed by NS DMT – mostly around Civil Engineering – but all of some relevance across NS. The following measures were agreed:

#### **A. Immediate Referrals to Osteopath / Physiotherapist**

- The aim is to immediately refer employees who call in with an MSD absence to either the osteopath service or the physiotherapy service. These services are sub-contracted to private companies. We estimate that approximately fifty cases will be referred over the trial period.
- Referrals will be made either directly to the relevant service, or recommended through Occupational Health (OH). Assessments can be conducted either at the relevant service centre or at the Eco-Depot.
- **Status:** This initiative has commenced and is being applied to all Civil Engineering employees/ absences.

#### **B. Occupational Health 'Gold' Wellbeing Package**

- Seventy individual assessments have been booked for all relevant Civil Engineering employees. These assessments will provide a comprehensive health check for employees that should pick up any significant health issues they may face.
- All employees will receive a copy of the outcome of these tests.
- Neighbourhood Services will only receive reports, where the outcome of the test has a material impact on the individual's ability to carry out their role.
- **Status:** Implemented week commencing 6<sup>th</sup> October 2008.

### **C. Pilot Absence Questionnaire**

- OH will initially issue an absence questionnaire to Civil Engineering employees who have been off at any point (either self certified or certified) in the previous 12 months, during their well-being assessments. The surveys will be anonymous. The results will be co-ordinated by OH and a final report presented to Neighbourhood Services. It is hoped that the questionnaire will provide an insight into the root causes of absence in the department, and that the results may help to focus future policy and practice to proactively prevent a proportion of the absences that we might otherwise see.

**Status:** Implemented week commencing 6th October 2008

### **D. Stop Smoking Campaign**

- This will initially be a one-off drop-in session at the Eco-Depot, open to all Neighbourhood Services employees. The drop-in session will be run by a specialist from the 'No Smoking Unit' and an Occupational Health Nurse.

- Employees can then pursue individual stop smoking campaigns via the NHS.

- OH will record how many people attended and showed interest for audit purposes.

**Status:** On hold pending a directorate-wide review of cultural change issues.

### **E. Health Fair / Open Day**

- The fair will initially be a one-off promotional day at the Eco-Depot, available to all Neighbourhood Services employees.

- Occupational Health will provide an OH stand covered by an OH nurse, and a counselling stand covered by a qualified counsellor.

- Other exhibitions will include issues such as osteopathy, physiotherapy, smoking cessation and healthy eating. OH will consider other relevant providers and confirm the attendees.

**Status:** To be implemented week commencing 3<sup>rd</sup> November 2008

## **Consultation**

11. Consultation around the programme has taken place with Occupational Health and Human Resources. When we come to evaluate the initiatives here, which we will be able to do alongside the result of the October 2008 staff survey, we will be keen to talk with staff and unions over the next steps.

## **Corporate Priorities**

12. The proposals will contribute to delivering the corporate priority of 'improving the health and lifestyles of the people who live in York, in particular among those groups whose levels of health are the poorest'. They also contribute to our directorate priorities of dealing with sickness absence and improving our health and safety culture.

### Implications

- 13. **Financial:** It is envisaged that costs will be met from existing budgets.
- 14. **Human Resources:** The aim is to improve staff welfare, and to reduce staff absence levels.
- 15. **Equalities:** None
- 16. **Legal:** None
- 17. **Crime and Disorder:** None
- 18. **Information Technology (IT):** None
- 19. **Property:** None
- 20. **Other:** None

### Risk Management:

- 21. The report is primarily to provide members with information and as such there are no significant risks associated with this report.

### Recommendations

- 22. Members are asked to welcome the proposed improvements to staff care and wellbeing, and to support the varying projects.

Reason: To inform members of initiatives being taken in Neighbourhood Services to further reduce staff absence levels.

### Contact Details

**Author:**

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**Chief Officer Responsible for the report:**

Terry Collins  
Director of Neighbourhood Services

**Report Approved**

**Date** 23/09/2008

Penny Hepworth  
Performance and Projects  
Officer *Tel: 553104*

**Specialist Implications Officer(s)**

None

**Wards Affected:**

All

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

**Background Papers:** Report to Neighbourhoods DMT, 17<sup>th</sup> July 2008



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## Meeting of the Executive Member for Neighbourhood Services

15 October 2008

Report of the Director of Neighbourhood Services

### Sales of Age Restricted Products

#### Summary

1. To inform members of the work undertaken by the council's trading standards service to prevent the sales of age-restricted products.
2. To seek specific member approval for the programme of action for the next 12 months in relation to the enforcement of:-
  - i) The Children and Young Persons (Protection from Tobacco) Act 1991 in relation to cigarettes/tobacco.
  - ii) The Anti-Social Behaviour Act 2003 in relation to aerosol paint.

In relation to these two particular areas, members are required to approve the plan of action each year.

#### Background

3. Legislation exists to help prevent a range of potentially dangerous/anti-social products being accessible to young people. The products regulated with age-restrictions include alcohol (minimum age 18), fireworks (18), certain video games (18), cigarettes (18), knives (18), spray paint (16) and solvents (16). In recent years trading standards officers have carried out education and enforcement work in all of these areas. Other age-restricted products that have not been part of the trading standards work programme in recent years include films (12,15,18) and petrol (16).
4. At the meeting of the Executive Member for Neighbourhood Services on 6 September 2007, it was decided that the Council should continue with a programme of education and enforcement, adopting a flexible approach to taking formal action against offenders. The programme of education and enforcement is as follows:
  - Visits to premises to advise on legal requirements and the steps that may be taken to avoid illegal sales. The visits also include checks that legal notices are correctly displayed.

- Promotion of the 'Responsible Retailer Scheme' to off-licensed premises, and the 'Best Bar None Scheme' to on-licensed premises.
  - Respond to complaints made by residents.
  - Respond to intelligence from the police, other council departments and enforcement bodies about illegal sales.
  - Conduct test purchases using volunteer children, under the supervision of officers, to check compliance and take appropriate action following illegal sales.
  - Targeted publicity about underage sales work.
5. Test purchases are carried out in accordance with national guidelines issued by the Local Authority Co-ordinators of Regulatory Services (LACORS). The guidelines include that the test purchasers should not appear older than their true age, and must tell the truth about their age if asked. Officers remain within the sight and earshot of the young volunteers at all times to ensure that their welfare is not compromised and that a trader is not tricked into making a sale that they wouldn't have made. The table in Annex 1 shows the number of attempted test purchases made and the number of sales for each product over the last 5 years.

## **Alcohol**

6. As part of the council's Local Public Sector Agreement (LPSA2) trading standards were tasked to reduce the level of underage sales of alcohol to below 10% by April 2008 (taken as an average over two years). The initial grant that accompanied that agreement included appointing a specific 'Underage Sales' officer who would introduce a 'Responsible Retailer Scheme' to raise standards and recognise those premises committed to tackling underage drinking. This scheme, which compliments the 'Best Bar None' scheme designed to raise overall standards in 'on-licensed' premises, was launched in October 2006. There are currently 46 members of the scheme. The criteria of the Responsible Retailer scheme are set out in Annex 2.
7. Enforcement action, through test purchasing exercises has followed the education work. The trend towards declining sales continued, there were 291 visits in total in 2007-8, resulting in 23 sales (8%). The total no. of visits in 2006-8 was 563 and the total no. of sales was 56, the level of sales was therefore 9.95% ensuring that the LPSA2 target was successfully achieved.
8. In April 2007, the law enabled the Chief Officer of police to authorise trading standards officers to issue fixed penalty tickets where illegal sales occur. Trading Standards Officers have asked the Chief Officer of Police to authorise the issuing fixed penalty tickets (as agreed at the Meeting for the Executive Member for Neighbourhood Services in December 2006). The law has also changed so that premise licence holders may be prosecuted where three sales occur in less than three months. There have been no examples of sales at this rate in York. The government are considering proposals to reduce this to two sales in three months. There have been some examples of sales at this lower rate.



## **Tobacco**

9. Officers have continued to undertake a programme of education and enforcement in relation to illegal tobacco sales.
10. On 1 October 2007, the minimum age for purchasing cigarettes was raised to 18. The Department of Health lead the publicity campaign in the 'run up' to the change in the law, and trading standards undertook educational work to compliment the advice of the Department of Health including press releases and visits to retailers where appropriate. Officers also checked that the appropriate 'tobacco warning notices' were displayed and tobacco advertising restrictions are complied with.
11. A programme of test purchases using 15-16 year old volunteers followed the education programme – there were no illegal sales.
12. The trading standards service are to receive £8,162.04 of funding from the Department of Health in 2008-9 (via the Yorkshire & Humber Trading Standards group) to assist education and enforcement work in relation to tobacco. The Department of Health has agreed that the trading standards service use the money to run a promotional campaign (on bus shelters near to secondary schools and at the cinema) to publicise our work, and to encourage those concerned about illegal sales to contact the trading standards service. The service also intends to undertake a series of test purchases based on intelligence/complaints received and to include targeting vending machines.

## **Fireworks**

13. Officers have continued to undertake a programme of education and enforcement in relation to illegal fireworks sales.
14. Traders will again be sent a guidance leaflet on all aspects of the law relating to firework sales with their registration certificate - businesses must register with the council if they wish to sell fireworks. Officers will then visit retailers to check storage conditions, check for the sale of 'banned' fireworks i.e. those not complying with noise limit requirements and those which are 'unsafe'. Verbal advice is given on preventing underage sales, and checks made to ensure the correct notices are displayed.
15. There were two illegal sales from the 13 visits in 2008-9.

