

Motherwell, 21 April 1998 at 2 pm.

A Meeting of the **ENVIRONMENTAL SERVICES COMMITTEE**

PRESENT

Councillor Hogg, Vice-Convener; Councillors A. Burns, E. Burns, Cefferty, Gordon, Hebenton, Lucas, McAlorum, J. McGuigan, McLaughlin, Maginnis, J. Martin and Ross.

CHAIR

Councillor Hogg (Vice-Convener) presided.

IN ATTENDANCE

The Committee Services Officer, Director of Environmental Services, Head of Direct Services, Head of Protective Services, Head of Accounting Services and Senior Accountant.

APOLOGIES

Councillors McCabe, H. McGuigan, McKenna and Shaw.

OBITUARY - COUNCILLOR CRAIG COMBE

1. Prior to the commencement of business, Councillor Hogg intimated that it would be appropriate at this, the first meeting of the Environmental Services Committee following the death of Councillor Craig Combe, to record not only the Committee's condolences to Councillor Combe's family, but also Members' appreciation of the work carried out by Councillor Combe as a Member of North Lanarkshire Council and as Chair of this Committee.

Councillors McAlorum and Cefferty were then heard in regard to the contribution made by the late Councillor Combe both to local government in general and to the Environmental Services Committee in particular.

REVENUE ESTIMATES 1997/98 - FINANCIAL MONITORING STATEMENT - DEPARTMENT OF ENVIRONMENTAL SERVICES

2. There was submitted a report dated 30 March 1998 by the Director of Finance advising of current spending levels for the Environmental Services function for the period from 1 April 1997 to 1 March 1998 and providing a comparison with the approved budget excluding loan charges, central administration recharges and the central repairs account.

Decided: that the terms of the report to be noted.

DOG WARDEN SERVICE

3. There was submitted a report dated 17 March 1998 by the Director of Environmental Services regarding the operation of the Dog Warden Service during February 1998.

Decided: that the terms of the report be noted.

PET ANIMALS ACT 1951

4. There was submitted a report dated 25 March 1998 by the Director of Environmental Services regarding an application by Mr. L. Ramp, t/a Pet Shop and Aquatics Centre, for a licence in terms of the Pet Animals Act 1951 for the premises at 41 Stewarton Street, Wishaw.

Decided: that the application by Mr. L. Ramp for a licence in terms of the Pet Animals Act 1951 for the premises at 41 Stewarton Street, Wishaw, be approved.

PETROLEUM (CONSOLIDATION) ACT 1928 - PETROLEUM LICENCES

5. There was submitted a report (docketed) dated 25 March 1998 by the Director of Environmental Services containing details of the various premises which had been licensed in March 1998 for the storage of petroleum spirit/petroleum mixtures.

Decided: that the terms of the report be noted.

REVISION OF THE PETROLEUM SAFETY (PETROL STATIONS AND STORAGE) REGULATIONS

6. There was submitted a report dated 24 March 1998 by the Director of Environmental Services advising (1) that revised proposals for Petroleum Safety (Petrol Stations and Storage) Regulations are being developed by the Health and Safety Council's Advisory Committee on Petroleum and Other Flammable Substances which would remove the legal requirement for a licence for the storage of petroleum spirit/petroleum mixtures; (2) that the Advisory Committee had recently intimated that the revised regulations would take effect from 1 April 1999; (3) that the Health and Safety Executive Local Authority Liaison Committee's Petroleum Enforcement Liaison Group had accordingly recommended that petroleum licensing authorities should ensure that any new petroleum licences to be issued in the interim had an expiry date of 2 April 1999, and (4) that the revised regulations would affect the revenue to be accrued from fees for the renewal of petroleum licences for 1998/99 and would result in no income thereafter.

Decided: that the terms of the report be noted.

ENVIRONMENTAL PROTECTION ACT 1990 - SECTION 80 NOTICE REQUIRING ABATEMENT OF STATUTORY NUISANCE

7. There was submitted a report (docketed) dated 30 March 1998 by the Director of Environmental Services containing details of notices which had been served in terms of Section 80 of the Environmental Protection Act 1990 requiring abatement of the nuisances.

