



Notice of meeting of

Executive Member For Neighbourhood Services and Advisory Panel

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

Date: Thursday, 6 September 2007

Time: 5.00 pm

Venue: Guildhall

AGENDA

Notice to Members - Calling In:

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

10:00 am on Wednesday 5 September 2007, if an item is called in *before* a decision is taken, *or*

4:00 pm on Monday 10 September 2007, if an item is called in *after* a decision has been taken.

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

1. **Declarations of Interest**

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

2. Exclusion of Press and Public

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

3. Minutes (Pages 3 - 8)

To approve and sign the minutes of the meeting held on July 25 2007.

4. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Panel's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 5 September at 5:00pm.

5. 2007/08 First Monitoring Report – Finance & Performance (Pages 9 - 28)

This report presents the latest projections for revenue and capital expenditure for the Neighbourhood Services portfolio and traded accounts and quarter 1 (07/08) performance against target for a number of the directorate's key performance indicators.

6. Waste Management CPA Inspection June 2007 – Final Report (Pages 29 - 64)

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

7. Neighbourhoods & Community Safety Group Legal Actions
(Pages 65 - 70)

This report informs Members of the results of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, Licensing) for the period 1st April 2007 – 30th June 2007.

8. Sales of Age Restricted Products (Pages 71 - 80)

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

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

Democracy Officer:

Name: Louise Cook

Contact details:

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

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

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

Contact details are set out above.

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Further information about what's being discussed at this meeting

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

Scrutiny Committees

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

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

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City of York Council

Minutes

MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	25 JULY 2007
PRESENT	COUNCILLORS BOWGETT (CHAIR), HOLVEY (VICE-CHAIR), ORRELL, POTTER, TAYLOR, WALLER (EXECUTIVE MEMBER), WATT AND B WATSON

14. **Declarations of Interest**

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

None were declared.

15. **Minutes**

RESOLVED: That the minutes of the last meeting of the Panel held on 7 June 2007 be approved and signed by the Chair and Executive Member as a correct record subject to the amendment of Minute 13 (Forward Plan) with the deletion of the word 'officers' in the first line and the insert of Cllr Waller.

16. **Public Participation**

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

Councillor Jamieson-Ball spoke on agenda item 5 (Petition re: Recycling Facilities at University of York). He informed Members that there was a clear demand to increase recycling at the University. He stated that option 2 would best suit the University as all areas were different and required individual assessments. Option 2 would also support what the students had already achieved and would reduce what goes into landfill.

17. **The Rogers Review - The five national enforcement priorities recommended for local authority regulatory services.**

Members received a report which sought approval to incorporate the recommendations of the Rogers Review into service planning for environmental health, trading standards and licensing services.

Members received a presentation titled National Enforcement Priorities for Local Authority Regulatory Services which explained the Rogers Review.

In 2006 the government had asked Peter Rogers, Chief Executive of Westminster City Council, to head a review to examine the many areas of legislation that local authority regulatory services enforced. The Rogers Review was published at the March 2007 Budget and its recommendations were accepted in full by the government.

The Review used a risk focused, evidence-based approach, taking into account the views of local authorities, including port health authorities, citizens, businesses, government departments and Ministers to help prioritisation from over 60 policy areas enforced by local authority regulatory services. The review team then carried out an initial sift of these 60 policy areas to identify the top five national priorities. The 5 national priorities (and a 'sixth limited' priority) covered the following areas:

- Air quality, including regulation of pollution from factories and homes
- Alcohol, entertainment and late night refreshment licensing and its enforcement
- Hygiene of businesses, selling, distributing and manufacturing food and the safety and fitness of food in the premises.
- Improving health in the workplace
- Fair trading (trade descriptions, trade marking, mis-description, door selling)
- Animal and public health, animal movements and identification – a time limited priority, but predominantly a rural issue.

The report also referred to the Roger's criteria for local priorities which it was acknowledged that local authorities were best placed to understand and respond to. The local priorities in the City of York Council proposed for 2008/09 for trading standards, licensing and environmental health services were:

- Tackling noise nuisance
- Preventing underage sales
- Ensuring healthy lifestyle (incorporates food standards, smoke-free and local environment issues)
- Providing educational support for local businesses to assist with their compliance with legislation
- Contaminated land

Officers confirmed that their next priority was to incorporate the priorities into their service plans.

In answer to questions officers gave assurances that they would also continue to focus on the issues of street cleaning, litter, dog fouling etc.

Consideration was given to the following options:

Option 1

- To incorporate the five national enforcement priorities and the proposed local priorities into future service planning activities.

Option 2

- Not to incorporate these enforcement priority issues into future service planning activities.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to incorporate into future planning activities and service plans, the national enforcement priorities as set out in paragraph 7, and the local enforcement priorities set out in paragraph 13.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To ensure that the Council's approach to tackling national and local enforcement priorities are in line with government guidance.

18. Petition re Recycling Facilities at University of York

Members considered a report that had been prepared in response to a petition presented to Council by Councillor Potter on behalf of 60 students at the University of York. The report gave details of waste and recycling development already undertaken at the University and explored options for future development.

Members were informed that City of York Council had collected domestic and commercial waste from the University for many years and until 2004, little emphasis had been placed on recycling with the majority of waste being taken to landfill. In 2004 the University of York tendered for the provision of a managed waste service, City of York Council, in partnership with Yorwaste had been successful in winning this service and the new contract started in September 2005. Since the start of the contract, and with the support from the Student Union Environmental Representatives the University recycling rate had increased from 25% to 38%. Recycling was widely promoted throughout the campus and City of York Council was involved in providing officer time and marketing materials to assist in this. Due to lack of storage space, and the distance accommodation blocks were from central bin stores, many students, whilst actively recycling, were not engaged in the movement of the material to a central collection point. In many areas of the University it was impossible to provide kerbside recycling largely due to the restrictions on vehicle access.

Members discussed and considered the options available:

Option 1

- The current kerbside scheme operated by the council to its residents could be expanded to encompass areas of the University campus containing domestic accommodation.

Option 2

- A system of bespoke arrangements for each domestic area is assessed and implemented.

Members discussed the Universities recycling discounts and agreed that the Officers in consultation with the Chair would write to the University of York administration to request them to pass their land fill tax credits directly to the student recycling representatives to help carry out recycling schemes.

Advice of the Advisory Panel

- i) That the Advisory Panel advise the Executive Member to approve option 2 to assess and implement bespoke arrangements for each domestic area at the University of York.
- ii) That Officers continue to work with University staff and students to maximise recycling opportunities.
- iii) That the Officers in consultation with the Chair write to the University of York administration to request them to pass their land fill tax credits directly to the student recycling representatives to help carry out recycling schemes.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: Continuing to work closely with the University will reap rewards for the University and other York residents.

19. Forward Plan

Members discussed the forward plan and agreed the following items for future meetings:

6 September 2007

Update on Prosecutions including update on Cold Calling Control Zone
Finance and Performance Monitor
National Service Plans
Scores on the Doors
Underage Sales Enforcement
Waste Minimisation

17 October 2007

Update on bin collecting in ally gated areas
Update on street cleaning for residents within the City Walls

Yorkshire in Bloom
Low Emissions Zone

6 December 2007

Carbon Management Programme

CLLR WALLER
EXECUTIVE MEMBER

CLLR BOWGETT
CHAIR OF ADVISORY PANEL
The meeting started at 5.00 pm and finished at 6.18 pm.

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

6th September 2007

Report of the Director of Neighbourhood Services

2007/08 FIRST MONITORING REPORT – FINANCE & PERFORMANCE

Summary

1. This report represents two sets of data:
 - a) The latest projections for revenue and capital expenditure for the Neighbourhood Services portfolio and traded accounts.
 - b) Quarter 1 (07/08) performance against target for a number of the directorate's key performance indicators.

Background

2. Service provision is as important as financial performance. This report combines financial and service performance information and is reported as part of the Council plan each year.
3. For the 07/08 financial year, all Members will receive 2 monitoring reports in September and December, as well as a final outturn report.

Management Summary

Financial Overview

4. The current general fund revenue budget for the Neighbourhood Services Portfolio is £14.137m, excluding the budget contribution to Safer York Partnership.
5. The budget surplus target for the traded Neighbourhood Services Portfolio is set at £520k.
6. Both the General Fund and traded budgets are inclusive of the changes outlined in paragraphs 22 to 25.
7. Current projections for the general fund portfolio shows expenditure of £14.153m compared to a budget of £14.137m, an overspend of £16k, which represents a variation of 0.1% on the net expenditure budget.
8. The Traded Accounts are forecast to achieve a surplus of £345k against a target of £520k.

9. The financial position for each service area is dealt with separately in the following sections. The overall position can be summarised as follows:

	Exp Budget £000	Income Budget £000	Net Budget £000	Forecast £000	Var'n £000	Var'n%
Env Health & Trading Standards	2,260	390	1,870	1,870	0	0.0
Licensing & Bereavement Svs	881	1784	(903)	(878)	25	0.0
Neighbourhood Management	1,150	328	822	822	0	0.0
Ward Committees	998	9	989	989	0	0.0
Neighbourhood Pride Service	3,179	282	2,897	2,897	0	0.0
Enforcement and Environment	117	0	117	108	(9)	(0.1)
Waste Mgmt, Refuse & Recycling	10,610	2,298	8,312	8,312	0	0.0
Pest Control	85	52	33	33	0	0.0
General Fund Total	19,280	5,143	14,137	14,153	16	0.1
Traded Accounts (The detail is held under the confidential annex 2)	21,737	22,255	(520)	(345)	175	0.9
PORTFOLIO TOTAL	41,017	27,398	13,619	13,808	191	1.0

10. The significant variances relate to the trading accounts and are therefore covered in further detail later in the report in confidential Annex 2. In summary;
- Building Maintenance are unlikely to achieve their savings target because of delays implementing the new structure.
 - School Cleaning are also unlikely to achieve their savings target. The service is currently under review and officers are meeting in September to agree a solution that should improve the financial position.
11. The total budget for capital schemes is currently £624k and all schemes are anticipated to be completed on programme within the financial year. Additional grant income of £70k was received and a request will be made to Executive to increase the programme by this amount, to £694k.

Performance Overview

12. The majority of Neighbourhood Services' performance indicators are annual figures – for example customer satisfaction figures, or compliance against statutory requirements. Internally we use performance data to manage our diverse services. This report sets out what we consider to be the key performance data figures available at this point in the annual cycle. The data produced here shows that in the first few months of 2007/08 Neighbourhood Services has:
- Maintained a generally high level of performance on street scene services.
 - Received encouraging survey results on street cleanliness.
 - Continued to increase the proportion of waste recycled and composted.
 - Reduced missed bin performance below the national target, although there has been a drop off in performance on the number of missed bins put right.
 - Improved performance on housing repairs in line with housing repairs partnership targets.
 - Continued to see a high level of sickness absence.
13. Work is now going on to rationalise and clarify the performance data produced in the directorate, and reported to members.

