

**Motherwell, 14 January 2004 at 2 pm.**

A Meeting of the **GENERAL PURPOSES COMMITTEE**

**PRESENT**

Councillor Holloway, Convener; Councillor Saunders, Vice-Convener; Councillors Barrie, Burrows, Devine, Gorman, Gormill, Homer, Irvine, Lunny, McAuley, McKenna, J. Martin, Stocks and Wilson.

**CHAIR**

Councillor Holloway (Convener) presided.

**IN ATTENDANCE**

The Director of Administration; Head of Central Services; Head of Legal Services, and Accounting Manager, Department of Finance.

**APOLOGIES**

Provost Connelly and Councillors Chadha, Curley, Love, McCabe and Shields.

**GENERAL PURPOSES (LICENSING) SUB-COMMITTEE**

1. There was submitted the Minutes of the meetings and special meetings of the General Purposes (Licensing) Sub-Committee held on 27 October; 3, 11, 17 and 20 November, and 1, 3 and 18 December 2003.

**Decided:** that the Minutes of the meetings and special meetings of the General Purposes (Licensing) Sub-Committee held on 27 October; 3, 11, 17 and 20 November, and 1, 3 and 18 December 2003 be approved and noted.

**CIVIC FUNCTIONS GROUP**

2. There was submitted the Minute of the meeting of the Civic Functions Group held on 9 December 2003.

**Decided:** that the Minute of the meeting of the Civic Functions Group held on 9 December 2003 be approved and noted.

**FREEDOM OF INFORMATION**

3. With reference to paragraph 4 of the Minute of the meeting of this Committee held on 4 June 2003, when the strategy for the production of the Council's Publication Scheme to address the Council's obligations under the Freedom of Information (Scotland) Act 2002 was agreed, there was submitted a report (docketed) dated 5 January 2004 by the Director of Administration (1) advising that in terms of that Act, the Council's draft Publication Scheme required to be submitted to the Scottish Information Commissioner on or before 28 February 2004 with a view to approval by June 2004; (2) summarising proposals for that Scheme; (3) detailing the implications for the identification of information and for future archiving requirements, and (4) setting out the operational implications resulting from the Act.

**Decided:**

- (1) that the contents of the report be approved and noted, and
- (2) that further reports be submitted to this Committee.

**TAXI AND PRIVATE HIRE CAR LICENSING - REPORT FROM THE OFFICE OF FAIR TRADING**

4. There was submitted a report (docketed) dated 19 December 2003 by the Director of Administration (1) advising that the Office of Fair Trading (OFT) had publicised a Report entitled "The Regulation of Licensed Taxi and Private Hire Services in the UK" and sought a response from the Department for Transport by March 2004; (2) indicating that, in order to adhere to this timescale, the Scottish Executive sought comments from licensing authorities by 31 December 2003; (3) setting out the terms of that Report, and (4) enclosing as an Appendix to the report, the Council's response on the OFT Report.

**Decided:**

- (1) that the action taken, after consultation with the Convener, in forwarding the Council's response to the Scottish Executive on the Office of Fair Trading's Report on the Regulation of Licensed Taxi and Private Hire Services in the UK be homologated, and
- (2) that the contents of the report be otherwise noted.

**SUMMARY JUSTICE REVIEW - COSLA CONSULTATION**

5. With reference to paragraph 10 of the Minute of the meeting of this Committee held on 8 May 2002, when it was agreed that a response to the consultation on the Review of Summary Justice, regarding whether Summary Justice should be administered by the Magistrates or by full-time legally qualified judges, be forwarded to the Review Committee, there was submitted a report (docketed) dated 15 December 2003 by the Director of Administration (1) advising that, the McInnes Committee had indicated that the administrative issues would be subject to a separate consultation and have now engaged with COSLA; (2) indicating that comments were sought by COSLA by 15 December 2003, and (3) attaching as an Appendix to the report (a) a copy of the letter from COSLA seeking the views of the Council on three questions which would affect local government's interest in the administration of the justice system, and (b) the Council's response to those questions.

**Decided:**

- (1) that the action taken, after consultation with the Convener, in forwarding this Council's response to COSLA on the McInnes Committee Report on the Review of Summary Justice be homologated, and
- (2) that the contents of the report be otherwise noted.

