
Motherwell, 12 February 2002 at 2 pm.
**A Meeting of the PLANNING AND ENVIRONMENT (PROTECTIVE SERVICES)
SUB-COMMITTEE**

PRESENT

Councillor Maginnis, Convener; Councillors Brooks, Cox, Curran, Donnelly, Gordon, Gorman, Gormill, Griffin, Holloway, J. McGuigan, G. Murray, Saunders and Wilson.

CHAIR

Councillor Maginnis (Convener) presided.

IN ATTENDANCE

The Chief Committee Services Officer and Environmental Health Manager.

APOLOGIES

Councillors Coyle, Devine, Irvine and McGhee.

TRADING STANDARDS POLICY ON THE HEALTH AND WELFARE OF ANIMALS

1. **C** There was submitted a report dated 12 February 2002 by the Director of Planning and Environment (1) advising that (a) the Protective Services Division of his Department is responsible for the enforcement of legislation in relation to boarding, breeding and riding establishments, performing animals and farm animals, and (b) this legislation regulates the behaviour of persons keeping animals and also licences certain activities relative to the welfare of animals; (2) detailing the "Five Freedoms" for all animals published by the Farm Animal Welfare Council (FAWC), an independent advisory body on animal welfare; (3) outlining the methods by which North Lanarkshire Council and Trading Standards Enforcement staff can support the attainment of the "Five Freedoms"; (4) reporting that the Council's impact on animal welfare can best be addressed by the implementation of a policy document as a guiding protocol for the service, and (5) indicating that a copy of the proposed Trading Standards Service policy document on the Health and Welfare of Animals has been placed in the Local Government Library and, in addition, if approved, will be published on the Council's Internet and Intranet sites.

Decided:

- (1) that the Trading Standards Service policy document on Health and Welfare of Animals be approved, and
- (2) that the Council endorse the Farm Animal Welfare Council's (FAWC) "Five Freedoms" for animals.

MANDATORY LICENSING OF HOUSES IN MULTIPLE OCCUPATION

2. **C** With reference to paragraph 3 of the Minute of the meeting of the Planning and Environment Committee held on 27 September 2000, there was submitted a report dated 12 February 2002 by the Director of Planning and Environment (1) regarding the introduction of a mandatory Licensing Scheme for Houses in Multiple Occupation in Scotland, which was achieved through the introduction of the Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000;

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(2) advising that the Protective Services Division of his Department has co-ordinated the licensing arrangements for the Council in this regard with the assistance of a working group comprising representatives from a number of Council Departments and the Fire and Police authorities which had established procedures for the processing of applications and which would ensure that all relevant parties were consulted on applications; (3) reporting that, to date, 22 application packs for premises which may require to be licensed have been issued and, of that number, 4 have been returned and are currently being processed; (4) outlining the application process; (5) proposing that applications which (a) attract objections or representations be remitted to the General Purposes (Licensing) Sub-Committee for consideration and that any objections and representations are administered in the same manner as other licensing applications made under the Civic Government (Scotland) Act 1982; (b) are recommended for refusal be remitted to that Sub-Committee; (6) advising that while very few applications are currently being considered it is anticipated that the numbers will increase when the qualifying numbers of persons residing within premises are reduced to more than 3 from 1 October 2002 and more than 2 from 1 October 2003, and (7) recommending that the Director of Planning and Environment be delegated powers to grant licence applications where no objections or representations are received in accordance with the terms of the Civic Government (Scotland) Act 1982.

Decided:

- (1) that applications which attract objections or representations be remitted to the General Purposes (Licensing) Sub-Committee for determination;
- (2) that applications which are recommended for refusal be remitted to that Sub-Committee for consideration, and
- (3) that powers be delegated to the Director of Planning and Environment to grant all other licence applications, with a summary of applications granted being reported to the Planning and Environment Committee for information.

TRADING STANDARDS: FIREWORKS ENFORCEMENT UPDATE

3. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 4 December 2001, there was submitted a report dated 12 February 2002 by the Director of Planning and Environment (1) reminding Members of the actions agreed in relation to fireworks enforcement at the last meeting of this Sub-Committee; (2) advising that the Trading Standards Section of his Department are currently collaborating with external agencies to develop a strategy for dealing with the issue of fireworks in the run up to this year's fireworks season; (3) indicating that responses received from local MPs, as a result of a letter issued by the Director of Administration had noted the concerns of the Council and had indicated support for a review of the current legislation; (4) advising that the response received from Local Authorities Co-ordinating Body on Food and Trading Standards (LACOTS) indicated that they would lobby in support of a change to the existing arrangements for the sale and availability of fireworks; (5) reporting that a letter in similar terms had been sent to COSLA, who had also contacted all local authorities regarding this matter; (6) advising that on 8 January 2002, a Bill had been introduced in the House of Commons by Barry Gardiner (MP Brent, North) under the ten minute rule, which proposes greater controls over fireworks and which is scheduled for its second reading on 15 March 2002, and (7) indicating that at a meeting of COSLA's new Environment, Sustainability and Community Safety Executive Group on 13 February 2002 a report would be presented recommending that a Task Group of elected Members be established to review the issue of fireworks.

