

Notice of meeting of

Decision Session - Executive Member for Neighbourhoods and Housing. & Housing

To: Councillors Reid (Executive Member)

Date: Tuesday, 21 September 2010

Time: 4.00 pm

Venue: The Guildhall, York.

AGENDA

Notice to Members- Calling In:

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

10am on Monday 20th September 2010, if an item is called in *before* a decision is taken, *or*

4pm on Thursday 23rd September 2010, if an item is called in *after* a decision has been taken.

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

1. **Declarations of Interest**

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

2. Minutes (Pages 3 - 6)

To approve and sign the minutes of the meeting of the Decision Session for the Executive Member for Neighbourhood Services on Tuesday 22 June 2010.

3. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00 pm on Monday 20th September 2010.**

Any written representations in respect of items on this agenda must be submitted to Democratic Services by **5pm on Friday 17th September 2010.**

Members of the public may speak on item on the agenda, an issue within the Executive Member's remit, or an item that has been published on the Information Log for the current session. There are no information reports for this session.

4. Annual Report to Tenants 2009-2010. (Pages 7 - 38)

This report and its annex set out the thinking behind, and seeks the Executive Members approval for the proposed Annual Report to Tenants.

5. Application for a New Governance Scheme for the Local Registration Service. (Pages 39 - 44)

This report seeks the Executive Members endorsement of an application for new governance for the Council's registration service and the future application for Customer Service Excellence.

6. Neighbourhoods and Community Safety Group (Pages 45 - 50)
Legal Actions.

The purpose of this report is to enable to Executive Member for Neighbourhoods and Housing to review the results of Legal Actions (prosecutions, cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services for the period 1st April 2010 – 30th June 2010 and approve the continuation of the current policy on legal actions.

7. Sales of Age Restricted Products. (Pages 51 - 62)

The purpose of this report is to inform the Executive Member of the work undertaken by the Council's Trading Standards service to prevent sales of underage products and to seek approval for the programme of action for the next 12 months in relation to the enforcement of:

1. The Children and Young Persons (protections from Tobacco) Act 1991 in relation to cigarettes and tobacco.
2. The Anti-Social Behaviour Act 2003 in relation to aerosol paint.

8. 2010/2011 Quarter 1 Performance Report. (Pages 63 - 72)

This report presents an overview of performance at Quarter 1 2010/11 for environmental and regulatory services managed by Communities and Neighbourhoods Directorate.

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

Democracy Officers:

Name: Laura Bootland

Contact Details:

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

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

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

Contact details are set out above.

About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

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

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

Further information about what's being discussed at this meeting

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

Access Arrangements

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

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

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

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

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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 Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

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

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

Who Gets Agenda and Reports for our Meetings?

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

City of York Council

Committee Minutes

MEETING	DECISION SESSION - EXECUTIVE MEMBER FOR NEIGHBOURHOODS
DATE	22 JUNE 2010
PRESENT	COUNCILLORS REID (EXECUTIVE MEMBER)

1. DECLARATIONS OF INTEREST

2. MINUTES

RESOLVED: That the minutes of the last meeting held on 18 May 2010 be approved and signed by the Chair as a correct record.

3. PUBLIC PARTICIPATION - DECISION SESSION

It was reported that Councillor Simpson-Laing had registered to speak on Item 4, the Petition requesting Installation of Dog Bins outside Carr Junior School. The Executive Member was informed that Councillor Simpson-Laing had been inadvertently delayed and instead, she submitted a written statement. Details are under the relevant minute item.

4. PETITION REQUESTING INSTALLATION OF DOG BINS OUTSIDE CARR JUNIOR SCHOOL.

The Executive Member for Neighbourhoods considered a report which advised her of the receipt of a petition from pupils, staff and parents of Carr Junior School together with a petition from pupils and staff of Carr Infant School. It set out recommended actions in response to the petition.

Officers outlined the report and advised that bins are installed in any particular area only if there is an overwhelming need i.e. in a 'hotspot' area. Officers felt that the Carr Junior School area could be targeted by other means such as involving the Dog Warden Service and Street Environment Service. Officers advised such methods would be preferential to them as a city wide audit of dog bins is currently being carried out.

Councillor Simpson Laing submitted a written statement in which she highlighted the following points:

- She had advised Officers in April that it was not advisable to remove the dog bin from the nearby Viking Rd/Tostig Avenue path.
- To combat vandalism the bins require a metal lid.

- Carr School wants a bin in addition to the Viking Road/Tostig bin and the Ward Committee will pay for it.

The Executive Member commented that better communication is required between Environment Officers and Ward Committees so that Ward Committees are aware as to when they are allowed more bins. In this instance the Executive Member felt that the Ward Committee should be allowed to fund their own bin, which the Council would service, with the intention of the situation being reviewed after the standard 3 year service period. The Executive Member also approved Option 1 as recommended by Officers, to tackle the problem by other means.

RESOLVED:

That the Executive Member:-

- (i) agrees to adopt Option 1, in paragraph 11, and approved the actions proposed.
- (ii) recommends that the Ward Committee fund the additional dog bin and it be serviced by the Council for the standard 3 year period, after which the situation be reviewed to determine if it is still required.

REASON:

To address the issue raised by the petition through the implementation of a comprehensive and partnership approach to tackle the problem of irresponsible dog owners failing to clear up after their dogs in the area.

5. PETITION REQUESTING THE CITY OF YORK COUNCIL INSTALL KERBING TO THE EDGE OF CARRIAGEWAY ON MAIN STREET, HOLTBY VILLAGE.

The Executive Member for Neighbourhoods considered a report submitted in response to a petition submitted to Full Council by Councillor Brooks on 8 April 2010 and signed by 56 residents of Holtby Village.

The petition requested that the Council installs kerbing to the edge of carriageway along those lengths of Main Street where the verges are not already protected by a kerb edge.

Officers outlined the report and advised that a surface dressing scheme will be covering the area concerned. In addition, Officers advised that a drainage investigation had highlighted a problem with verge over-run and debris due to water following heavy rainfall blocking the existing drainage system. As a result, and in response to comments made in the petition it has been established that it will be necessary to lay 600m of kerbing.

The Executive Member was happy to approve the recommendation.

RESOLVED:

That the Executive Member:-

- (i) notes the receipt of the petition
- (ii) approves Proposal 2, as detailed in paragraph 13 of the report.

REASON:

To alleviate the verge over-run and prevent debris entering the drainage system.

6. STREET LIGHTING ENERGY EFFICIENCIES AND CARBON SAVINGS.

The Executive Member for Neighbourhoods considered a report which informed her of the work carried out so far to reduce the energy usage and carbon emissions from the City of York Council street lighting and the proposals for the next 12 months.

The Executive Member was happy to approve the recommendations and congratulated Officers on the progress made so far.

RESOLVED:

That the Executive Member

- (i) notes the work undertaken in 2009-10 that will deliver savings in 2010-11 as set out in appendix 1.
- (ii) approves the proposals for 2010-11 as set out in appendix 2.

REASON:

To reduce energy usage and carbon emissions from City of York Council street lighting over the next 12 months.

7. NATIONAL SERVICE PLANNING REQUIREMENTS.

The Executive Member for Neighbourhoods considered a report which sought approval for service plans for food law enforcement, health and safety law enforcement and animal health enforcement which are produced on an annual basis in response to national requirements.

Officers outlined the report and advised that it should be noted that the Food Law Enforcement Service Plan is part of the Council's Policy Framework and will require Full Council approval.

The Executive Member was happy to approve the National Service Plans and referred them to the Executive for approval..

RESOLVED:

That the Executive be recommended to approve the service plans for food law enforcement, health and safety law enforcement and animal health enforcement.¹

REASON:

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

Action Required

Refer to Executive for approval.

CR

8. YEAR END PERFORMANCE REPORT.

The Executive Member for Neighbourhoods considered a report which set out the annual performance information for the Neighbourhood Services portfolio for 2009/10.

Officers outlined the report, in particular discussions were had on the following issues:

- Waste and recycling – landfill is down and recycling is increasing.
- Roads and pavements conditions – unless significant funding is found there will be little change in the satisfaction scores.

The Executive Member queried how the Year End Performance report would be reported in future due to the recent addition of some Housing matters to her portfolio and asked Officers to think about this. She thanked Officers for their hard work over the year.

RESOLVED:

That the Executive Member notes the performance update set out in the report.

REASON:

In accordance with budgetary and performance monitoring procedures.

Councillor Reid, Chair

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

	
Executive Member for Neighbourhoods and Housing.	21 st September 2010
Report of the Head of Housing Services	

Annual Report to Tenants 2009-2010

Summary

1. This report and its annex set out the thinking behind, and seeks the Executive Members approval for the proposed Annual Report to Tenants 2009/10 .
2. The Housing Landlord Service is subject to regulation by the Tenant Services Authority (TSA). This new regulatory framework requires Housing Services to produce an Annual Report which is circulated to all of its tenants by the 1st of October 2010. The draft Annual Report is attached at Annex 1. The Executive member is asked to approve the draft Annual Report and agree that the Head of Housing Service's can make minor amendments prior to final printing if required.

Background

3. On the 1st of April 2010 the TSA published its new regulatory framework document for social housing in England, at its heart are six standards, five of which are applicable to local authorities. Against each strand a number of outcomes and expectations are described that landlords should meet. The six standards cover:
 - **Tenant involvement and empowerment** – covers requirements relating to customer service, choice and complaints; involvement and empowerment; and understanding and responding to diverse needs of tenants
 - **Home** – covers requirements relating to quality of accommodation; and repairs and maintenance
 - **Tenancy** – covers requirements relating to allocations; rents; and tenure
 - **Neighbourhood and community** – covers requirements relating to neighbourhood management; local area co-operation; and anti-social behaviour
 - **Value for money**
 - **Governance and financial viability** (this standard does not apply to local authority housing departments).
4. In addition there is an expectation that landlords agree with their tenants local offers which set out how services are to be delivered and measured locally.

Local offers are to be in place by April 2011. Whilst the content of local offers is for a housing provider to agree with its tenants the TSA expect discussions to cover a number of areas related to the TSA standards in particular around three standards:

- Tenant Involvement and Empowerment ,
- Home and
- Neighbourhood and Community standards

Annual Report

5. To comply with the regulatory framework, social housing landlords must produce an annual report for year ending 31st March 2010 to be made available to tenants by **no later than the 1st of October 2010** a copy of which is to be provided to the TSA.
6. Whilst the TSA have not been overly prescriptive on how the report should look there are a number of requirements which are to be included. These are:
 - Setting out how the TSA standards are being complied with/ actions to be implemented to ensure full compliance.
 - Identify any gaps and associated improvement plans. Identifying plans for developing locally tailored offers with tenants which support the TSA standards to be in place by 1st of April 2011.
 - Assurances on how the outcomes reported have been gained, including how tenants have been involved in scrutinising performance and, where appropriate, use of external validation, peer review and benchmarking.
 - Setting out how tenants have been involved in producing and scrutinising the report.
7. The TSA's requirements have been incorporated in the production of the Draft Annual Report attached at Annex 1.

Consultation

8. In the development of the Annual Report, Housing's Service Development Team have engaged with the Residents Federation and have worked closely with 13 tenants in agreeing the content, design and layout of the report. The tenant's ideas highlighted below have been incorporated within the report.
 - Something for everyone
 - Easy to read and no jargon
 - Interesting
 - Not too many pictures (no pictures of staff and to be relevant to the content)
 - Facts and figures all together at the end
 - Information to include the good and the bad

Options

9. Option 1 – To agree the attached Annual Report for Housing Services.
10. Option 2 – To not agree the attached Annual Report for Housing Services and suggest changes.