Financial

General Fund

Environmental Health and Trading Standards

14. Current projections show that forecast will match the net expenditure budget.

Licensing and Bereavement Services

15. The current projection forecasts that there will be an overspend of £25k. The key reason for the overspend is as follows:
- An overspend on staff costs of £19k

Neighbourhood Management

16. The forecast shows that there will be no overspend against the net expenditure budget.

Ward Committees

17. In addition to the carry forward requests approved by EMAP in June, £70k budget was also carried forward from 2006/07 as agreed by Executive subject to an overall council underspend.
18. The projection is that net expenditure will be as budgeted.

Neighbourhood Pride Service

19. In addition to the carry forward requests approved by EMAP in June, £30k budget was also carried forward from 2006/07 as above.
20. After the recent restructure, the Neighbourhood Pride Service includes the budget for street cleansing, grounds maintenance, toilets, Street Environment officers and York Pride. The forecast shows that net expenditure is on budget.

Enforcement and Environment

21. The new service was created to provide regulatory and environmental enforcement activities. The forecast predicts that there will be an underspend of £9k, or 0.1% of the net expenditure budget. The main reason for the underspend is:
 - For a short period there was a vacant post while the recruitment process took place.

Waste Management, Refuse & Recycling

22. As part of the ongoing review of the client and customer relationship sides of the directorate it is recommended that all the waste budgets, including the operational budgets for domestic collection should be classed as general fund. Commercial waste budgets should remain within the trading portfolio.
23. The effect of this is to increase the general fund cost by £152k, which would be financed by an increase in the surplus to be made by the trading portfolio.
24. The recommendations of this report advise the Executive Member to give approval for an application to the Executive for the virement of these budgets from the trading account portfolio to the General Fund portfolio.
25. The current projection shows that the overall forecast will match the net expenditure budget.

Traded Accounts

26. Overall the trading Accounts forecast a surplus of £345k against an revised target surplus of £520k.

27. A brief overview of each service area is provided below but further information is available in the Confidential Annex 2.

Building Maintenance

28. Building Maintenance is forecasting below the target amount because it is unlikely that savings targets from the restructure will be fully met.

Civil Engineering

29. The Civil Engineering Section comprises Highways, Ancient Monuments Drainage and Blacksmiths. This section is forecasting to achieve its target.

Commercial Waste

30. Commercial waste and the University Waste Management Contract are performing well and are predicted to exceed the target surplus.

Cleaning

31. The prime business of this service is, school cleaning, council office cleaning and empty property (void) cleaning for housing.

32. Building and void cleaning are forecasting to achieve targets.

33. As mentioned in previous reports the school cleaning service has had financial difficulties for the last few years. Officers are meeting in September to review the current rates and service provision. This should improve the school cleaning position. Since this agreement will not be reached until part way through the financial year the savings target set will not be achieved.

Neighbourhood Pride Service

34. The majority of the 'client' cleansing budget was transferred to Neighbourhood Services in the previous financial year. However, since some cleansing and grounds maintenance budgets remain outside the Neighbourhood Services directorate, the total operational costs of cleansing and ground maintenance remain within the trading accounts. This account is currently operating close to budget.

Capital Programme

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

	<u>Current Budget £000s</u>	<u>Revised Budget £000s</u>	<u>Forecast £000s</u>
Ward Committees	333	333	333
Defra Waste Performance Efficiency Grant	247	247	247
Air Quality Management	34	104	104
Contaminated Land Investigation	10	10	10
Total	624	694	694

36. The current budget is £624k. Neighbourhood Services have received confirmation from Department for Environment, Food and Rural Affairs (Defra) that an Air Quality Grant for the value of £69,500 has been awarded. This amount is included in the revised budget but is subject to Executive approval. This is covered in more detail below.

37. All schemes are expected to be completed on programme within this financial year. A summary of each scheme is outlined below:

Ward Committees

Budget: £333k (CYC resources)

Forecast: £333k

38. £131k was carried forward from 2006/07. This includes an additional £28k as requested at the June 2006 EMAP.

39. All schemes are expected to complete on target.

Defra Waste Performance Efficiency Grant

Budget: £247k (Defra Grant)

Forecast: £247k

40. This grant was provided by Defra to deal with waste issues and the capital element above will be used to provide recycling containers and to cover the cost of replacing grey bins.

41. £44k of the Waste Performance & Efficiency Grant was carried forward from 2006/07.

Air Quality Management

Budget: £34k, Revised Budget: £104k (Defra Grant)

Forecast: £34k

42. The grant relates to air quality monitoring, air quality modelling and air quality action planning.

43. The grant will be used to upgrade existing air quality monitoring equipment, modelling software and publicity/ education.

44. £34k was carried forward from 2006/07.

Contaminated Land Investigation

Budget: £10k (Defra Grant)

Forecast: £10k

45. Defra have provided a capital grant to support some detailed contaminated land investigations at three sites in accordance with obligations placed on the council by Part 11A of the Environmental Protection Act 1990.
46. £10k underspend was carried forward from 2006/07.

Performance Overview

Environmental Health and Trading Standards (EHTS)

47. The large majority of performance measures within the EHTS section are annual indicators that focus on customer/business satisfaction and compliance with legislative requirements. At this point in the year there are no exceptional performance issues to report.

Licensing & Bereavement Service

48. The majority of performance measures for the Licensing section are annual indicators. At this point in the year there are no exceptional performance issues to report. The service has been working on a number of new initiatives.
49. The provisions of the 2005 Gambling Act go live in September 2007. In preparation, the council's policy document and fee structure has been approved by members, information has been provided for the trade and applications have been processed.
50. A lot of work has been undertaken in relation to hackney carriages (taxis). Members have approved a standard livery colour for vehicles of all black and the inclusion of the city coat of arms. Stricter emission controls have been introduced which will also encourage a younger fleet. Work is now in progress for a review of our restriction on the number of vehicle licences we issue and a full consultation is underway. These measures should significantly improve the quality and availability of taxis in the city.

Neighbourhood Management and Ward Committees

51. The majority of performance measures for Neighbourhood Management are annual indicators. At this point in the year there are no exceptional performance issues to report.

Neighbourhood Pride Service (Street Environment, Street Cleansing and Toilets)

52. As 'improving the condition of the city's streets' is a corporate priority for improvement, this is a key area for the directorate. The indicators below are a key part of the Street Scene review. They show that performance in the first 4 months of the year are on course to achieve the target in all but one case.

Indicator	06/07 Actual	07/08 Target	April 07	May 07	June 07	July 07	07/08 on target?
BVPI218a. % of new reports of abandoned vehicles investigated within 24 hours of notification	99.77%	95%	100% (27/27)	100% (26/26)	100% (26/26)	100% (34/34)	On target
BVPI 218b. % of abandoned vehicles removed within 24 hours (from the point at which we can legally remove them)	91.01%	95%	100% (3/3)	100% (3/3)	100% (4/4)	87.5% (7/8)	On target
COLI 77a. Average time taken to remove obscene graffiti (days)	1.55	2	1	1	1	1	On target
COLI 77b. Average time taken to remove non-obscene graffiti (days)	2.46	4	1.52	1.13	3.41	4.21	On target
VH5a. Average time taken to remove fly-tips (days) (global figure)	1.69	2	2.02	0.78	0.85	0.90	On target
VH5b. Average time taken to remove fly-tips (days) (NS figure)	0.87	1	1.75	1.20	0.96	1.10	Not on target

53. BV199a (% of relevant land and highways assessed as having combined litter and detritus below acceptable levels) is a key indicator for the directorate (LPSA2 indicator). BV199 is designed to measure the cleanliness of the local area as a member of the public would perceive it, and is a useful tool that helps us to plan cleansing regimes for optimum results. The measure is based on a survey of at least 900 sites across the city annually – at which we check for litter, detritus, graffiti and fly-posting. Each year we do three surveys – each covering about 300 sites in 5 city wards. The first survey for this year's BV199 was carried out in June and covered Wheldrake, Fulford, Skelton, Rawcliffe & Clifton Without, Holgate and Guildhall wards.
54. The first survey of the year produced some very encouraging results. There was a 4% fail rate for litter (out of 306 transects measured), and a 7% fail rate for detritus (out of 271 transects). Together this gives a combined BV199a score of 5%. This figure should be treated cautiously

as only when all 3 annual surveys are combined together do we get a true indication of the city as a whole.

55. The extent of graffiti and fly-posting problems are also measured under BV199 using the same survey technique. The first survey during the year found very low levels of graffiti and flyposting.

% of sites with unacceptable levels of:	2006/7	2007/8 target	2007/08 score (1 st survey result (of 3))
BV199 a Combined litter and detritus	19.2%	17.0%	5.0%
BV199b Graffiti	6%	4%	1%
BV199c Fly-posting	0%	1%	0%

56. The roll out of the new cleansing regime is now complete with barrowmen working across the whole city. This followed the successful pilot scheme in the west of the city. Informal feedback from customers has been in the main very positive – although we will continue to seek ongoing service improvement.

Enforcement and Environment

57. This new unit is still in the process of being formed, and while it contributes to many of the Neighbourhood Pride service indicators, there are no specific performance measures in place for the service yet around enforcement activity. However a number of initiatives have been undertaken.

58. Neighbourhood Services has been selected and received funding for a forthcoming Encams campaign (Environmental campaigns). This nationwide campaign involving 8 local authorities focusing on the recent smoking ban. The idea behind the campaign is to minimise any detrimental effects on street cleanliness the ban may produce by:

- publicising the effect of littering;
- highlighting enforcement issues;
- offering advice and providing ideas about solutions to the public and businesses.

Waste Management, Refuse & Recycling

59. 'Reducing the amount of biodegradable waste and recyclable products going to landfill' is a corporate priority and as such is a key area for the

directorate. The tables below show performance against key measures. Using the waste dataflow system, we are able to forecast annual figures for the waste BVPIs. The second table shows monthly performance on two key customer service indicators around missed bins.