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Decided:

- (1) that the actions of the Council to highlight concerns in relation to the sale and availability of fireworks be noted;
- (2) that the interest of COSLA in reviewing the sale of fireworks and the period of availability for sale be noted;
- (3) that the introduction of a Ten Minute Bill in the House of Commons by Barry Gardiner MP seeking to make stricter provisions for the sale and use of fireworks be noted;
- (4) that the Director of Administration again write to local MPs seeking their support for this Bill (Bill 78) which is scheduled for its second reading on 15 March 2002;
- (5) that it be noted that Councillor Maginnis, as the Council's representative, would attend a meeting of COSLA's new Environment, Sustainability and Community Safety Executive Group on 13 February 2002 and would report back on discussions at this forum on this issue, and
- (6) that a further report on this matter be submitted to a future meeting of this Sub-Committee.

ESSENTIAL REMEDIAL WORKS TO GAS EXTRACTION SYSTEM "TARGET" DISUSED FORMER LANDFILL, BROWNSBURN, AIRDRIE

4. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 2 October 2001, there was submitted a report dated 25 January 2002 by the Director of Planning and Environment (1) reminding Members that (a) the landfill gas extraction system operating at the Council owned former landfill site at Brownsburn, Airdrie is failing as a result of subsidence and consequent flooding of the northern underground pipe; (b) Metcalf and Eddy, Environmental Management Consultants, were engaged to investigate the operation of the gas extraction system, design remedial measures, produce indicative costs for the work and invite tenders from specialist landfill gas contractors to carry out the remedial works, and (c) the costs of the work were estimated at a sum of £37,100; (2) reporting that 4 of the 5 contractors who specialise in maintaining landfill gas extraction systems who were invited to tender for the work, submitted tenders by the deadline of 16 January 2002; (3) advising that the lowest tender was that submitted by Soiltec-Organic's Limited in the sum of £30,123.50, and (4) indicating that the costs of the work can be met from his Department's Contaminated Land Revenue Budget.

Decided:

- (1) that the proposal to engage Soiltec-Organic's Limited, a specialist landfill gas contractor, to carry out remedial works to the landfill gas extraction system at the former disused landfill "Target", Brownsburn, Airdrie at a total cost of £30,123.50 be noted, and
- (2) that the matter be remitted to the Planning and Environment Committee for approval.

ABANDONED VEHICLES - CONSULTATION DOCUMENT ISSUED BY DEPARTMENT OF TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS AND THE SCOTTISH EXECUTIVE

5. There was submitted a report (docketed) dated 12 February 2002 by the Director of Planning and Environment (1) advising that over the last few years the problem of abandoned cars has increased dramatically as a result in the fall in used car prices and the collapse in the price of scrap metal; (2) reporting that abandoning vehicles is a criminal offence under the Refuse Disposal (Amenity) Act

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1978, with local authorities having a duty under the Removal and Disposal of Vehicles Regulations 1986 to remove abandoned vehicles; (3) indicating that this authority each year receives over 1000 complaints regarding abandoned vehicles and removes for destruction approximately 250 vehicles; (4) detailing the procedures and notice periods with which local authorities and the DVLA must comply; (5) outlining the changes proposed by the Department of Transport, Local Government and the Regions to the legislative regime for dealing with abandoned vehicles, which were contained within a consultation document issued by the Scottish Executive together with a proposed response on behalf of the Council; (6) advising that a proposal has been submitted to the Better Neighbourhood Services Fund for additional funds to pilot a scheme within North Airdrie and South Wishaw to remove vehicles to a secure compound and to introduce a voluntary surrender programme to prevent vehicles being abandoned due to excessive cost or difficulties with the administration of destroying a vehicle; (7) indicating that the Better Neighbourhood Services Fund proposal also seeks to reduce the length of time taken to obtain details of the registered keeper of apparently abandoned vehicles, and (8) reporting that the Police have agreed procedures to enable the removal to a secure compound, of vehicles deemed likely to cause danger, without the need to leave vehicles on the road for the prescribed statutory time period.

Decided:

- (1) that the response to the consultative document as detailed in the report be approved;
- (2) that it be noted that in order to comply with the necessary timescales that the Director of Planning and Environment had submitted a response to the consultation paper on behalf of the Council, and
- (3) that it be noted that additional resources may be required to address issues raised in the report and as a consequence of proposed changes to legislation covering abandoned vehicles.

'TRADING STANDARDS' COLUMN IN LOCAL PRESS

6. There was submitted a report dated 1 February 2002 by the Director of Planning and Environment (1) advising that the Council's Trading Standards Service continues to seek to develop and improve its service delivery, and aims to inform and educate stakeholders on consumer rights, current scams, counterfeit goods, dangerous toys etc through offering advice at point of contact and through presentation, displays and leaflets; (2) reporting that the publication of a regular article in the local press would (a) raise awareness of consumer issues in North Lanarkshire; (b) raise the profile of the Trading Standards Service, and (c) inform the business community of their rights and obligations, and (3) proposing that local papers be canvassed to run regular features written by the Trading Standards Section, highlighting areas of concern which have been identified and seasonal features, such as buying toys at Christmas and firework safety.

Decided: that the proposal that the Trading Standards Service collaborate with local newspapers to include in their publication a Trading Standards column be noted.