Analysis

11. Option 1 – The attached annual report has been developed in partnership with a group of council tenants and the Tenants & Residents Federation and is focused on providing our assessment against the strands as set out in the regulatory framework, but in a way that meets our customers needs.
12. It clearly sets out our key achievements for the year to 31st March 2010 against each strand and our proposed service improvements for the coming year.
13. Option 2 – To not agree the report will result in a delay in publishing the annual report and result in the council not meeting a statutory requirement as set out in the regulatory framework.

Corporate Priorities

14. The production of an Annual Report supports the Corporate Priorities of being an Inclusive and Effective Organisation.

Implications

15. The implications associated with this report are:
 - **Financial** – The cost of producing the Annual Report and distributing to tenants is in the region of £5,000 to be met from within existing budgets.
 - **Human Resources (HR)** N/A
 - **Equalities** – The report considers Equalities Information and will be made available in different languages and formats on request.
 - **Legal** N/A
 - **Crime and Disorder** N/A
 - **Information Technology (IT)** N/A
 - **Property** N/A
 - **Other** N/A

Risk Management

16. The risks associated with the proposals in this report are low and score less than 16. In compliance with the Council's risk management strategy there are no direct risks.

Recommendations

17. The Executive Member is asked to:

- Approve Option 1, to agree the Annual Report and delegate to the Head of Housing Services approval to make minor amendments prior to final printing if required.

Reason: To ensure that the council provides appropriate information to its customers and meets its statutory requirements.

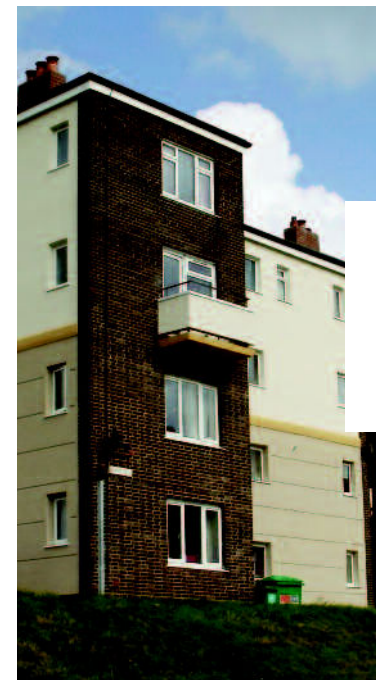
Contact Details

Author:	Chief Officer Responsible for the report:												
Sharon Brown Strategy and Enabling Manager Communities and Neighbourhoods 554362	Steve Waddington Head of Housing												
	Report Approved	✓	Date 6 th Sept 2010										
<table style="width: 100%; border: none;"> <tr> <td colspan="2">Specialist Implications Officer(s) <i>List information for all</i></td> </tr> <tr> <td style="width: 50%;"><i>Implication ie Financial</i></td> <td style="width: 50%;"><i>Implication ie Legal</i></td> </tr> <tr> <td><i>Name</i></td> <td><i>Name</i></td> </tr> <tr> <td><i>Title</i></td> <td><i>Title</i></td> </tr> <tr> <td><i>Tel No.</i></td> <td><i>Tel No.</i></td> </tr> </table>				Specialist Implications Officer(s) <i>List information for all</i>		<i>Implication ie Financial</i>	<i>Implication ie Legal</i>	<i>Name</i>	<i>Name</i>	<i>Title</i>	<i>Title</i>	<i>Tel No.</i>	<i>Tel No.</i>
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Wards Affected: <i>List wards or tick box to indicate all</i>			All ✓										
For further information please contact the author of the report													

Background Papers: TSA- A New Regulatory Framework

Annexes: Annex 1 Annual Report 2009-2010

Creating Homes, Building Communities



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Discuss residents tea party

Welcome

Welcome to Housing Services' annual report which is a review of Housing Service's performance for the year 2009/10. In this document we share our achievements and our plans to improve services for you, our customers. This report outlines how we meet or plan to meet the standards set by the Tenant Services Authority (TSA), the new regulator for all social housing. We have focused on the things that you said mattered most. If you want to know in more detail how we meet the standards or the work we are doing then please contact us.

The vision for Housing Services is 'Creating homes, building communities'. Supporting this vision are four key outcomes we want to achieve with you, which support the TSA standards.

- ◆ Your Place
- ◆ Your Property
- ◆ Your Service
- ◆ Your Say.

We are pleased that we have been able to involve customers in developing this report for the first time.

A group of 13 residents came together with staff to give us feedback about last year's report and to tell us what they think this year's report should contain. They had some very clear ideas about what should be included:

- ◆ Something for everyone
- ◆ Easy to read and no jargon
- ◆ Interesting
- ◆ Not too many pictures
- ◆ Facts and figures all together at the end
- ◆ The good and the bad news.

We would welcome your views on this report by filling in the section at the end. We will use your feedback when we design future reports.

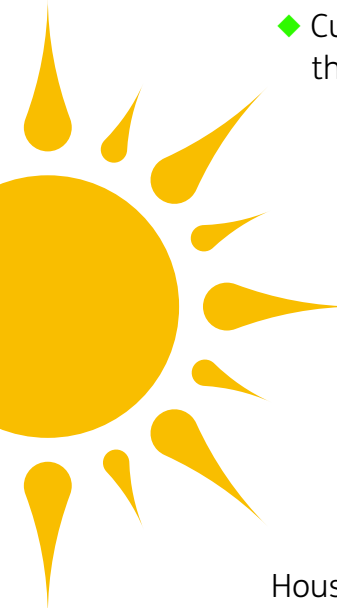
Picture of Walls and Flowers



Introduction

This is a report for all our customers and this includes several different groups of people;

Who are our customers?

- 
- ◆ Current council tenants & leaseholders who have bought their council flats
 - ◆ Applicants for council housing
 - ◆ People living in hostels owned by the Council
 - ◆ People living on our travellers sites
 - ◆ Individuals and families living in York who have housing needs or are at risk of losing their home
 - ◆ People who can't access appropriate housing or improve their current accommodation because of affordability issues or because they are vulnerable in other ways

Housing Services is part of the council directorate called Communities and Neighbourhoods whose director is Sally Burns.

Who are Housing Services ?

- ◆ We manage the housing register for people applying for a council home (Housing Registrations team)
- ◆ We repair and improve council homes (Repairs team)
- ◆ We manage tenancies and rent accounts of our homes

(Tenancy Services team, Income Management team)

- ◆ We prevent people from becoming homeless by providing advice and assistance (Housing Options team)
- ◆ We provide temporary housing where we have a statutory duty to do so (Temporary Accommodation team)
- ◆ We provide supported accommodation to people who are homeless (Resettlement team)
- ◆ We provide and manage 3 sites for gypsies and travellers (Temporary Accommodation team)
- ◆ We work with partners to provide new social housing (Housing Development team)
- ◆ We help provide disabled grants and adaptations for people living in their own home (Standards and Adaptations team)
- ◆ We work with private landlords and owner occupiers to improve the conditions of privately rented or owned property (Standards and Adaptations team)

Feedback from customers is critical in how we make decisions about services. Every year we conduct an annual housing satisfaction survey, which provides an opportunity for tenants to let us know how we are doing. We use this information to inform our service improvement planning. Results for 2009-10 show that 88% of tenants were happy overall with the services we provide,

placing us in the top performing social housing landlords.

We are increasing the opportunities for our residents and customers to be involved in how services are provided and we are finalising our Customer Engagement Strategy, which will be our plan for doing this.



The Tenant Services Authority

In April 2010 the Tenant Services Authority(TSA) became the regulator of all social housing. They carried out a great deal of consultation with tenants across the country to find out what matters most to people who live in council or housing association homes. Following this nationwide consultation with tenants they developed a number of standards. These set out how landlords should:

- ◆ involve and consult with their tenants and deal with complaints
- ◆ maintain and improve council properties
- ◆ maintain estates and deal with anti-social behaviour
- ◆ manage council housing and tenancies
- ◆ deliver value for money services

We have included a section about developing “local standards” (local offers) with you later in the report. This is about looking at the national standards and making them meaningful to you at a local level.

Throughout this report you will see the standards the TSA have set, whether we meet the standards and our plans for improvement.

The weather symbols below will appear throughout the report as an indication of our progress so far:



We fully meet the standard



We meet some of this standard

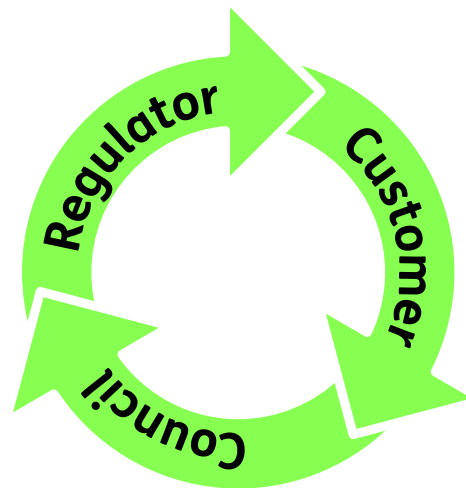


We meet most of this standard



We do not meet this standard

The diagram below shows the balance between the 3 elements of influence & scrutiny on housing services.



Contact details

You can contact housing services by telephone through our customer services team on 01904 551200 and ask to speak to one of our teams.

If you have an enquiry about any other council service please use the Customer Contact Centre on 01904 551550.

If you would like to visit us in person you can do so at the Finance & Housing Centre at Library Square or our Acomb Office at 50 York Road. These receptions are open from 8.30am to 5pm Monday to Friday.

Alternatively you can arrange for a home visit.

You can also pay your rent and other council payments on line www.york.gov.uk

We welcome your comments, complaints or compliments and we are happy to receive these in anyway and to any member of staff. Complaints will be responded to within 10 working days.



Your Place

- safe, sustainable, thriving neighbourhoods

Aims & objectives of the service. Working with our partners, we will tackle homelessness, poverty and exclusion, endeavouring to ensure that neighbourhoods are developed, maintained and safe with a mix of good quality housing, increasing the provision of and access to affordable homes and are places where people want to live and work now and in the future.

Some key achievements 2009/10

WA service level agreement with the grounds maintenance team has been developed for the upkeep of communal areas on our estates, leading to better service and value for money.

We have consulted widely with customers and partners to develop an anti-social behaviour strategy for housing and the City of York.

We opened our first new build 'downsizing' scheme called Tangletrees at 5th Avenue. Six 2 bedroom flats were built for people who then moved out of six larger council houses to free them up for families.

We started the major regeneration project by demolishing the 'discus bungalows' and building new ones including a 100 new homes for older people.

130 new affordable homes were completed in partnership with housing associations and private developers.

▶ Our tenants decided how to spend £170,500 on environmental improvements to our estates through the annual estate improvement process.

▶ Through our new housing option service, we helped reduce the number of households accepted by the council as homeless by 38%.

▶ The number of households in temporary accommodation reduced significantly to 79, which far exceeded the Government target of 121.

▶ In partnership with children and family services we have developed Project 92 a Family Intervention project to support and challenge families to reduce anti social behaviour, prevent homelessness and reduce the impact of child poverty.

The TSA asks us to

Keep our neighbourhoods clean and safe



Cooperate with our partners to promote social, economic and environmental well being



Work in partnership to prevent and tackle anti-social behaviour in our communities



Make the best use of our housing



Plan for the future needs and aspirations of our communities



A look back at the year

Housing staff work in partnership with the council's Street Scene teams to keep our neighbourhoods clean and safe. Eleven estate workers are employed, who act as the 'eyes and ears' of our estates, checking for rubbish, graffiti and any other problems that can be quickly reported and tackled. By getting to know the residents they help us provide a tailor-made service that suits the needs of the local area. We reviewed this service with customers and have jointly agreed service standards which will soon be published in communal areas.



Housing and grounds maintenance staff, other council departments, local ward councillors and customers inspect estates quarterly and agree improvement action to be taken.