PI	06/07 Outturn	07/08 Target	Annual forecast based on Quarter 1 07/08	07/08 on target?
BVPI 82a(i) % of household waste recycled	23.30%	24.70%	24.64%	On target
BVPI 82b(i) % of household waste composted	16.63%	16.91%	17.16%	On target
BVPI 82d(ii) Tonnage of household waste land filled	60,430	59,330	59,150	On target

PI	06/07 Outturn	07/08 Target	April 07	May 07	June 07	July 07	07/08 on target?
COLI 3. Number of missed bin collections (per 100,000)	77.63	60	61	49	59	47	On target
VW 19. Missed bin collections put right by end of next working day	58.24%	100%	83.49%	50.27%	32.03%	56.25%	Not on target

60. Full roll out of kerbside cardboard collection across the city was in place by the end of April. This has had a significant impact on the service, and we have had to increase the number of vehicles plus use 6 additional staff in order to maintain service levels.
61. Some stability has been achieved through work done with crews to drive down the number of missed collections and we seem to be maintaining a level within the national target. The poor performance in May-July for VW19 stems mainly from operational issues surrounding sickness absence and leave. Staff forums for the recycling crews have been introduced. These offer a chance for two way communication with the crews which will lead to further improvement in the service.

Building Maintenance.

62. Building Maintenance works in partnership with Housing Services through the housing repairs partnership. Performance on housing repairs is reported to the Housing EMAP meeting, and has not generally been provided to NS members. However it is duplicated here for member's information. The key performance indicators within the housing repairs partnership are:

- Percentage of urgent repairs completed in time;

2005/06	2006/07	2007/08 target	April –July (4 months) 2007/08
72%	84%	90%	88.22% (1850 of 2097 jobs)

These figures include gas servicing jobs. In 2006/7 Neighbourhood Services undertook 6951 repair jobs, and completed 84% within the time limit. The figure fluctuates over time due to a range of factors – for example we completed 78% of jobs in time in April but 94% in June and July. On average urgent repairs take 1.55 days to complete.

- Number of days taken to complete non-urgent repairs.

2005/06	2006/07	2007/08 target	April –July (4 months) 2007/08
13.9 days	9.7 days	8 days	8.0 days (6093 jobs)

63. Both these indicators are housing block Comprehensive Performance Assessment (CPA) indicators. The % of urgent repairs completed in time is just on the 'lower' CPA threshold of 88%, but the days taken to complete non-urgent repairs figure is above the 'upper' CPA threshold of 11 days.

Staff related performance

64. Staff sickness continues to be a problem. In the first quarter of 2007/08, each full time employment (fte) lost 4.56 days. While it is crude to forecast full year based on the first quarter, the figure suggests that the directorate's sickness rate is likely to rise this year.

Quarter 1 staff figures: Whole of Neighbourhood Services				
PI	Measure	06/07 actual	07/08 target	Quarter 1 07/08
BVPI 12	Number of working days / shifts lost to sickness absence (per fte staff)	16.80	14.00 (NS)	4.56
CP 13a	Number of days lost for stress related illness (per fte staff)	2.79	2.00 (CYC)	1.24
CP 11a	Health and Safety: RIDDOR accidents reported	25	25 (NS)	9

Quarter 1 staff figures: Whole of Neighbourhood Services – by month						
PI	Measure	06/07 actual	07/08 target	April 07	May 07	June 07
BVPI 12	Number of working days / shifts lost to sickness absence (per fte staff)	16.80	14.00 (NS)	1.37	1.65	1.81
CP13a	Number of days lost for stress related illness (per fte staff)	2.79	2.00 (CYC)	0.33	0.44	0.43
CP11a	Health and Safety: RIDDOR accidents reported	25	25 (NS)	2	3	4

65. We are now investing more time into monitoring how we are managing sickness absence. The Departmental Management Team (DMT) has set a directorate target of 14 days in order to focus managers' attention onto the issue, and has started to receive more detailed monthly reports on sickness, and in particular on how well managers are managing sickness issues. The aim is to ensure that we use the existing management tools that are available effectively in order to address this problem.
66. Stress sickness (included within the overall BV12 figure) is also rising. Although the number of cases remains relatively small they tend to be longer term in nature. Stress sickness accounts for 7% of incidences, but 27% of time lost.

LPSA2 Forecast

67. Two of York's twelve LPSA2 targets relate to improving levels of street cleanliness, and improving the recycling rate. In both cases information to date suggests that the stretch targets will be achieved and therefore the total reward grant is predicted.

Target	Measure	Base figure	06/07 actual	07/08 LPSA2 target	07/08 Performance	Potential Reward Grant	Predicted Reward Grant
1	BV199a Proportion of land and highways having deposits of litter and 'detritus'	2003/4 and 2004/5 27%	19%	17%	5% (1 st of 3 annual surveys).	£262,335	100%
	BV89 Percentage of people satisfied with local cleanliness	2003/4 60%	71%	70%	Survey to be done		

2	BV82a (ii) Tonnage of household waste recycled	2003/4 10,550 tonnes	23,440 tonnes	23,988 tonnes	25,040 tonnes (forecast based on Q1)	£327,919	100%
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Consultation

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

Options and analysis

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

Implications

Financial

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

Human Resources

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

Equalities

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

Legal

73. There are no significant legal implications within the report

Crime and Disorder

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

Information Technology

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

Property

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

Risk Management

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

Recommendations

- 78. That the Advisory Panel advise the Executive Member to approve the financial and performance position of the portfolio.
- 79. That the Advisory Panel advise the Executive Member to give approval for an application to the Executive for the virement of domestic refuse collection and recycling budgets from the trading account portfolio to the General Fund portfolio as set out in paragraphs 22 to 25.
- 80. Reason – In accordance with budgetary and performance monitoring procedures.

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Chief Officer Responsible for the report:

Terry Collins
Director Neighbourhood Services

Report Approved



Date 17th Aug 2007

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 – 2006/07 Budget Monitoring papers held at
Neighbourhood Services

Attached Annexes

Annex 1 Major service variations against budget for non-traded services

Annex 2 (Confidential) Income and expenditure for the traded accounts

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Major Service Variations Identified Against Budgets

	Outturn £000	%
Environmental Health and Trading Standards		
No significant variances	0	
Environmental Health and Trading Standards Total	0	0.0
Licensing and Bereavement Services		
Staffing variances:		
Overspend on agency staffing to cover posts is offset by vacancies in other service areas	19	
Misc Variances:	6	
Licensing and Bereavement Services Total	25	0.0
Neighbourhood Management		
No significant variances	0	
Neighbourhood Management Total	0	0.0
Ward Committees		
No significant variances	0	
Ward Committees Total	0	0.0
Neighbourhood Pride Service		
No significant variances	0	
Neighbourhood Pride Service Total	0	0.0
Enforcement & Environment		
Staffing Variances: Underspend on vacant posts	(9)	
Enforcement & Environment Total	(9)	0.1
Waste Management, Refuse & Recycling		
No significant variances	0	
Waste Management, Refuse & Recycling Total	0	0.0
Total General Fund	16	0.1
Trading Accounts (Confidential Annex 2)	175	0.9
Neighbourhood Services Total	191	1.0

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Meeting of Neighbourhood Services DMT**6th September 2007**

Report of the Director of Neighbourhood Services

Waste Management CPA Inspection June 2007 – Final Report**Summary**

1. As a follow up to the Comprehensive Performance Assessment (CPA) inspection in 2004, the Audit Commission completed a further inspection of Waste Management in York during June 2007.
2. The inspection focused on:
 - An assessment of the Waste Services contribution to the Council's strategic priorities and vision for York.
 - An analysis of the steps being taken to improve Value for Money (VfM) in relation to the delivery of Waste Services.
 - An assessment of the relative risks to the Council, associated with its preferred method of future waste service provision.
3. The final report from the Audit Commission is attached as annex 1 to this report.

Background

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

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

Scope and Objectives of the Inspection

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

Findings of the Inspection

11. The inspectors found that there had been significant improvements to the waste management service in York. The report recognised that the Council has adopted a structured and effective response to the waste inspection in 2004.
12. The main conclusions of the inspection noted that:
 - The waste management service has made significant improvement in performance in all areas.
 - Customer contact has improved for consultation about proposed projects and for customer enquiries which are now dealt with by the customer contact centre.
 - There is clear cross-party commitment for the improvement in the waste management service.
 - The service has made effective improvements to its performance management arrangements.
 - The Council, with its partners, is making good progress and taking appropriate advice towards the future provision of waste disposal facilities.

Recommendations from the Inspection

13. As a result of the inspection, five recommendations have been made.
14. **Recommendation 1** – It is recognised that the Council and its partners are making good progress in relation to the long-term provision of waste disposal

facilities, but key issues are still to be addressed including planning and contractual arrangements.

15. **Action 1** - The Council needs to ensure that addressing waste disposal issues remains a high priority.
16. **Recommendation 2** – Improve the Council’s own recycling performance by:
 - consolidating the management and monitoring of the Council’s own recycling initiatives
 - establish clear and challenging recycling targets for departments within the Council
 - disseminate good practice across all Council departments
 - increase public awareness of the Council’s own recycling performance
17. **Action 2** - Good practice is well established at the EcoDepot. Meetings with Property Services and Sustainability Officers are being established. Local recycling champions are being identified
18. **Recommendation 3** – Continue to pursue areas of under-performance including high sickness levels, numbers of missed bins, waste volumes collected and HWRC issues relating to Beckfield Lane.
19. **Action 3** - Sickness monitoring reports are now produced weekly with monthly reports to DMT. The numbers of missed bins is now within the council’s own targets but continues to be monitored weekly, round by round. Waste volumes in York continue to be above the average for unitary authorities with benchmarking being used to try and establish if the high volumes of tourists and the impact of the university is contributing to this position. The situation with Beckfield Lane HWRC will form part of the waste review report going to Executive later this month.
20. **Recommendation 4** – Provide better information about service delivery to customers.
21. **Action 4** - A clear customer charter will be one of the outcomes of the waste review. Improved reporting on calls handled by the customer contact centre is being developed.
22. **Recommendation 5** – The service should improve its service planning procedures by providing clearer linkages between service objectives and corporate priorities.
23. **Action 5** - The standard corporate service planning template has been passed back to the Performance Improvement Team in order that it can be reviewed in the light of the inspector’s comments.

Conclusion of the Inspectors

24. The improvements show that the Council's efforts are improving performance as a result of investment in the service. Since the service expenditure is lower than most other unitary councils, the waste management service is providing good value for money when compared to similar councils.

Corporate Priorities

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

Implications

26. The implications are as follows:
- **Financial** – There are no financial implications associated with this report.
 - **Human Resources (HR)** – There are no implications for CYC staff.
 - **Equalities** – There are no equalities implications in this report.
 - **Legal** – There are no legal implications in this report.
 - **Crime and Disorder** – There are no implications in this report for crime and disorder.
 - **Information Technology (IT)** – there are no implications for information technology.
 - **Property** – There will be a need to establish areas for collecting and storing of recycling materials within the various office areas used by the council. Early input to the Hungate Development has been established.
 - **Other** - There are no other implications to state, relating to this report.