**NICHOLSON COMMITTEE - REPORT ON THE REFORM OF LIQUOR LICENSING IN SCOTLAND - COUNCIL RESPONSE**

6. There was submitted a report (docketed) dated 16 December 2003 by the Director of Administration (1) advising that (a) in June 2001, the Justice Minister announced the appointment of a Committee under the chairmanship of Sheriff Principal Gordon Nicholson to review all aspects of Liquor Licensing Law and Practice in Scotland, with particular reference to the implications for health and public order, to recommend changes in the public interest and to report accordingly; (b) during extensive public

consultation, North Lanarkshire Licensing Board made written representation to that Committee and had also given oral evidence; (c) in the course of their work, the Committee took legal advice on the implications of the European Convention on Human Rights, particularly on the impact of local authorities holding liquor licences which are granted by a Licensing Board whose membership is made up of Councillors; (d) the Scottish Executive sought responses to the Nicholson Committee Report by 19 December 2003, and (e) having consulted with Council Departments on the terms of the Nicholson Committee Report, the Department of Community Services has highlighted concerns on the proposal and the adverse impact on the catering services, and (2) enclosing as an Appendix to the report, the Council's response to the Nicholson Committee Report.

**Decided:**

- (1) that the action taken, after consultation with the Convener, in forwarding the Council's response to the Scottish Executive on the Nicholson Committee Report on the Reform of Liquor Licensing in Scotland, be homologated, and
- (2) that the contents of the report be otherwise noted.

**GUIDE TO MEMBERS' SERVICES**

7. With reference to paragraph 14 of the Minute of the meeting of this Committee held on 8 May 2002 when the Guide to Members' Services was approved, there was submitted a report dated 5 January 2003 by the Director of Administration (1) advising that a number of adjustments to the first edition of that Guide were required as a result of the Ethical Standards Legislation, the Councillors' Code of Conduct, and also to include references to the greater range of facilities available in connection with Members' training and development, and (2) enclosing as an Appendix to the report, a copy of the draft Second Edition of that Guide for approval and issue to Members of the Council.

**Decided:** that the Second Edition of the Guide to Members' Services be approved for issue to Members of the Council.

**COMMUNITY COUNCIL QUADRENNIAL ELECTIONS**

8. **C** With reference to paragraph 9 of the Minute of the meeting of this Committee held on 26 January 2000, when the North Lanarkshire Scheme for the establishment of Community Councils was approved, there was submitted a report (docketed) dated 6 January 2003 by the Director of Administration (1) advising that paragraphs 5.1 and 5.3 of that scheme provides for ordinary elections for all elected Community Council members every four years at such times and places and in such a manner as North Lanarkshire Council determines; (2) indicating that, following adoption of that scheme, Community Council elections were held in the year 2000 and that there was a requirement to hold quadrennial elections in 2004; (3) further advising that, in terms of the scheme, the Councils' duly nominated Returning Officer for the purposes of the election process is required to make arrangements for the nomination of Community Councillors and, where necessary, to make arrangements for any subsequent election where the number of nominations received exceeds the number of vacancies for elected members on Community Councils; (4) proposing that (a) the date for election to Community Councils be 8 October 2004 with existing members of Community Councils standing down at 11.59 pm on the 7 October 2004, and (b) prior to this date, correspondence be issued to Community Councils providing further details of the nomination arrangements, and (5) enclosing in the Appendix to the report, a provisional election timetable.

**Decided:**

- (1) that the election timetable as contained within the Appendix to the report be approved, and noted;

- (2) that it be agreed that the date for election to Community Councils be 8 October 2004 with existing members of Community Councils standing down at 11.59 pm on 7 October 2004, and
- (3) that prior to this date, correspondence be issued to all Community Councils providing further details on the nomination arrangements.

#### **TOWN TWINNING : CUMBERNAULD/BRON RUGBY FOOTBALL CLUB**

9. There was submitted a report dated 7 January 2004 by the Director of Administration (1) advising that correspondence had been received from the Secretary, Cumbernauld Rugby Football Club advising that an exchange group of approximately 40 members will be travelling to Bron, France during April 2004, and (2) seeking financial assistance towards the visit.

**Decided:** that assistance in terms of Council policy be awarded to Cumbernauld Rugby Football Club in respect of the visit to Bron, France during April 2004.