Every Residents' Association has an annual estate improvement grant and consults widely to decide how the money should be spent to benefit their local area. Popular choices made by customers in 2009/10 include community skips, carbon monoxide alarms, additional parking bays, fencing and security lighting.

In 2009 we held our first ant-social behaviour customer panel meeting where customers were able to have a greater say in what the service should look like and they have provided vital feedback about our customer leaflet and the priorities for our strategy. We are working with a range of partners to develop the anti-social behaviour strategy including North Yorkshire police, the Environmental Protection Unit and the Mediation service. Our customers have told us that we can take too long to respond to their concerns and that personal contact needs to improve. We have already taken steps to act on these issues and will be monitoring our performance.

Despite the difficult economic climate we have worked with Housing Associations to deliver 130 newly built affordable homes across the city. We negotiated with private developers to agree that 30% of the homes built on the Terry's site would be affordable – that's 82 homes.

New family housing at ...



Tangletrees, Fifth Avenue, Tanghall



Excellent partnership working with the energy saving trust and Neighbourhood Management has enabled us to identify those private homes in most need of energy saving measures. As a result, 83 homes received free cavity wall and loft insulation with a further 400 in the pipeline.

In 2009 we re-designed our front line service and established our Housing Options team who provide detailed and comprehensive housing advice to customers needing to find a home or at risk from losing their home. The team achieved all their targets in 2009/10. We helped 60% more households avoid becoming homeless and reduced the number living in temporary accommodation, by 50% from the previous year. By working in partnership with charities, Peasholme, Arclight and the Salvation Army, we are able to keep the number of rough sleepers in York very low - often zero.

Improvements for 2010/11

Work closely with Neighbourhood Management on the area working pilots over 6 wards to provide joined up services and make best use of resources

Implement the anti-social behaviour strategy

Develop customer information that shows how we are performing when dealing with anti-social behaviour

Re-launch the Mediation Service within housing to help promote good neighbour and community relations

Provide feedback on the actions identified at estate inspections on our website so customer can monitor progress,

Re design the youth homelessness service to include the possible provision of a youth resettlement service

Implement the Gypsy and Travellers' action plan, where funding is available

Continue to reduce the numbers of people in temporary accommodation and avoid using bed and breakfast

Build 19 family homes at Lilbourne Drive – the first new houses built by City of York council since 1992.

Deliver 200 affordable homes during 2010/11

Implement our revised Housing Strategy

Develop and implement our Older Persons' Housing Strategy

Your Property – sustainable, quality, affordable homes

We will aim to ‘ensure that people can live independently in homes that are safe and warm providing grants to those who qualify and where appropriate use regulatory powers to ensure compliance in the private sector’

The TSA asks us to

Ensure all our homes meet the governments ‘decent homes’ standard by the end of 2010



Provide a cost effective repairs and maintenance service to homes and communal areas that responds to the needs of and offers choices to tenants and has the objective of completing repairs and improvements ‘right first time’



Meet all the statutory requirements for health and safety in the home



Some key achievements 2009/10

The average time to complete non-urgent repairs reduced to 5.03 days.

We reviewed the repairs service with customers. We now have three simple timescales – 4 hour, same day and general (20 days) and make appointments for all repairs.

We modernised 524 council homes through our Tenants’ Choice programme and achieved 95% customer satisfaction.

By December 2010, all our properties will meet the government’s decent homes standard.

We provided 40% more customers with major adaptations to help them live more independently and installed minor adaptations for 1639 customers achieving a 93.4% customer satisfaction level with the service.

A look back at the year

We are meeting the government’s decent homes standard through our Tenants’ Choice programme. We are on track for all our properties to meet the decent homes standard by December 2010.

The decent homes standard sets out the minimum requirements for modernising homes. Our Tenant’s Choice programme allows us to carry out this work to a higher standard by replacing elements before the end of their lifespan, which gives value for money as well as less disruption in the home.

Our annual exhibition of products helps customers visualise the work and discuss



Tenants’ Choice bathroom



Annual Tennant’s Choice exhibition

any queries and concerns with our staff. Last year, 95% of customers who had Tenants' Choice were satisfied or very satisfied with the service.

When comparing our performance with other housing organisations, the costs of our major works and planned maintenance are in the middle to top performance band, along with our decent homes performance and energy efficiency SAP ratings.

We are one of a handful of local authorities to run a seven year cyclical external painting contract, which delivers significant cost savings and allows us to re-invest funds into the communal areas. We are the first local authority nationally to trial water based paint and are progressing this every year with a view to full implementation by 2015. We won a Painting & Decorating Association highly commended award for this scheme.

As part of our health and safety regulations, we implement a programme of gas safety checks to gas appliances. At the end of March 2010, we had been able to gain access and carry out gas safety checks to 98.2% of properties which, compared to other local authorities, puts us in the middle performance band. Gas servicing has been reviewed and new procedures have been introduced to tackle the no access issue through the use of warrants, which will significantly improve our performance in 2010.

We provide support to people in the private sector through the provision of adaptation grants which help people continue to live



External improvements to Sowerby Road

independently in their homes. We have consistently high levels of satisfaction with our adaptations service (93% in 2009/10) and have steadily improved how quickly we complete adaptations, ensuring requests are prioritised to meet the most urgent needs.

We work well with landlords in the private sector to help maintain standards for private tenants. We carry out a range of enforcement work to ensure standards are good and where necessary we prosecute landlords who consistently fail to maintain standards. A code of best practice have been developed

with a number of organisations and educational establishments, which provides recognition to landlords who take a responsible approach to letting their properties.

Improvements for 2010/11

Develop a comprehensive strategy to ensure we can invest in our stock in the long term and maintain our high quality of homes

Increase the levels of customer satisfaction with the repairs service – we are aiming for 89%

Develop ways of measuring the quality of the repairs service by inspecting completed work

Further develop performance information on repairs including how many jobs are completed right first time

Review the repairs appointment systems to meet the needs of our customers

Achieve 100% gas servicing inspections

Complete repairs review and implement changes to make significant savings

Introduce a new streamlined procedure for installing stair lifts to make the process quicker and provide better value for money.



Your Service – Landlord of choice

We will aim to make the best use of our resources, promoting housing options, maximising rental income and delivering inclusive excellent value for money services with high levels of customer satisfaction.

The TSA asks us to

Provide information, choices and communication that meets the needs of our tenants



Let our homes in a fair, transparent and efficient way



Use the most secure form of tenancy agreement which helps promote communities



Treat all tenants with fairness and respect



Show how we understand the different needs of our tenants



Some key achievements 2009/10

Current tenant rent arrears on council homes are now at the lowest for 10 years

Our work focuses on preventing rent arrears and has led to fewer evictions

We began developing the choice based lettings scheme for a large part of North Yorkshire to give residents a wider choice of accommodation.

89% of council tenants are satisfied with the overall landlord services we provide, which puts us in the top performance band

We have reviewed our processes so that all applications for housing are registered within 48 hours of receipt

85% of tenants think their rent is value for money, which puts us in the top performance band

We continue to improve our performance for reducing the length of time a home is left empty between tenancies

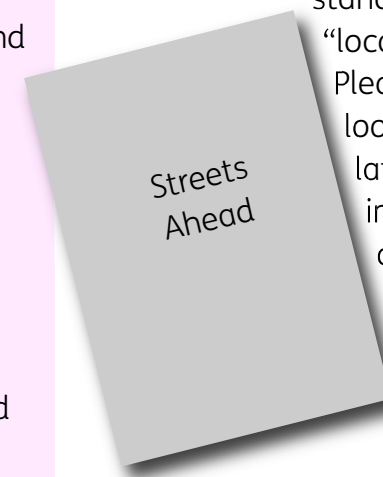
We consulted with our leaseholders about their handbook and work is underway to produce this.

A look back at last year

Our 'Streets Ahead' newsletter is customer led and our customer publication panel is currently reviewing our customer information leaflets handbook and web site. During 2010/11 we will be working closely with customers to review and agree our service

standards and "local offers".

Please have a look at the later section in this report called 'local offers' on page ???



A choice based lettings scheme is being introduced, which will give greater choice and easier access to people looking for council properties. We are working with seven councils within North Yorkshire who will all operate under the same system making it easier for people to apply for a home outside the area in which they live. The new scheme will be operational by February 2011

On average we re let homes within 20 days, which allows for cleaning, repairing and showing the home to customers on the register. To encourage our tenants to leave their home in a good condition we operate the 'Golden Goodbye' incentive scheme whereby tenants can earn 'cash back' if they meet certain conditions and leave their home ready for the next tenant to move in. We have developed a customer guide called 'Your Home, Our Promise,' which sets out the standard for our properties when we let them'. We ask our new tenants to give us feedback about this after they have moved in to their home.

We work hard to prevent and collect rent arrears and work closely with a range of partners Our welcome pack for new tenants incorporates debt management advice including partner information Although we do still evict tenants for rent arrears this is a last resort and we work hard to collect the rent rather than evict the tenant. As a result we evicted 24 tenants in 2009/10 compared to 33 in 2008/09. Current tenant rent arrears have fallen to £462,883, which is the lowest in ten years. However, we need to improve our former tenant rent arrears collection, which stands at £819,914 and places us in the bottom performance band.

Tenants are provided with comprehensive information when they move into their new home, including a DVD to watch. All new



Caption To Come

tenants are given introductory tenancies which are closely monitored and in cases of anti-social behaviour or rent arrears we can we can extend or terminate tenancies

Some key achievements 2009/10

We are developing a customer access strategy reviewing service standards and performance measures with customers

We will review the standard of our homes when we let them and consult with tenants about these standards

We will provide information in communal areas to explain service standards for keeping the areas clean and well maintained

We will be visiting tenants before they transfer to a new home to ensure the move goes smoothly

We will review how we recover current and former tenant arrears

We will publish a new leaseholders and tenants handbook that has been designed with their help

We will review the service charges for leaseholders and engage with them on a more regular basis

We will develop housing's approach to equalities and diversity

We will extend our programme of home visits to get to know tenants better

We will use our customer profiling information to help us deliver our services in a way that meets their needs and improve services.

We are committed to treat all our customers with fairness and respect. The Council has produced a Fairness and Inclusion Strategy, and actions include ensuring we know who our customers are and tailoring services to meet their needs.

In Summer 2009 we began our 'customer profiling' project called 'Understanding You Better'. This will help us to develop better services and meet tenants' needs. The survey was sent to all 7,930 tenants and we have had a great response- a 60% return rate. Using the information already collected we have sent out information on affordable housing schemes to tenants who expressed an interest. We will continue our customer profiling exercise during 2010/11.



Your Say – Our customers are effectively engaged, empowered and have choice

We will treat our customers with fairness and respect and provide a comprehensive framework (Your Service Your Say) for empowering and involving customers in scrutinizing and challenging our performance, supporting them to shape our priorities and service improvements.

The TSA asks us to

Offer a wide range of opportunities for tenants to be involved in the management of their homes



Consult with our tenants about service standards



Provide tenants with ways to influence Housing Services and scrutinise our performance



Help tenants be more involved if they want to be and in a way they want to be



Have an open and clear complaints process



Some key achievements 2009/10

We carried out a survey with all tenants called 'Understanding You Better'

We developed our new Customer Engagement strategy and 'Your Service Your Say'

We established a customer panel to look at how we are dealing with anti-social behaviour

We held a consultation event for residents to find out what their priorities are for our new anti social behaviour strategy

We held a number of focus groups to discuss issues in greater depth with customers

We established our publications panel to review customer information

Our tenants decided on how to spend £175,500 on estate improvements

We are widening the scope for customers to become involved and have established a database of over 500 customers interested in being involved

We have established our first residents performance scrutiny panel who have identified a group of performance indicators that they specifically want to monitor.

