

<b>To:</b> PLANNING AND ENVIRONMENT COMMITTEE		<b>Subject:</b> CONFIRMATION OF LITTER CONTROL AREA ORDER FOR BIRKENSHAW TRADING ESTATE
<b>From:</b> DIRECTOR OF PLANNING AND ENVIRONMENT		
<b>Date:</b> 31 January 2007	<b>Ref:</b> AM/58/503	

## 1. Purpose of Report/ Introduction

1.1 The Committee is referred to the original report of 13 September 2006 which outlined the proposal for the introduction of a Litter Control Area Order for Birkenshaw Trading Estate. This detailed what steps had to be taken in terms of consultation with all businesses and affected parties and the reasons for introducing such an Order. The purpose of this report is to summarise the consultation process which has now been undertaken, the representations that were received and to request that the committee approves the Birkenshaw Trading Estate 2007 Litter Control Area Order as detailed in the Schedule to this report.

## 2 Background

2.1 To ensure that all affected parties were given sufficient information on the proposal and sufficient opportunity to make representations on the proposal a comprehensive consultation exercise was undertaken.

2.2 In September 2006 approximately 150 local businesses, management agencies and owners of properties within and adjacent to Birkenshaw Trading Estate were contacted by letter and informed of the proposal to designate the Estate as a Litter Control Area. This provided all affected parties with the opportunity to contact the Council informally to discuss details of the proposal.

2.3 Following this initial communication, the formal consultation process required by legislation commenced on 3 November 2006. Once again all affected parties were contacted and provided with a 21 day period during which time they could make representations concerning the proposed Litter Control Area. A public advert was placed within two local newspapers offering any interested person the opportunity to make representations on the proposal. The legislative process requires that the Council must take into account all such representations prior to introducing any Litter Control Area.

2.4 The following representations were received by the Council during the 21 day consultation process:

- 2 formal objections to the introduction of the Litter Control Area were received from retail companies operating units within the trading estate. However, the correspondence received simply stated that they objected to the proposal, and provided no reason or explanation.
- Approximately 10 general enquiries were received requesting clarification on various details of the proposal.

2.5 To conclude the consultation process a public meeting was held on the 28 November within Burnhead Community Centre, Bellshill. This allowed any person to make representation

directly to the Environmental Protection officers dealing with the project. Despite all affected parties being invited to this event, only 5 people attended the meeting and no formal objections were received to the proposal.

### **3 Proposals/Considerations**

3.1 Despite the extensive consultation process, which far exceeded that required by legislation, there have been very few representations received concerning the proposed implementation of the Litter Control Area. Only 2 formal objections were received and neither gave any reason or explanation for the objection.

3.2 Due to the lack of any significant opposition, or valid objection from any affected party, it is proposed that the area known as Birkenshaw Trading Estate be formally adopted as a Litter Control Area. It is considered that this action will give additional and effective enforcement powers to the Environmental Health service to address the problems of litter and refuse within the area.

### **4 Sustainability Implications**

4.1 The recommendations to the committee are consistent with policy and there are no sustainability implications.

### **5 Corporate Considerations**

5.1 The recommendations to the Committee are Consistent with Policy and there are no Financial, Personnel, Legal or Property Implications in this report.

### **6 Recommendations**

6.1 That the committee approves the Birkenshaw Trading Estate 2007 Litter Control Area Order as detailed in the Schedule to this report.

6.2 That this report is remitted to the Community Services Committee for information.

*C. Morgan*

*AP* David M Porch  
**Director of Planning and Environment**

For further information please contact Robert Steenson on 01236 616534.