#### **THE POST OFFICE**

##### **(1) TEVIOT WALK, CUMBERNAULD**

10. There was submitted a report dated 8 December 2003 by the Director of Administration (1) advising that correspondence had been received from the Post Office, advising of a consultation on a proposal to close the Teviot Walk Branch at Tesco's 39 Teviot Walk, Cumbernauld, and (2) indicating that due to the expiry of the contract with the current agent at the Teviot Walk Branch, and having undertaken a complete review of this and other branches, the Post Office concluded that they can continue to provide an acceptable level of service in that area by utilising the branches at 5/7 Clyde Walk, Cumbernauld and Afton Road, Kildrum, Cumbernauld.

**Decided:** that it be noted that the Post Office were consulting their proposals to close the Teviot Walk Branch, at Tesco's 39 Teviot Walk, Cumbernauld.

##### **(2) 2 AIRDRIE ROAD, CONDORRAT, CUMBERNAULD**

11. There was submitted a report dated 5 January 2004 by the Director of Administration (1) advising that correspondence had been received from the Post Office, advising of a consultation on a proposal by the current Sub-Postmaster to relocate the Condorrat Post Office from its existing premises at 2 Airdrie Road, Condorrat, Cumbernauld to alternative premises at 16 Main Road, Condorrat, Cumbernauld, and (2) indicating that the main reason for supporting this move was to safeguard post office services in the area and also the view that the move would enable them to enhance existing facilities.

**Decided:** that it be noted the Post Office were consulting on a proposal by the current Sub-Postmaster to relocate the Condorrat Post Office from its existing premises at 2 Airdrie Road, Condorrat, Cumbernauld to alternative premises at 16 Main Road, Condorrat, Cumbernauld.

#### **SERVICE LEVEL AGREEMENT BETWEEN GENERAL REGISTER OFFICE FOR SCOTLAND AND LOCAL REGISTRATION AUTHORITIES**

12. With reference to paragraph 12 of the Minute of the meeting of this Committee held on 21 October 2002, when there was noted, inter alia, the progress being made by the General Register Office for

Scotland with regard to the development of the Forward Electronic Register (FER) and Digital Imaging of the Genealogical Records of Scotland's People (DIGROS), there was submitted a report (docketed) dated 5 January 2004 by the Director of Administration (1) advising of a proposal by the General Register Office for Scotland to enter into a Service Level Agreement with Local Registration Authorities for the support of FER and DIGROS and their use by Registration employees in Local Registration Offices and providing comments thereon; (2) indicating that as Energis had been appointed as the new suppliers of the Government Secure Xtranet (GSX) communication line, investigations were necessary in the transfer of the GSX from its current supplier, to that of Energis to ensure the bandwidth is appropriate for registration requirements, and (3) providing details thereon.

**Decided:**

- (1) that authority be delegated to the Director of Administration to respond to the proposals by the General Register Office, as contained within the report;
- (2) that it be agreed to enter into appropriate Service Level Agreements with service providers, and
- (3) that the contents of the report be otherwise noted.

**REGISTRATION SERVICE : CEREMONIES MARKING LIFE EVENTS**

13. With reference to paragraph 9 of the Minute of the meeting of this Committee held on 19 December 2001, when authority was given to respond to the Registrar General for Scotland on the proposals contained within the consultation document "Civil Registration in the 21st Century", there was submitted a report dated 8 January 2004 by the Director of Administration (1) referring to the proposals to enable local authorities to provide, through the Registration Service, ceremonies marking other life events such as naming and marriage affirmation ceremonies; (2) indicating that, in the absence of legislation, local authorities could provide these services voluntarily; (3) advising that there was evidence in North Lanarkshire of demand for such ceremonies; (4) detailing the staffing implications for this service, and (5) proposing the charges applicable.

**Decided:**

- (1) that it be agreed that the Council provide, through the Registration Service, ceremonies marking life events such as naming ceremonies and marriage affirmation ceremonies;
- (2) that, having regard to the absence of a statutory registration fee, the fee for (a) the accommodation for these ceremonies be the same as that for civil marriages, and (b) performing these ceremonies be set at a level £10 above that of performing civil marriages, and
- (3) that the contents of the report be otherwise noted.