A look back at the year

'Your Service Your Say' is the way in which we consult with you and get your views on a whole range of things.

Every year we undertake our annual satisfaction survey providing opportunities for tenants to let us know what they think of the services we provide. The results of this survey inform our service improvement plans. The results of the 2009/10 survey revealed that 63% of tenants said they were happy with the opportunities to be involved, which puts us in the top performance band.

Throughout the year we have been formulating a 'customer engagement strategy' which sets out how we will provide more opportunities for tenants to be involved. Throughout 2009/10 extensive consultation was undertaken, which has helped shape this strategy.

We support 18 residents associations across the city The



Customer Consultation Day



Customer Consultation Day



Customer Consultation Day

Federation of Residents Associations is made up of members of these associations and is our key resident consultation body. They are a constituted group, chaired by a resident and they receive support and training to assist them in their role.

In January 2010 we



Caption

established a Customer Performance Panel a sub group of the Federation of Residents Associations who will be checking and scrutinising our performance and worked with us to develop our Service Improvement Plan and performance indicators for 2010/11.

Private landlords are also our valued customers as they enable us to work together to improve the standards of privately rented homes. We hold an annual conference to make sure we are sharing information and supporting landlords. More than 240 landlords attended the conference this year and 96% told us that the event was good or excellent.

Some key achievements 2009/10

We will complete and implement the Customer Engagement Strategy in consultation with customers

Recruit our first tenant inspectors and begin our 'mystery shopping' programme

We will hold our first residents conference in November 2010 to develop our local offers and set service standards

We will involve residents in developing a contractors code of conduct

We will increase the number and diversity of involved customers using the information from our 'Understanding You Better' survey

We will develop a leasehold forum to ensure we listen more regularly to the needs and issues of our leaseholders

We will tell you how we have used your feedback to improve your services

We will publish complaints information to show changes that have been made as a result.

We take complaints and compliments very seriously and we see them as a form of customer feedback. The senior management team review complaints on a quarterly basis to look at the reasons you complain, lessons learned as a result and where necessary, changes to working patterns.

Value for Money – ensuring value for money in everything we do

Some key achievements 2009/10

We have introduced loans for private home improvements which means we can ‘recycle’ our funds and make the money go further

We joined a consortium to purchase building materials resulting in a 21% saving in material costs

A review of the council house decoration scheme led to a increase in the number of suppliers

We have developed a staff guide to ensure that we are all working towards achieving value for money



The TSA asks us to

have a comprehensive approach to managing our resources to provide cost effective, efficient, quality services and homes



We want to make sure that we offer you services that are value for money and by this we mean getting the best out of

what we have got. It is not just about spending less, but also about spending well and spending wisely.

In 2009 we joined Housemark, which is an organisation set up for social housing organisations to compare performance and value for money. We were able to compare our 2008/09 performance against 276 other landlords.

Our most recent survey of

When comparing 10 of our key cost indicators against other landlords

5 are amongst the top performers

3 are amongst the average performers

2 are amongst the bottom performers

When comparing 10 of our key performance indicators against other landlords

5 are amongst the top performers

2 are amongst the average performers

3 are amongst the bottom performers

tenants (2009) told us that 85% of tenants thought that the rent they paid was good value for money and this means that we are in the top performance band when we compare to other housing providers.

Improvements for 2010/11

We will continue reviewing responsive repairs

We will undertake a review of current and former tenant arrear recovery

We will review Leasehold Management

We will review Gas Servicing

We will review the Adaptations service

We will share with you our progress on achieving value for money



Local Offers

Throughout this report we are trying to show you how we are doing and how we are delivering the 'standards' for social housing.

Our next steps are to talk to you about what you think of the standards and what specific details you would like to see in the service standards we offer you here in York. The TSA has given some basic guidelines but to make these more meaningful to you we need your input.

To develop the local offers and service standards we are holding our first tenants and leaseholders open day on Tuesday the 2nd of November 2010. We hope that you are able to attend to influence your services and agree standards.

Following the open day we will hold a range of 'discussion groups' and surveys to finalise the service standards and local offers.

We will also set up a customer panel to monitor the service standards and collect customer satisfaction results.

Please contact us if you are interested in finding out more or getting involved.

Your Service Your Say

Telephone: 01904 554379

Email: Yourservice.yoursay@york.gov.uk



Facts and Figures

Property facts

7,988 tenanted properties

400 leasehold properties

49% of our properties are houses

44% are flats and maisonettes

7% are bungalows

4 hostels

55 travellers plots on 3 sites

Tenant Facts

Age: 7% under 25

Ethnicity: 98.5% white British

64% 25-65

0.3% Asian

26% 65 or older

0.3% black

0.1% Chinese

0.5% other ethnicity,

0.3% preferred not to say

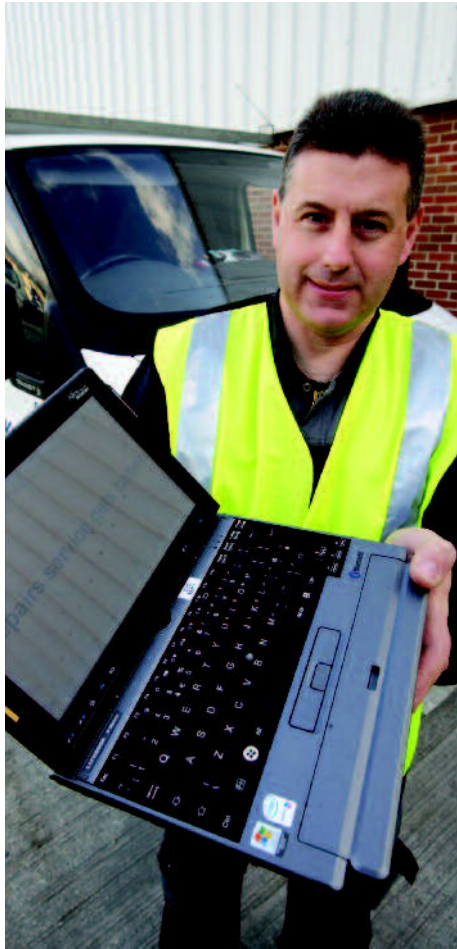
Here is a breakdown of how the rent we collect from you was spent in 2009/10, based on an average weekly rent of £61.79

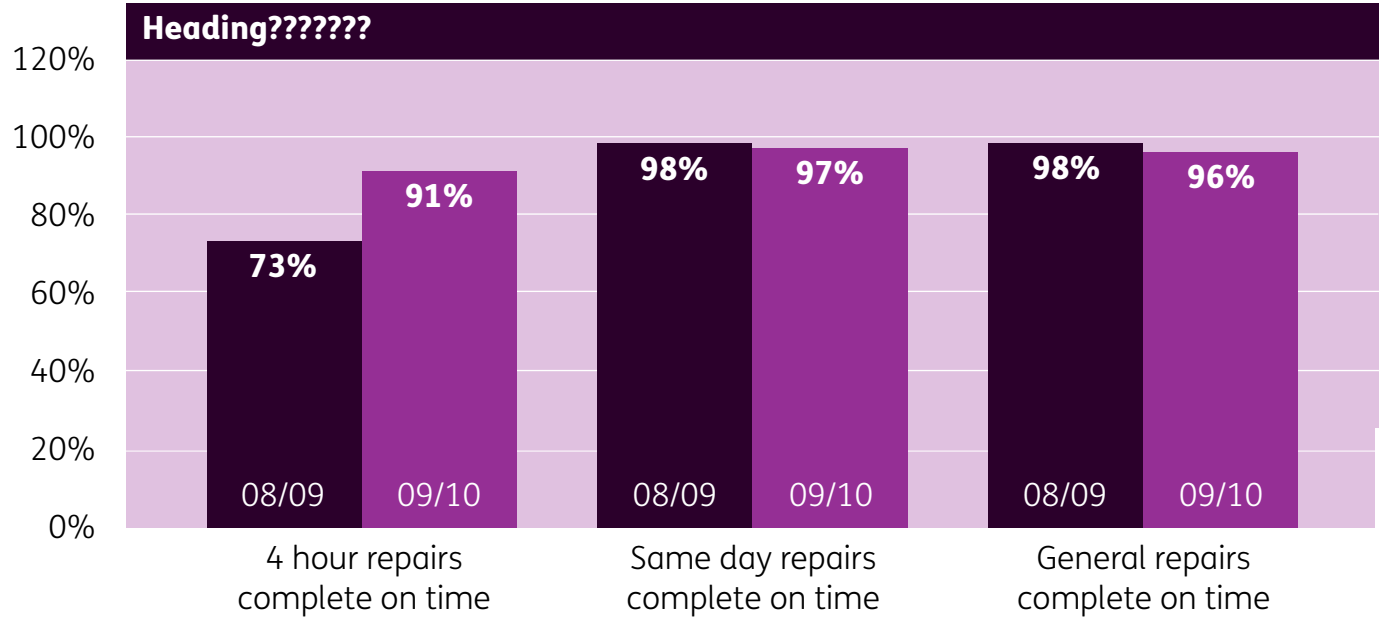
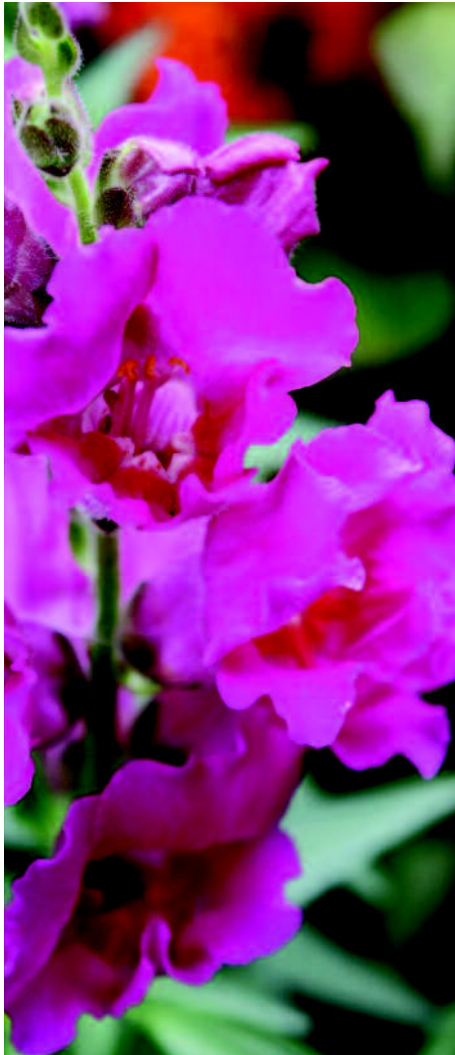
Major Improvements to Homes	£17.75
Paid to the Government as part of the subsidy system	£14.71
Day to Day Repairs & Maintenance	£12.34
Managing Your Homes	£11.77
Interest loan payments	£2.90
Improving estates	£2.22
Tenant Rent arrears	£0.10
Total	£61.39



