

Motherwell, 25 August 1998 at 2 pm.

A Meeting of the **ENVIRONMENTAL SERVICES COMMITTEE**

PRESENT

Councillor Craigie, Convener; Councillor Hogg, Vice-Convener; Councillors Cefferty, Cox, Gibson, Gilchrist, Gordon, Heberton, Lucas, McAlorum, McCabe, McGlashan, J. McGuigan, McKenna, Maginnis, J. Martin, Ross and Shaw.

CHAIR

Councillor Craigie (Convener) presided.

IN ATTENDANCE

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

APOLOGIES

Councillors H. McGuigan, McKeown, McLaughlin and Smith.

E-COLI 0157 OUTBREAK - DETERMINATION BY SHERIFF PRINCIPAL G.L. COX, Q.C. ON FATAL ACCIDENT INQUIRY

1. With reference to paragraph 7 of the Minute of the meeting of this Committee when, *inter alia* it was noted that a Fatal Accident Inquiry into the E-Coli 0157 outbreak in November 1996 would take place in Motherwell on 20 April 1998, there was submitted the Determination of the Inquiry by Sheriff Principal G. L. Cox, QC of the Sheriffdom of South Strathclyde, Dumfries and Galloway.

Decided:

- (1) that consideration of the Determination by Sheriff Principal Cox on the E-Coli 0157 Fatal Accident Inquiry be continued to a special meeting of the Committee to be held on 7 September 1998;
- (2) that the Director of Environmental Services submit a report on the Determination by Sheriff Principal Cox to the special meeting of the Committee, and
- (3) that, in terms of Council Standing Order 55(C), all Members of the Council be invited to attend the special meeting of the Committee.

REVENUE ESTIMATES 1997/98 AND 1998/99 FOR THE ENVIRONMENTAL SERVICES DEPARTMENT

(1) REVENUE ESTIMATES 1997/98 - FINANCIAL OUTTURN

2. There was submitted a report dated 10 August 1998 by the Director of Finance detailing the outturn expenditure for the financial year 1997/98 for the Environmental Services functions and providing a comparison of actual expenditure and income with the approved budget with explanations of the most significant variances.

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Decided: that the terms of the report be noted.

(2) REVENUE ESTIMATES 1998/99 - FINANCIAL MONITORING STATEMENT

3. There was submitted report dated 14 August 1998 by the Director of Finance advising of current spending levels of the Environmental Services function for the period from 1 April to 17 July 1998 and providing a comparison with the approved budget excluding loan charges, central administration recharges and the central repairs account and the projected outturn.

Decided: that the terms of the report be noted.

ENVIRONMENTAL PROTECTION ACT 1990 - SECTION 80 NOTICE REQUIRING ABATEMENT OF STATUTORY NUISANCE - DEFECTIVE SEPTIC TANK AND DRAINAGE SYSTEM AT SCHOOL ROAD, WISHAW

4. There was submitted a report (docketed) dated 6 August 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 the abatement of the nuisance caused by a defective septic tank and drainage system at School Road, Wishaw.

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

PETROLEUM (CONSOLIDATION) ACT 1928 - PETROLEUM LICENCES

5. There was submitted a report (docketed) dated 29 July 1998 by the Director of Environmental Services containing details of the various premises which had been licensed in June and July 1998 for the storage of petroleum spirit/petroleum mixtures.

Decided: that the terms of the report be noted.

PET ANIMALS ACT 1951

6. There was submitted a report (docketed) dated 18 August 1998 by the Director of Environmental Services detailing six applications for licences in terms of the Pet Animals Act, 1951 for premises in North Lanarkshire.

Decided: that the six applications for licences in terms of the Pet Animals Act 1951 for premises in North Lanarkshire, as set out in the report, be approved.

DOG WARDEN SERVICE

7. There was submitted a report dated 14 August 1998 by the Director of Environmental Services regarding the operation of the Dog Warden Service during May and June 1998.

Decided: that the terms of the report be noted.

THE WELFARE OF ANIMALS (TRANSPORT) ORDER 1997

8. There was submitted a report dated August 1998 by the Director of Environmental Services (1) detailing the outcome of an operation carried out by the Department's Animal Health and Welfare Inspector, in liaison with Strathclyde Police, at various locations on the A80 during June and July 1998 to ascertain whether vehicles transporting livestock were in compliance with the Welfare of Animals (Transport) Order, 1997, and (2) advising that an agreement had been entered into with a local farmer for the use of his land, at no cost to the Council, should an occasion arise where livestock would need to be unloaded from a vehicle.

Decided: that the terms of the report be noted.

SUMMER FOOD WATCH CAMPAIGN

9. There was submitted a report dated 4 August 1998 by the Director of Environmental Services (1) advising of the outcome of visits by Environmental Health Officers to fast food outlets and other food businesses, and (2) intimating that the Department would continue to monitor the outlets and take preventative and, where necessary, enforcement measures to ensure that satisfactory standards prevailed in all fast food related premises.

