

Motherwell, 9 August 2005 at 2 pm.

**A Meeting of the PLANNING AND ENVIRONMENT (PROTECTIVE SERVICES)
SUB-COMMITTEE**

PRESENT

Councillor McKenna, Convener; Councillors Gemmill, Gorman, Gormill, Holloway, Lafferty, McGhee, Maginnis, Pentland and Saunders.

CHAIR

Councillor McKenna (Convener) presided.

IN ATTENDANCE

The Chief Committee Services Manager, Head of Protective Services and Trading Standards Manager.

APOLOGIES

Councillors J. Coyle, Gordon and Wilson.

**INSPECTION STRATEGY FOR THE IDENTIFICATION OF CONTAMINATED LAND - APPOINTMENT
OF SUB-CONSULTANT**

1. With reference to paragraph 13 of the meeting of the Planning and Environment Committee held on 8 June 2005, when the Director of Planning and Environment was authorised to invite tenders for the appointment of a specialist consultant to carry out work to progress the implementation of the contaminated land strategy, there was submitted a report dated 9 August 2005 by the Director of Planning and Environment (1) providing details of the tenders received, and (2) advising (a) that the lowest tender received was that from Messrs. URS, in the sum of £47,907.50, and (b) that the costs for the sub-consultants would be met by the Scottish Executive Contaminated Land Capital Grant.

Decided: that the Sub-Committee note the appointment by the Director of Planning and Environment of Messrs URS, in the sum of £47,907.50, to carry out work to progress the implementation of the contaminated land strategy, funded from the Scottish Executive Contaminated Land Capital Grant.

EAT SAFE AWARD SCHEME INITIATIVE

2. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 22 February 2005, when it was agreed that the Council support and participate in the Food Standards Agency's Eat Safe Award Scheme, there was submitted a report dated 9 August 2005 by the Director of Planning and Environment (1) outlining the background to the Initiative; (2) explaining that, to meet the Eat Safe Award's standards, premises would require to meet higher food safety standards than normally required; (3) advising that the Dovecote Beefeater Restaurant, Cumbernauld, having met the higher food safety standards, had attained the Award, the first in North Lanarkshire, and (4) indicating that it was envisaged that further premises within North Lanarkshire would achieve the award in due course.

Decided:

- (1) that it be noted that the Dovecote Beefeater Restaurant, Cumbernauld was the first restaurant in North Lanarkshire to attain the Eat Safe Award;
- (2) that it be noted details of further awards would be reported to the Sub-Committee on a periodic basis, and
- (3) that the report be otherwise noted.

THE FOOD SAFETY TRAINING INITIATIVE

3. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 7 December 2004, when it was agreed that the provision of £35,000 be set aside to support food safety training in colleges in North Lanarkshire and the North Lanarkshire Volunteer Centre in 2005/06, there was submitted a report dated 9 August 2005 by the Director of Planning and Environment (1) outlining the background to the Food Safety Training Initiative; (2) advising that, since the launch of the scheme, approximately 2,500 food handlers had received training, and (3) proposing that, in light of the success of the Initiative, a further £10,000 be awarded to each of the Colleges involved and £5,000 to the Volunteer Centre to facilitate continued training.

Decided: that it be agreed that a further £10,000 be awarded to each of the Colleges involved in the Food Safety Training Initiative and a further £5,000 be awarded to the Volunteer Centre to facilitate continued training.

CONSULTATION ON REMOVAL OF RESTRICTIONS ON THE SALE OF METHYLATED SPIRITS

4. There was submitted a report (docketed) dated 9 August 2005 by the Director of Planning and Environment (1) advising (a) that Section 26 of the Revenue Act 1889 prohibited the sale of methylated spirits between 10 pm on a Saturday and 8 am the following Monday, and (b) that the Methylated Spirits (Sale by Retail) (Scotland) Act 1937 governing the sale of methylated spirits and surgical spirits in Scotland was largely repealed in 1998; (2) indicating that the Scottish Executive had issued a consultation document with a view to repealing both pieces of legislation on the grounds that they have become outdated and no longer served a useful purpose, and (3) seeking homologation for action taken in forwarding the Council's response to the consultation, as contained within the Appendix to the report.