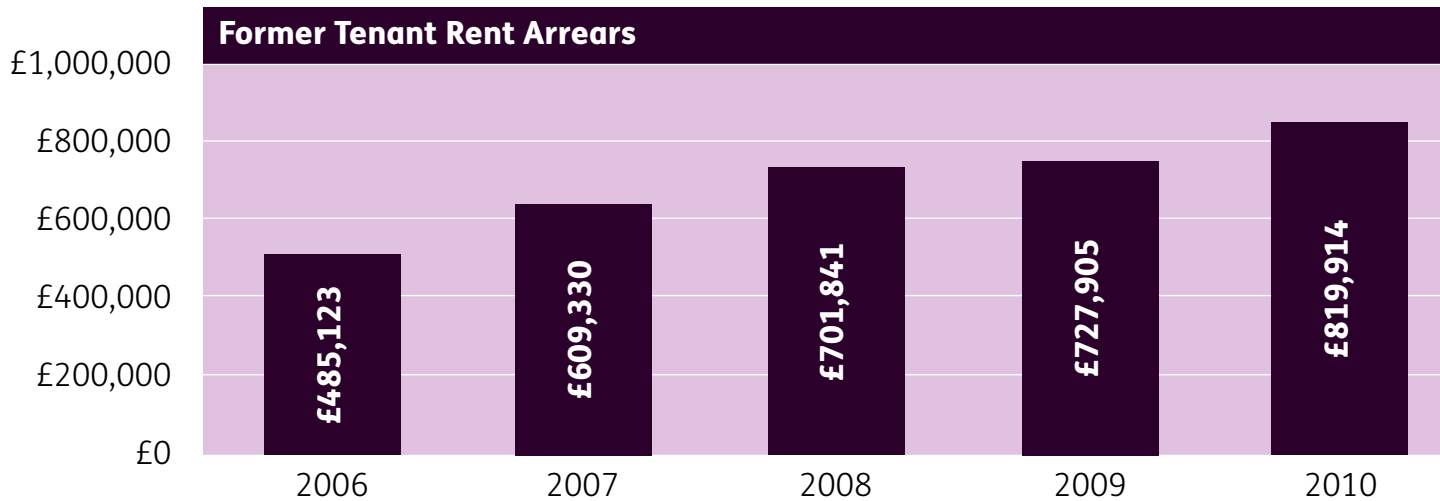
Your Place			
Indicator	07/08	08/09	09/10
Number of households prevented from homelessness	278	479	1076
Number of homeless households living in temporary accommodation	209	167	79
Customer satisfaction with ASB case handling	A survey was introduced April 09 to measure this		69%

Your Property				
	07/08	08/09	09/10	Top performing landlords
% of tenants satisfied with overall repairs and maintenance service	83%	84%	87%	81%
% of tenants satisfied with the general condition of their home	87%	82%	85%	84%
% of homes that have a valid gas safe registered gas certificate	89%	98%	99%	99.9%
Average number of days to complete all repairs	N/A	5.4	4.26	6.77 days





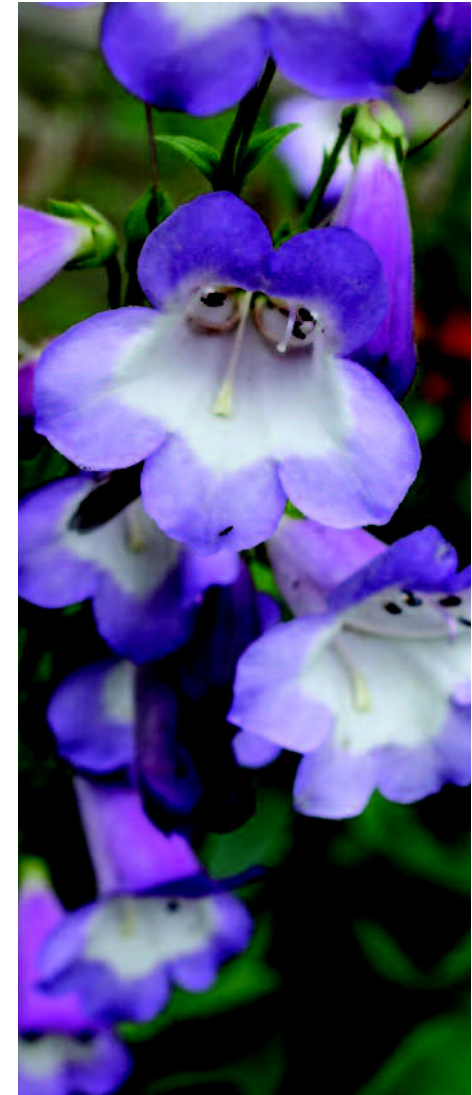
Your Service				
	07/08	08/09	09/10	Top performing landlords
% of tenants satisfied with overall services provided	88%	85%	89%	85%
% of tenants satisfied with value for money for rent	86%	81%	85%	82%
Average number of days to re-let empty properties	19.37	21.53	20.94	25.68

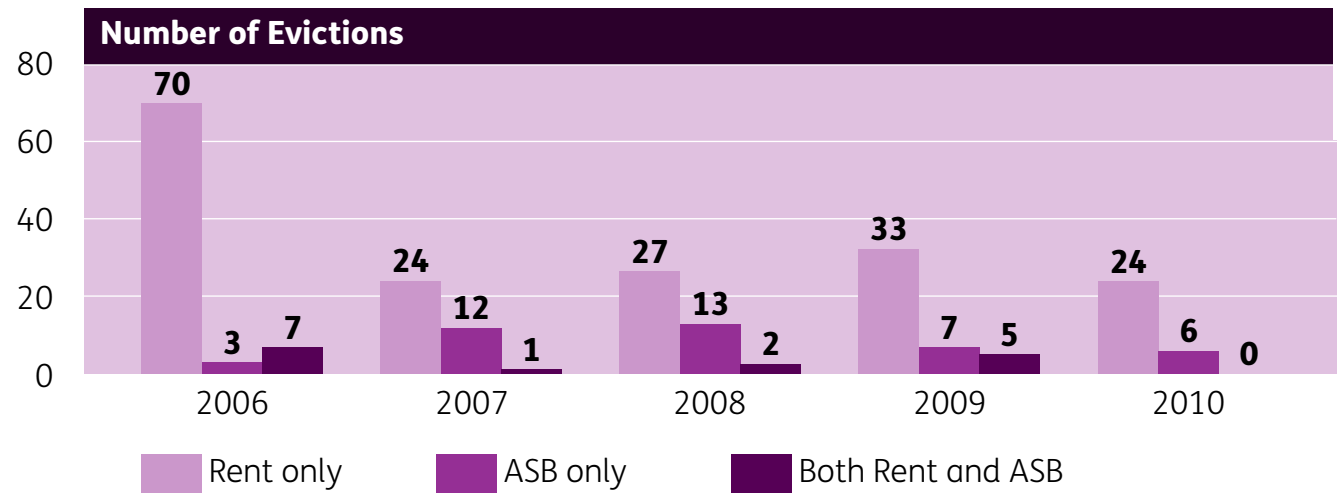
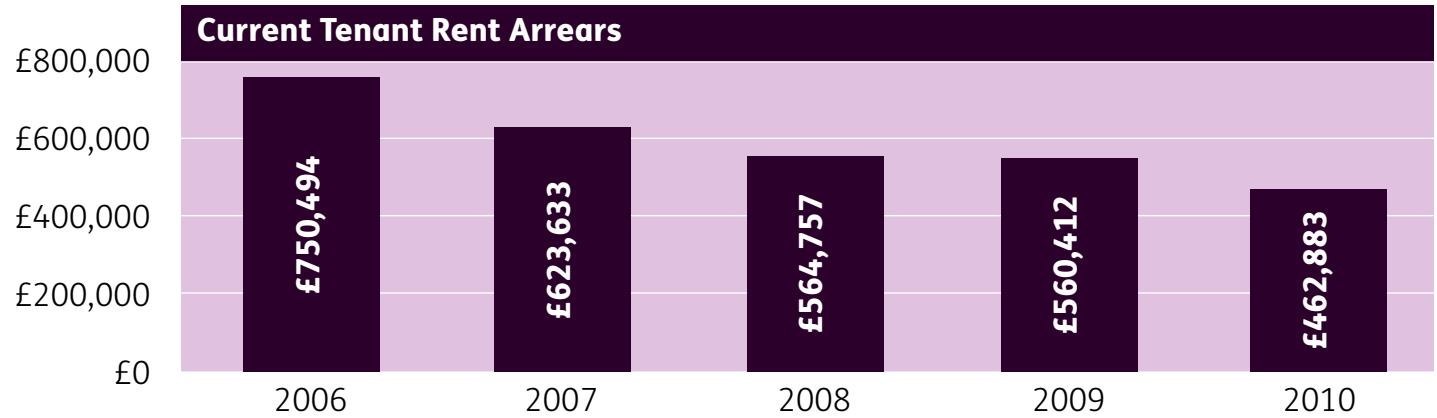
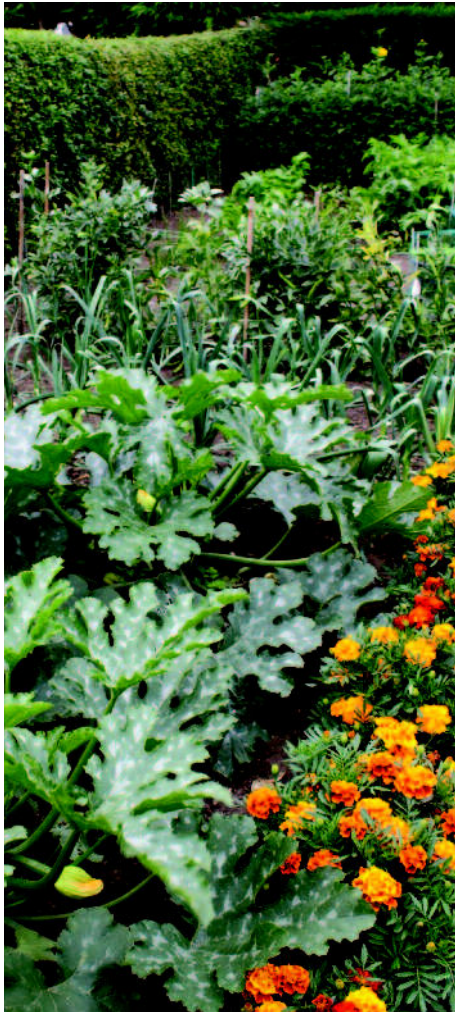


NB Figures based on information from 2008/2009

Your Say

	07/08	08/09	09/10	Top performing landlords
% of tenants satisfied that their views are being taken into account	N/A	68%	72%	67%
% of tenants satisfied about being kept informed	80%	73%	79%	N/A
% of tenants satisfied with complaint handling	68%	81%	75%	
% of complaints responded to within required timescale	82%	73%	75%	







Your Service Your Say

Please let us know what you think of this report

Have you read this report? All of it Some of it None of it

How do you rate the look of the report? Very good Fairly good OK Fairly poor Very poor

How do you rate the content of the report?

Very interesting fairly interesting OK Not very interesting Very uninteresting

What did you ????? & information? Very useful Quite useful Not very Useful Not useful

Would you like to be involved in helping produce next years report? Yes Possibly No

If yes: Name _____ Address _____

Have you any further comments about this report? _____

Please return to:



Creating Homes, Building Communities

Housing Services Annual Report 2010

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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If you would like this information in an accessible format (for example in large print, on CD or by email) or another language please phone: 01904 ??? ??? or email: xxx.xxxxxx@york.gov.uk



**Decision Session - Executive Member for
Neighbourhoods and Housing****21 September 2010**

Report of the Director of Communities and Neighbourhoods

**Application for a New Governance scheme for the local registration
service****Summary**

1. This report seeks the Executive Members endorsement of an application for new governance for the councils' registration service and the future application for Customer Service Excellence.

Background

2. Civil registration plays a vital role in securing and protecting basic human rights, and in supporting community well being and social inclusion. The statistical information derived from civil registration is important to policy making and in allocating national and local resources. Information from death registration is essential to the monitoring of the health of the nation.
3. Overall responsibility for civil registration in England and Wales rests with the Home Secretary. The administration of the service is shared between the Registrar General (RG) and local government. The General Register Office (GRO) oversees the quality of registration information, and monitors the technical delivery of the service. The GRO is part of the Identity and Passport Service (IPS). Local Authorities have responsibility for the operational delivery of the local service.
4. The City of York registration service is delivered from the Register Office 56 Bootham. In addition the registration of births is carried out at 4 SureStart centres around the city. Marriages and Civil partnerships are conducted in 23 approved venues and the service will resume the registration of deaths at York Hospital (formerly named York District Hospital) when the new bereavement suite is completed.
5. The staffing profile comprises of the Registration Services Manager, a deputy manager/registration officer, 12 registration officers(one full time the remainder part-time giving an equivalent of 7.2fte) and a further 6 casual members of staff. Together they register around 3,500 births, 2800 deaths and conduct 825 marriages or civil partnerships. In addition to this core work they provide ceremonies for baby naming, marriage vow renewals, citizenship applications and conduct civil funerals.