Decided:

- (1) that the terms of the report be noted;
- (2) that the Council make representation through COSLA to the Scottish office to express concern at the low level of fines being given by the Sheriffs in the Courts to proprietors and operators of food businesses who were found to be in contravention of Food legislation, and
- (3) that representations be also made through COSLA to highlight the need to promote the importance of safety and hygiene in the handling of food.

OUTCOME OF PROSECUTIONS IN TERMS OF FOOD SAFETY LEGISLATION

(1) HARJINDER KAUR SINGH, T/A THE INDIAN SIZZLER, 3 SUNNYSIDE ROAD, COATBRIDGE

10. There was submitted a report (docketed) dated 4 August 1998 by the Director of Environmental Services (1) detailing the outcome of legal proceedings against Harjinder Kaur Singh, t/a The Indian Sizzler, 3 Sunnyside Road, Coatbridge, in respect of contraventions of Regulations 4(1) and (2) of the Food Safety (General Food Hygiene) Regulations 1995, and (2) indicating that the proprietor had been fined a total of £1,000 in respect of the contraventions.

Decided: that the terms of the report be noted.

(2) CHARLES TRAYNOR, T/A TANNOCHSIDE QUALITY MEATS, 491 OLD EDINBURGH ROAD, UDDINGSTON

11. There was submitted a report (docketed) dated 2 June 1998 by the Director of Environmental Services (1) detailing the outcome of legal proceedings against Charles Traynor, T/a Tannochside Quality Meats, 491 Old Edinburgh Road, Uddingston, in respect of contraventions of Regulations 4(1) and 4(2)(a) of the Food Safety (General Food Hygiene) Regulations, and (2) indicating that the proprietor had been fined a total of £1,000 in respect of the contraventions.

Decided: that the terms of the report be noted.

(3) MOHAMMED NAFEES T/A BIRKENSHAW SUPERSTORE, OLD EDINBURGH ROAD, UDDINGSTON

12. There was submitted a report (docketed) dated August 1998 by the Director of Environmental Services (1) detailing the outcome of legal proceedings against Mohammed Nafees, t/a Birkenshaw Superstore, Old Edinburgh Road, Uddingston, in respect of a contravention of Regulation 44(1)(d) of the Food Labelling Regulations 1996, and (2) indicating that the proprietor had been fined £25 in respect of the contravention.

Decided: that the terms of the report be noted.

VEHICLE REPLACEMENT PROGRAMME 1998/99

(1) LEASE OF VEHICLES

13. 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 6 August 1998 by the Director of Environmental Services (1) requesting authority to negotiate with companies listed in Appendix 2 to the report for the lease of additional vehicles as detailed in Appendix 1 to the report; (2) indicating that the companies which had been successful in gaining the contracts approved 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 the vehicles would be funded from the Environmental 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, and
- (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.

(2) CANCELLATION OF CONTRACTS

14. With reference to paragraph 17 of the Minute of the meeting of this Committee held on 3 March 1998 when, inter alia, authorisation had been given to the Director of Administration to accept suitable tenders for the purchase or lease of vehicles as part of the 1998/99 Vehicle Replacement Programme, there was submitted a report (docketed) dated 24 August 1998 by the Director of Environmental Services (1) intimating that in light of the budget difficulties within the DLO Division of the Construction Services Department and doubts over the retendering process for the Housing Maintenance Contract, a review of the Vehicle Replacement Programme had been undertaken in consultation with the Acting Director of Construction Services; (2) advising that the Director of Administration, following confirmation by the Director of Environmental Services of the revised requirements for vehicles and in consultation with the Convener, had cancelled orders for the supply of 75 vehicles, the total value of which amounted to £794,654, at no cost or penalty to the Council, and (3) indicating that of the original programme, 15 vehicles had been leased, details of which were set out in the Appendix to the report.

Decided:

- (1) that the action taken by the Director of Administration, following consultation with the Director of Environmental Services, the Acting Director of Construction Services and the Convener, in the cancellation of orders for the supply of 75 vehicles at a total value of £794,654 be homologated, and
- (2) that the lease of 15 vehicles, as detailed in the Appendix to the report, which were still required by other departments of the Council and which had been authorised by the Committee on 3 March 1998, be noted.

DEBT COUNSELLING SERVICE

15. There was submitted a report (docketed) dated 6 August 1998 by the Director of Environmental Services (1) detailing the operation and activities of the Department's Debt Counselling Service, and (2) outlining in the Appendix to the report a digest of debt statistics in North Lanarkshire for 1997/98.

Decided:

- (1) that the terms of the report be noted, and
- (2) that the Director of Environmental Services arrange for a presentation on the Debt Counselling Service to a future meeting of the Committee.

AUTHORISATION OF OFFICERS UNDERTAKING STATUTORY DUTIES - THE MEDICINES ACT 1968

16. There was submitted a report (docketed) dated 4 August 1998 by the Director of Environmental Services recommending that delegated authority be granted to those Officers in the Environmental Services Department undertaking duties on behalf of the Council in terms of the Medicines Act, 1968 as detailed in the Appendix to the report.

Decided: that the Officers listed in the Appendix to the report be given delegated authority to carry out, to the extent of their employment, statutory duties in terms of the Medicines Act 1968.