Risk Management

27. The outcome of the inspection will contribute to the corporate CPA inspection scheduled for the early part of 2008.

Recommendations

28. The Executive Member is advised to note this report and annex 1.

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

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– **Director of Neighbourhood Services**

Report Approved

Date 16th August 2007

Report Approved

Date *Insert Date*

Specialist Implications Officer(s)

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A – Audit Commission Report

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Waste Management Service

City of York Council

Audit 2007/08

External audit is an essential element in the process of accountability for public money and makes an important contribution to the stewardship of public resources and the corporate governance of public services.

Audit in the public sector is underpinned by three fundamental principles:

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Introduction

- 1 Best value places a duty on local authorities to review services, set targets for improvement, monitor progress and report the results.
- 2 To achieve these objectives a council will need to establish suitable arrangements for the delivery of its services in line with nationally-set challenges whilst accommodating local needs and expectations.
- 3 York City Council provides services for the collection and disposal of municipal waste from its area. In carrying out this work the Council is subject to a number of controls relating to waste collection, reduction, recycling, composting and disposal.

Background

- 4 York City had an inspection of its waste management service in 2004 which identified areas for improvement relating to:
 - customer service;
 - service delivery; and
 - performance management arrangements.
- 5 The Council is reviewing its waste disposal arrangements jointly with North Yorkshire County Council which includes future service provision through PFI arrangement. The Council is working with its partners in accordance with DEFRA and other guidance to minimise the risk associated with the waste disposal proposals relating to cost, performance, operational viability and community acceptance. The satisfactory resolution to these issues along with the achievement of ongoing improvements to the waste management service provides a considerable challenge to the Council.
- 6 The Audit and Inspection Plan for 2006/07 (AIP) recognised audit risks that included 'waste minimisation presents a key risk to your financial health'. The AAIL included an action to carry out a follow-up of the Council's waste management inspection including a review of strategic planning for waste minimisation and the impact on financial health. The action also required an assessment of partnership working and performance management.

Audit approach

- 7 The scope of this piece of work is to look at how waste collection and disposal services are being provided in relation to the needs of local people and the requirements of national criteria for waste. As this work is updating a previous inspection and not a full inspection no score will be given.
- 8 The objective of the work is to determine how well the Council has responded to the findings of the 2004 inspection and to consider the progress being made in its proposals for future waste disposal arrangements. The work includes a review of the quality of ongoing service provision and the level of risk relating to the Council's proposals for future service provision. An assessment of performance management and waste partnerships will form part of this work.
- 9 The Commission has reviewed relevant service and corporate documents to identify the effectiveness of the Council's arrangements relating to its waste management service. The Commissions Environmental Inspection key line of enquiry (KLOE) relating to waste have been used as a framework for this review.
- 10 On-site interviews were carried out with appropriate people from within the service and councillors to clarify ongoing performance and to assess the effectiveness of the Council's proposals for the future.
- 11 The anticipated benefits and impact of this review will be:
 - an assessment of the waste management service's contribution to the Council's strategic priorities and vision for York, including its response to the recommendations of the 2004 review;
 - an analysis of the steps being taken to improve value for money (VFM) - in relation to the delivery of the waste management service; and
 - an assessment of the relative risks to the Council, associated with its preferred method of future waste management service provision.

This will enable the Council to focus on key issues associated with improving its waste management service and help it to prepare for the decisions needed to determine its preferred option for future service delivery.

Findings

Context

- 12 York is a nationally and internationally prominent city for a range of reasons, not only as a historical city and an important location for the Church of England, but also as one of the UK's most visited tourist destinations. The City of York Council covers an area of 105 square miles and comprises an urban area, which is surrounded by many small rural and semi-rural settlements. Around 85 square miles of the York area is greenbelt.
- 13 Approximately 185,000 people live in York but this increases by approximately 11 per cent between September and May when around 20,000 higher education students attend the university and colleges. The population of the city is increasing and is expected to reach 192,000 by 2011. Life expectancy is greater than the national average; rapid economic growth and a decrease in the average number of people per household are all placing pressure on services including waste collection and disposal.

The Council

- 14 The Council is comprised of 47 councillors with no party holding overall control. Following elections in May 2007 the composition of the Council is 19 Liberal Democrat, 18 Labour, 8 Conservatives and 2 Green Party.
- 15 Council business is governed by a leader and executive structure with eight portfolio holders and the leader. There is an overarching Overview and Scrutiny Committee and nine Scrutiny Panels. All non-executive councillors are on one or more of the scrutiny panels.
- 16 The Council's overall net budget for 2007/08, excluding the housing revenue account, is £104.5 million. The capital programme in 2007/08 is £41.4 million excluding housing expenditure.

National and regional context for waste management

- 17 Waste management functions are the responsibility of waste disposal authorities (WDAs) and waste collection authorities (WCAs). City of York Council is a WDA and a WCA. It has a duty under the Environmental Protection Act 1990 to arrange for the collection and disposal of all municipal from its area. The Council also provides civic amenity sites (known as Household Waste and Recycling Centres, HWRCs) where householders can deposit waste for recycling or disposal.

- 18** The 'Waste Strategy 2000 England and Wales' presents the Government's vision for managing waste and resources by sustainable development. A key objective of this strategy and the European Landfill Directive is to reduce the use of landfill as a means of the long-term disposal of waste, in order to reduce emissions of the greenhouse gas, methane, and to protect water supplies from contamination. The Government has set the following targets collectively for local authorities to recover value through materials (by recycling, composting or energy), and reduce landfill of biodegradable waste.
- Recycle or compost at least 25 per cent of household waste by 2005, 30 per cent by 2010 and 33 per cent by 2015.
 - Recover value from 40 per cent of municipal waste by 2005, 45 per cent by 2010 and 67 per cent by 2015.
 - Reduce landfill of biodegradable waste to 75 per cent of 1995 levels by 2010, to 50 per cent by 2013 and to 35 per cent by 2020.
- 19** Under the Waste Emissions and Trading Act 2003 each WDA has been given allocations of biodegradable waste that may be landfilled for each year from 2005/06 to 2019/20, consistent with the United Kingdom meeting its obligations under the Directive. WDAs may trade these allocations with one another. They face a penalty of £150 per tonne of waste landfilled in excess of their allocation (augmented by any allocation they have purchased from another WDA).
- 20** The Household Waste Recycling Act 2003 requires all collection authorities to provide a kerb-side collection service for at least two recyclables to all domestic properties by 2010. In 2005/06 the Government introduced new best value performance indicators for the percentages of households resident in the authority's area served by a kerb-side collection of recyclables and served by a kerb-side collection of at least two recyclables.
- 21** The Government has set individual recycling standards for each local authority. The York City targets for recycling and composting were set at 14 per cent by 2003/2004 and 21 per cent by 2005/2006. The Council has also made a Local Public Service Agreement (LPSA2) with Government incorporating a stretched recycling target to increase the amount of material recycled from 22,150 tonnes to 23,988 tonnes by March 2008.
- 22** The total amount of municipal waste in England was an estimated 29.1 million tonnes in 2003/04 compared with 29.4 million tonnes in 2002/03; a decrease of 1 per cent. The amount of household waste collected also fell from 25.8 to 25.4 million tonnes, a decrease of 1.5 per cent. The 2003/04 figure equates to 510 kg per person.

The Council's waste management service

- 23 The Council provides the following waste management services.
- Domestic Refuse Collection to all 82,500 properties in the City of York Council area. Wheeled bins are provided to all but 10,000 properties - mainly inner city, terraced areas, which are still collected using black sacks. Alternate week collections are provided to about 60,000 properties with green waste being collected on alternate weeks to residual waste.
 - Kerb-side Recycling Collections provides fortnightly collections of dry recyclables (paper, glass, cans, cardboard and plastic bottles) to 60,000 properties in the City of York Council area. Materials are collected, and sorted, at the kerb-side before being taken for reprocessing at Hessay. York has a network of bring sites and three household waste recycling sites. At present around 7,100 remote rural and difficult to access city centre properties do not receive any kerb-side recycling service.
 - Commercial Waste Collections to around 2,800 businesses in the City of York Council area which is about 44 per cent of market share. This contributes to the Council's total amount of municipal waste.
- 24 The domestic waste and recycling service is carried out Monday to Friday each week using 17 large refuse vehicles and 8 kerb-sider vehicles for recycling. The commercial waste management service operates 12 hours per day, 7 days per week, using 3 large refuse vehicle and crews working split-shift patterns. The waste management service is provided within the Directorate for Neighbourhood Services. The service budget for waste collection and disposal in 2007/08 is £7.89 million. The executive member for Neighbourhood Services is responsible to the executive for waste management service policy and delivery.
- 25 The Council's waste management service was inspected by the Audit Commission in 2004 and was given a service rating of 'fair' with 'uncertain' prospects for improvement.

Main conclusions

Summary

- 26 There have been some significant improvements to the waste management service in York - in line with Council and York & North Yorkshire (Y&NY) Waste Strategy priorities. The Council has adopted a structured and effective response to the waste inspection findings in 2004.
- 27 The waste management service has made significant improvement in performance in all areas other than the amount of waste collected which remains high. The Council does not have a clear understanding of why this is but it is working with other similar councils to identify reasons. The Council's relative improvement in performance compared with similar councils is also good.

- 28 There are still operational and organisational issues to be addressed to fine-tune the service such as missed bins performance and staff sickness levels. The Council has done little to address its own waste recycling performance and has, therefore, missed an opportunity to be seen as an exemplar in relation to good recycling arrangements
- 29 Customer contact has improved for consultation about proposed projects and for customer enquiries which are now dealt with by the customer contact centre where most enquiries are being addressed at first point of contact. The Council and its partners are still to carry out public consultation about proposed waste disposal facilities.
- 30 There is clear cross-party commitment for the improvement in the waste management service. The Council established seven priorities to address issues raised by the waste inspection in 2004. These have been completed or have been consolidated into updated targets such as for the provision of waste disposal facilities. The joint Corporate priorities recently agreed by councillors since the May election has set a more challenging target for the waste management service to extend its improving performance.
- 31 The service has made effective improvements to its performance management arrangements. Reporting and performance monitoring is carried out at service, directorate and corporate levels to promote delivery of the waste management service to the required standards. The new waste management service structure within the Neighbourhood Services Directorate has effectively integrated the individual elements of waste management services to provide a coordinated and seamless service. However, although performance and target setting is clearly identified at a corporate level, the waste management service plan for 2007/08 lacks clear focus and does not describe how the service is progressing in relation to priorities.
- 32 The Council, with its partners, is making good progress and taking appropriate advice towards the future provision of waste disposal facilities. The work is progressing in accordance with the approved programme but there is still a lot to do before the disposal arrangements are complete.