## **Spray Paint**

16. Officers continue to monitor 'intelligence' from the police and other council officers to target suppliers. It is noted that there does appear to be a problem with youths using marker pens in graffiti which are not controlled by legislation. Officers have visited traders during the police led 'weeks of action' asking them to consider not selling marker pens to youths if they suspect they may be used in vandalism.

## Consultation

17. In April 2004, The Talk About Panel (Survey 19) were asked to prioritise issues for Environmental Health and Trading Standards services. The issues that they were asked about were those that the council has a discretion over the level of service it can provide (i.e. Although enforcement is a duty, no minimum criteria is specified). 60% of respondents said that the top priority for the service was preventing the sale of alcohol, cigarettes and solvents to children.

## Options

18. Option 1: The council should continue with the programme of education and enforcement action set out in paragraph 4 for the next 12 months.
19. Option 2: The Council may adopt a different programme of education enforcement

## Analysis

20. Option 1 Will permit officers to continue with a programme of enforcement activity which has resulted in a general reduction in underage sales.
21. Option 2: Any other programme will have to consider the impact it would make in reducing sales of age restricted products.

## Corporate Priorities

22. The trading standards work on tackling illegal sales of age restricted products links to the following corporate priorities.

“Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York”.

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

## Implications

- **Financial:**

23. There are no financial implications associated with this report, other than the additional funding referred to in paragraph 12.

- **Human Resources (HR):**

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

- **Equalities**

25. There are no equalities implications associated with this report

- **Legal:**

26. The Council are legally obliged to consider its activities in relation to tackling underage sales of alcohol, spray paint and cigarettes each year. Members are being asked to make a decision on enforcement action.

- **Crime and Disorder**

27. The links to tackling crime and disorder have been highlighted earlier in this report.

- **Information Technology (IT)** (*Contact – Head of IT*)

28. There are no IT implications associated with this report.

**Property**

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

- **Other**

30. There are no other implications to consider.

**Risk Management**

31. There is a risk of carrying out test purchasing operations in 'on-licensed' premises if the support of North Yorkshire police is withdrawn. Their services are required to respond to any breach of the peace that may arise.

**Recommendations**

32. That the Advisory Panel advise the Executive Member notes the report and adopts the programme of enforcement action of the next 12 months.

Reason: So that the council can meet its legal obligations.

**Contact Details**

**Author:**

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Trading Standards Manager  
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1528*

**Chief Officer Responsible for the report:**

*Andy Hudson  
Assistant Director (Neighbourhoods)*

**Report Approved**

**Date** 08/09/2008

**Wards Affected:**

**All**

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

**Background Papers:**

Environment and Sustainability EMAP 'Sales of Age Restricted Products' report 6<sup>th</sup> September 2007.

Revised Enforcement Policy for Environmental Health, Trading Standards and Licensing, 19 March 2008.

**Annexes**

***All annexes to the report must be listed here.***

Annex 1 – The results of test purchasing activity 2003-2008

Annex 2 – Responsible Retailer Scheme – Qualifying Criteria

**The results of test purchasing activity 2003-2008**

Product	2003/4		2004/5	
	No of visits	Illegal Sales	No. of visits	Illegal Sales
Alcohol	62	21 (34%)	64	11 (17%)
Tobacco	4	0 (0%)	8	0 (0%)
Fireworks	17	0 (0%)	35	4 (11%)
Solvents	N/a	N/a	6	3 (50%)

Product	2005/6		2006/7	
	No. of visits	Illegal Sales	No of visits	Illegal Sales
Alcohol	195	29 (15%)	272	33 (12.1%)
Tobacco	3	0 (0%)	10	0
Fireworks	28	0 (0%)	31	6 (19.4%)
Spray Paint	38	0 (0%)	7	0
Computer Games	7	0 (0%)	N/a	N/a
Knives	N/a	N/a	21	2 (9.5%)

Product	2007/8	
	No. of visits	Illegal Sales
Alcohol	291	23 (8%)
Tobacco	11	0 (0%)
Fireworks	13	2 (15%)
Spray Paint	1	0 (0%)
Knives	N/a	N/a

**Responsible Retailer Scheme – Qualifying Criteria**

- The retailer must display a sign stating that it is illegal to sell alcohol to persons under 18.
- The retailer and staff always ask young people their age. If anyone appears to be under the age of 21 they will ask for proof of age.
- The retailer and staff will only accept proof of age with a 'PASS' logo, passport or a new style driving licence before they sell alcohol.
- The retailer's customers confirm that they have not seen any illegal sales in my shop by signing a petition (50 for a small enterprise, 150 for a medium and 300 for a large).
- The retailer will train staff on our policy regarding under age sales when they commence employment at regular intervals thereafter.
- The retailer will maintain records of staff training and produce it to trading standards staff on request.
- The retailer and staff maintain a refusals note book and monitor entries taking appropriate action where appropriate (such as re-training members of staff).
- The retailer will display customer/staff posters as appropriate
- The retailer will accept that trading standards officers may check that the retailer is complying with the scheme and if not the membership could be cancelled.



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

**15 October 2008**

Report of the Director of Neighbourhood Services

**Noise Complaints Update**

**Summary**

1. The purpose of this report is to update the Executive Member and Advisory Panel on the current position regarding noise nuisance and the operation of the council's weekend night time Noise Patrol service.

**Background**

2. The council (via the environmental protection unit) have a statutory duty to investigate and deal with noise complaints.
3. On 8 March 2006 the Executive Member approved a new approach to tackling noise nuisance, which included setting up a new weekend night time noise enforcement service (the "Noise Patrol"). The Noise Patrol operates on Friday and Saturday nights from 9pm to 3am.
4. The noise patrol service was funded up to 31 March 2008 through the LPSA programme. The annual cost of the service is currently £88k. A growth bid of £88k was submitted as part of the 2008/9 budget process. The 2008/09 budget allocated £50k in to the base budget to continue to provide the service. This left a £38k shortfall which is being covered in 2008/9 by a one-off grant by the Safer York Partnership.
5. Members are advised that a bid of £40k will be submitted as part of the 2009/10 budget process in order to maintain the Noise Patrol service.

**Workload**

6. The number of noise complaints received by the environmental protection unit (EPU) has increased dramatically following the introduction of the Noise Patrol (a 78% increase from the introduction of the service in April 2006 to the year ending 31 March 2008). Greater awareness of the Noise Patrol and the extended licensing hours have contributed to this increase. The number of noise complaints per annum is as follows:

2004/05	1196
2005/06	1287
2006/07	2246
2007/08	2295
2008/09 (to 28 September)	1264

The total number of noise complaints received in 2008/09 to 28 September shows a slight reduction over the same period in 2007/08 (1264 compared to 1330). This may in part be due to the poor summer weather with fewer outside activities. If this trend continues then the predicted number of complaints will be 2,180 in 2008/9.

8. There were 189 complaints about noise from licensed premises in 2007/08 (a 93% increase in complaints since 2005/06); 26 of these complaints related to noise specifically from smoking activities. However, there have only been three noise complaints that can directly be attributed to smoking since 1 April 2008 (although officers estimate a further 14 may be smoking related). It is possible that residents no longer distinguish between smoking-related specific noise and general noise from licensed premises.
9. Whilst the overall number of noise complaints for 2008/9 is showing signs of a moderate decrease, there has been a sharp rise in demand for the Noise Patrol. The number of phone calls to the Noise Patrol (on Friday and Saturday nights) show a 26% increase from 1 April to 28 September 2008, compared with the equivalent period in 2007/08. Numbers of complaints and telephone calls received by the Noise Patrol are as follows:

	<b>Calls</b>	<b>Complaints</b>
2006/07	842	687
2007/08	917	785
2008/09 (to 28 September)	672	504

(note these figures are included in the totals in paragraph 7)

10. The latest Talkabout results state that 30% of residents are concerned about noise in their local area (down from 36% in the previous 2 years). Although noise complaints continue to increase, they appear to be increasing at a slower rate than in previous years. Residents are now aware that there is a service to deal with their complaints out of hours.

### **Partnership working**

11. Student police officers now spend a day in EPU as part of their training. Police officers have also accompanied EPU officers on the Noise Patrol on several occasions and discussions are ongoing about increasing their participation.



Police officers assist EPU during seizures of noise making equipment and when officers are threatened during the Noise Patrol. EPU officers are taking an active part in the Capable Guardian Initiative in Westfield ward, problem solving initiatives in Clifton and other police and council multi-agency initiatives to reduce crime and anti social behaviour in York.

12. The police have commented that there is a greater impact when EPU and the police work together. The Noise Patrol reduces the number of calls to the police thereby enabling them to respond to other incidents.
13. EPU work closely with housing officers from estate management and the tenancy enforcement team. Joint meetings and visits are held to deal with problems at council premises. Housing officers assist EPU officers on the Noise Patrol. Evidence collected and any enforcement action taken by EPU and the Noise Patrol is passed to the housing teams for action. EPU officers attend court to give evidence in possession hearings.
14. The tenancy enforcement team support joint working and information sharing is good. Enforcement action taken by EPU can be used by estate managers to warn problem tenants. A high proportion of tenancy-related nuisance cases do have noise as an element of ASB, so the EPU contribution is valuable.
15. Evidence of noise problems from licensed premises are referred to and discussed with trading standards and licensing officers from the council, the police and fire service and a joint approach to these premises is agreed. EPU are consulted on all licence applications and variations of licences. Officers from EPU attend all licence hearings where noise may be an issue and will attend licensed events if they suspect a nuisance might occur.
16. The evidence collected by the Noise Patrol, including statements from officers, enable the council's licensing unit to send warning letters to licence holders regarding breaches of licence conditions, which can lead to joint visits, prosecution or a review of the licence.