ENVIRONMENTAL SERVICES DEPARTMENT - CREATION OF POST OF JANITOR

17. There was submitted a report dated 21 August 1998 by the Director of Environmental Services (1) proposing an increase in the establishment of the Department's Building Cleaning and Janitorial Services Section by the creation of a post of Janitor in order to meet the service level requirements of the Director of Education for janitorial services for the new special educational needs unit in the annexe of St. Patrick's High School, Coatbridge, and (2) advising that the Director of Education had made budgetary provision in the Service Level Agreement with the Environmental Services Department to cover the cost of the additional post of janitor.

Decided:

- (1) that a post of janitor at Grade 5 be approved, and
 - (2) that the report be remitted to the Personnel Services Committee for consideration.
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WEST OF SCOTLAND WATER AUTHORITY - ENVIRONMENTAL QUALITY REPORT

18. There was submitted a report (docketed) dated 30 July 1998 by the Director of Environmental Services regarding the Environmental Quality Report of West of Scotland Water for 1997.

Decided: that the terms of the report be noted.

CONSULTATION PAPERS

(1) PROPOSED AMENDMENTS TO THE SPECIAL WASTE REGULATIONS 1996 AND THE WASTE

MANAGEMENT LICENSING REGULATIONS 1994 - SCOTTISH OFFICE

19. There was submitted a report (docketed) dated 18 August 1998 by the Director of Environmental Services advising that a response, as detailed in the Appendix to the report, had been sent to the Scottish Office regarding a consultation paper entitled "Proposed Amendments to the Special Waste Regulations 1996 and the Waste Management Licensing Regulations 1994".

Decided: that the action taken by the Director of Administration in responding to the Scottish Office be noted.

(2) GUIDELINES ON THE CONTROL OF OUTBREAKS OF FOODBORNE DISEASE - SCOTTISH OFFICE

20. There was submitted a report (docketed) dated 18 August 1998 by the Director of Environmental Services advising that a response, as detailed in the Appendix to the report, had been sent to the Scottish Office on a consultation paper entitled "Guidelines on the Control of Outbreaks of Foodborne Disease" which takes account of the recommendations of the Pennington Group on the recent E-Coli outbreak.

Decided: that the action taken by the Director of Administration in responding to the Scottish Office be noted.

(3) PROPOSED AMENDMENT TO THE RESERVOIRS ACT 1975 - DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS

21. There was submitted a report (docketed) dated 28 July 1998 by the Director of Environmental Services advising that a response, as detailed in the Appendix to the report, had been sent to the Department of Environment, Transport and the Regions on a consultation paper entitled "Proposed Amendment to the Reservoirs Act 1975".

Decided: that the action taken by the Director of Administration in responding to the Department of the Environment, Transport and the Regions, be noted.

(4) DEVELOPMENT SERVICES AND PROTECTIVE SERVICES - POLICY ISSUES FOR THE SCOTTISH PARLIAMENT - COSLA

22. There was submitted a report (docketed) dated 12 August 1998 by the Director of Environmental Services advising that a response, as detailed in the Appendix to the report, had been sent to COSLA

on a consultation document entitled "Development Services and Protective Services Policy Issues for the Scottish Parliament".

Decided: that the action taken by the Director of Administration in responding to COSLA be noted.

(5) CODES OF RECOMMENDATIONS FOR THE WELFARE OF LIVESTOCK: REVISION OF THE SHEEP CODE - SCOTTISH OFFICE

23. There was submitted a report (docketed) dated 18 August 1998 by the Director of Environmental Services advising that a response, as detailed in the Appendix to the report, had been sent to the Scottish Office on a consultation paper entitled "Codes of Recommendations for the Welfare of Livestock: Revision of the Sheep Code".

Decided: that the action taken by the Director of Administration in responding to the Scottish Office be noted.

CONFERENCES

(1) "NATIONAL WASTE STRATEGY"

24. There was submitted an invitation by the Scottish Environment Protection Agency to attend a Conference entitled "National Waste Strategy" to be held in Stirling on 27 August 1998.

Decided: that the Convener be authorised to attend.

(2) 49TH ANNUAL CONFERENCE OF THE SCOTTISH ACCIDENT PREVENTION COUNCIL

25. There was submitted an invitation by the Scottish Accident Prevention Council to attend its 49th annual conference to be held in Dunkeld on 7 and 8 September 1998.

Decided: that no attendance at the conference be authorised.

(3) 1ST ANNUAL CONFERENCE OF FORWARD SCOTLAND

26. There was submitted an invitation by Forward Scotland to attend its 1st annual conference to be held in Dundee on 10 September 1998.

Decided: that Councillor Lucas be authorised to attend.

(4) SCOTTISH ASSOCIATION OF DIRECT LABOUR ORGANISATIONS DIRECT SERVICES DIVISION SEMINAR

27. There was submitted an invitation by the Scottish Association of Direct Labour Organisations Direct Services Division to attend its seminar to be held in Aviemore from 7 to 9 October 1998.

Decided: that no attendance at the seminar be authorised.