Report findings

What has the waste management service aimed to achieve?

- 33 There is a hierarchy of strategies that give a clear focus and direction for the provision of the waste management service in the City of York. The Yorkshire and Humberside Regional Waste Strategy sets out objectives and policies for the region. These objectives include reducing waste production, increasing re-use, recycling and composting and managing residual waste in the most sustainable way. The strategy recognises the need for greater improvement in the region than elsewhere due to the historic reliance on cheap landfill.

34 The York and North Yorkshire (Y&NY) Waste Management Partnership, comprises the City of York unitary authority, North Yorkshire County Council and the county's seven North Yorkshire district councils. In 2004 they adopted a 20-year York and North Yorkshire Joint Municipal Waste Management Strategy '*Let's Talk Rubbish*' along with a Waste Minimisation Strategy for 2004. Its primary objectives and targets of these strategies were to meet statutory and legislative requirements and to increase public awareness and promote participation. Secondary objectives include promoting the waste hierarchy and disposal as close to source as possible. The Council approved the strategy which included a number of commitments with a strong emphasis to minimise waste - on 14 July 2004. Key targets included the following.

- Limiting growth in household waste arisings to 2 per cent by 2007/2008, 1 per cent by 2008/2009, and 0 per cent by 2010).
- At least 40 per cent of households with a garden to carry out home composting by 2010.
- Working with the community and run at least one waste-reduction awareness workshop per year.
- Raising awareness by implementing a campaign strategy, providing information at household waste recycling centres, promotional events educational initiatives and providing information to residents participating in kerb-side recycling schemes.
- Exploiting the use of available legislation and developing a policy statement on packaging by October 2004. Adopting internal policy and providing management and staff with guidance on minimising waste by January 2005.
- Developing a long-term programme of research and waste-compositional analysis.

35 The Y&NY Waste Management Partnership revised its waste strategies in 2006. The Joint Municipal Waste Management Strategy 2006 to 2026 '*Let's Talk Less Rubbish*' provides an overall vision to 'work with the community and stakeholders of York and North Yorkshire to meet their waste needs and deliver a high quality, sustainable, customer-focused and cost effective waste management service'. In order to achieve this vision the Y&NY Waste Partnership has identified strategic objectives and the following targets.

- Recycle or compost 40 per cent of household waste by 2010.
- Recycle or compost 45 per cent of household waste by 2013.
- Recycle or compost 50 per cent of household waste by 2020.
- Divert 75 per cent of municipal waste from landfill by 2013.

- 36 The revised Waste Minimisation strategy 2006/07 recognises that waste production in Y&NY would need to decline from the 577 kg in 2004/05 to 527 kg per head by 2012/13. This equates to a 1 per cent reduction in each year from 2005/06 to 2007/08; then 1.2 per cent annually from 2008/09 to 2012/13. The strategy has action plans to achieve the waste reduction target and are grouped into the following three categories.
- **Policy decisions** - for example acceptance of specific types of waste at the County and City Councils Household Waste Recycling Centres or flat-lid policies by the waste collection authorities.
 - **Promotional activities** - which are typically aimed at the delivery of 'long-term' objectives principally by influencing future behaviour through education and awareness raising.
 - **Targeted material campaigns** – for example green waste or real (reusable) nappies.
- 37 York City Council updated its waste strategy in 2004 in line with the Y&NY Waste Management and Waste Minimisation Strategies. It has not updated its strategy in line with the 2006/07 Y&NY Strategies but it has updated its action plan for 2004 in line with the priorities of the current strategies.
- 38 The York Community Strategy contains seven themes including '*York - The Sustainable City*' which has an outcome to 'reduce waste to landfill and increase recycling'. It has appropriate actions and challenging targets to 2010 when it looks to reduce waste to landfill to 60 per cent of 2004 levels and increase all forms of recycling to 40 per cent. The Council's Corporate Strategy has ten priorities including 'decrease the tonnage of biodegradable waste and recyclable products going to landfill'. This is consistent with the Community Strategy priority for waste and it has corresponding 'things to do' in the 2006/07 action plan including:
- improving recycling facilities at Towthorpe and the new Hazel Court facility; and
 - improving green waste collections and kerb-side collections of cardboard and plastic bottles.

These are clearly aligned with the Council's waste objectives and the Y&NY Waste Strategy priorities.

Is the service meeting the needs of the community and/or users?

- 39** The needs of citizens and service users are at the heart of the waste management service. Feedback from customers reflects their proper treatment and consideration by Council staff with complaints relating mostly to procedural problems such as changes to programmes at bank holidays. Staff have a good knowledge of customer needs and the new customer contact centre is effective in dealing with the majority of calls it receives about waste. Issues passed on to the service are limited to complaints or queries relating to service provision. The service places job completions and enquiry resolutions onto the CRM system and the call centre has access to this for future reference. The new contact centre is providing a better performance than previous arrangements but it is not yet achieving corporate targets. Some information is not available to services such as the percentage of calls being dealt with at first point of contact. A more comprehensive range of performance data would help services to understand their impact on user requirements.
- 40** The waste management service provides good access to its facilities and to people dealing with service provision. Most issues are dealt with by the customer call centre but those who visit the city centre offices are provided with information or have their requests referred to appropriate staff to deal with. Challenging service standards have been adopted and are consistent with feedback from local people and with the national agenda for waste. Some standards are provided to users in leaflets and on the web but they do not include response times although people are given this information when they make an enquiry to the contact centre. The Directorate is adapting an existing information leaflet that is provided for cleansing services to include all its other services including waste to address this situation. Access to bring-sites and HWRCs is generally good and there is clear sign posting to most but not all facilities. The good access to services is contributing to the increases in waste performance.

- 41 The waste management service has effective arrangements for consulting with service users including the following.
- When service changes are being considered such as the introduction of alternate week collections. Feedback has influenced service delivery decisions such as the introduction of cardboard and plastic recycling for some areas of the City.
 - Annual face-to-face surveys that are carried out across North Yorkshire and York, including 300 in York City, to assess issues such as the impact of the waste minimisation plans and to aid the setting of future targets. The surveys are to consider people's opinions and to raise awareness of issues including junk mail, disposable nappies and bulky household waste.
 - Feedback and complaints about the service that impact on decision-making including arrangements for alternative week collections and the need for plastics recycling.
 - The talk-about panel that influenced the type of vehicle purchase and recycling banks used for plastic.

The consultations arrangements are influencing service provision and are contributing towards improving service standards in line with the Council's priority for waste. The Council and its partners have not yet consulted local people about the proposed options for waste disposal. This is a key issue that will need skilful handling to ensure the timetable to introduce new waste disposal facilities is not delayed.

42 The Council's objectives for its waste management service are clearly reflected in service level agreements (SLA) and contracts with service providers including the following.

- The waste collection SLA that sets clear and challenging performance standards linked to national best quartile performance and top quartile satisfaction levels. Quality inspections are carried out to ensure that the service does not create litter problems for customers and that performance standards are maintained.
- The kerb-side recycling collections service level agreement with a local charitable organisation that encourages increased recycling by offering increased payments for additional recyclate collected. This is also helping to reduce the amount of residual waste taken for landfill.
- The bulk waste collection contract where appointments are given to the customer on the same day as their other waste collections so they do not have to wait more than ten working days for collection. The contractor is required to report on a suite of KPIs that is used to monitor and further enhance the service, where necessary. The Council is aware that this contract does not address the financial circumstances of disadvantaged residents (the elderly, disabled and low income families) and a report is being prepared to consider concessions for appropriate residents.
- The trade waste agreements that include financial incentives for the Council's clients to recycle cardboard through instead.

These contractual arrangements are ensuring that Council policies are being translated effectively into operational procedures that benefit local people.

43 The Council's waste minimisation programme has been effective in achieving objectives and raising awareness. The impact in York of the waste minimisation activities include the following.

- A reduced amount of household waste collected per head of population. In 2005/06 the Council collected 526.78kgs to 19.75kgs better than the target of 554.43kgs.
- An increase in home composting - 2,363 home compost bins were sold in 2005/06 which the Council equates to approximately 213 tonnes of biodegradable waste being diverted away from landfill.
- Customer survey feedback that shows an increasing public awareness about the merits of avoiding products with excessive packaging, a willingness to reduce the amount of disposable materials that are used and an increase in the use of real nappies as alternatives to disposable nappies.
- Increased recycling credit payments - from £20,000 in 2004/05 to £29,000 in 2006/07.

- 44 The waste collection service is not achieving its service objective to 'design our services to meet the needs of our customers'. It has two indicators to measure its collection service performance and neither is achieving the Council's own targets. The number of bins missed per 100,000 households has improved slightly from 79 in 2003/04 to 78 in 2006/07 but this is well above the target of 66. The percentage of missed bins that are emptied within 24 hours has deteriorated from 97 per cent in 2003/04 to only 58 per cent in 2006/07 - against a target of 100 per cent. The Council has corrected inaccurate reporting procedures and performance is close to target during 2007/08.

Diversity

- 45 The waste management service has embraced equality issues and ensures that users have good access to service providers. In line with the Council's policy '*Making Connections: How to Make Communication Accessible and Inclusive*' the waste management service has consulted and identified the special needs of various groups in the community and has customised its service to accommodate those needs. These customised arrangements include an assisted collection service, support for residents with young children in nappies, a bulky item chargeable service and medical waste collections. The service communicates well with local communities when introducing new initiatives. All leaflets are available in accessible formats such as in large print, audiotape, by email or in a community language on request and the marketing and communications team liaises with relevant advisory groups. Other accessible formats such as British sign language video, various community languages, Braille and easy-read are provided when appropriate. Officers work with the Council's Equalities Team to ensure that as many groups are consulted about how the service is provided. Relevant documents include the Council's A-Z guide, kerb-side collection guidance and waste management recycling information guidance leaflets. These arrangements are helping to improve the lives of local people with particular needs and help to address the Council priorities.

Service outcomes for users and the community

- 46 New working arrangements are helping to deliver the services promised by the Council. The service introduced alternate week collections of compostables and residual waste to 60,000 properties across the City in October 2005. A fortnightly kerb-side recycling collection for glass, paper and cans was introduced along with seven bring recycling banks for plastic bottles and six for cardboard. Performance improvements as a result of the new arrangements include the following.
- An increase of 9,850 tonnes of Green Waste collected in 2006/07 compared to 2005/06.
 - An increase in Kerb-side Recycling (Paper, Glass, Cans, Cardboard, Plastic Bottles) of 2,490 tonnes in 2006/07 compared to 2005/06.
 - An increase in BVPI 82a(i) + 82b(i) from 17.72 per cent in 2004/5 (which exceeded government target of 12 per cent) to 24.07 per cent in 2005/06 (which exceeded government target of 18 per cent) and an unaudited outturn of 39.6 per cent in 2006/07.
 - A reduction of residual waste sent to landfill by 9,690 tonnes in 2006/07 compared to 2005/06 - helping the Council to achieve its LATS obligation.
 - An increase in kerb-side recyclate collected, per household per quarter, from 128kg in 2005/06 to 160kg in 2006/07.
 - A WRAP funded recycling behaviour survey found that 78 per cent of respondents were committed recyclers.