### **Enforcement Activity**

17. Enforcement activity based upon evidence collected on the Noise Patrol can be summarised as follows

	<b>Notices served</b>	<b>Notices breached</b>	<b>Seizures</b>	<b>Cautions</b>	<b>Prosecutions</b>
<b>2006/07</b>	39	6	6	3	5
<b>2007/08</b>	66	19	8	4	12
<b>2008/09 to 26 September</b>	22	12	6	1	4

18. In 2006/07 EPU served their first criminal anti social behaviour order (CRASBO). There are currently five cases being considered for prosecution and / or CRASBOs.
19. Some examples of joint action enforcement activity include:

When noise nuisance continued after a noise abatement was served, EPU officers arranged to seize noise making equipment and were assisted by the police. Once inside the property a “cannabis farm” was found. EPU prosecuted the council tenant. The housing department are in the process of securing an eviction.

A council tenant caused a noise nuisance and threatened his neighbour when he complained. EPU served a noise abatement notice, which was breached when the man came out of prison. EPU seized noise making equipment and he was arrested for a breach of his anti social behaviour injunction. He was evicted from his flat and is awaiting prosecution by EPU.

### **Consultation**

20. Housing and Estate managers have been consulted on the report.
21. A housing manager commenting on the Noise Patrol said it is “...one of the most useful tools in our ASB toolbox & one we don't want to lose” and “...most ASB cases involve an element of noise, either through loud music or arguments, often drink/drug related. The service provides a response when the problems are most likely to occur & no other service is available. It also provides customers with a perception of being cared about rather than left to fend for themselves because council services aren't available. When speaking to customers, there is often a sheer feeling of relief expressed just knowing that there is a service that they can call on if needed. It is hugely important to us.”
22. An estate manager commented that they “...do not have the opportunity to witness these complaints directly as they often occur out of normal working hours. The Noise Patrol service provides an immensely useful tool for the EM team in tackling ASB and nuisance. Customers can be given the reassurance of knowing that someone can be contacted about a noise problem, as and when it is happening, with a response to the problem within a short space of time. With the knowledge that if evidenced action can be taken and if the problems persist further enforcement action is possible. The EPU service is of immense value and importance to the EM team in tackling ASB and we would not wish to lose it.”

### **Options**

23. Members are asked to note the report.

### **Analysis**

24. Not applicable

## Corporate Priorities

25. The Noise Patrol service and the work of EPU contribute directly to the council's corporate priority to "Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York".

## Implications

- **Financial:** This service is currently funded for this financial year. There will be a £40k shortfall in 2009/10 and a growth bid will be submitted as part of the 2009/10 budget process.
- **Human Resources (HR):** There are no human resource implications.
- **Equalities:** There are no equalities implications.
- **Legal:** There are no legal implications other than that the council has a statutory duty to investigate noise complaints.
- **Crime and Disorder:** The work of the environmental protection unit and the noise patrol contribute directly to the council's corporate priority to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York. They work directly in partnership with the police, housing team, Safer York Partnership and others to achieve this.
- **Information Technology (IT):** There are no IT implications.
- **Property:** There are no property implications.
- **Other:** There are no other implications.

## Risk Management

26. There are no implications for risk management.

## Recommendations

27. That the advisory panel advise the executive member that the report be noted.

Reason: That members are aware of the activity of the noise patrol service and the necessity to submit a growth bid of £40k in 2009/10, in order to maintain the service.

## Contact Details

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Andy Hudson  
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**Report Approved**

**Date** 1<sup>st</sup> October 2008

**Wards Affected:**

**All**

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

**Background Papers:**

Noise Complaints Update, Neighbourhood Services EMAP Report, 17<sup>th</sup> October 2007



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

15 October 2008

Report of the Report of the Director of Neighbourhood Services

### Statutory direction to English Local Authorities: Regulation of air pollution from Crematoria

#### Summary

1. The Council has received a further statutory direction from DEFRA (Department of Food, Environment and Rural affairs) under the Environmental Permitting (England and Wales) Regulations 2007, This direction requires the Council, by 31<sup>st</sup> October 2008, to notify DEFRA of their intentions with respect to the fitting of mercury abatement equipment, the number of cremations covered by the abatement, and the steps in place to have it operational by 2012.
2. The Council had already previously confirmed it's intentions in June 2006, but DEFRA has indicated that the national response to the previous direction was *"...patchy... and ...there remains uncertainty amongst cremator operators as to their obligations and a lack of clarity on the delivery and timing of the necessary improvements"*. Hence the need to further respond to DEFRA in respect of a formal declaration.
3. Members are requested to review the previous decision and confirm their approval to install mercury abatement equipment and respond to the statutory direction accordingly.

#### Background

4. Mercury is a product contained in the flue gases from crematoria resulting from the vaporisation of dental fillings. The government has estimated that mercury emissions from crematoria would rise by two thirds by 2020 if no measures were taken to abate the emissions, and that this source will be the biggest single contributor to mercury emissions in this country.
5. Emissions from crematoria are released from relatively low flue stacks that may lead to fairly localised dispersion of pollutants. However it is recognised that the problem arising from mercury emissions is from long-range transportation and for this reason national targets for abatement have been set.

6. Crematoria have been regulated under Part 1 of the Environmental Protection Act since 1991. Substantial improvements to emissions have been made over the subsequent years applying statutory guidance PG5/2. These requirements did not however address emissions of mercury.
7. This omission has been taken into account by the Department of Environment, Food and Rural Affairs (DEFRA) who introduced an update on the process guidance in the form of PG5/2(04) and AQ1(05) note on 'Control of Mercury Emissions from Crematoria'. The aim of the new requirements is for the crematoria industry to reduce the emissions of mercury to the atmosphere by 50% before the end of 2012.
8. DEFRA have confirmed that the industry may adopt several options to achieving the 50% reduction prior to 2012. The options available being:
  - Operators may upgrade their existing crematoria
  - Operators may “emissions trade” (see paragraphs 9 -13 below) or
  - Operators may partly upgrade and trade – effectively a combination - to achieve 50% reduction of mercury emissions.
  - A single crematorium can abate 50% of its cremations and not trade.
  - Private sector companies can trade within the sector provided they can provide evidence of achieving 50% reduction in mercury emissions.
  - Local authorities with 2 or more crematoria can trade internally provided they can provide evidence of achieving 50% reduction in mercury emissions.
  - Two or more operators could form their own trading arrangement provided they can provide evidence of achieving 50% reduction in mercury emissions.
  - Operators may trade (buy or sell abated cremations) through the CAMEO burden sharing scheme or any other scheme that may be developed.
9. CAMEO (Cremation Abatement of Mercury Emissions Organisation) is a burden sharing agreement, which has been established by The Federation of British Cremation Authorities.
10. The aim of the scheme is to safeguard the industry in which 23% of existing crematoria cannot physically install abatement plant and to minimise additional costs for the bereaved.
11. It has been agreed that CAMEO will form a trading company in 2011, commence to shadow burden sharing in 2012 and go live in 2013. All partners will contribute to the scheme and those that abate more than 50% of their cremations will receive income from the combined revenue.

12. Cremation authorities were required to advise their regulator under the Environmental Protection Act no later than 1 June 2006 whether they will be installing mercury abatement equipment or opting for burden sharing (i.e. emissions trading). York notified their regulator following the June EMAP, of their intention to install mercury abatement equipment (see paras 19 and 20)
13. If following notification in June 2006, DEFRA believe that not enough crematoria have made the decision to install abatement equipment and a 50% reduction of mercury emissions cannot be demonstrated, then an alternative option of targeting those crematoria with the highest number of cremations will be applied by DEFRA. It has been estimated that this would be 30% of all crematoria and would likely include York.

### **Mercury Abatement Equipment**

14. The development of mercury abatement equipment for crematoria is somewhat new but similar technology has been used in other industries for many years. There are essentially two systems, one based on powder injection and the other on a filter bed. Both require the disposal of the contaminated spent reagent.
15. There are 4 main manufacturers of equipment and each one very similarly priced. Current average costs for installations being £250k for a single unit, £380k for a double unit or £425k for a triple unit. In addition to this capital investment, there would be additional on-going revenue operational costs, estimated to be £30k per annum.
16. All manufacturers abatement is bulky and many crematoria may have difficulty in fitting it into existing buildings and limited options to extend.

### **York Crematorium**

17. York Crematorium has 3 cremators, which were installed in 1992. They are not fitted with mercury abatement technology. Mercury abatement equipment could be fitted to all three cremators, but this would require an extension to the existing building, with an associated build cost of approx £100k, in addition to the fitting of the arrestment plant.
18. The layout of the building is such that mercury abatement equipment could be fitted within the existing building enclosure, but only if one of the cremators was removed. This would leave the crematorium with only two cremators in operation. The crematorium is capable of operating with 2 cremators by altering work patterns but it would be extremely important to have an enhanced maintenance schedule, as any unforeseen breakdown may mean that the crematorium schedule for the day would be significantly affected. The addition maintenance schedule would cost approx £15k p.a.
19. As the operator of the York Crematorium, the City of York Council was required to advise DEFRA through its regulator (the City of York Council Environmental Protection Unit) of its intentions in relation to mercury abatement by June 2006. A report was submitted to the 8<sup>th</sup> June 2006 meeting of the Executive member

for Neighbourhood Services and Advisory panel, which sought member approval to comply with the scheme.