## THE SCHEDULE

### LITTER CONTROL AREA DESIGNATION ORDER THE ENVIRONMENTAL PROTECTION ACT 1990

#### **Birkenshaw Trading Estate 2007 Litter Control Area Order**

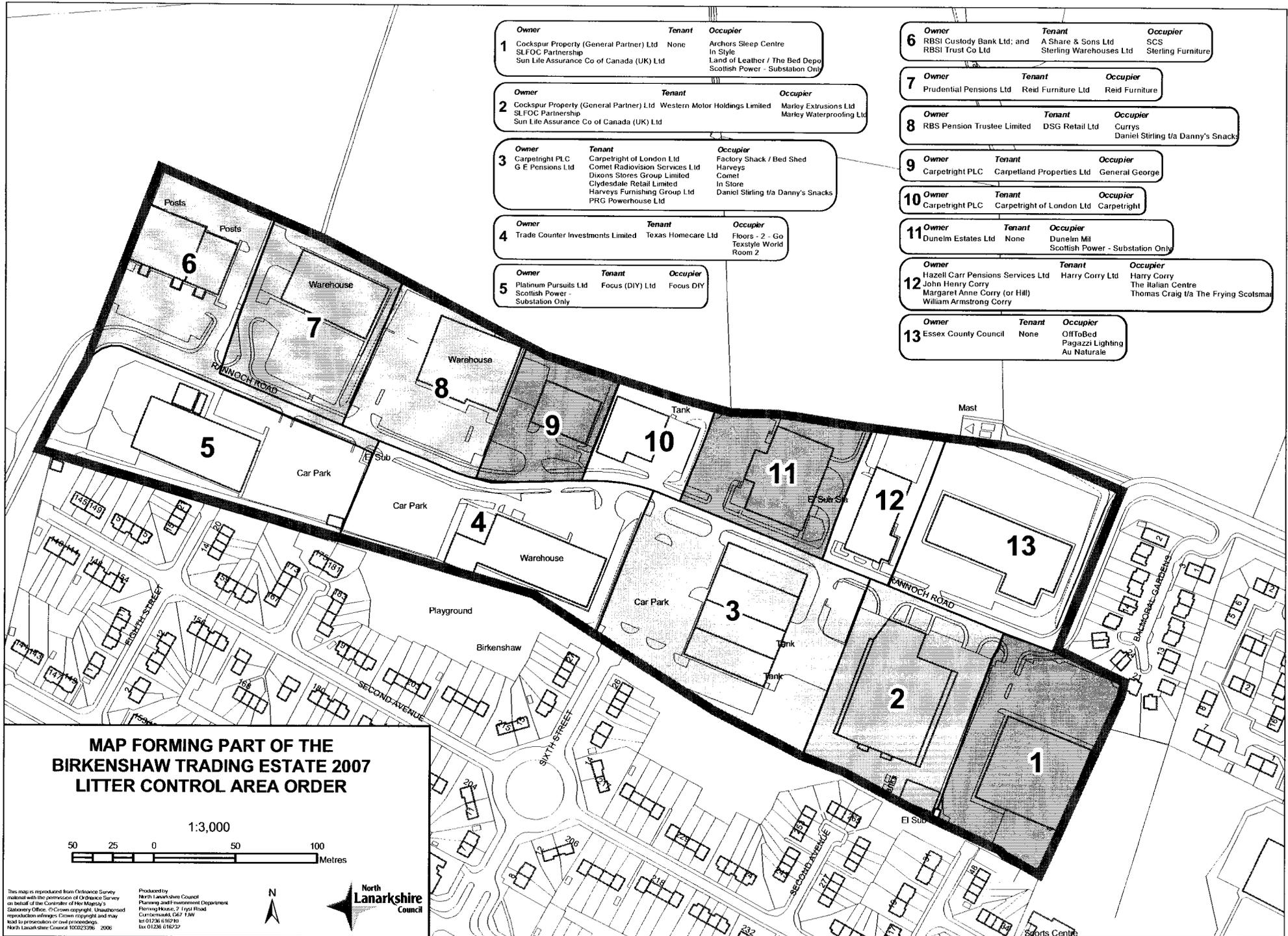
The North Lanarkshire Council, being of the opinion that, by reason of the presence of litter or refuse, the condition of the land described in paragraph 2 of this Order is, and unless they make a designation order is likely to continue to be, such as to be detrimental to the amenities of the locality, hereby make the following Order under section 90(3) of the Environmental Protection Act 1990: —

1. This Order may be cited as the **Birkenshaw Trading Estate 2007 Litter Control Area Order**, and shall have effect from 1<sup>st</sup> February 2007.
  
2. The land which —
  - (i) is delineated and shown outlined on the map forming part of this Order, sealed with the common seal of the North Lanarkshire Council and marked "Map forming part of the Birkenshaw Trading Estate 2007 Litter Control Area Order", and
  - (ii) is briefly described in the Schedule to this Order,is designated as a litter control area for the purposes of Part IV of the Environmental Protection Act 1990.

## SCHEDULE

*The area subject to the provisions of the Litter Control Area will include all land within the boundary of Birkenshaw Trading Estate that is entered from Rannoch Road, Uddingston, Lanarkshire.*

Date 1 February 2007



Owner	Tenant	Occupier
1 Cockspar Property (General Partner) Ltd SLFOC Partnership Sun Life Assurance Co of Canada (UK) Ltd	None	Archers Sleep Centre In Style Land of Leather / The Bed Depo Scottish Power - Substation Only

Owner	Tenant	Occupier
2 Cockspar Property (General Partner) Ltd SLFOC Partnership Sun Life Assurance Co of Canada (UK) Ltd	Western Motor Holdings Limited	Marley Extrusions Ltd Marley Waterproofing Ltd

Owner	Tenant	Occupier
3 Cartright PLC G E Pensions Ltd	Cartright of London Ltd Comel Radiovision Services Ltd Dixons Stores Group Limited Clydesdale Retail Limited Harveys Furnishing Group Ltd PRG Powerhouse Ltd	Factory Shack / Bed Shed Harveys Comet In Store Daniel Stirling t/a Danny's Snacks

Owner	Tenant	Occupier
4 Trade Counter Investments Limited	Texas Homecare Ltd	Floors - 2 - Go Textstyle World Room 2

Owner	Tenant	Occupier
5 Platinum Pursuits Ltd Scottish Power Substation Only	Focus (DIY) Ltd	Focus DIY

Owner	Tenant	Occupier
6 RBSI Custody Bank Ltd; and RBSI Trust Co Ltd	A Share & Sons Ltd Sterling Warehouses Ltd	SCS Sterling Furniture

Owner	Tenant	Occupier
7 Prudential Pensions Ltd	Reid Furniture Ltd	Reid Furniture

Owner	Tenant	Occupier
8 RBS Pension Trustee Limited	DSG Retail Ltd	Currys Daniel Stirling t/a Danny's Snacks

Owner	Tenant	Occupier
9 Cartright PLC	Carpetland Properties Ltd	General George

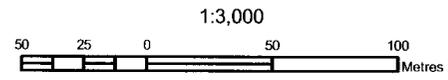
Owner	Tenant	Occupier
10 Cartright PLC	Cartright of London Ltd	Cartright

Owner	Tenant	Occupier
11 Dunelm Estates Ltd	None	Dunelm Mill Scottish Power - Substation Only

Owner	Tenant	Occupier
12 Hazell Carr Pensions Services Ltd John Henry Corry Margaret Anne Corry (or Hill) William Armstrong Corry	Harry Corry Ltd	Harry Corry The Italian Centre Thomas Craig t/a The Frying Scotsman

Owner	Tenant	Occupier
13 Essex County Council	None	OffToBed Pagazzi Lighting Au Naturale

**MAP FORMING PART OF THE  
BIRKENSHAW TRADING ESTATE 2007  
LITTER CONTROL AREA ORDER**



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