These figures show that the Councils planning and investments for waste have helped to make significant improvements in line with corporate and regional priorities. They are also helping to meet the LATS diversion requirements.

- 47 The Council is working effectively to prevent and minimise excessive and unnecessary packaging waste by targeting and educating consumers in a number of ways including:
- initiating public awareness campaigns that focus on prevention and minimisation of waste packaging at source;
 - helping to raise awareness amongst local companies of their obligations under the Producer Responsibility - Packaging Regulations and assist companies in meeting their responsibilities through green business clubs;
 - support the Environment Agency in its role on Packaging Regulations; and
 - educating targeted consumers and producers about waste packaging in order to minimise the amount of waste being disposed.

- 48 The Council is taking a proactive approach to reducing unnecessary packaging by manufactures. As part of its ongoing waste reduction programme the Council's trading standards team ran a publicity campaign to encourage residents to complain if they felt the goods they were buying were packaged excessively. The team received 12 complaints about 40 items which it referred to the trading standards services for the area in which the products were manufactured. The service has engaged the support of consultants to assist in any specific technical issues that may arise preventing further packaging reduction. The team prioritises businesses that produce high-volume goods, and those businesses producing products which gave the most concern during the 2005/06 national packaging survey. This work is consistent with the Environmental Health and Trading Standards enforcement policy and is helping to address the Council's priority to reduce waste. The work has resulted in a response by a large-volume car manufacturer to reduce packaging on future promotion/publicity campaign.
- 49 The Council has good working relations with voluntary organisations and charities to provide services that local people want. These include the following.
- Financial support for the charity Friends of St Nicholas Fields, as its existing funding streams end. The charity houses York Rotters and provides training on composting for local people. They have trialled new equipment and given feedback to the council such as on the effectiveness of green cone composters. It also has a contract with the Council to collect recycle with electric vehicles suitable for narrow streets that the Council is not able to access effectively. This scheme won a national environment award and the Council is extending its contract to include more areas where access to properties is difficult.
 - Community Furniture Store - which processes 100 tonne of furniture for re-use each year. The funding is provided through the Council's Social Services budget.
 - Bike Rescue - salvages bikes and sells them cheaply to local people. They employ young local people including offenders to maintain and repair bikes. The Council has provided an unused electric sub-station as a workshop. The Council considers its support is consistent with its role as a premier bike city.

These are good examples of local people providing services with the support of the Council such as funding, buildings and work. They are addressing social issues as well as satisfying the Council's priority for waste.

- 50 The waste management service is helping other large organisations in York to improve their recycling performance. It has entered into a waste management and collection contract to deal with all of the waste from York University. The contract was won in competition with the private sector and started on 1 September 2005. To improve management data for the Council and the University the service has introduced chip technology with Radio Frequency Identification (RFID) vehicle tagging. Individual accounts are set for each of the 46 campus colleges and buildings so waste can be identified more locally. The University is charged on a pay by weight basis for waste taken to landfill to encourage waste reduction schemes within the University and a rebate of £5.00 per tonne is provided for any recyclate collected. These arrangements have helped the university to improve its recycling rate - from 23 per cent at the beginning of the contract to 38.6 per cent at the end of March 2006. This shows the Council's commitment to improving its waste management service and helping others to improve their recycling rates.
- 51 Although the Council is encouraging and supporting others to recycle it is missing an opportunity to act as an exemplar and to develop inter-departmental working; it does not have a co-ordinated approach for recycling its own waste materials. There are some recycling arrangements within departments but these are inconsistent and there is no recycling performance monitoring.
- 52 The Council is using procurement arrangements to improve its performance. The household waste recycling centres management and waste transportation service was market tested in February 2005. It provides financial incentives for the contractor to recycle more material going to the HWRC and, therefore, reduce waste going to landfill. The proportion of waste recycled at the Council's three HWRC has increased significantly and now averages about 60 per cent which is the Council's target for 2008 onwards. However, there is an unresolved capacity and service quality issue - going back to 2005 - with the facilities at Beckfield Lane HWRC and the possible provision of an alternative site. The Council will not improve the social and environmental conditions for local people until this problem is resolved.

- 53 User satisfaction with waste collection remains high compared to similar authorities, but it did reduce in 2005/06, from 91 per cent to 69 per cent when the alternate-week collection arrangements were introduced. It has since recovered to 72 per cent in 2006/07 and now compare favourably with other councils that provide alternate week collections. Satisfaction with local recycling facilities improved from 70 per cent in 2003/04 to 75 per cent in 2006/07. Satisfaction with kerb-side recycling improved from 70 per cent in 2005/06 to 73 per cent in 2006/07. Satisfaction with waste disposal (HWRC) improved from 80 per cent in 2003/04 to 86 per cent in 2006/07. A site-specific satisfaction survey in June 2006 at Hazel Court HWRC showed that 77 per cent of respondents rated customer service at the site as excellent. The Council has addressed the issue of reduced satisfaction by attending meetings with local voluntary groups, schools and resident's groups to reassure people about the benefits the schemes have to offer. This work is supplemented by regular articles in the Council's 'Your City' magazine which explain the progress being made in recycling performance and gives credit to local people for their contribution towards the improvements. Despite the introduction of some initially unpopular working arrangements, the waste management service is maintaining a high level of satisfaction when compared to similar councils.

Is the service delivering value for money?

- 54 The Council is improving value for money in its waste management service. The waste management service costs in 2005/06 were lower than those of most similar councils. The waste collection cost of £43.27 per household was better than average (£45.80) for similar (unitary) councils. The waste disposal cost of £32.44 per tonne was best quartile performance for unitary councils. Recycling increased from 10.7 per cent to 16.50 per cent in 2005/06, which was slightly worse than the average for unitary councils of 16.61 per cent. It increased further to 23.3 per cent in 2006/07. Composting rates increased from 4.7 per cent in 2003/4 to 7.58 per cent in 2005/06, which was worse than the average for unitary councils of 8.21 per cent. It increased further in 2006/07 to 16.6 per cent. The combined recycling and composting figure of 24 per cent in 2005/06 exceeded the LPSA target of 23 per cent for that year. The amount of waste going to landfill in 2005/06 was worse than average for unitary councils at 74,070 tonnes. However, the percentage of household waste going to landfill has reduced from 84.5 per cent in 2003/04 to 60.1 per cent in 2006/07. The amount of waste collected per head of population has reduced slightly from 541 tonnes in 2003/04 to 539 tonnes in 2006/07. These improvements show that the Council's efforts are improving performance as a result of investment in the service. Since service expenditure is lower than most other unitary councils the waste management service is providing good value for money when compared to similar councils.

- 55 The Council has accurate information on its current costs and future commitments which is being used to prioritise and manage resources. As a result of the Council's decision to improve recycling and composting performance and to address LATS issues it has increased its revenue budget for collection and disposal of waste for 2007/08 by 10.2 per cent. Increased costs are clearly identified along with savings as part of the budget setting process. The detailed preparation of waste budgets is helping to provide realistic estimates of future expenditure.
- 56 The Council is using modern procurement methods to improve VFM in the waste management service. It introduced a procurement team and adopted a procurement strategy in 2003 which focused procurement issues on improving arrangements and getting better VFM. It has produced a procurement toolkit which gives clear guidance to departments who need to procure services or equipment/resources. These arrangements have impacted on the waste management service in a number of ways including the following.
- The HWRC contract provides an incentive for the contractor to maximise performance, through additional payments when waste to landfill is reduced in line with corporate priorities.
 - The contract for bulk waste collection includes a suite of KPIs that the contractor has to report on and will be used to monitor and further enhance the service where necessary.
 - Its contract with Friends of St Nicholas Fields kerb-side recycling collections service requires detailed information about collection arrangements and amounts and provides the incentive for the contractor to maximise recycling collection rates.

These contracts are contributing to improved performance and VFM in the waste management service.

What is the track record in delivering improvement?

- 57 The Council has responded effectively to the inspection of its waste management service carried out in 2004. It established seven action plans to address the findings of the inspection. Four of the actions relate to short-term solutions to recycling, composting and waste minimisation. There are three long-term actions to address future waste disposal requirements. The actions also form the basis of the implementation plan for the York Waste Strategy. The Council established a Strategy Board in 2004 to oversee the implementation of the priorities along with a project lead officer and delivery team that had a clear mandate to deliver the priorities. The strategy considers an appraisal of costed options up to 2016 using the 'do nothing' option as a baseline comparison. It identifies what impact each action will have on the future waste stream and it estimates the cost implications of achieving the actions in relation to reducing the cost burden of LATS. These procedures give the Council a clear focus on what it needs to achieve along with the cost implications of its proposed actions.

- 58 The Council has successfully implemented the four short-term action plans that relate to consultation; minimisation; green waste & recycling/kerb-side collections & bring sites; and household waste sites. The early actions aimed at removing the optimum amount of waste upstream have been completed in the first three years of the plan or form part of the current action planning process with identified targets such as ongoing work to household HWRC. The implementation of these actions has been very effective in achieving the Council's short-term objectives to increase recycling and composting but it has had limited success in reducing the amount of waste it collects.
- 59 The Council is taking a well structured and co-ordinated approach to provide appropriate waste disposal facilities. The three long-term action plans relate to treatment (partial and/or mass) plant; procurement; and eventual disposal. These proposals are to address the joint treatment requirements for York and North Yorkshire Councils and the need to address waste disposal issues so that the Council does not incur avoidable high LATS costs in the future. The short-term action plans had clearly identified funding but the long-term costs of disposal depend on many variables that have not yet been resolved or decided. They will need to be verified once bids have been received for the work. The Council is working with its partners in accordance with DEFRA and other guidance to minimise the risk associated with the waste disposal proposals. These relate particularly to planning issues about possible sites for treatment plants and contractual arrangements with the eventual waste disposal contractor. Until these actions have been resolved there will continue to be a high risk that the Council will have to pay LATS payments for the disposal of municipal waste to landfill beyond 2009/10.
- 60 There has been a significant improvement in performance as a result of the implementation of the four short-term action plans - which included the alternate-week collection to 60,000 properties, HWRC improvements, bulk waste collection service, kerb-side recycling including the recent cardboard and plastic recycling programme. Waste to landfill has decreased significantly from 83400 tonnes in 2003/04 to 60430 tonnes in 2006/07. Composting has increased from 4660 tonnes in 2003/04 to 16730 tonnes in 2006/07 and recycling has increased from 10550 tonnes in 2003/04 to 23440 tonnes in 2006/07. This shows that investment and planning have resulted in sustained improvements in Council priorities for waste. Customer satisfaction remains relatively high, when compared with other unitary authorities that have made the move to alternate week collection. The waste management service performance has improved significantly since the waste inspection in 2004.
- 61 The Council is committed to achieving significant improvement in performance by 2008 through its LAA targets. One relates to waste and requires the service to increase the proportion of household waste arisings recycled through an increase in the recycling of plastics, glass, cans and paper. The LAA increases the target from 22,150 tonnes to 23,988 tonnes. The service achieved 23440 tonnes for 2006/07 which shows its recycling initiatives are effective in exceeding original targets and close to the stretch target one year ahead of schedule.