**REGISTRATION AND AREA OFFICE SERVICES AT CIVIC CENTRE, MOTHERWELL - PROPOSED TEMPORARY LOCATION**

14. With reference to paragraph 16 of the Minute of the meeting of this Committee held on 4 June 2003, when proposals to adapt, refurbish and redecorate the Registration Office at the Civic Centre, Motherwell were agreed, there was submitted a report dated 5 January 2004 by the Director of Administration (1) referring to the report as contained within paragraph 17, noted hereunder, and (2) proposing that having considered various options, the Registration Service be temporarily relocated to Dalziel Workspace, West Hamilton Street, Motherwell during the period of the contract works.

**Decided:** that it be agreed that the Registration Service at the Civic Centre, Motherwell be temporarily relocated to Dalziel Workspace, West Hamilton Street, Motherwell during the period of the contract works.

**TENDERS - CIVIC CENTRE, MOTHERWELL**

**(1) RESURFACING TWO WALKWAYS**

15. With reference to paragraph 16 of the Minute of the meeting of this Committee held on 4 June 2003, when the proposals for the repairs to the walkways access to the Registration Office were agreed, there was submitted a report dated 19 November 2003 by the Director of Housing and Property Services (1) providing details of the five tenders received in respect of the resurfacing to the walkways; (2) advising that the lowest tender received was that from Fullwood Holdings Limited, in the amended sum of £56,129.96 after checking, and (3) reporting that the Director of Administration, after consultation with the Convener, had accepted the tender by Fullwood Holdings Limited.

**Decided:** that the action taken by the Director of Administration, after consultation with the Convener, in accepting the lowest tender, being that submitted by Fullwood Holdings Limited, in the sum of £56,129.96 for the resurfacing to the walkways access to the Registration Office be homologated.

**(2) EXTERNAL WORK FOR REGISTRATION OFFICE, MOTHERWELL**

16. With reference to paragraph 16 of the Minute of the meeting of this Committee held on 4 June 2003, when the proposals to complete the necessary works to the area of the former Pond were agreed, there was submitted a report dated 20 November 2003 by the Director of Community Services (1) providing details of the five tenders received in respect of the works to the area of the former Pond; (2) advising that the lowest tender received was that from Landscapes and Contracts Limited, in the corrected sum of £225,384.10 after checking, and (3) reporting that the Director of Administration, after consultation with the Convener, had accepted the tender by Landscapes and Contracts Limited.

**Decided:** that the action taken by the Director of Administration, after consultation with the Convener, in accepting the lowest tender, being that submitted by Landscapes and Contracts Limited, in the sum of £225,384.10 for the works to the former Pond area be homologated.

**(3) REGISTRATION OFFICE, MOTHERWELL REFURBISHMENT**

17. With reference to paragraph 16 of the Minute of the meeting of this Committee held on 4 June 2003, when the proposals to adapt, refurbish and redecorate the Registration Office were agreed, there was submitted a report dated 8 January 2004 by the Director of Housing and Property Services (1) providing details of the five tenders received in respect of the adaptation, refurbishment and redecoration of the Registrar's Office; (2) advising that the lowest tender received was that from David H. Allan Limited, in the corrected sum of £155,211.96 after checking, and (3) reporting that the Director of Administration, after consultation with the Convener, had accepted the tender by David H. Allan Limited.

**Decided:** that the action taken by the Director of Administration, after consultation with the Convener, in accepting the lowest tender, being that submitted by David H. Allan Limited, in the sum of £155,211.96 for the adaptation, refurbishment and redecoration of the Registrar's Office be homologated.

**2003/2004 BUDGET MONITORING REPORT - DEPARTMENT OF ADMINISTRATION (EXCLUDING PERSONNEL) 1 APRIL TO 7 NOVEMBER 2003**

18. There was submitted a report dated 25 November 2003 by the Director of Administration detailing for the period from 1 April to 7 November 2003, actual expenditure and income against the estimates contained in the 2003/2004 budget from the Central Services Division, including separate details in respect of the registration of Births, Deaths and Marriages and for the Legal Services Division of the Department of Administration.