Decided: that the action taken by the Director of Environmental Services in serving the notices be noted.

LITTER CONTROL AREA ORDER 1991 - BIRKENSHAW INDUSTRIAL ESTATE, UDDINGSTON

8. With reference to paragraph 8 of the Minute of the meeting of this Committee held on 25 November 1997 when, inter alia, it had been agreed that the Director of Environmental Services report to a future meeting on the outcome of a letter to all occupiers of Birkenshaw Industrial Estate, Uddingston intimating the Council's intention to designate the Estate a Litter Control Area, there was submitted a report (docketed) dated 30 March 1998 by the Director of Environmental Services (1) proposing the

service of a Litter Control Designation Order, in terms of Section 90(3) of the Environmental Protection Act 1990, to address the problem of litter and refuse dumping at Birkenshaw Industrial Estate, and (2) advising that although each of the occupiers of the Industrial Estate had been given the opportunity to make representation regarding the proposed service of an order, no objections had been received within the stipulated timescale.

Decided: that the Director of Environmental Services be authorised to issue a Litter Control Designation Order, in terms of Section 90(3) of the Environmental Protection Act 1990, on each of the occupiers of the premises within Birkenshaw Industrial Estate, Uddingston, as detailed in Appendix 2 to the report.

INTERNATIONAL STANDARD BS.EN.IS09002 - SYSTEM UPDATE

9. There was submitted a report dated 30 March 1998 by the Director of Environmental Services advising that National Quality Assurance, in its capacity as an independent accreditation body, had confirmed that following its recent assessment of the services provided by the Transport, Cleansing (Central) and Building Cleaning Sections of the Department the relevant services met with the requirements of International Standard by BS.EN.IS09002.

Decided: that the terms of the report be noted.

DISPOSAL OF BONDED ASBESTOS PRODUCTS

10. There was submitted a report dated 16 April 1998 by the Director of Environmental Services (1) advising that in terms of the Special Waste Regulations, bonded asbestos products were now classified as special waste and that, as such, could not be disposed of in the Council's two landfill sites due to licence restrictions; (2) intimating that, in terms of the Environmental Protection Act 1990, the Council was obliged to treat any form of asbestos disposed of by a householder as domestic waste; (3) setting out the options available to provide for the collection of bonded asbestos products, and (4) recommending that a licensed contractor be appointed to deal with all requests from householders for the uplift of asbestos waste on the basis that the waste would then be transferred to sites which were licensed to receive such substances.

Decided:

- (1) that a contractor licensed to uplift bonded asbestos products be appointed to deal with all requests from householders for the uplift of such waste and to transfer the waste to sites which were licensed to receive special waste;
- (2) that the Council meet 50% of the approved cost of the removal and disposal of bonded asbestos products, and that the remaining cost be met by householder, and
- (3) that the Director of Environmental Services submit a further report to the Committee reviewing the service and advising of the financial implications of continuing to provide the service in the next financial year.

INCREASE IN WASTE DISPOSAL CHARGES

11. There was submitted a report (docketed) dated 30 March 1998 by the Director of Environmental Services (1) proposing that the waste disposal charges for Auchinlea and Drumshangie Landfill Sites at Cleland and Airdrie respectively be increased in line with inflation, and (2) setting out the revised charges as detailed in the Appendix to the report.

Decided: that the waste disposal charges for Auchinlea and Drumshangie Landfill Sites be increased in line with inflation, as detailed in the Appendix to the report.

WASTEPAPER RECYCLING - AGREEMENT WITH STIRLING RECYCLING LIMITED

12. There was submitted a report (docketed) dated 30 March 1998 by the Director of Environmental Services regarding arrangements with Stirling Recycling Limited, Gartcosh for the collection and recycling of wastepaper from Paper Banks in the Cumbernauld and Kilsyth and Monklands areas (1) advising that the Company had recently withdrawn its services in North Lanarkshire for financial reasons; (2) intimating that, in order to improve recycling statistics and to meet public demand for the services, negotiations had been entered into with the Company for the re-establishment of its services, and (3) setting out options available for providing the service.

