

Board and Topic	Rec No.	Recommendations as approved by the Executive on 6 December 2005	Update on Implementation of Recommendations as at September 2007
Environmental & Sustainability Scrutiny Board - Take-Aways; Powers of Enforcement (Review Completed October 2005)	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>	<p>Update required from Environmental regulation</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>	<p>The PSO G7 - Use of technology to integrate planning, regulation and licensing functions project is still working towards a solution; this is being coordinated by IT. 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. Environmental regulation does now have access to UNIFORM. Limited information on Planning Enforcement cases is also available.</p>
	3	<p>Under Section 17 of the Crime & 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>	<p>An enforcement protocol has been formulated and now being implemented. The licensing authority, police, fire, epc, trading standards meet on regular basis to discuss problem premises whether licensed or takeaways. Resulting from the scrutiny and working with the above agencies we now seek conditions attached to takeaway licences - for example conditions to reduce litter, noise nuisance or to prevent crime and disorder for example insisting on CCTV, Pager systems employing door staff.</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>	<p>Please see above. Also, Licensing now work more closely with the street cleaning teams identifying failing premises. As reported in September, co-ordination does take place in relation to Enforcement matters. Working relationship with other Directorates is informal. Officers speak to each other, share information and apportion work depending on their statutory function.</p>

Board and Topic	Rec No.	Recommendations as approved by SMC on 23 October 2005	Update on Implementation of Recommendations as of September 2007
Environmental & Sustainability Scrutiny Board - Take-Aways; Powers of Enforcement (Review Completed October 2005)	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.	Risk assessments have been carried out and published. Late night visits are always carried out by officers in pairs, as are any other visits where there is potential for conflict, and using a Council vehicle where appropriate.Planning Enforcement use unmarked vehicle.
	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.	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.
	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.	PEOs do not process their own prosecutions. At least one enforcement officer has undergone Court Training, and officer have attended additional training in relation to formal cautions smd prosecution procedures in the last 6 months
	8	That an investigation should be undertaken to assess which other officers are able to supplement the Planning Enforcement team.	A report into staffing resource shortfalls in Planning has identified a requirement for decicated enforcement and appeals admin. Outcome of consideration of the report is awaited
	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	PEOs are issued with Personal Protective Equipment , cameras, measuring equipment, mobile phones etc as required. Equipment required is regulary review with priority given to any protective equipment required .

Comment from Scrutiny Management Committee as of 23 July 2007:

The implementation of these recommendations is not complete therefore this review cannot be signed off. Assistant Director of Planning & Sustainable Development to attend next meeting of SMC in September 2007 to present update and answer any questions arising