20. At that meeting, members agreed.

- That the intention to install mercury abatement equipment be indicated to the Council's regulator (the Environmental Protection Unit) under the Environmental Protection Act.
- That the preferred option, be option D (Two cremators - see paras 22-26 below)
- That officers be instructed to proceed with obtaining costings for the approved option, which would form part of the budget submission for 2007/08.

### **Consultation**

21. No consultation has taken place.

### **Options**

#### Option A

22. To do nothing. This would place the Council in breach of its statutory obligations.

#### Option B

23. To seek a trading agreement through the CAMEO scheme.

This option would not require the Council to undertake capital borrowing in the near future. However should, as a result of the returns provided, burden sharing is not seen to achieve the national 50% abatement target DEFRA may decide to enforce abatement on the larger operators.

This option would not see the Council contributing directly to the greater environmental objectives, but would be paying to pollute.

An estimated cost would be £50-55k per annum.

#### Option C

24. Install abatement equipment to deal with 50% of cremations.

If adopted the Council would be meeting the minimum standards laid down in legislation. It would require the removal of one cremator and the installation of mercury abatement to one of the remaining two cremators.

There would be a capital cost roughly estimated to be £250k for the new equipment, an increased revenue cost of approx £15k per annum to run the new equipment. The reliance on only two cremators would require an



enhanced programme of preventative repair and maintenance to minimise the risk of breakdown. This is estimated to be £15k per annum.

No revenue could be derived from the CAMEO scheme.

#### Option D

25. Install abatement equipment to deal with 100% of cremations and remove one cremator, so as to install the equipment.

This option would see the Council meeting the highest targets of the government's commitment to mercury abatement and would satisfy any future legislative requirements. It would require the removal of one cremator and the installation of mercury abatement to both of the remaining two cremators. There would be a capital cost roughly estimated to be £380k for the new equipment, an increased revenue cost of approx £30k to run the equipment.

The Council could also engage in the CAMEO trading scheme and obtain a potential income of up to £55k in trading off its surplus abated cremations. The reliance on only two cremators would require an enhanced programme of preventative repair and maintenance to minimise the risk of breakdown. This is estimated to be £15k per annum.

#### Option E

26. Install abatement equipment to deal with 100% of cremations and retain three cremators.

This option would see the Council meeting the highest targets of the government's commitment to mercury abatement and would satisfy any future legislative requirements. It would require the building on of additional plant room at an estimated cost of up to £100k. There would also be capital cost involved of an estimated £425k to install abatement equipment to all 3 cremators. The total capital cost is estimated to be £525k. There would be an increased revenue cost of approx £45k to run the equipment. The Council could also engage in the CAMEO trading scheme and obtain a *potential* income of up to £55k in trading off its surplus abated cremations.

### **Analysis**

27. The analysis relating to the options has been included in the options above.

### **Corporate Objectives**

28. The original decision by members in 2006 relating to the regulation of mercury emissions supported the corporate priority to "... taking pride in the City, by improving quality and sustainability and creating a safe and clean environment...". The control of emissions will support the revised corporate priority to "...Reduce the environmental impact of council activities and encourage, empower and promote others to do the same..."

## Implications

29. **Financial:** The financial implications of each of the options are estimates and have been included in this report. They are based on figures provided by the Federation of British Cremation Authorities in the guidance and information on mercury abatement. Following the June 2006 meeting, it was determined to defer capital expenditure until nearer the required deadline, and as such only estimates have been obtained.
30. The potential for this capital expenditure has been previously identified and a sum of £850k included in the medium term financial forecast for the Council. However, specific bids based on accurate costings will need to be made through the 2009/10-budget process.
31. **Human Resources (HR):** There are no HR related issues associated with this report.
32. **Equalities:** There are no equality related issues associated with this report.
33. **Legal:** The council will be in breach of its statutory obligation if Option A is approved.
34. **Crime and Disorder:** There are no crime and disorder issues associated with this report.
35. **Information Technology (IT):** There are no IT issues associated with this report.
36. **Other:** There are no other issues associated with this report.

## Risk Management

37. If Option A is approved, the council will be at risk of breaching its statutory obligation and of future operation of the crematorium.

## Recommendations

38. That the Advisory Panel advise the Executive Member that:
  - (a) the Council confirms to its regulator under the Environmental Protection Act (City of York Council Environmental Protection Unit) that it intends to install mercury abatement equipment to all the cremators, and
  - (b) that the preferred option be either Option D or Option E as indicated in paragraph 25 and 26;
  - (c) that officers proceed with obtaining accurate costings for option D and E, which will form part of the budget submission for 2009/10, and that the final decision to undertake option D or option E be made as part of the budget process.

**Reason:** to enable to Council to meet the highest targets of the government's commitment to mercury abatement and satisfy future legislative requirements.

**Contact Details**

**Author:**

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**Chief Officer Responsible for the report:**

Andy Hudson  
Assistant Director  
(Neighbourhoods & Community Safety)

**Report Approved**  **Date** 3.10.08

**Specialist Implications Officers(s):**

**Wards Affected:**

**All**

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

**Background Papers:**

DEFRA Process Guidance Note 5/1/(04)  
DEFRA AQ notes AQ 1(05) AQ 13(05) AQ 24(05)  
EMAP report 8<sup>th</sup> June 2006: Agenda item 6: Crematorium Mercury Emissions

**Annexes**

None

Crematorium Mercury EMAP.doc

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

15 October 2008

Report of the Director of Neighbourhood Services

### City of York Council Public Toilets Review - Update

#### Summary

1. This report informs the Executive Member as to the progress to date on the complete review of public toilet provision for York and updates the position reported on 5<sup>th</sup> June 2008.

#### Background

2. The provision of clean, safe, accessible public toilets affects all local people and visitors to York. For older people, those with medical conditions such as diabetes and parents with young children, public toilets are an important factor in quality of life and in making the city centre user-friendly. Quality of public toilets plays a major role in defining the image of a city.
3. There is no statutory obligation for local authorities to provide public toilets but many people perceive that this is the responsibility of local authorities.
4. York is a major tourist destination and has a thriving economy therefore it is important that the standard of toilet provision is of the highest standard possible maximising the use of existing financial resources.

#### Scope

5. The scope of the review covers the following issues and options:
  - A condition survey for each of the current sites, including cost implications to bring the current range of facilities up to modern standards.
  - A customer survey to establish the current level of use and cost effectiveness of existing sites.
  - Investigate the potential for a community toilet scheme in partnership with local retail outlets and public houses as in other large cities in the UK. In order to significantly increase the level

and quality of provision by inviting local businesses to allow members of the public to use their facilities.

- Consider options for the introduction of hydraulic urinals that are stored underground during the day and raised in support of the evening economy.
  - Examine alternatives adopted by authorities such as Leeds City Council who operate quality mobile units that are available in the city centre at weekends or other locations and events where high volumes of customers are expected.
  - To consider the charging regime across the range of attended and unattended toilet facilities, and ensure that future arrangements make the city fully compliant with equalities legislation, and considered how to cover the cost of ensuring that compliance.
  - To consider access issues to ensure that whatever solution was recommended improved facilities for a range of disabled residents and customers and their carers.
6. In carrying out the review the team will have consideration for the following regulations and policies relating to the public toilet provision and standards:
- **Public Health Act 1936** - The provision and maintenance of toilets in public places is at the discretion of local authorities, who have powers to provide public conveniences, but not a duty to do so. It is expected that Section 87 (3c) of this act will be amended during 2008.
  - **The Public Lavatories (Turnstiles) Act 1963** – prohibits the use of turnstiles in any part of public lavatory controlled or managed by a local authority.
  - **Building Regulations and Building Standards** – The British Standard (BS 6465 – 1:2006) is a code of practice for the design of sanitary installations.
  - **Disability Discrimination Act (DDA) 1995** – Part 3 of the DDA includes provisions covering access to services and facilities.
  - **The Equalities Act 2006** – gives local authorities general and specific duties.

### **Project Plan - Update**

7. The project plan is set out in Annex 1 to this report.
8. The core members of the project team are Assistant Director, Environmental Services, Head of Neighbourhood Pride Service and Neighbourhood Services Performance Manager with invitees as required.