6. Under the provisions of the Local Government Act 1972 each local registration authority is required to appoint a 'Proper Officer' to manage the registration service, have overall responsibility for the delivery and administration of the service and be accountable to the General Register Office. In the case of this authority the Executive appointed the Assistant Director of Neighbourhoods and Community Safety to fulfil this role.
7. Under current arrangements of governance, which date back to 1953, the operation of the local service is overseen by the GRO through a prescriptive scheme. This scheme details where the service is delivered from, the staffing structure and operational requirements. Compliance with the scheme is subject to a regular and structured inspection regime. The scheme is very rigid and means that if a local authority wishes to make changes to the way it delivers its services by say including new delivery sites or changing its staff structure then approval would have to be sought by the Proper Officer from the GRO and the scheme formally amended. There is no local discretion.

GRO Service Delivery Inspection April 2009

8. As part of the governance arrangements and the Civil Registration modernisation agenda the GRO conducted a service delivery inspection of the service in April 2009. The inspection looked at the service in respect of :
 - Compliance with the Good Practice Guide
 - Technical ability of staff
 - Provision for customers
9. As a result of the inspection the GRO rated the service as "Good" just 3% off being considered as 'Excellent'. It was reported that "*...the service is generally well organised; underpinned by good systems and processes.....the level of attainment against the national Good Practice Guide was good*". The report highlighted some minor recommendations with regard to the establishment of audit trails to evidence performance levels within the service.
10. The inspection team suggested, on the basis of the inspection, that York's service was of a sufficiently high quality that it might consider a move to 'New Governance' arrangements.

New Governance

11. In line with many regulatory regimes there is a shift in towards greater freedom and self-regulation in local registration services. Local authorities can now apply for new governance schemes.
12. The following benefits accrue from New Governance:
 - Greater freedom and flexibility to tailor the delivery of the local registration service:
 - Development of a more customer focused approach:
 - Proper officer to have more responsibility and accountability for the delivery of the local registration service;

- New “light touch” inspection and compliance regime;
 - Lays foundation of the future delivery of local registration services;
 - Local registration service is more integrated with the rest of council services.
13. In submitting an application for New Governance an authority must satisfy the GRO that it meets certain criteria which are set out in the Good Practice Guide, it must provide a service delivery plan, satisfy monitoring and reporting arrangements and involve staff in consultation.
 14. By moving to ‘New Governance’ the local registration service will be in a better position to respond more effectively to local service demands and will allow for the Proper Officer to exercise more discretion in responding to local needs. The Proper Officer commenced the application procedure on 28 April 2010.
 15. This involved the submission to the GRO of numerous documents including the service delivery plan, procedures for business continuity, and arrangements for the monitoring and reporting of performance. Following close scrutiny of the application by, and further consultation with GRO, the council was advised on the 6 July that the application had been successful and the ‘New Governance’ arrangements would commence on 1 October 2010.

Customer Service Excellence

16. The award of ‘New governance’ status by GRO is clearly a recognition of the fact that the Registration service is very well run. However, following the adoption of ‘New Governance’ in October, it is proposed to further enhance the service by applying for ‘Customer Service Excellence’ status in 2011. This is a government standard for public services. It comprises of 5 criteria against which services are externally assessed: customer insight, organisational culture, information and access, service delivery and timeliness and quality of service. The Environmental Health, Trading Standards, Licensing, and Bereavement services functions all currently have this award. It is a national standard against which excellence in public services are judged.

Consultation

17. In accordance with the requirements for New Governance the staff at the Registry office were consulted and raised no objections to the application being submitted.

Options

18. Option 1: Endorse the application to the GRO for a New Governance scheme and apply for Customer Service Excellence status in 2011.
19. Option 2: Endorse the application to the GRO for a New Governance scheme but do not pursue the Customer Service Excellence Award.

Analysis

20. Analysis has been included under background in this report.

Corporate Strategy

21. The greater freedoms ensuing from New Governance will make it easier for us to respond to customer needs and make the council a more effective organisation.

Implications

22. **Financial:** There are no financial implications for the council in relation to this report. Any costs relating to the application for New Governance or Customer Service Excellence can be met from existing service budgets.
23. **Human Resources (HR):** None.
24. **Equalities:** None
25. **Legal:** None
26. **Crime and Disorder:** None.
27. **Information Technology (IT):** None.
28. **Property:** None.
29. **Other:** None.

Risk Management

30. There is no risk to the council in making this application.

Recommendations

31. The Executive Member is recommended to:

Approve Option 1 to endorse the application to the General Register Office for a New Governance scheme for the City of York and invite officers to make application for Customer Service Excellence status in 2011.

Reason: To provide more local responsibility and accountability for the registration service and enhance the quality of service to the customer.

Author:

Richard Haswell
Head of Licensing, Bereavement and
Registration Services
Communities and Neighbourhoods

Tel No. 01904 551515

**Chief Officer Responsible for the
report:**

Andy Hudson
Assistant Director (Neighbourhoods and
Community Safety)
Tel: 01904 551814

Report Approved



Date 18/08/2010

Specialist Implications Officers: None

Wards Affected:

ALL

For further information please contact the author of the report.

Background Papers: GRO inspection Report April 2009

Annexes: None

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Decision Session - Executive Member for Neighbourhoods and Housing**21 September 2010**

Report of the Director of Neighbourhood Services

Neighbourhoods & Community Safety Group Legal Actions**Summary**

1. The purpose of this report is to enable the Executive Member for Neighbourhoods and Housing to review 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 1st April 2010 – 30 June 2010 and approve the continuation of the current policy on legal actions.

Background

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

Consultation

5. Not applicable.

Options

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

Analysis

7. Not applicable.

Corporate Objectives

8. Two corporate priorities are “To reduce the actual and perceived impact of violent, aggressive and nuisance behaviour of people in York” and “To improve the health and lifestyles of the people who live in York”.

Implications

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

Risk Management

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

Recommendations

17. That the Executive Member approves this report and the continuation of the current policy on legal actions.

Reason: To enable the Executive Member to review formal enforcement activity undertaken by the Neighbourhoods and Community Safety Group.

Contact Details

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Report Approved Date 18 August 2010

Specialist Officer Implications: None

Wards Affected:

All



Background Papers:

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

Annexes

Annex A: EH and TS Formal Enforcement Action 1st April 2010 – 30th June 2010

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Formal Enforcement Action 1st April 2010 – 30th June 2010**Animal Health**

Defendant	Legislation	Nature of Case	Penalty	Costs
LONG, George (Private Individual)	Dogs Act 1871 as amended	Dangerous dog	Control Order	£200.00
MORTIMER, Kathyn (Private Individual)	Animal Welfare Act 2006	Caused unnecessary suffering to dogs	Fine £200 10 year disqualification from keeping animals	£250.00
RICHARDSON, Karen Lesley (Private Individual)	Dogs Act 1871 as amended	Dangerous dog	Control Order	£240.00
STRATTON, Anthony (Private Individual)	Dogs Act 1871 as amended	Dangerous dog	Control Order	£185.00
WATLING, Prudence (Private Individual)	Dogs Act 1871 as amended	Dangerous dog	Control Order	£185.00

Food

A case against Walkers Chocolates Ltd under the Food Safety Act 1990 for using a misleading packaging was unsuccessful.

A caution was issued under the Food Safety Act 1990 for misdescribing vodka.

A caution was issued under the Food Hygiene (England) Regulations 2006 for poor hygiene/failing to put in place, implement and maintain food safety procedures

Health & Safety/Licensing

7 x £50 fixed penalty notices were issued under Section 7 of the Health Act 2006 for smoking in a vehicle/premise.

Environmental Protection

Defendant	Legislation	Nature of Case	Penalty	Costs
CALPIN, Paul (UPVC)	Clean Air Act 1993	Permitted the emission of dark smoke from trade premises.	Costs £500	£696.00
DUPREE, Jackie (Private Individual)	Environmental Protection Act 1990 as amended	Breach of an abatement notice for noise nuisance	Fine £85.00	£100.00
McNIGHT, David (Private Individual)	Environmental Protection Act 1990 as amended	Breach of an abatement notice for noise nuisance	6 months conditional discharge	£595.00

A case against Calpin Developments Ltd under the Clean Air Act 1993, for permitting the emission of dark smoke from trade premises was withdrawn.

2 cautions were issued under the Environmental Protection Act 1990 as amended for breaching an abatement notice for noise nuisance

Formal Enforcement Action 1st April 2010 – 30th June 2010 (Continued)

Trading Standards

Defendant	Legislation	Nature of Case	Penalty	Costs	Compensation
PEARCE, David trading as Blue Sky Electrical (Electrician)	Consumer Protection from Unfair Trading Regulations 2008	Falsely used logo of The National Association of Professional Inspectors and Testers on a website.	Fine £1,000	£670.00	£250.00
ROGERSON, James trading as JR Building's Home Improvements (Builder)	Cancellation of Contracts made in a Consumer's Home or Place of Work etc. Regulations 2008/Business Names Act 1985	Failed to give cancellation rights in correct format/ failed to state business details in legible characters on invoices	Fine £600.00	£500.00	

2 cautions were issued to retailers under Section 141A of the Criminal Justice Act 1988 for selling knives to under 18 year olds.

2 written assurances were signed under the Enterprise Act 2002 for various breaches of civil consumer protection legislation.

Regional Scambusters

Defendant	Legislation	Nature of Case	Penalty	Costs	Compensation
KAUR, Surinder (Car boot trader)	Trade Marks Act 1994/Proceeds of Crime Act 2002	Possessed counterfeit clothing for sale at Rufforth Car Boot Sale	Fine £1000.00	£8060.94	
SINGH, Paramjit (Car boot trader)	Trade Marks Act 1994/Proceeds of Crime Act 2002	Possessed counterfeit clothing for sale at Rufforth Car Boot Sale	Fine £1000.00 £70,000.00 Confiscation Order	£8060.94	

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



Decision Session - Executive Member for Neighbourhoods and Housing

21 September 2010

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), aerosol 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 Executive Member for Neighbourhood Services Decision Session on 17 November 2009, 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 Local Government Regulation (LG Regulation – formally known as LACORS). The guidelines include that the test purchasers should not appear older than their true age, and 'for routine test purchase operations, must be told to answer any questions the seller may ask about their age truthfully.' This principal of 'telling the truth' has been applied to all underage test purchasing exercises carried out by the council
6. The LG Regulation guidelines were amended in March 2010 and now state that 'in exceptional circumstances, the Local Authority may consider whether it is appropriate to undertake test purchase operations where the young person is instructed not to answer truthfully any questions relating to their age posed by the seller. This may be considered in cases where the Local Authority has credible evidence for example from Police, Community Safety Wardens etc. that a **specific premises** is selling age restricted products to young persons **and** that the action of the seller is always to ask the young person their age.

This change was introduced when it became apparent that in some areas sellers were very familiar with the original requirement of a local authority volunteer to 'tell the truth'. The normal practice adopted by some unscrupulous traders was to ask a young persons age simply to 'avoid getting caught' rather than to avoid selling to someone underage.