Decided:

- (1) to homologate the action taken by the Director of Planning and Environment in submitting the Council's response to the Scottish Executive consultation on the control of sales of methylated spirits, and
- (2) that the contents of the report be otherwise noted.

THE MANUFACTURE AND STORAGE OF EXPLOSIVE REGULATIONS 2005

5. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 5 October 2005, there was submitted a report (docketed) dated 9 August 2005 by the Director of Planning and Environment (1) advising of changes to the law in respect of the safe storage of fireworks; (2) providing a summary thereon, and (3) indicating that, as the new regulations allow greater flexibility to the Trading Standards service to regulate the service, a number of local trade seminars would be held in conjunction with Fire and Rescue and the Police to inform local businesses of the changes.

Decided:

- (1) that the partnership approach to education and enforcement of these new regulations be endorsed, and
- (2) that the contents of the report be otherwise noted.

THE CHILDREN AND YOUNG PERSONS (PROTECTION FROM TOBACCO) ACT 1991

6. With reference to paragraph 8 of the Minute of the meeting of this Sub-Committee held on 10 August 2004, when the enforcement strategy in relation to the sale of tobacco products was endorsed, there was submitted a report (docketed) dated 30 June 2005 by the Director of Planning and Environment (1) reminding Members that the Council had a duty under the Children and Young Persons (Protection from Tobacco) Act 1991 to carry out an appropriate enforcement programme and to review the programme annually; (2) detailing the Council's current enforcement strategy in relation to the sale of tobacco products; (3) setting out the level of enforcement activity carried out during the period from 1 April 2004 to 31 March 2005, and (4) advising that there was now a clear understanding and awareness by traders in North Lanarkshire of the provisions prohibiting the sale of tobacco products to persons under the age of 16 years.

Decided:

- (1) that the enforcement strategy, as set out in paragraph 3.1 of the report be endorsed, and
- (2) that the contents of the report be otherwise noted.

REVIEW OF TRADING STANDARDS ENFORCEMENT POLICY

7. There was submitted a report dated 30 June by the Director of Planning and Environment (1) summarising the Trading Standards Service policy document in relation to the Enforcement and Projects Team's aim of being open and fair in dealing with businesses, and (2) containing his observations thereon.

Decided:

- (1) that the partnership approach to enforcement as an avenue to harmonious fair trading within North Lanarkshire be endorsed, and
- (2) that the contents of the report be otherwise noted.

NATIONAL PERFORMANCE FRAMEWORK RETURN FOR TRADING STANDARDS FOR 2004/05

8. There was submitted a report dated 9 August by the Director of Planning and Environment (1) providing details of the Department of Trade and Industry (DTI) National Performance Framework, Performance Measure and Information Return for the Trading Standards Service for 2004/05, as contained within the Appendix to the report, and (2) containing his observations thereon.

Decided: that the contents of this report be noted.

TRADING STANDARDS INSTITUTE (TSI) MEDIA AWARDS

9. There was submitted a report dated 26 July 2005 by the Director of Planning and Environment (1) giving details of the TSI Media Awards which were aimed at celebrating excellence in consumer journalism and broadcasting, and (2) advising that this Council's Trading Standards Service, together with the T.S. Services from South Lanarkshire, South Ayrshire, Fife and Perth and Kinross Councils had won the Best Media Innovation category for their participation in the BBC TV series 'The Enforcers', which demonstrated the range of work which Trading Standards Services are involved in.

Decided:

- (1) that the success of the Trading Standards Service within the Department of Planning and Environment at the Trading Standards Institute Media Awards be noted;
- (2) that congratulations be extended to all the staff involved, and
- (3) that the report be otherwise noted.