Decided:

- (1) that the Director of Environmental Services be authorised to enter into an agreement with Stirling Recycling Limited, Gartcosh for the collection and recycling of wastepaper from Paper Banks for a four year period;
- (2) that the Company provide and site Paper Banks throughout North Lanarkshire and collect and recycle the wastepaper at no cost to the Council, and
- (3) that no revenue from the recycling of the wastepaper be received.

REFUSE COLLECTION METHODS FOR HOUSEHOLDERS WITH SPECIAL NEEDS

13. There was submitted a report (docketed) dated 26 March 1998 by the Director of Environmental Services proposing the rationalisation of refuse collection methods for householders with special needs.

Decided:

- (1) that the refuse collection methods described in options 1 and 3, as detailed in the report be made available to householders with special needs, and
- (2) that, with regard to the approved methods of refuse collection, householders with special needs be given the opportunity of selecting the method which best suited their needs.

WORKING IN PARTNERSHIP WITH THE MOTOR TRADE

14. There was submitted a report dated 26 March 1998 by the Director of Environmental Services (1) proposing that, in association with South Lanarkshire Council, a Seminar be held with Motor Traders to provide a forum to discuss matters pertaining to the Motor Trade and its relationship with the Councils as the local regulatory authorities and with the customer, and (2) advising that, should the Seminar attract sufficient interest, steps could then be taken to develop a Voluntary Registration Scheme as approved by the Office of Fair Trading.

Decided: that the Director of Environmental Services be authorised to liaise with South Lanarkshire Council with a view to arranging a Seminar with Motor Traders to provide a Forum to discuss the Motor Trade and its relationship with the Councils as the local regulatory authorities and with the customer.

MOTHERWELL CONSUMER ADVICE CENTRE, MOTHERWELL

15. There was submitted a report (docketed) dated 16 February 1998 by the Director of Environmental Services proposing the restructuring of the staffing establishment of the Motherwell Consumer Advice Centre, Motherwell in order to increase the flexibility of staff and to provide a more efficient service to the public.

Decided:

- (1) that the staffing establishment in Motherwell Consumer Advice Centre be restructured as detailed in the report, and
- (2) that the report be remitted to the Personnel Services Committee for consideration.

PURCHASE OF MOBILE LABORATORY FOR AIR QUALITY MONITORING

16. There was submitted a report dated 10 March 1998 by the Director of Environmental Services advising that, in the light of the Government's commitment to implementing a new system of Local Air Quality Management which would require local authorities to carry out periodic reviews of air quality, a mobile laboratory had been purchased to monitor air quality throughout North Lanarkshire at a cost of £43,184.

Decided: that the terms of the report be noted.

CONTRACTS

(1) PURCHASE OF JANITORIAL AND COMMUNITY EDUCATION CENTRE SUPERVISOR UNIFORMS

17. There was submitted a report dated 23 March 1998 by the Director of Environmental Services (1) regarding tenders which had been received for Janitorial and Community Education Centre Supervisors, and (2) detailing the tenders which had been accepted for each of the three groups of clothing based on the criteria of the "most economically advantageous tender".

Decided: that the action taken by the Director of Environmental Services, in terms of the Standing Orders relating to Contracts in accepting the most economically advantageous tender for each of the groups of clothing, as detailed below, be noted:-

- (a) Arco, East Scotland, Edinburgh, for shirts, blouses, ties, polo shirts and pullovers in the sum of £13,182.15;
- (b) Gilt Edged, Glasgow, for ladies and gents winter and summerweight trousers and for ladies winter and summerweight skirts, in the sum of £11,336.85, and
- (c) Bell Apparel Limited, Cannock, for waterproof jackets and trousers, in the sum of £8,400.21;

(2) VEHICLE REPLACEMENT PROGRAMME - LEASE OF VEHICLES 1998/99

18. With reference to paragraph 17 of the Minute of the meeting of this Committee held on 3 March 1998 when, inter alia, various tenders received for the lease of vehicles in 1998/99 had been authorised for acceptance, there was submitted a report (docketed) dated 7 April, 1998 by the Director of Environmental Services (1) requesting authority to negotiate with companies listed in Appendix 2 to
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the report for the lease of additional vehicles as detailed in Appendix 1 to the report; (2) indicating that the companies who had submitted the tenders which had been accepted by the Committee on 3 March 1998 would be approached to ascertain whether they would maintain their tender prices, failing which the next lowest tenderers would be approached in turn, and (3) advising that it was anticipated that the proposals would result in a net saving to the Council of £33,000 per annum and that the proposals would be funded from within the Construction Services Department budget.