7. Officers observe the young volunteers at all times (either in person or by remote camera) to ensure that their welfare is not compromised and that a trader is not tricked into make 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 7 years.
8. In 2010-11, officers are seeking to improve the collection of data from sources such as the police to help understand whether underage sales is a declining problem or whether sellers are avoiding detection through awareness of our enforcement techniques.

Alcohol

9. In 2006, the trading standards service introduced a 'Responsible Retailer Scheme' to raise standards in 'off-licences' and recognise those premises committed to tackling underage drinking. The scheme compliments the 'Best

Bar None' scheme which is designed to raise overall standards in 'on-licensed' premises. There are currently 46 members of the 'Responsible Retailer Scheme'. The criteria of the Responsible Retailer scheme are set out in Annex 2. A review of the effectiveness of this scheme is planned by officers in 2010-11.

10. Where illegal sales occur in 'off licence' premises, formal action (either a caution or prosecution) has been taken against the seller. Where sales occur in 'on-licensed' premises, the police (who accompany trading standards officers on these visits) have issued £80 fixed penalty notices to the seller. The Chief Officer of North Yorkshire Police has now authorised trading standards officers to issue police fixed penalty notices where sales occur in 'off licensed premises' (as agreed at the Meeting for the Executive Member for Neighbourhood Services in December 2006). This will ensure that enforcement action is now consistently applied in both 'on-licensed' and 'off licensed' premises.
11. The law now allows premise licence holders to be prosecuted where two sales occur in less than three months (Section 147A Licensing Act 2003 - as amended by the Policing and Crime Act 2009).
12. The proportion of sellers making illegal sales of alcohol, as evidenced by officers through the test purchasing programme, is decreasing. These figures are shown in Annex 1.

Tobacco

13. Officers have continued to undertake a programme of education and enforcement in relation to illegal tobacco sales.
14. In 2009-10, the trading standards service received £8,162.04 of funding from the Department of Health (via the Yorkshire & the Humber Trading Standards Group) to assist in enforcement work in relation to tobacco. There is continuing funding for education and enforcement activities in 2010-11. The service are planning to carry out inspections of premises to check tobacco advertising is kept to the minimum levels permitted by law, and to advise on the steps that can be taken to avoid illegal sales. Test purchasing operations are also planned.

Fireworks

15. Officers have continued to undertake a programme of education and enforcement in relation to illegal fireworks sales.
16. 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.

17. Funding has also been received from the Safer York Partnership to provide businesses with a sticker to display showing that they are registered for the supply of fireworks. This will help consumers identify legitimate retailers of fireworks. There is planned a test purchase operation in 'firework season' to check retailers compliance with the law.

Aerosol Paint

18. Officers receive very little 'intelligence' on businesses illegally selling spray paint to children either from the public or other sources. A small amount of test purchasing is planned in 2010-11 to help establish whether this is a problem in York.

Knives

19. In response to the publicity surrounding youths involved in knife crime last year, officers undertook a programme of education and enforcement to help prevent the illegal sale of knives in the City. Similar work is planned for 2010-11.

Video Games

21. Between April and June 2009 as part of an initiative funded by the Department for Children, Schools and Families and the Department for Culture, Media and Sport we asked some 15 year old volunteers to attempt to purchase age-restricted video games. There were 7 attempted purchases and no sales.

Consultation

22. In October 2009, The Talk About panel (Survey 33) 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). 27% of respondents said that the top priority for the trading standards service was preventing the sale of alcohol, cigarettes and fireworks to children. This is down from 60% in the last Talk About Survey (April 2004).

Options

23. Option 1: The council should continue with the programme of education and enforcement action set out in paragraph 4 for the next 12 months, and the test purchasers should not be allowed to answer questions untruthfully even in exceptional circumstances.
24. Option 2: The council should continue with the programme of education and enforcement action set out in paragraph 4 for the next 12 months, and the test purchasers should be allowed to answer questions untruthfully. This would only be in exceptional circumstances following a review of the intelligence available and the approval of the Head of Environmental Health and Trading Standards.

Analysis

25. Option 1: Will permit officers to continue with a programme of enforcement activity which has resulted in a general reduction in underage sales.
26. Option 2: Will permit officers to develop the programme of enforcement and identify sellers who are prepared to without challenging a young persons age robustly.

Corporate Priorities

27. The trading standards work on tackling illegal sales of age restricted products links to the following priorities from the Corporate Strategy.
 - “Reduce alcohol related crime in York”. (Safer City)
 - “...tackle the public perception of anti-social behaviour”. (Safer City)
 - “We will improve the well-being, and support the independence of York residents” (Healthy City)

Implications

- **Financial**

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

- **Human Resources (HR)**

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

- **Equalities**

30. There are no equalities implications associated with this report

- **Legal**

31. 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.
32. Properly conducted test purchase operations are a recognised and legitimate means of securing compliance with the law in this area.

- **Crime and Disorder**

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

- **Information Technology (IT)**

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

Property

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

- **Other**

36. There are no other implications to consider.

Risk Management

37. 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.

38. The safety/welfare of the test purchasers involved is fully risk assessed and appropriate control measures are put in place.

Recommendations

39. That the Executive Member notes the report and adopts the programme of enforcement action of the next 12 months outlined in option 1 (and there be no change in policy allowing the test purchasers to be untruthful about their age, even in exceptional circumstances).

Reason: So that the council can meet its legal obligations. The planned programme of reviewing intelligence (paragraph 9) may help support a change in policy in future years.

Contact Details

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Report Approved



Date 3 September 2010

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

Decision Session – Executive Member for Neighbourhood Services 17 November 2009.

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 2003-2010

Annex 2 – Responsible Retailer Scheme – Qualifying Criteria

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The Results of Test Purchasing Activity 2003-2010

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	8	0
Fireworks	17	0	35	4 (11%)
Spray Paint	0	0	0	0
Knives	0	0	0	0
Solvents	0	0	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	10	0
Fireworks	28	0	31	6 (19.4%)
Spray Paint	38	0	7	0
Computer Games	7	0	0	0
Knives	0	0	21	2 (9.5%)
Solvents	0	0	0	0

Product	2007/8		2008/9	
	No. of visits	Illegal Sales	No of visits	Illegal Sales
Alcohol	291	23 (8%)	71	6 (8.45%)
Tobacco	11	0 (0%)	61	11 (18%)
Fireworks	13	2 (15%)	10	0
Spray Paint	1	0 (0%)	0	0
Computer Games	0	0	0	0
Knives	0	0	25	1 (4%)

Product	2009/10	
	No. of visits	Illegal Sales
Alcohol	35	1 (2.9%)
Tobacco	18	1 (5.6%)
Fireworks	9	0
Spray Paint	0	0
Computer Games	7	0
Knives	25	2 (8%)

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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- 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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Executive Member for Neighbourhood Services

21 September 2010

2010/11 Quarter 1 Performance Report

Summary

- 1 This report presents an overview of performance at Q1 2010/11 for environmental and regulatory services managed by Communities & Neighbourhoods Directorate.

Background

- 2 This report is similar to the report to the Community Safety Scrutiny panel. It will be placed onto the information log.

Performance overview

- 3 Both relevant LAA indicators appear likely to hit target.
- 4 Of 10 relevant Corporate Strategy actions, 9 are on target at the end of Quarter 1.
- 5 81% of the relevant actions and measures in the 2010/11 directorate plan are on target to be delivered / targets met.
- 6 66% of the National PIs that are measurable at this point are on target, while 55% are improving on last year, and 33% are stable.

Local Area Agreement

- 7 Five LAA indicators are led by the service area. Four are likely to hit target, and one to miss target.

Table: Progress on LAA Indicator	Improving	On Target
<p>NPI 4: Community Engagement: Percentage of people who feel they can influence decisions in their locality.</p> <p>This is a Place Survey measure. In 2008/09 the result was 31.7%, which was 7th highest for unitary councils. Talkabout 33 asked an identical question – 36% of respondents agreed. Care should be taken in comparing Talkabout and Place Survey results. The 2009/10 figure is similar to the unweighted Place Survey result in 2008/9. On basis of ongoing work to engage young people, tenants and to develop neighbourhood planning arrangements – we are treating this as on target.</p>	Stable	Yes
<p>NPI 191: Waste Management: Kilograms of residual (i.e. landfilled) household waste collected, per household.</p> <p>During 2009/10 614kg of residual waste was collected per household. The forecast for 2010/11 based on Q1 data is for this to drop to 611kg (which is the LAA target).</p>	Yes	Yes

Corporate Strategy

8 The table below provides more detail about progress to end of quarter 1 on our corporate strategy actions.

Table: Progress on delivering Corporate Strategy Actions.

Priority vision	CYC commitments	Improvement by 2012	2009/10 actions / milestones	Progress	Comment
Safer City: We want York to be a safer city with low crime rates and high opinions of the city's safety record.	We will reduce the number of burglary and thefts within the city, using all available funds, such as target hardening.	Reduce serious acquisitive crimes by at least 18%	Respond to 100% of resident requests to have Cold Calling Control Zones	On target	We have had 41 requests for CCCZs in the financial year to end July. Of these 13 have been granted, and 7 refused, and 6 are waiting to be launched. The other 15 requests are currently in the assessment process. To the end of March 2010 117 zones were in place. An evaluation last year suggested that 66% of residents in the zones felt less concerned about doorstep crime, and just 2% felt more concerned. 82% felt that they could deal with cold callers, and 8% did not feel able to. The evaluation also provided a range of comments which we have sought to take on board.
	We will reduce the number of first time entrants into the criminal justice system and tackle public perception of anti-social behaviour	Reduce public concern about anti-social behaviour	Maintain 4 "capable guardian" schemes in wards with high crime rates throughout 2010-11 and then ensure that the schemes are taken on and run by the community in those wards. These schemes aim to intervene at an early stage to prevent youth crime	On target	The Capable Guardian scheme is about working in partnership to address ASB by identifying and working with partners to act as the 'eyes and ears' within the community. Most of this work is already happening, however the sharing of information to address and report ASB is not coordinated. Capable Guardian aims to improve the level of coordination and thus build safer and stronger communities. All 4 schemes set up in 2009/10 (Clifton, Guildhall, Heworth, Hull Road wards) are now being developed and finalised. The model of operation and the key priorities proposed to be addressed will be according to the characteristics of the anti-social behaviour within each ward. All meetings will be an agenda item within the multi-agency ward team meetings - the intention is that Capable Guardian will over time be embedded within existing structures. The Capable Guardian work has been led by an officer on a temporary contract until the end of March 2011, for whom a next key role will be to embed capable guardian approach into the area working pilot.