9. Most of the condition surveys have been carried out by Property Services to assess the overall conditions of the structures. Work is still to be completed on Exhibition Square. So far the reports are indicating that the buildings are structurally robust with only minor works needed at a few of the facilities. This work will be done as part of the maintenance programme. Most of the other work is cosmetic, interior work, such as re-decorating, new tiles, doors etc. The full report will be presented to Members on completion.
10. A private sector organisation have completed their initial review of the buildings and are awaiting the outcome of our user number counts to conclude their suggestions. Overall they consider the locations to be good but would suggest improved lighting, decoration and signage.
11. A meeting has been held with York Access Group who are undertaking their own survey of each of the facilities. The work is ongoing and Officers will be meeting with them again to go over their findings.
12. A work specification for consultants has been drawn up and tendered to meet our financial regulations. Following evaluation ENCAMS have been appointed to carry out the support work for the 'Community Toilet Scheme' and to carry out their own independent survey of our current facilities. The survey has been completed and they too are awaiting the results of our user number count before completing their recommendations.
13. They have written to around 20 national businesses in York who are participating in 'Community Toilet Schemes' in other parts of the country. This work is ongoing with meeting scheduled over the coming weeks.
14. Part of the review is to calculate the utilisation of each of the sites. However, other than Union Terrace, there is no controlled access to give user numbers. Consideration was given to user numbers at Union Terrace against the amount of water being used, to try to establish if there is a correlation between users and water consumption. The outcome of this work indicated that there was too great an error factor to give any meaningful control data. It was therefore agreed that we should carry out a survey over the summer months at each site.
15. A limited number of electronic counters have been purchased and are now in use at a various sites. These will be moved around to ensure as many facilities as possible are covered. There have been some interesting results to date, with counters remaining at sites both to verify the findings and assess any seasonal changes. These are the data findings so far:

**St Georges Field - Gents**

<b>Date Range</b>	<b>User Numbers</b>	<b>Average per day</b>
4 <sup>th</sup> July to 14 <sup>th</sup> July	1,588	159
15 <sup>th</sup> July to 22 <sup>nd</sup> July	1,277	160
Device removed		

**St Georges Field - Ladies**

<b>Date Range</b>	<b>User Numbers</b>	<b>Average per day</b>
4 <sup>th</sup> July to 14 <sup>th</sup> July	1,410	141
15 <sup>th</sup> July to 22 <sup>nd</sup> July	1,146	143
Device removed		

**Nunnery Lane - Gents**

<b>Date Range</b>	<b>User Numbers</b>	<b>Average per day</b>
4 <sup>th</sup> July to 14 <sup>th</sup> July	2,724	272
15 <sup>th</sup> July to 22 <sup>nd</sup> July	1,371	171
Device removed		

**Nunnery Lane - Ladies**

<b>Date Range</b>	<b>User Numbers</b>	<b>Average per day</b>
4 <sup>th</sup> July to 14 <sup>th</sup> July	1,506	151
15 <sup>th</sup> July to 22 <sup>nd</sup> July	1,265	158
Device removed		

**Acomb - Gents**

<b>Date Range</b>	<b>User Numbers</b>	<b>Average per day</b>
4 <sup>th</sup> July to 14 <sup>th</sup> July	1,534	153
15 <sup>th</sup> July to 24 <sup>th</sup> July	1,533	153



25 <sup>th</sup> July to 11 <sup>th</sup> Aug	2,568	143
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**Acomb - Ladies**

Date Range	User Numbers	Average per day
4 <sup>th</sup> July to 14 <sup>th</sup> July	927	93
15 <sup>th</sup> July to 24 <sup>th</sup> July	1,092	109
25 <sup>th</sup> July to 11 <sup>th</sup> Aug	2,279	127

**Haxby - Gents**

Date Range	User Numbers	Average per day
4 <sup>th</sup> July to 14 <sup>th</sup> July	503	50
15 <sup>th</sup> July to 24 <sup>th</sup> July	611	61
25 <sup>th</sup> July to 11 <sup>th</sup> Aug	1,149	64

**Haxby - Ladies**

Date Range	User Numbers	Average per day
4 <sup>th</sup> July to 14 <sup>th</sup> July	335	33
15 <sup>th</sup> July to 24 <sup>th</sup> July	413	41
25 <sup>th</sup> July to 11 <sup>th</sup> Aug	779	43

**Toft Green - Gents**

Date Range	User Numbers	Average per day
24 <sup>th</sup> July to 11 <sup>th</sup> Aug	3,688	205
12 <sup>th</sup> Aug to 10 <sup>th</sup> Sept	6,304	210
Device Removed		

**Toft Green - Ladies**

Date Range	User Numbers	Average per day
24 <sup>th</sup> July to 11 <sup>th</sup> Aug	1,493	83
12 <sup>th</sup> Aug to 10 <sup>th</sup> Sept	2,848	95

Device Removed		
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**Exhibition Square - Gents**

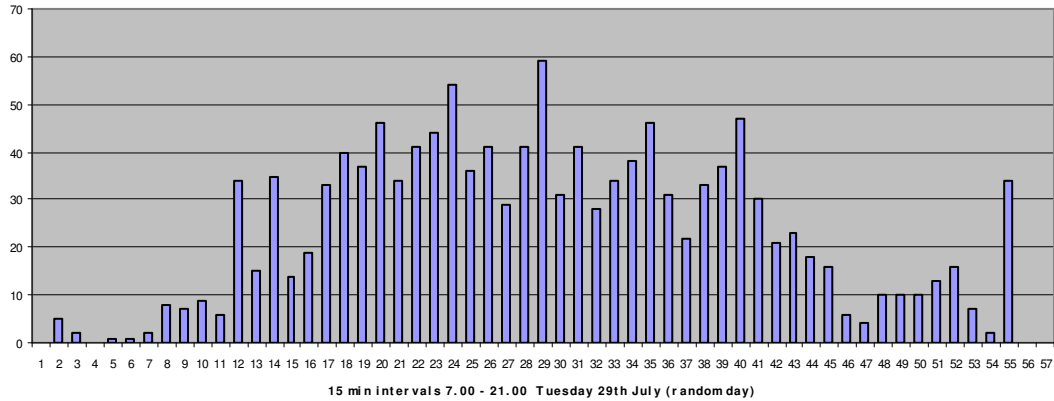
Date Range	User Numbers	Average per day
24 <sup>th</sup> July to 11 <sup>th</sup> Aug	10,877	604
12 <sup>th</sup> Aug to 10th Sept	19,059	635

**Exhibition Square - Ladies**

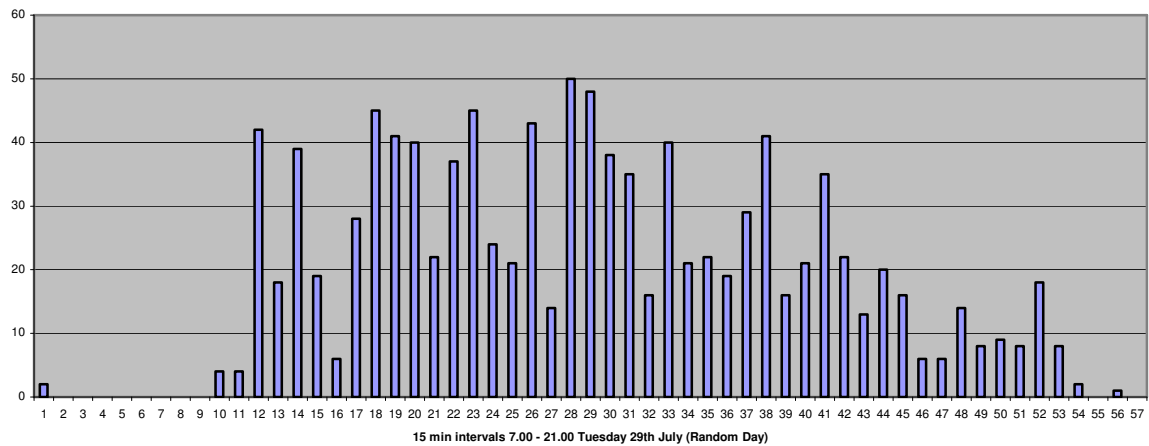
Date Range	User Numbers	Average per day
24 <sup>th</sup> July to 11 <sup>th</sup> Aug	8,890	494
12 <sup>th</sup> Aug to 10th Sept	14,363	479

16. Based on income figures, the total users of Union Terrace between 1<sup>st</sup> April and 24<sup>th</sup> August was 38,352 and average of 261 users per day. The average daily users of Parliament Street ladies is 341 and Coppergate ladies 126, makes Exhibitions Square by far, the most used facilities in York.
17. The monitoring of user numbers at Exhibition Square will continue in order to access any seasonal changes, but if user number continue to be high through the winter months, a business plan, in the light of the idea of the 'Cultural Quarter' and changes with the Museum Gardens facilities will be required.
18. Some of the counters in use are able to monitor user numbers by 15 minutes interval. There is a great deal of data to go through but here is an example of a typical day at the Exhibition Square gents facility.

Exhibition Sq - Gents



Exhibition Sq - Ladies



## Silver Street Development

19. Final drawings are with planning for approval. Work on site is expected to start mid to late October with the removal of the asbestos and the decontamination of the site. Building works are being tendered, with expected completion in May 2009.

## Consultation

20. A significant amount of consultation with a range of interested parties is built into the project plan.

## Options

21. Executive member to note the programme timetable.
22. Executive member to make recommendations and suggestions as to alternative approaches.

## Analysis

23. The portion to note the timetable will allow the review to continue as planned.
24. It is important that an early start is made of collecting the user numbers. Changes and revisions to the timetable could jeopardise the completion date, depending on the degree of the suggested changes.

### **Corporate Priorities**

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

### **Implications**

#### **Financial**

26. The costs of the surveys will be within the existing budgets. The outcome of the review will give an overall indication as to the levels of investments needed to deliver the agreed service.

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

27. There are no HR issues associated with this report.

#### **Equalities**

28. This paper has taken access issues into account. There will be regular update meetings with the councils Equality Team and access groups will be encouraged to participate in the surveys.

#### **Legal.**

29. There are no legal implications at this stage.

#### **Crime and Disorder.**

30. The review is taking community safety issues into account, and in particular look at ways to improve facilities during the evenings and thereby potentially reduce environmental crime.

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

31. There are no direct IT implications at this stage, but electronic counters are being tested.

#### **Property**

32. The outcome of the surveys, particularly the conditions survey will give some indication as to the current build conditions.

## Risk Management

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

## Recommendations

35. Members are asked to note the report and project plan.
36. Reason: To inform the Executive Member of work completed to date.