Decided:

- (1) that the Director of Environmental Services be authorised to negotiate an extension to the existing relevant contracts with the suppliers listed in Appendix 2 to the report to include the lease of the vehicles detailed in Appendix 1 to the report;
- (2) that in the event of the existing suppliers of vehicles not maintaining their tender prices, the Director of Environmental Services be authorised to negotiate with the next lowest tenderer in turn for the category of vehicles involved, and
- (3) that the report be referred to the Construction Services Committee for consideration.

(3) AUCHINLEA LANDFILL SITE, CLELAND - PHASE 5 OF SITE DEVELOPMENT WORKS

19. With reference to paragraph 27 of the Minute of the meeting of this Committee held on 20 January 1998 when, *inter alia*, a select list of tenderers for the fifth phase of the development of the Auchinlea Landfill Site, Cleland, had been approved, there was submitted a report dated 30 March 1998 by the Director of Environmental Services regarding tenders which had been received for the site development works and advising (1) that the lowest tender for the project was that of Messrs I and H Brown in the sum of £415,027.80, and (2) that in order for the project to be implemented, the site would need to be lined with clay which met with the specifications set by the Scottish Environment Protection Agency at an estimated cost of £210,000.

Decided: that the report be remitted to the Policy and Resources Committee for consideration of the financial implications.

WEST OF SCOTLAND WATER AUTHORITY - REQUESTS FOR RELAXATIONS IN TERMS OF THE WATER (SCOTLAND) ACT 1980

20. There was submitted a report dated 16 March 1998 by the Director of Environmental Services (1) advising of a letter received from West of Scotland Water Authority (a) giving details of revised undertakings in accordance with the provisions of the Water (Scotland) Act 1980, as amended, and (b) detailing an application for temporary relaxations of water quality standards in accordance with the provisions of the Water Supply (Water Quality) (Scotland) Regulations 1990, which had been submitted to the Secretary of State for approval; (2) setting out in the Appendix to the report details of the treatment works affected in North Lanarkshire, the proposals and the completion dates, and (3) recommending that no adverse observations be made to the Secretary of State in respect of the Water Authority's revised undertakings and in respect of the application for temporary relaxations in terms of the relevant Acts.

Decided: that Director of Environmental Services be authorised to advise the Secretary of State that there were no adverse comments on the West of Scotland Water Authority's revised undertakings or on the request for temporary relaxations in terms of the relevant Acts.

CONSULTATION DOCUMENTS

**(1) CONTROL AND REMEDIATION OF RADIOACTIVELY CONTAMINATED LAND -
CONSULTATION
BY SCOTTISH OFFICE**

21. There was submitted a report (docketed) dated 30 March 1998 by the Director of Environmental Services (1) regarding a consultation paper from the Scottish Office entitled "Control and Remediation of Radioactively Contaminated Land" which outlined proposals for regulations under the provisions of Part IIA of the Environmental Protection Act 1990 to extend the control regime for contaminated land to include powers to deal with radioactive contamination, and (2) commenting on the broad principals and structure of the control regime.

Decided: that the Director of Administration be authorised to respond to the Scottish Office as set out in paragraph 3 to the report as the Council's formal response to the consultation document regarding the Government's proposals to draft regulations under the provisions of Part IIA of the Environmental Protection Act 1990 to extend the control regime for contaminated land to include powers to deal with radioactive contamination.

**(2) PROPOSED GROUNDWATER REGULATIONS - JOINT CONSULTATION BY THE
DEPARTMENT
OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS AND THE SCOTTISH OFFICE**

22. There was submitted a report (docketed) dated 15 April 1998 by the Director of Environmental Services summarising and commenting on a joint consultation paper and compliance cost assessment document which had been received from the Department of the Environment, Transport and the Regions and the Scottish Office entitled "Proposed Groundwater Regulations" which outlined Government proposals to introduce additional measures, in the form of regulations, to implement the EC Groundwater Directive 80/68/EEC.