			Continue a targeted under age sales testing programme throughout 2010-11 to target the sale of alcohol, tobacco, fireworks, knives and spray paints	On target	No testing has been carried out in first quarter. A programme will be undertaken during summer holidays and in run up to Christmas
Sustainable City: We aim to be clean and green, reducing our impact on the environment while maintaining York's special qualities and enabling the city and its communities to grow and thrive	We will reduce the environmental impacts of council activities by making it as easy as possible for residents to recycle, investing in new ways to avoid landfill and through the Carbon Management Programme (CMP)	* Recycle, reuse or compost 50% of household waste. * Reduced CO2 emissions in the LA area per head by at least 0.8 tonnes (12% reduction) (LAA). * Reduce council's energy consumption in offices by 5% each year. * Save approximately an additional 1680 tonnes of carbon through the installation of 7 projects funded through Salix finance (approx. 740 t), and 940 tonnes through additional CMP Strategic Implementation Plan	Implement a wider rollout of kerbside recycling to 98% of properties by March 2011.	On target	On track to expand full recycling and fortnightly residual waste collection to an additional 16,600 properties by December 2010. The roll out has been slightly delayed but following a decision at Executive on 20th July the project is back on schedule.
			Use route optimisation software to make bin rounds and other vehicle routes more efficient	On target	Started but slightly delayed due to some issues with the rollout of recycling. In August phased testing will be carried out across Refuse and Recycling.
			Raise recycling participation to 70% of York households through communications and investment in new recycling kit.	On target	Work done to improve communication methods, impact not yet measured. Currently deciding on the best way to measure. Options include using street by street canvas/surveys. Will not want to go back to getting the crews to measure as this method would not provide sufficiently accurate data
			Roll out improved kerbside recycling containers to approximately 60,000 households by March 2011.	On target	First stage of delivery will be completed by end July, properties that are using the new containers are working well. Recommence deliveries in September. Unprecedented amount of feedback received relating to the new scheme, the majority of which has been positive or neutral with only a small percentage of negative comments

	identified projects	Continue to modernise our street lighting with the aim of reducing energy consumption by 25% over 5 years.	On target	Cllr Reid agreed a detailed programme of light replacement at EMDS meeting on 22nd June 2010. The 2009/10 programme achieved a 2.5% reduction in energy use (£22k) and a reduced Co2 emissions by 126 tonnes. The 2010/11 programme should realise another 7.5% reduction in energy usage (£71k) and reduce Co2 emissions by 336 tonnes. Further reductions in the next years are likely to need more radical approaches
We will improve the quality of the local environment and the condition of York's streets and public spaces	Reduce by 40% the level of service requests reported about litter in the street	Develop a joint city centre management and enforcement team by December 2010.	Not on target	Attempts made to engage with City Centre team as part of the Waste and Cleansing elements of the NS More for York project. No progress made.
		Implement a vehicle tracking system for the mechanical sweeper fleet by March 2011 to provide improved information to improve street cleanliness	On target	Agreement with Trade Unions in place to start to use data from the vehicle tracking devices in the sweeper fleet. We have started to gather data

National Performance Indicators

- 9 The table below shows an overview of progress against the relevant NPIs. .
- 66% of the NPIs that had a target set are forecast to hit that target.
 - 55% of the indicators are improving, where we can measure improvement.

Table: National Performance Indicators

<i>Overall</i>	<i>Total reported</i>	<i>On target?</i>	<i>Improving?</i>	<i>Declining?</i>	<i>Stable</i>
NS NPI set	9 of 16 (56%)	6 of 9 (66%)	5 of 9 (55%)	1 of 9 (11%)	3 of 9 (33%)

Off target	Declining
NPI192: % household waste reused, recycled or composted NPI193: % of municipal waste landfilled NPI196: Fly-tipping	NPI196: Fly-tipping
Not measured, data not available	
NPI3: Civic participation (Place) NPI5: Overall/general satisfaction with local area (Place) NPI138: Satisfaction of over 65s with home and neighbourhood (Place). NPI168: Principle roads where maintenance should be considered.	NPI169: Non-principle roads where maintenance should be considered. NPI182: Business satisfaction with Regulatory Services. NPI190: Control systems for animal health.

Directorate Plan

- 10 The CAN 2010/11 Directorate Plan sets out 110 actions and measures under the corporate strategy themes. Of these 21 relate to environmental and regulatory services. As at end Quarter 1, the services are on target to deliver 81% of the programme to target. The table below provides an overall assessment.

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

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

Objective	Traffic Light Actions	Traffic Light Measures	Overall rating ¹	Overall Assessment
Sustainable City	6 green	3 green 1 red	90% (9/10)	While improving, only one of the waste NPIs are on target.
Safer City	3 green		100% (3/3)	
Inclusive City	1 green	1 green	100% (2/2)	
City of Culture				
Healthy City				
Learning City				
Thriving City	1 red		0% (0/1)	City centre enforcement action at red.
Effective Organisation	3 green	2 red	60% (3/5)	More for York savings target forecasting to be missed. Overall CAN overspend forecast at Q1.
Overall Service Priorities	13 green 1 red	4 green 3 red	17 green 4 red	81% (17/21)

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

Directorate Plan: Inclusive City

- 11 The key outcome measure under this heading is the LAA measure NPI 4 – reported above. The other relevant action is that agreement has been given for a local working pilot exercise to run in the west of York starting in September.

Directorate Plan: Thriving City

- 12 Corporate strategy included an action to develop closer working between Environmental Services teams and the City Centre team within City Strategy. This was not on target at end quarter 1 and will require further discussion at Director level to agree an approach before the work can be taken forward.

Directorate Plan: Safer City

- 13 Three corporate strategy actions undertaken through regulatory services teams set out above are on target to complete

Directorate Plan: Sustainable City: Local Environmental Quality

- 14 Two service plan areas address local cleanliness: Neighbourhood Pride Service, and Street Environment and Enforcement Service. The main outcome measures for both services are the NPI195a-d measures – which are measured by a survey of local cleanliness undertaken 3 times per year.
- 15 The first of this year's three NPI195a-d local cleanliness surveys was undertaken in June. The survey results were very positive across all four elements. Table 6 sets out the results. The figures represent the proportion of survey sites where we found unacceptable levels of litter, detritus, graffiti and fly-posting.

Table : NPI195 results

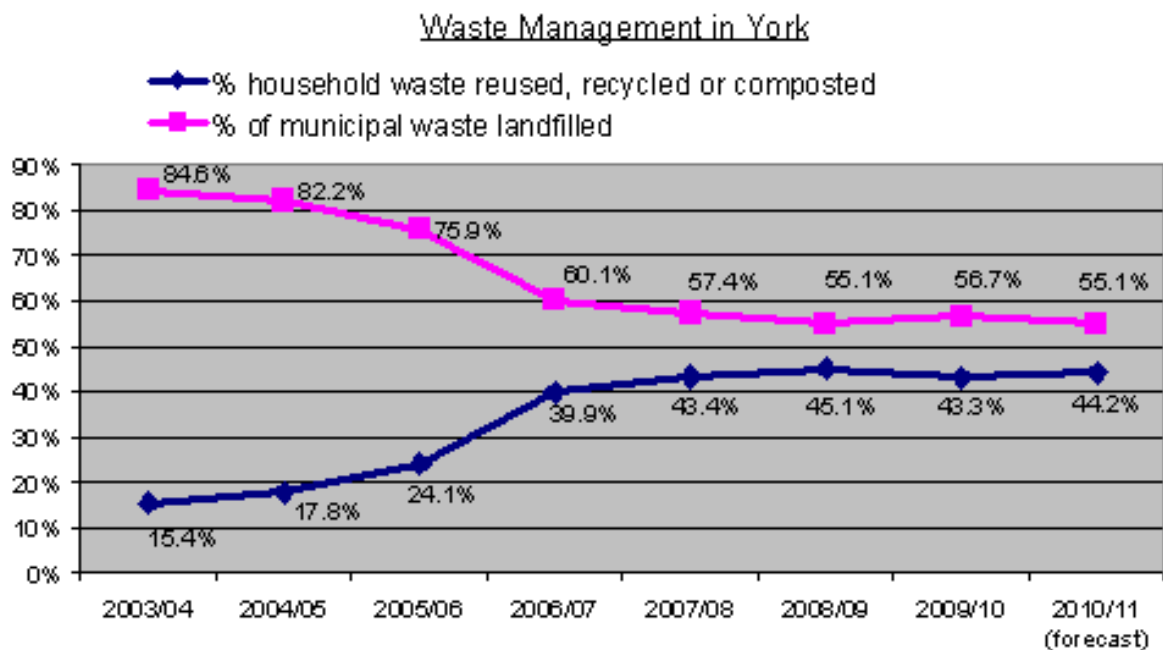
	Litter NPI195a	Detritus NPI195b	Graffiti NPI195c	Fly-posting NPI195d
2007/8 result	7.6%	8.9%	2.3%	0.3%
2008/9 result	8.9%	11.0%	4.7%	1.1%
2009/10 result	4.4%	7.5%	2.1%	0.2%
2010/11 result from 1 st survey	3.3%	7.7%	0.2%	0%
2010/11 target	6%	8%	4%	1%

- 16 The first quarter of 2010/11 has seen a 20% rise in fly-tipping incidents (NPI196), while enforcement activity has also increased during the period. We are doing more work to understand why the level of fly-tipping increased during this quarter.
- 17 These services are heavily involved in the More for York programme. We are about to start to test improved systems through the York Contact Centre, and to test the implementation of mobile devices. These developments are intended to speed up our response to customers who report problems in the street, and will

make it easier for officers to report and deal with problems as they move about the city. The introduction of a work scheduling computer system visible to the Contact Centre will improve the efficiency and quality of our response to customers.

Directorate Plan: Sustainable City: Waste Management

- 18 NPI 191-193. Waste collection and management (NPI 191 is LAA indicator). Although current forecasts based on Q1 indicate that recycling and landfill levels are starting to improve, this year’s targets of 48% for recycling and 52% for landfill are unlikely to be achieved. The amount of waste collected per household continues to reduce for the 4th consecutive year and will achieve the very challenging 2010-11 LAA target of 611kg, set 3 years ago.
- 19 Extensive work on improving recycling will continue throughout this year, including:
 - expanding full recycling and fortnightly residual waste collection to an additional 16,600 properties by December 2010.
 - providing improved kerbside recycling containers to approximately 60,000 households. The first stage of delivery was completed by end July, and deliveries will start again in September.



- 20 While the recycling rates have stalled, customer satisfaction with the service have been rising. Talkabout 33 updated a number of satisfaction measures relating to waste services. The result in October 2009 for refuse collection is the same as that recorded in the July 2005 survey – ie the last before the alternate collection system was implemented – with 86% of respondents satisfied with domestic waste collection.

Directorate Plan: Effective Organisation

- 21 The More for York service development programme in environmental services is continuing as a key priority. The service is about to implement a range of improved systems that should improve the customer experience of interacting with environmental services through the Contact Centre, at the same time as

improving the efficiency of our response. Further reviews are ongoing in Licensing and Parking services.

Consultation

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

Options

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

Corporate Priorities

24 The Inclusive City, Safer City and Sustainable City themes from the corporate strategy are particularly relevant.

Implications

Financial

25 *The report provides details of the portfolio revenue forecasts and therefore implications are contained within the report*

Human Resources

26 There are no human resources implications within the report

Equalities

27 There are no equalities implications within the report.

Legal

28 There are no legal implications within the report

Crime and Disorder

29 There are no crime and disorder implications within the report

Information Technology

30 There are no IT implications within the report.

Property

31 There are no property implications within the report.

Risk Management

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

Recommendations

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

Contact Details

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Sally Burns
Director of Communities and
Neighbourhood Services

Report Approved

Date 9/9/2010

Specialist Implications Officers

Financial: None, **Human Resources:** None, **Equalities:** None

Legal: None, **Crime and Disorder:** None, **Information Technology:** None

Property: None, **Risk Management:** None

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

All

For further information please contact the author of the report

Background Papers:

Communities and Neighbourhood Directorate Plan 2010/11

DECISION SESSION – EXECUTIVE MEMBER FOR NEIGHBOURHOODS & HOUSING

TUESDAY 21 September 2010

Annex of Additional Comments received from Members and the Public since the agenda was published.

AGENDA ITEM	REPORT	RECEIVED FROM	COMMENTS
4	Annual Report to Tenants 2009-2010.	Councillor Simpson-Laing as Shadow Spokesperson for Housing, Health and Adult Social Services.	<p>I would like to thank Officers, the Residents Federation and individual tenants who have been involved in the production of this leaflet.</p> <p>However I do feel that this is a long document, and that perhaps because of this many may not read through to its end to answer the questionnaire. Perhaps this could be better signposted. Could I also suggest that the back page is made into a return envelope - as used on Ward Committee consultations.</p> <p>Many Thanks</p> <p>Cllr Tracey Simpson-Laing Labour Spokesperson for Housing, Health and Adult Social Services.</p>

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