### Contact Details

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**Environmental Services**  
**Neighbourhood Services**  
**Tel No.553204**

**Chief Officer Responsible for the report:**  
**Terry Collins**  
**Director of Neighbourhood Services**

Report Approved  Date 18/9/08

### Specialist Implications Officer(s)

Property – Neil Hindhaugh – Head of Property Service

Wards Affected:

All

For further information please contact the author of the report

### Background Papers:

City of York Public Toilet Review – Meeting of the Executive Member for Neighbourhoods and Advisory Panel – 19<sup>th</sup> March 2008.  
City of York Public Toilet Review – Update Meeting of the Executive Member for Neighbourhoods and Advisory Panel – 5<sup>th</sup> June 2008.

### Annexes

Annex 1 - Project Plan.

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

15 October 2008

Report of the Director of Neighbourhood Services

### YORKSHIRE IN BLOOM

#### Summary

1. This report informs Members of the outcome of our entry into the Yorkshire in Bloom competition 2008 and the work undertaken in relation to the entry.

#### Background

2. The Yorkshire in Bloom competition is an annual event, which York entered last year for the first time since 1998, and were awarded a silver Gilt, with the comments from the judges saying:

*'An excellent tour of the City of York. The entrant had obviously studied the criteria and every aspect of the competition very well. The floral and sustainable planting clearly complimented the magnificent architecture of this wonderful city. The many diverse groups, individuals, local authority staff and personnel that we met during our tour enthused with civic pride. With such an excellent return to the Yorkshire in Bloom campaign and with a concerted effort reflecting the areas for future development, the City of York has all the attributes to achieve gold in the 2008 campaign and could easily aspire to a future national Britain in Bloom entry.'*

3. We have for the last 12 months continued to build upon the excellent work which led to last year's results using the in bloom committee to coordinate all our efforts in this area, representatives from the following areas sat on the committee: council officers, members, city centre partnership, York press, Askham Bryan College, York St John University, volunteers from the public (ex council officers) and a representative from the Acomb traders.
4. As with last year we decided that whilst we believed the City could demonstrate that we could meet the criteria for each section, we would need a person to co-ordinate the entry, bringing together all the good work being undertaken throughout the City, so once again Liz Levett, our Trading Standards Manager, took on this role working with the committee with particular support and guidance from Russell Stone, Head of Neighbourhood Pride Service and Dave Meigh, Head of Parks and Open Spaces.

5. A strategic approach was taken in delivering this project and our first task was to analyse what we needed to prove to the judges in each category. We then identified what was happening in the City in terms of the different criteria, including taking on board comments made on areas for improvement from last year's judges, before we could put the route together. A lot of networking, internet searches, phone calls, brain storming, photographs taken and visits were made so that we could get the spring route to the judges together with a four page brief on the City a week before their visit which was set for Monday 14<sup>th</sup> April. Displays were put together, and our thanks go to all those people throughout the City who provided Liz with information, display material, photographs and ideas for the display she set up at the Eco Depot for the judges to see as part of their visit, including an excellent presentation by our Waste Strategy Team.
6. The spring judging is just a taster for the summer. More time and marks are allocated to the summer judging, but this means more effort and more things to show the judges as evidence. Together with a 16 page portfolio on the City which must address the criteria and not just 'nice' activity/sites/photos. Certainly without the facility of a co-ordinator it would be very difficult to put together an entry that would stand any chance of success in the competition.

### **The Judging**

7. There are two periods of judging, a spring and a summer. The spring judging went very well, with good feedback being given from the judges on the standards and diversity of our entry.
8. The summer judging took place on the 10<sup>th</sup> July on what turned out to be one of the few sunny days of the summer. The judges spent 4 hours touring the city, including locations ranging from North Minster business park and Joseph Rowntree School to Rowntree Park and the City centre, including meeting residents and partners across the age range of 15 years to 89!. The day finished with a reception in the Mansion house with the civic party.
9. The outcome of our entry was announced at the awards ceremony on the 16<sup>th</sup> September in Barnsley which was attended by the Civic Party and Russell Stone. We were awarded a Silver Gilt, as were all entries in our category (Barnsley, Kingston upon Hull, Leeds and Wakefield), with Leeds being the overall winners, and we received excellent feedback from our judges. Discretionary awards were also awarded to two locations on our summer judging route, Northminster Business Park received the Yorkshire Rose for Permanent Landscaping Award, Wheatlands Community Woodland received the Yorkshire Rose Award for Conservation.
10. The judges wrote:  
  
*'The York in Bloom entry was well planned to meet all the judging criteria, it was good to see that the local authority had embraced the competition*

*with such enthusiasm as the driver to inspiring greater community participation through out the city'*

*Areas that particularly impressed the judges included:*

- *The quality of the floral features on the sponsored traffic islands, hanging baskets and flower towers in the city centre.*
- *The floral garden created by the students at Joseph Rowntree School*
- *The standard of maintenance of verges and features throughout the judging route.*
- *The planting and maintenance at Northminster Business Park.*
- *Wheatlands Community Woodland and their volunteers.*
- *The lack of litter and graffiti through out the judging route, and cleanliness of street paving in the city centre.*
- *The targeted marketing and promotion of the York in Bloom initiative.*

*The Judges wrote in their summary*

A very good entry which has great potential to expand out into the villages and townships around the city. The work undertaken by the York in Bloom city's council staff and volunteers have put the building blocks in place to move the city forward in the competition and raise the standards of public realm maintenance across the city, well done to all involved.

11. A meeting has been held with the York in Bloom committee to give feedback from the judging and the lessons learnt from the process, a further meeting will follow later in the year to look at planning for next years entry.

### **Consultation**

12. 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**

13. 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**

14. A growth bid has been submitted to seek funding for temporary technical/admin support for the 2009 entry.

**Human Resources**

15. There are no specific human resource implications regarding the contents of the report.

**Equalities**

16. There are no specific equalities implications regarding the contents of the report.

**Legal**

17. There are no specific legal implications regarding the contents of the report

**Crime and Disorder**

18. There are no specific crime and disorder implications regarding the contents of the report

**Information Technology**

19. Therefore there are no specific information technology implications regarding the contents of the report

**Property**

17. There are no specific property implications regarding the contents of the report

**Risk Management**

18. There are no specific risk management implications regarding the contents of the report

**Recommendations**

19. That the Advisory Panel advise the Executive Member to note the contents of this report and congratulate all those involved in a successful entry.

That the Advisory Panel support the City of York's entry into the 2009 competition.

**Contact Details**

**Author:**

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*Liz Levett  
Trading Standards Manager  
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**Chief Officer Responsible for the report:**

Terry Collins  
Director Neighbourhood Services

**Report Approved**



**Date** 23/09/08

**Specialist Implications Officers**

**Financial:** None

**Human Resources:** None

**Equalities:** None

**Legal:** None

**Crime and Disorder:** None

**Information Technology:** None

**Property:** None

**Risk Management:** None

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

**All**



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

Background Papers – Spring and summer routes and judging criteria

Attached Annexes

Annex 1 Spring and Summer Judging Routes  
Annex 2 Judging Criteria

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## Annex 1

YORKSHIRE IN BLOOM – YORK SPRING JUDGING ROUTE – 14<sup>th</sup> April 2008

Number On Map	Location + Reference to Spring Judging Section Criteria	Comments	Judges Comments
1	Askham Bryan College A(1), B(1), B(2)	Askham Bryan College provides further and higher education for both residential and non-residential students in a wide range of subjects from agriculture and horticulture to business and animal management just four miles from the City of York. The College is a member of the York in Bloom Committee.	
2	Sponsored Roundabout A64 junction Askham Bryan / Copmanthorpe A(1), C(1)	This is one of several roundabouts and beds sponsored by local businesses. This one is sponsored by The Agra Indian Restaurant, situated nearby on the A64.	
3	Copmanthorpe Village A(1), A(3), C(1), C(2)	The Village Friends work with the Council's Street Environment Officers to ensure the appearance and care of their village is to the highest standard.	
4	Brunswick Organic Nursery and Craft Workshop A(3), B(1), B(2)	Brunswick Organic Nursery and Craft Workshop is a productive workplace for adults with learning difficulties. The Nursery works with CYC offering employment placements for adults referred by the Council so that they can develop important life skills.	
5	Bishopthorpe Village – Library garden and St Andrews Churchyard A(1), A(2), A(3), B(1), C(1), C(2)	In 2006 a new sensory garden was built by the community next to the Library. The Friends of St Andrews Churchyard with the help of the HLF restored the West Window and rebuilt the riverbank.	
6	Bustardthorpe allotments A(2), B(2)	One of 16 Council owned sites in the city but the only which is self managed by the tenants. Following years of decline the site is now nearly full due to the efforts of tenants	
7	Bishopthorpe Road A(1), C(1)	For 2008 3 new beds have been created along the road to brighten up the environment	
8	City Walls and Skeldergate Boer War Memorial A(1), B(1), C(1), C(2)	The walls are owned and looked after by City of York Council. In spring the grass banks and moats are awash with millions of daffodils together with locally scarce wild flowers.	

