

Board and Topic	Rec No.	Recommendations as approved by the Executive on 6 December 2005
<b>Environmental &amp; Sustainability Scrutiny Board - Take-Aways; Powers of Enforcement (Review Completed October 2005)</b>	1	<p>The Environment and Sustainability Scrutiny Board would welcome the positive contribution that the success of the penalty notice support bid would make to addressing these issues.</p>
	2	<p>A multi-agency access database containing details about all individual take-away properties should be created. Such details should be in the form of notes on disturbance, environmental health issues, actions taken to ensure compliance etc and updated by licensing, planning, environmental health and the community police as appropriate. This should be maintained to ensure that it remains current</p>
	3	<p>Under Section 17 of the Crime &amp; Disorder Act 1998 this information could, and should, be shared with North Yorkshire Police. This would allow Police Officers to assist in the collecting of evidence about late-night activities. The Environment and Sustainability Scrutiny Board would welcome the positive contribution that the success of the IT bid would make to addressing these issues.</p>
	4	<p>That activities be coordinated between all relevant City of York Council Departments (including Street Environment, Environmental Protection Unit, Planning Enforcement and Licensing Officers); especially at the point of determining which enforcement regime would be most effective. Working practices need to be agreed and joint training sessions considered where relevant, to avoid duplication or unwitting interference in each other's cases.</p>

Board and Topic	Rec No.	Recommendations as approved by SMC on 23 October 2005
<b>Environmental &amp; Sustainability Scrutiny Board - Take-Aways; Powers of Enforcement (Review Completed October 2005)</b>	5	That the Assistant Director in responsible for the Planning and Enforcement Team be instructed to review risk assessments carried out for all aspects of the officer's duties and to thereafter produce appropriate working practice agreements in consultation with the appropriate Officer In Human Resources.
	6	An official vehicle should be available during the day, or close parking provided for the on-call officer's personal vehicle. Council owned transport should be provided if the officer is working a night shift. Both marked and unmarked vehicles should be available, as required; especially for out of hours working.
	7	That Planning Enforcement Officers be enabled to process their own prosecutions, that at least one Planning Enforcement Officer to undergo formal Court Training in order to support this.
	8	That an investigation should be undertaken to assess which other officers are able to supplement the Planning Enforcement team.
	9	Officers should be equipped with the necessary tools to undertake their work. The present level of equipment between departments is variable. Equipment should be assessed to meet the needs of the work and ensure equality of access between equivalent areas of work

**Comment from Scrutiny Management Committee as of 23 July 2007:**

The implementation of these recommendations is not complete therefore this review will be presented to the Sustainable Development to attend next meeting of SMC in September 2007 to present progress.

**Update on Implementation of Recommendations as at September 2007**

I have no information on this

The UNIFORM system provides information, including any conditions imposed on take-aways granted planning permission since 1996. Subject to available IT licences this information is available to other Council departments. Limited information on Planning Enforcement cases is also available. Licensing and Environmental Health do not use the UNIFORM system and currently their FLARE system cannot 'talk' to UNIFORM and share information. The PSO G7 - Use of technology to integrate planning, regulation and licensing functions project is currently working towards a solution.

I have no information on this.

Co-ordination does take place in relation to Enforcement matters.Noise issues in relation to Elvington airfield is good example where officers from Planning and EPU with legal advice determined a site specific approach to enforcement having regard to the different powers available to CYC.Our working relationship with other Directorates is informal. Officers speak to each other, share information and apportion work depending on their statutory function.

**Update on Implementation of Recommendations as of September 2007**

Risk assessments have been carried out and published. Out of hours protocol 'to be finalised'. Late night visits are always carried out by officers in pairs and using a Council vehicle where appropriate.

Both "marked" and "unmarked" pool cars are available during the day and in the evening, the latter subject to pre-booking. Planning Enforcement officers have permits valid for most Council owned car parks.

PEOs do not process their own prosecutions. At least one enforcement officer has undergone Court Training.

Admin support.

PEOs are issued with Personal Protective Equipment , cameras, measuring equipment, mobile phones etc as required.

ew cannot be signed off. Assistant Director of Planning & resent update and answer any questions arising