- 62 The corporate procurement support for the waste management service is helping to improve performance. Procurement guidance documents are posted on the intranet and the procurement team is available to provide support. The team supported the development of the waste disposal and recycling contracts; it introduced output based contracts that provided incentives for the contractor to improve service delivery in line with Council priorities and its involvement in the green wheeled bin tender process ensured the purchase was completed to schedule. Procurement arrangements are providing contracts and agreements that satisfy corporate priorities and improve customer services.

How well does the service manage performance?

- 63 The waste management service performance is well managed. It has aims and priorities that are clear, challenging and robust. The service has produced relevant performance standards that have been established for customer based improvement such as increasing recycling rates; processed based improvements such as number of quality inspections per quarter; finance based improvements such as reduction in annual cost of sick pay; and staff based improvements such as the percentage of staff with basic skills. Each area for improvement has performance indicators including targets up to 2010, which are monitored and recorded but are only compared with others at a corporate level.
- 64 The waste management service review process is effective. It ensures that actions are achieving strategic targets. Waste projects implemented to date have enabled the Council to achieve its challenging targets and the service expects current initiatives will result in a further slight increase in recycling performance. Projects to increase recycling performance are being assessed and reports prepared for members to agree priorities. The programmes will be agreed in time for them to be included in the budget setting process for 2008/09 onwards. Project proposals are in line with the Council's ongoing development programme for waste and the cost of implementation will be covered by contingency funds currently being held to cover the possible future cost of LATS. The major schemes being considered include:
- recycling to terraced properties and achieving national target to get all properties on collection of two recyclates by 2010;
 - future provision of commercial services;
 - improvements to HWRCs; and
 - the PFA for waste disposal.

The cost of projects and their impact on reducing LATS costs are compared as part of the scheme justification process. Each waste reduction scheme is estimated to cost less than the combined cost of LATS and landfill charges of about £80 per tonne that will be saved by its implementation. The Council expects that the implementation of these projects will achieve its new recycling target for 2008/09 of 45 per cent.

- 65 The waste management service plan does not clearly reflect what the service is doing or how it is performing. It does not compare performance with similar councils and it does not make clear what impact each action will have on corporate and partnership priorities. Service plan objectives are broad statements that do not identify SMART targets and do not relate clearly to corporate priorities. They do not identify what ongoing progress has been made in relation to corporate priorities. Although information is available and used at a corporate level the waste management service plan lacks clear focus and this is a missed opportunity to celebrate success and recognise when milestones are achieved.
- 66 Target setting arrangements for the services are challenging. The service has responded to its recent improved performance by increasing its target for recycling beyond the agreed LAA target - which it no longer regards as challenging. The service is following Council priorities by increasing targets to improve service delivery.
- 67 There is strong corporate level leadership for the waste management service. The Council has set challenging targets for its waste management service and has supported these with adequate funds to implement the improvement programme. Councillors have made difficult decisions - particularly in relation to the provision of alternate week collections. The newly-elected Council has reinforced its commitment to recycling by setting higher performance targets. Councillors are looking for a more rapid improvement of recycling performance and have asked the service to explore ways to achieve 45 per cent recycling by 2008/09. This challenge reflects the continuing support given to the waste management service and a commitment to support improvement.
- 68 The waste management service has effective arrangements for monitoring ongoing performance. Weekly reports - including job completions and enquiry resolutions along with feedback from the customer call centre and from managers - are considered promptly and remedial action is agreed by service teams. Managers are accountable for under-performance and are required to provide details of corrective action being taken. More comprehensive data is considered each month by managers about performance of BV and local PIs. This data is considered by cross-party members on the executive member advisory panel (EMAP) who also consider contract performance every six months. This performance monitoring has overseen the improved performance of the waste management service in line with priorities such as the improvement in recycling performance at HWRCs. But there are still issues that have not been resolved such as high sickness levels and the under-performance for missed bins.

Does the service have the capacity to improve?

- 69** The Council is clear about the strategic and operational roles that are required to provide its waste management service. It has made provision for its future investment in the waste management service to enable its improvement plans to be introduced. The consolidation of the new waste management service structure within the Neighbourhood Services Directorate has been effective in joining together each area of the waste management service to provide a co-ordinated and seamless service. It is providing improved services that are benefiting from the involvement of the contact centre. The successful record of improving the waste management service provides a basis of confidence for the Council that it will continue to improve services in the future.
- 70** There is cross-party support for the Council's waste priorities. The Council's EMAP procedure ensures that councillors are able to make well-informed decisions and they have received detailed information about waste issues. The new political structure has reinforced its commitment to improve the waste management service by setting stretched targets for waste in the coming year. There is common agreement between all parties to roll out recycling to terraced properties and work with voluntary organisations as a means of achieving the recycling targets.
- 71** The Council took a difficult decision to change its refuse collection arrangements so that it could improve its waste performance in line with national targets despite its expectation that satisfaction levels would reduce. There was a resulting reduction in satisfaction but the Council's efforts to recover this had some success. This is an example of the Council making a difficult and unpopular decision so that it could address national and longer term local priorities.
- 72** The waste management service continues to explore innovative ways to improve service delivery. It has visited other councils that use a vehicle tracking arrangement and has submitted a business case for such a system so that it can improve response times. This is a good example of the service adopting good practice used by other councils to improve service delivery.
- 73** The service has had little success at addressing high levels of sickness in its workforce. The problem is being closely monitored and actions are being taken to provide confidential advice/counselling, back to work procedures and there have been dismissals of employees with a record of long-term sick which accounts for over 50 per cent of absence time. Despite these actions sickness levels remain very high. The Council is addressing the issue of high sickness levels but the situation continues to be a problem for the service with an average of 16 days per employee lost to sickness absence during 2006/07 including 4 days attributed to stress related sickness. This high level of sickness will continue to have a significant negative impact on the effectiveness of the waste management service until it is addressed effectively.

- 74 The Council, with its partners, is making good progress towards the provision of waste disposal facilities. The outline business case has received ministerial approval and the Council is working with its partners to obtain planning approval for identified sites and to progress contractual arrangements for the provision of the waste disposal facilities. However, these issues represent a high level of risk for the Council in relation to making future LATS payments for future land-filling of waste. There is a high level of uncertainty until they have been finalised. There has been public consultation about the outline business case for waste disposal requirements but not yet about possible treatment sites and this provides the potential for delays. The Council and its partners have a lot to do before the disposal arrangements are complete but it has worked with its partners and taken appropriate advice to make progress in accordance with the approved programme.
- 75 The waste management service is benefiting from the support of local communities to improve appropriate services. The Council provides devolved budgets to local wards; two subsidise bulk waste collections in areas where access problems made it difficult to collect waste. These local arrangements are enhancing the waste management service in line with the Council's waste priority.

Recommendations

Recommendation

R1 It is recognised that the Council and its partners are making good progress in relation to the long-term provision of waste disposal facilities but key issues are still to be addressed including planning and contractual arrangements. The Council therefore needs to ensure that addressing waste disposal issues remains a high priority.

The expected benefits of this recommendation are:

- minimising future LATS payments; and
- sustainable waste disposal arrangements are provided.

The implementation of this recommendation will have high impact with low costs. Focus should be maintained on this high risk issue.

Recommendation

R2 Improve the Council own recycling performance by:

- *consolidating the management and monitoring of the Council's own recycling initiatives;*
- *establish clear and challenging recycling targets for departments within the Council;*
- *disseminate good recycling practice across all Council departments; and*
- *increase public awareness of the Council's own recycling activities.*

The expected benefits of this recommendation are:

- the Council can be seen as an exemplar for its recycling efforts; and
- other organisations will learn from, and be better able to apply, good recycling practices.

The implementation of this recommendation will have high impact with low costs - in relation to the overall service budget. This should start to be implemented immediately.

Recommendation

R3 Continue to pursue areas of under-performance including high sickness levels, number of missed bins, high waste volumes collected and HWRC issues relating to Beckfield Lane by:

- *identifying the cause of these problem issues;*
- *engaging with staff to resolve the problems; and*
- *engage with residents about the HWRC issues.*

The expected benefits of this recommendation are:

- improved service performance in relation to recycling and waste collection.

The implementation of this recommendation will have medium impact with low costs. Ensure that action already underway in relation to this recommendation includes clear deadlines, accountability and reporting/feedback arrangements.

Recommendation

R4 Provide better information about service delivery to customers by:

- *improving information about customer-related performance;*
- *producing a 'customer charter' that informs customers about service standards; and*
- *using customer contact centre and waste management service data to monitor, report and provide information on customer-related service performance.*

The expected benefits of this recommendation are:

- improved waste management service's knowledge of customer-related performance; and
- promote corporate and customer awareness of waste management service performance.

The implementation of this recommendation will have medium impact with low costs. This should be implemented immediately.

Recommendation

R5 The service should improve its service planning procedures by:

- *providing clearer linkages between service objectives and corporate priorities;*
- *produce SMART targets for actions;*
- *recognise and celebrate ongoing progress and achievements; and*
- *identify the impact of completed actions on corporate priorities.*

The expected benefits of this recommendation are:

- celebrating achievements in the service and with partners; and
- promote a clearer understanding amongst staff about their contributing to corporate priorities.

The implementation of this recommendation will have medium impact with low costs. This should be implemented immediately - to support the 2008/09 service planning process.