		Skeldergate Boer War Memorial is planted with wallflowers and tulips.
9	City Centre	
	Clifford's Tower and Hilton Hotel A(1), A(2), C(1)	One of the most famous views of York with a host of daffodils in the spring. The Hotel opposite the Tower plays its part with planters and troughs.
	Coppergate Centre A(2), C(1)	The centre is well known for its floral displays, both spring and summer, and open space with landscaped seating areas.
	Parliament Street A(1), C(1)	At the heart of the City Centre, a bustling pedestrian area. Amongst the hard landscaping, fountain, London Planes, and pavement cafes are flower tubs sponsored by York City Centre Partnership. The flower stalls at Newgate Market add to the colourful displays.
	Betty's and St Helens Square A(1), A(2), C(1)	Betty's is a commercial partner of York In Bloom and provides year round baskets on the café. In St Helens Square the Council provides year round flower tubs.
10	Yorkshire Museum Gardens A(1), B(1), C(1)	The site is managed by the York Museums Trust and is an extremely popular haunt for residents and picnicking tourists alike. Spring colour is provided by a host of bulbs.
11	York St John University A(1), B(1), B(2), C(1)	The site has a number of formal and informal lawn areas, herbaceous / mixed borders, a small wildlife area, a number of seasonal bedding displays and hanging baskets. It's maintained predominantly by two gardeners, apart from the wildlife area, which is cared for by student volunteers.
12	River Foss	The Foss riverside used to be the home of a gas works, power station, incinerator and most recently the Council depot.
	Layorthorpe - New Housing A(2), B(1)	The former gas works site is being transformed with new housing and riverside walk and space for nature.
	Morrison Supermarket and James Street Link Road A(2), C(1)	Extensive planting of perennials, shrubs and mature trees has taken place through the site.



- |    |  |  |
|----|--|--|
| 13 | The Eco Depot and Hazel Court Household Waste Recycling Centre<br>B(2)                                   | The Eco Depot and the Hazel Court facility are key to the City of York Council's approach for a sustainable city, both opening in 2006. The new site is purpose built and has extensive facilities for recycling and composting.   |
| 14 | Heworth<br>A(1), B(1), C(1), C(2)  | Our route take us past Glen Gardens, one of the City's 3 Civic Trust Green Flag sites, and Wolfe Avenue Wood where the Probation Service have restored and repainted the railings.   |
| 15 | Melrosegate - St Nicholas Fields Local Nature Reserve and Hull Road Park<br>A(1), A(3), B(1), B(2), C(2) | St Nicholas Fields Local Nature Reserve, this former brick pit and rubbish dump is one of York's 4 Statutory Local Nature Reserves. Across the road is Hull Road Park the site of a major refurbishment programme with the aim of becoming York's 4 <sup>th</sup> Civic Trust Green Flag site. |
| 16 | The University of York campus and sports grounds<br>A(1), B(1), B(2), C(1)                               | Maintenance of the University's diverse 80 hectare grounds is carried out by the University's own team. This includes extensive sports grounds, a lake, conservation areas and Heslington Hall gardens.  |
| 17 | Walmgate Stray (Low Moor)<br>B(1)  | One of York's 4 historic Strays, this 40 hectare marshy grassland is still grazed by cattle.   |
| 18 | Fulford – St Oswald's CE Primary School and Parish grounds<br>A(2), A(3), C(1), C(2)                     | The grounds of the new St Oswald's CE primary school are maintained by Sewell Education Limited as part of the York School's PFI. Fulford cubs maintain the new "Fulford" flower bed in the Parish playing field.  |
| 19 | Macarthur Glen Designer Outlet and Park and Ride<br>A(2), B(1), B(2), C(1)                               | As well as being a significant out of town retail park this site is also one of our 5 park and ride facilities. The area has been landscaped and planted to provide a green and welcome environment for those using the site when visiting York.   |
| 20 | Top Lane Junction, Askham Bogs, Copmanthorpe<br>A(3), C(2)   | An important York SINC site leads through to Pike Hills Golf Course and Askham Bogs Nature Reserve. The new landscaping is part of the recent Copmanthorpe access road and includes a SUDS reed pond which is attracting considerable wildlife interest.                                       |

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## Annex 1

**YORKSHIRE IN BLOOM – SUMMER JUDGING ROUTE – Thursday 10 July 2008**

<b>Number On Map</b>	<b>Location + Reference to Judging Section Criteria</b>	<b>Comments</b>	<b>Judges Comments</b>
1	Northminster Business Park A(2), B(2)	Excellent maintained with permanent landscaping. All the new buildings in the business park are named after trees and planted with said trees.	
2	Wheatlands Community Woodland B(4), C(1)	Five acres of land planted with over 5,000 native broadleaf trees providing educational trails with specially cut paths and information boards and leaflets at points of interest. A fine example of a new woodland and meadow habitat creation.	
3	Upper and Nether Poppleton Villages A(1)(3), B(1)(3), D(1)(2)	Fine examples of the villages within the City of York area. A drive through the villages demonstrates the care and pride the residents and the Parish Councils take in maintaining their local environment.	
4	Clifton Moor Roundabout B(1), E(2)	Two of our sponsored roundabouts demonstrating a different, more modern approach to its design, using stone and gravel.	
5	Wigginton & Haxby A(1)(2)(3), B(1)(2)(3), D(1)(2)	The villages of Wigginton and Haxby clearly demonstrate the pride taken by residents, businesses and local Parish/Town Councils in their gardens, environment and green spaces.	
6	Joseph Rowntree School A(4), B(5)	Thirteen pupils, as part of their work related learning course, together with their enthusiastic teacher (sports) have transformed a disused and overgrown courtyard. Having cleared all the rubbish the area has been transformed with flower beds, pots, shrubs, hanging baskets and a herb garden. You will get an opportunity to see what has been done and meet some of those involved in this project.	
7	Hartrigg Oaks A(3)(4), B(3)(4)	Hartrigg Oaks, a continuing care retirement community for people aged 60 plus. Spread over a 21 acre site with beautifully landscaped gardens the accommodation consists of 152 bungalows, and 42 rooms within The Oaks Care Centre. Each bungalow has well maintainable garden plot and residents take pride in their individual gardens. Managed by the Joseph Rowntree Trust there is even a nursery where the older generations can mix with the younger to their mutual	

		benefit.
8	New Earswick Village A(3), B(3)	Built at the turn of the century by the Rowntree family New Earswick is a 'model' garden village. The social housing is still owned and managed by the Joseph Rowntree Trust. Great care is taken to maintain the village with green and floral planting. All roads within the village are named after trees and plants.
9	The Sessions Nature Reserve C(1)	One of York's long established businesses, Sessions Printers (1920) has established a nature and conservation area on their land behind their premises. The company were instrumental in the production of the York Green Spaces Guide, which they also printed.
10	Huntington A(1)(3)	Along this part of the route you will see mixed residential areas with houses and gardens of all types and design.
11	New Lane A(1)(2)(3), B(1)(2)(3), D(1)(2)	Another example of the residential areas within the City. A variety of planting by the residents can be seen in their front gardens together with the colourful and beautifully maintained garden at Holly Cottage B+B.
12	Monk Stray B(1), E(1)(2)	One of York's 4 Strays, this area of open space which were originally controlled and managed by Pasture Masters for the benefit of Freeman in the Ward. Now administered by the City of York Council as 'open spaces for the benefit and enjoyment of the Citizens of York for all time'. At the end of the stray one of our smaller inner city roundabouts. Sponsored by the Hungate developers and planted with evergreen heathers and hebes.
13	Glen Lodge A(4), B(1)(3)	Situated in a quiet area of Heworth Glen Lodge provides sheltered housing with a mixture of flats and bungalows. The tenants, age range 59 to 90, plant and maintain the two enclosed gardens, including the greenhouse where plants and fruits and vegetables are grown. The gardens are a joy to behold. The gardens at Glen Lodge were one of the winners in last year's 'Tenants in Bloom' competition.
14	Melrosegate/Tang Hall A(2)(3), B(2)(3)	This is an area of mixed housing, although predominantly social housing, typical of the inner City residential areas, together with local shops. We drive through the University Campus at

- |    |  |   |
|----|--|---|
| 15 | Heslington Lane/Broadway<br>A(3), B(3), E(1)                             | <p>Heslington, an 80 hectare landscaped park with lakes and wildfowl.</p> <p>An area of social housing including housing owned and maintained for the Armed Services. A variety of front gardens and floral displays can be seen here including York in Bloom sponsored wooden planters which can be seen at Broadway shops and along Fulford Road.</p>   |
| 16 | Low Moor Allotments<br>A(4), C(1)(2)                                     | <p>The Community Kids' Allotment at Low Moor demonstrates the work that goes on in the City to encourage children to be involved in growing their own produce, enjoy the experience of gardening and learn about the natural world around them. Using shared beds and individual plots kids (7-12 years) grow vegetables, fruit, herbs and flowers. The success of this project has led to the development of a second community-focussed 'nursery' allotment.</p>  |
| 17 | York Cemetery<br>B(4), C(1)(2)   | <p>Last year York Cemetery celebrated 170 years and the 20<sup>th</sup> Anniversary of 'rescuing' the Cemetery by the York Cemetery Trust, a non-profit making charity. The Trust maintains this private burial ground and works to an ecological land management plan. Some areas of the 24-acre site remain undisturbed to encourage and protect the habitat of the wildlife to be found there. Guided tours and walks and other events take place in the Cemetery. There are only 4 paid staff maintaining the Cemetery, all other work is undertaken by volunteers.</p>   |
| 18 | Fishergate/Bishopthorpe Road<br>A(1)(2)(3), B(1)(3), D(1)(2), C(2), E(1) | <p>The quality of the environment is important and one of the Council's air quality monitoring stations is to be found at the junction of the inner ring road.</p> <p>Entering the inner city ring road we pass the Masons Arms public house which has splendid hanging baskets. As we continue we see the beautiful floral displays, both permanent and seasonal against the historic background of the Castle Museum, Boer War Memorial and City Walls. In particular the floral wooden flower tubs, hanging baskets and flowerbeds should be noted.</p> <p>At the Bishopthorpe Road car park one of the many local recycling banks is to be found.</p> |