Decided: that the comments set out in the report be endorsed as the Council's formal response to the Department of the Environment, Transport and the Regions and the Scottish Office on the joint consultation regarding proposed groundwater regulations and that the Director of Administration respond accordingly.

**(3) DRAFT ENVIRONMENTAL STRATEGY OF THE SCOTTISH ENVIRONMENT PROTECTION
AGENCY**

23. There was submitted a joint report (docketed) dated 13 April 1998 by the Directors of Environmental Services and Planning and Development summarising and commenting on a consultation paper from the Scottish Environment Protection Agency which set out its draft Environmental Strategy.

Decided: that the comments set out in the joint report be endorsed as the Council's formal response to the Scottish Environment Protection Agency on its consultation regarding its draft Environmental Strategy and that the Director of Administration respond accordingly.

**(4) THE APPLICATION OF THE DISABILITY DISCRIMINATION ACT 1995 TO BUSES COACHES
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CONSULTATION BY THE DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE
REGIONS**

24. With reference to paragraph 2 of the Minute of the meeting of the Planning and Development (Transportation and Development) Sub-Committee held on 1 April 1998 when a report dated 18 March 1998 by the Director of Planning and Development summarising and commenting on a consultation paper from the Department of the Environment, Transport and the Regions on the application of the Disability Discrimination Act 1995 to buses and coaches had been approved, there were submitted the said report by the Director of Planning and Development thereon and report (docketed) dated 15 April 1995 by the Director of Environmental Services setting out additional comments on the consultation paper.

Decided:

- (1) that the terms of the response based on the comments contained in the report by the Director of Planning and Development to the Department of the Environment, Transport and the Regions be noted, and
- (2) that the comments set out in the report by the Director of Environmental Services be approved for submission as additional comments to the Department of the Environment, Transport and the Regions and that the Director of Administration respond accordingly.

INTERVENTION BOARD EXECUTIVE AGENCY - USE OF WAREHOUSE PREMISES IN CUMBERNAULD FOR STORAGE OF BONEMEAL

25. There was submitted a report dated 8 April 1998 by the Director of Environmental Services (1) intimating that notification had been received from the Intervention Board Executive Agency of its intention to store bonemeal at warehouse premises in Wardpark Industrial Estate, Cumbernauld, until arrangements could be made for its disposal, and (2) advising that consultations with other relevant agencies on the matter were in progress.

Decided: that the Director of Environmental Services submit a further report to the Committee following completion of the consultations with other relevant agencies.

DRUMSHANGIE LANDFILL SITE, AIRDRIE - PROPOSED EXTENSION

26. With reference to paragraph 21 of the Minute of the meeting of this Committee held on 20 January 1998 when, inter alia, the Director of Environmental Services had been authorised to enter into negotiations with GM Mining Limited, Kilsyth, and Scottish Coal to progress the development of Drumshangie Landfill Site, Airdrie, there was submitted a report dated 31 March 1998 by the Director of Environmental Services advising that consultations with the site owners were currently being carried out but that in order to progress the matter further it would be necessary to carry out site investigation works at an estimated cost of £35,000 to determine the stability of the land in question.

Decided: that the report be remitted to the Policy and Resources Committee for consideration of the financial implications.

CONFERENCES

(1) "FALLING FOR PREVENTION"

27. There was considered an invitation from the Royal Society for the Prevention of Accidents to attend a conference entitled "Falling for Prevention" which had been held in Belfast on 24 March 1998.

Decided: that the attendance of Councillor McCabe at the conference be homologated.

(2) COMMUNITY SAFETY - INFORMING, PRIORITISING AND MONITORING THE STRATEGY

28. There was considered an invitation from the Convention of Scottish Local Authorities to attend a conference entitled "Community Safety - Informing, Prioritising and Monitoring the Strategy" which had been held in Edinburgh on 8 April 1998.

Decided: that the attendance of Councillor McCabe at the conference be homologated.