Appendix 1 – Action plan

Page no.	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
Recommendations						
25	R1 It is recognised that the Council and its partners are making good progress in relation to the long-term provision of waste disposal facilities but key issues are still to be addressed including planning and contractual arrangements. The Council, therefore, needs to ensure that addressing waste disposal issues remains a high priority.	High				
26	R2 Improve the Council own recycling performance by: <ul style="list-style-type: none"> • consolidating the management and monitoring of the Council's own recycling initiatives; • establish clear and challenging recycling targets for departments within the Council; • disseminate good recycling practice across all Council departments; and • increase public awareness of the Council's own recycling activities. 	High				

Page no.	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
26	<p>R3 Continue to pursue areas of under-performance including high sickness levels, number of missed bins, high waste volumes collected and HWRC issues relating to Beckfield Lane by:</p> <ul style="list-style-type: none"> • identifying the cause of these problem issues; • engaging with staff to resolve the problems; and • engage with residents about the HWRC issues. 	Medium				
27	<p>R4 Provide better information about service delivery to customers by:</p> <ul style="list-style-type: none"> • improving information about customer-related performance; • producing a 'customer charter' that informs customers about service standards; and • using customer contact centre and waste management service data to monitor, report and provide information on customer-related service performance. 	Medium				

Page no.	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
27	R5 The service should improve its service planning procedures by: <ul style="list-style-type: none"> • providing clearer linkages between service objectives and corporate priorities; • produce SMART targets for actions; • recognise and celebrate ongoing progress and achievements; and • identify the impact of completed actions on corporate priorities. 	Medium				



**Meeting of the Executive Member for
Neighbourhood Services****6 September 2007**

Report of the Director of Neighbourhood Services

**NEIGHBOURHOODS & COMMUNITY SAFETY GROUP LEGAL
ACTIONS****Summary**

1. To inform Members of the results of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, Licensing) for the period 1st April 2007 – 30th June 2007.

Background

2. The Executive Member for Environment and Sustainability approved an enforcement policy for Environmental Health, Trading Standards and Licensing Services in September 2005.
3. This report details the results of prosecutions taken in the period 1st April 2007 – 30th June 2007. In accordance with the policy each case is considered on its merits before legal proceedings are instituted.
4. Annex A summarises the prosecutions completed, fixed penalty notices and cautions that have been issued (a caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue).

Consultation

5. Not applicable.

Options

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

Analysis

- 7. Not applicable.

Corporate Objectives

- 8. 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 notes the contents of this report.

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

Contact Details

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Chief Officer Responsible for the report:

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

Report Approved **Date** 17/08/07

Wards Affected:

All

Background Papers:

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

Annexes

Annex A: EH and TS Formal Enforcement Action 1st April 2007 – 30th June 2007

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Annex A: Formal Enforcement Action 1st April 2007 – 30th June 2007**Animal Health**

Defendant	Legislation	Nature of Case	Penalty	Costs
Lorna DALEY (Private Individual)	Dogs (Fouling of Land) Act 1996	Allowed dog to foul and did not remove faeces	Fine £60.00	£154.84

Food

- Mary DE TORRES (Caterer/Partner) - A caution was issued under the Food Safety Act 1990 for falsely describing gin.
- Pablo DETORRES (Caterer/Partner) - A caution was issued under the Food Safety Act 1990 for falsely describing gin.
- Ringdane Ltd Trading as South Park Care Home (Care Home) - A caution was issued under the Food Hygiene (England) Regulations 2006 for failing to comply with a Community Provision regarding cleanliness of premises.
- Sangthai Restaurant Ltd (Restaurant) - A caution was issued under the Food Safety Act 1990 for falsely describing gin.

Trading Standards

Defendant	Legislation	Nature of Case	Penalty	Costs
Adrian HEMMINGWAY trading as Wakefield Bridge Motor Company. (Car Dealer)	Trade Descriptions Act 1968	Supplied motor vehicle with incorrect odometer reading.	Fine £2000.00	£1858.20
Heinz OFNER (Car Boot Trader)	Video Recordings Act 1984/Trade Marks Act 1994	Offered to supply a video recording with classification certificate only for licensed sex shop. Possession for supply video recording with no classification certificate/exposed for sale counterfeit goods at Rufforth car boot sale.	6 Months Community Provision + Supervision	£1022.00
Christopher John SCOTT (DVD Seller)	Trade Marks Act 1994	Sale of counterfeit computer games at Rufforth car boot sale.	3year Conditional Discharge	£500.00

David TURNER (Designated Premise Supervisor)	Licensing Act 2003	Sale of alcohol to a person under 18 at The Corner House, Burton Stone Lane.	Fine £450.00	£2155.00
James WALTERS (Car Boot Seller)	Trade Marks Act 1994	Sale of counterfeit goods at Rufforth car boot sale.	Fine £500.00	£619.40

- Christopher DAVIES
(Sales Assistant) - A caution was issued under the licensing Act 2003 for selling alcohol to a person under 18 at The Spar, Lowther Street.
- George HOLDRIDGE
(Sales Assistant) - A caution was issued under the licensing Act 2003 for selling alcohol to a person under 18 at Tesco Express, Strensall.
- Lesley Catherine HYDE
(Sales Assistant) - A caution was issued under the licensing Act 2003 for selling alcohol to a person under 18 at Tesco Express, Strensall.
- Shona SHAW
(Sales Assistant) - A caution was issued under the licensing Act 2003 for selling alcohol to a person under 18 at Netto, Layerthorpe.

Environmental Protection

Defendant	Legislation	Nature of Case	Penalty	Costs
Lee MORAN (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	6 months Conditional Discharge	£70.00

- Melanie NORTH
(Private Individual) - A caution was issued under the Environmental Protection Act 1990 as amended for failing to comply with noise abatement notice.
- Frederick Arthur WILSON
(Private Individual) - A caution was issued under the Clean Air Act 1993 for causing the emission of dark smoke

Licensing

Defendant	Legislation	Nature of Case	Penalty	Costs
Andrew CLARK trading as XES (Sex Shop Proprietor)	Local Government (Miscellaneous Provisions) Act 1982	Unlicensed Sex Shop	Fine £14000.00* * reduced to £2000 at appeal	£1108.30



Meeting of the Executive Member for Neighbourhood Services

6th September 2007

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 period to 30th September 2008 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 (16 to change to 18 on 1 October 2007), spray paint (16), solvents (16) and knives (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 video recordings and petrol.
4. At the meeting of the Executive Member for Neighbourhood Services on 7 December 2006, it was decided that the council should continue with a programme of education and enforcement, adopting a flexible approach to taking formal action against offenders. The programme of education and enforcement is as follows:
 - Visits to premises to advise on legal requirements and the steps that may be taken to avoid illegal sales. The visits also include checks that legal notices are correctly displayed.

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

Alcohol

6. As part of the council's Local Public Sector Agreement (LPSA2) trading standards are tasked to reduce the level of underage sales of alcohol to below 10% by April 2008 (taken as an average over two years). The initial grant that accompanied that agreement included appointing a specific 'Underage Sales' officer who would introduce a 'Responsible Retailer Scheme' to raise standards and recognise those premises committed to tackling underage drinking. This scheme, which compliments the 'Best Bar None' scheme designed to raise overall standards in 'on-licensed' premises, was launched in October 2006. Initial response to the scheme has been good, at the time of writing there are 35 members. The criteria of the Responsible Retailer scheme are set out in Annex 2.
7. Enforcement action, through test purchasing exercises has followed the education work. In 2006/07 there were 272 visits in total, resulting in 33 sales (12.1%).

Tobacco

8. Officers have continued to undertake a programme of education and enforcement in relation to illegal tobacco sales. There were no illegal sales again in 2006/07
9. On 1 October 2007, the minimum age for purchasing cigarettes will be raised to 18. The Department of Health are planning publicity in the 'run up' to the change in the law, the trading standards service will be undertaking educational work to compliment the advice of the Department of Health including press releases, issuing guidance notes and visits to retailers where

appropriate. Officers will continue to check that the appropriate 'tobacco warning notices' are being displayed and tobacco advertising restrictions are complied with.

10. It is proposed that a programme of test purchases using 15-16 year old volunteers will follow the education programme.

Fireworks

11. Officers have continued to undertake a programme of education and enforcement in relation to illegal fireworks sales.
12. 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.
13. The law in relation to the illegal sale of fireworks differs from alcohol in that the person who physically sells the fireworks (the employee) does not commit an offence. Only his/her employer is potentially liable.

Spray Paint

14. There were no illegal sales of spray paint detected in 2006/07. Officers continue to monitor 'intelligence' from the police and other council officers to target suppliers. It is noted that there does appear to be a problem with youths using marker pens in graffiti which are not controlled by legislation. Officers have written to marker-pen suppliers asking them to consider not selling marker pens to youths if they suspect they may be used in vandalism

Knives

15. For the first time, the trading standards service carried out a project on the illegal sale of knives in 2006/07. A total of 21 visits were made, there were two illegal sales. An officer gave a training session to staff at both premises following the illegal sales and no sales occurred on the repeat visits.

Consultation

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

Options

17. Option 1: The council should continue with the programme of education and enforcement action set out in paragraph 4 for the period to 30th September 2008.
18. Option 2: To adopt a different programme of education and enforcement action.

Analysis

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

Corporate Priorities

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

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

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

Implications

- **Financial:**

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

- **Human Resources (HR):**

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

- **Equalities**

24. There are no equalities implications associated with this report

- **Legal:**

25. The council are legally obliged to consider its programme of enforcement activities in relation to tackling underage sales of spray paint and cigarettes each year.

- **Crime and Disorder**

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

- **Information Technology (IT)**

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

- **Other**

28. There are no other implications to consider.

Risk Management

29. There are no significant risks associated with the proposed programme of enforcement and education activity.

Recommendations

30. That the Advisory Panel advise the Executive Member to note the report and to implement Option 1 as per paragraph 19.

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

Contact Details

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1502*

Chief Officer Responsible for the report:

*Andy Hudson
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Report Approved **Date** 8/7/2007

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

All

For further information please contact the author of the report

Background Papers:

Environment and Sustainability EMAP 'Sales of Age Restricted Products' report 7th December 2006
2005 Environmental Health, Trading Standards and Licensing Enforcement Policy

Annexes

Annex 1 – The results of test purchasing activity 2001-2007
Annex 2 – Responsible Retailer Scheme – Qualifying Criteria.

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The Results of Test Purchasing Activity 2001 - 2007

Product	2001/02		2002/03	
	No of visits	Illegal Sales	No of visits	Illegal Sales
Alcohol	N/a	N/a	7	5 (71%)
Tobacco	13	0 (0%)	8	0 (0%)
Fireworks	3	0 (0%)	2	0 (0%)

Product	2003/04		2004/05	
	No of visits	Illegal Sales	No of visits	Illegal Sales
Alcohol	62	21 (34%)	64	11 (17%)
Tobacco	4	0 (0%)	8	0 (0%)
Fireworks	17	0 (0%)	35	4 (11%)
Solvents	N/a	N/a	6	3 (50%)

Product	2005/06		2006/07	
	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	N/a	N/a
Knives	N/a	N/a	21	2 (9.5%)

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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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