19	Rowntree Park A(1)(4), B(1)(4), C(1)(2), D(1)(2)(3)	York's premier public park – one of three that hold the Civic Trust Green Flag award. Well used by visitors and the community, there is something for everyone here. We are proud of all those who work hard within the park supported by an excellent Friends group.
20	York Racecourse A(2), B(2)	This world class racecourse is also a major out of centre business and attraction visited by hundreds of thousands of people each year. With the new stands and re-furbished buildings the floral displays at the racecourse are a welcoming sign to all who make their way there.
21a	Duncombe Place A(1), B(1), D(1)	The Boer War Memorial provides a place to sit, stare and contemplate. A beautiful setting with rose beds. St Michael le Belfrey church next to the Minster has a fine display of floral planters.  A copy of Van Gogh's A Wheatfield with Cypresses is displayed on the church as part of the Grand Tour in York, a celebration of great art and beautiful buildings brought together our historic capital of the north.  Guy Fawkes was baptised in this church.
21b	Minster Gardens A(1), B(1)	York is a busy City but it has some beautiful green spaces and gardens for the public to enjoy and this is one. The herb garden beside the upper path is edged with a carved stone seating wall mirroring the carving on York Minster.
21c	Treasurer's House A(2)(4), B(2)(4), C(2)	The garden at the Treasurer's House has always been one of York's hidden gems. There are now two gardens to enjoy, the formal front garden, and nestled beneath the city walls, an organic Herb Garden. The Herb Garden, developed with the help of volunteers, provides a tranquil setting and visitors can also purchase peat free plants including herbs. It also offers a free community space for meetings, relaxing or holding community activities.
21d	College Green/St William's College A(1)(2), B(1)(2)	This green space beside the Minster is a place to stop and stare at the floral displays bedecking St William's College.

21e	Bedern Hall A(2), B(2)	Originally part of the College of Vicars Choral, the Hall was their refectory up to the mid 17 <sup>th</sup> century. Now the Hall is used for all kinds of events and occasions. The area around the Hall was once a walled garden, vineyard and orchard. These may have gone but the gardens at the Hall and the surrounding properties are a delight.
21f	Bedern/St Andrewgate A(3), B(3)	The residential properties in this area represent a renaissance in city centre living. Those living here and managing the properties take great care with the gardens and landscaping whether a large garden space or small planter.
21g	Merchant Taylor's Hall A(2), B(2)	Hidden under the 17 <sup>th</sup> century cladding is a 14 <sup>th</sup> century building. A beautiful building with immaculate grounds to match. A favourite venue for weddings and other occasions.
21h	Goodramgate A(2)	Properties in this old street proudly display their hanging baskets thereby welcoming visitors on their approach to the Minster.
21i	Stonegate/Ye Olde Starre Inn A(2), D(1)	Stonegate is one of the most popular tourist shopping areas in the city. The businesses make sure that it is florally beautiful. There are many places to take a break including the oldest watering hole in York. Ye Olde Starre Inn has a small outdoor seating area that is full of flower boxes and baskets. The Yorkshire Terrier, a York Brewery Company public house, also has hanging baskets.
21j	St Helen's Square A(1)(2), D(1)(2), C(2)	The floral displays in the main public square are stunning. Flower towers and hanging baskets abound adding to the beauty of the square that contains the Mansion House, the entrance to the Guildhall and one of our many splendid tea rooms.  You can also find one of our mixed recycling litter bins.
21k	Mansion House A(1), E(1)(2)	The home of the Lord Mayor during their year in office. An early Georgian style building that has been restored by the Civic Trust. Floral baskets hang outside. Inside you will find displays of the work that goes on all year in York to contribute to the ethos of Yorkshire in Bloom together with some of those involved in making York a City to be proud of.





## Annex 2

## Yorkshire in Bloom Report Sheet – Urban Communities, Towns and Cities, Categories 2A/2B/2C/2D/3/4/5

Name of Entry ..... Judged by .....

Electoral Roll Size..... Date Judged.....

Time judging commenced ..... Time allocation for judging .....

Introductory Paragraph for the whole report (50 – 75 words)			
<b>SECTION A</b>	<b>SUB-SECTION</b>	<b>MAX POINTS</b>	<b>POINTS AWARDED</b>
<b>Floral Displays</b>  <i>Design and quality of features and displays, standards of maintenance, including lawned areas.</i>  30% of maximum points.	<ol style="list-style-type: none"> <li>1. Local authority / “in Bloom” group <i>( e. g. public parks &amp; town gardens, war memorials, recreational areas, public buildings displays associated with roads including roundabouts etc.)</i></li> <li>2. Business &amp; commercial <i>(e.g. shops, multiple stores, retail centres, bus and train stations etc.)</i></li> <li>3. Residential front gardens.</li> <li>4. Community involvement <i>e.g. design, planting, maintenance etc.)</i> Encouragement of young people, as appropriate.</li> </ol>	20	
<b>TOTAL POINTS AWARDED FOR SECTION A</b>		<b>60</b>	
<b>The judges were particularly impressed by</b> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> </ol> <ul style="list-style-type: none"> <li>• Any other comments -</li> </ul>			

**Areas suggested for future development**

1.

2.

3.

4.

- Any other comments -

## Urban Communities, Towns &amp; Cities Marking/Report Sheet continued

SECTION B	SUB-SECTION	MAX POINTS	POINTS AWARDED
<p><b>Permanent landscaping, including shrubs</b></p> <p><i>Design and quality of plantings and standard of appropriate maintenance, including grass cutting.</i></p> <p>30% of maximum points.</p>	<ol style="list-style-type: none"> <li>1. Local authority / "in Bloom" group (e.g. public parks, recreation areas, open spaces, war memorials, verges, roundabouts, car parks, provision and maintenance of allotments and school grounds etc.)</li> <li>2. Commercial premises (e.g. industrial estates, business &amp; retail parks etc.)</li> <li>3. Residential areas.</li> <li>4. Community involvement including planting by voluntary organisations. Encouragement of young people, as appropriate.</li> </ol>	<p>20</p> <p>20</p> <p>10</p> <p>10</p>	
<b>TOTAL POINTS AWARDED FOR SECTION B</b>		<b>60</b>	
<p><b>The judges were particularly impressed by</b></p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> </ol> <ul style="list-style-type: none"> <li>• Any other comments -</li> </ul>			
<p><b>Areas suggested for future development</b></p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> </ol> <ul style="list-style-type: none"> <li>• Any other comments -</li> </ul>			

## Urban Communities, Towns &amp; Cities Marking/Report Sheet continued

SECTION C	SUB-SECTION	MAX POINTS	POINTS AWARDED
<p><b>Local Agenda 21 and Sustainable Development</b></p> <p><i>In this section innovative new ideas having impact on different areas of the community together with community effort will gain marks.</i></p> <p>15% of maximum points.</p>	<p>1. Management of natural areas, as appropriate to the local environment (<i>e.g. nature conservation projects, monitoring, education, work programmes etc.</i>) Other nature projects – designated areas created to encourage wild flowers and wildlife. Interpretation/signage as appropriate.</p> <p>2. Waste management (<i>e.g. recycling, composting etc.</i>) Community involvement to encourage recycling to save natural resources (<i>e.g. mulching, water conservation, minimisation of peat/pesticide/herbicide usage etc.</i>) Encouragement of young people, as appropriate.</p>	15	
<b>TOTAL POINTS AWARDED FOR SECTION C</b>		<b>30</b>	
<p><b>The judges were particularly impressed by</b></p> <p>1.</p> <p>2.</p> <ul style="list-style-type: none"> <li>• Any other comments -</li> </ul>			
<p><b>Areas suggested for future development</b></p> <p>1.</p> <p>2.</p> <ul style="list-style-type: none"> <li>• Any other comments -</li> </ul>			

## Urban Communities, Towns &amp; Cities Marking/Report Sheet continued

SECTION D	SUB-SECTION	MAX POINTS	POINTS AWARDED
<b>Local Environmental Quality</b>  <i>Absence of litter, dog fouling, graffiti, fly-posting and other associated factors.</i>  15% of maximum points.	1. Cleanliness of city/town centres and other high profile areas; residential areas; functional areas (other than streets) (e.g. public parks and gardens bus and train stations, children's play areas etc.) Treatment of weeds in hard landscaped areas, as appropriate.	10	
	2. Condition of street furniture, litter/dog bins and management of gap sites.	10	
	3. Community involvement, including campaigns and community projects to encourage improved cleanliness. Encouragement of young people as appropriate.	10	
	<b>TOTAL POINTS AWARDED FOR SECTION D</b>	<b>30</b>	

## The judges were particularly impressed by

- 1.
  - 2.
- Any other comments -

## Areas suggested for future development

- 1.
  - 2.
- Any other comments -

SECTION E	SUB-SECTION	MAX POINTS	POINTS AWARDED
<b>Public Awareness</b> <i>Publicity and promotion of Yorkshire in Bloom and local "In Bloom" activities.</i> 10% of maximum points.	1. Marketing, publicity and promotion of Yorkshire in Bloom. Communication of information and media coverage.	10	
	2. Organisation and innovation in attracting sponsorship, fundraising and other support Including "in kind" benefits.	10	
<b>TOTAL POINTS AWARDED FOR SECTION E</b>		<b>20</b>	

## The judges were particularly impressed by

- 1.
  - 2.
- Any other comments -

## Areas suggested for future development

- 1.
  - 2.
- Any other comments -

<b>OVERALL POINTS AWARDED OUT OF A MAX</b>	<b>200</b>
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