**Decided:** that the report be noted.

**SAFEGUARDERS EXPENSES**

19. With reference to paragraph 6 of the Minute of the meeting of this Committee held on 18 December 2002, when an increase in the scale of fees to Safeguarders for the period from 1 April 2003 was agreed, there was submitted a report dated 5 December 2003 by the Director of Administration advising (1) that the budget in respect of Safeguarders fees for 2003/2004 was £18,000; (2) that in the year to date, the sum of £19,967.49 in fees had been paid out in respect of Safeguarder appointments; (3) that taking account of the number of Safeguarder appointments made and the increase in fees, the anticipated outturn for the year 2003/2004 budget is £30,000 and that it is to be anticipated that expenditure in future years will be similar, and (4) that while these expenses can be contained within the overall budgetary provision for the Committee Services Division of his Department in the current year, consideration requires to be given to the position for future years.

**Decided:** that it be noted that the overspend in Safeguarders fees can be contained within the overall budgetary provision for the Committee Services Division of the Department of Administration in the current financial year, but that consideration requires to be given to the position for future years.

**DEPARTMENT OF ADMINISTRATION - SERVICE IMPROVEMENT PLAN 2003/2006 AND REVENUE BUDGET 2004/2005**

- C** 20. There was submitted a joint report (docketed) dated 4 December 2003 by the Directors of Administration and Finance (1) referring to the approval, by the Policy and Resources Committee at its meeting on 24 June 2003, of procedures and timescale for the preparation and submission of service and financial planning information; (2) submitting for consideration (a) the Service Improvement Plan for the Department of Administration in respect of the period 2003/2006 as detailed in Appendix A to the report; and (b) the proposed revenue budget for the Department of Administration in respect of the period 2004/2005 as contained in Appendix B to the report; (3) indicating that the proposed budget for the Department of Administration shows a reduction of £232,103 and the basis of that reduction; (4) advising that Departmental budgets will be consolidated to enable the Council to evaluate and consider the potential for growth in service budgets prior to determining its overall spending plans for the forthcoming year, and (5) recommending that the Committee (a) approve the draft Service Improvement Plan for the Department of Administration as contained in Appendix A to the report; (b) note the level of CSP movements and increases to the Departmental revenue budget as set out in Parts i and ii of Appendix B to the report; (c) agree the Departmental base budget as detailed in Part iii of Appendix B to the report; (d) consider and make recommendations to the Policy and Resources Committee on efficiency savings from the Departmental base budget as detailed in Part iv of Appendix B to the report; (e) note (A) that any alterations to the Service Improvement Plan for the Department of Administration, required as a consequence of finalisation of the Council's budget, will be brought to the attention of this Committee, and (B) that the first six monthly performance report to be presented to this Committee in the financial year 2004/2005 will also contain updated information on the Departmental revenue budget for the financial year 2004/2005, and (f) otherwise note the contents of the report.

**Decided:**

- (1) that the Service Improvement Plan for the Department of Administration in respect of the period 2003/2006, as contained in Appendix A to the report by the Director of Administration be approved;
- (2) that the level of CSP movements and increases affecting Departmental revenue budget, as set out in Parts i and ii of Appendix B to the report by the Director of Administration, be noted;
- (3) that the Departmental base budget, as set out in Part iii of Appendix B to the report by the Director of Administration, be agreed, subject to the consideration of efficiency savings;
- (4) that the proposed efficiency savings, as detailed in Part iv of Appendix B to the report by the Director of Administration, be approved;
- (5) that it be noted (a) that any alterations to the Service Improvement Plan for the Department of Administration, required as a consequence of finalisation of the Council's budget, will be brought to the attention of the Committee, and (b) that the first six monthly performance report to be presented to the Committee in financial year 2004/2005 will also contain updated information on the Departmental revenue budget for financial year 2004/2005, and
- (6) that, otherwise, the contents of the report be noted.

**This paragraph was dealt with by the Council at its Special Meeting on 12 February 2004.**

**CONFERENCES ETC.**

21. There was submitted a report dated 7 January 2004 by the Director of Administration advising that an invitation had been received in respect of attendance at conference and seeking that consideration be given to the invitation.

**Decided:** that the Council be represented at the undernoted conference:-

<b>Conference</b>	<b>Venue</b>	<b>Date</b>	<b>Attendance</b>
The Future of Rural Post Offices in Scotland	Pitlochrie	8 March 2004	Councillor Holloway