

**Motherwell, 21 April 2015 at 2 pm.**

**A Meeting of the ENVIRONMENTAL SERVICES COMMITTEE**

**PRESENT**

Councillor McKenna, Convener; Councillor McPake, Vice-Convener; Councillors Baird, Cochrane, J. Coyle, Curley, Docherty, Goldie, Grant, P. Hogg, W. Hogg, Irvine, Logue, MacGregor, McCulloch, McGlinchey, McKendrick, McNally, Majid, Masterton, Morgan, Nolan, G. O'Rourke, Spowart, Annette Valentine and Wallace.

**CHAIR**

Councillor McKenna (Convener) presided.

**IN ATTENDANCE**

The Committee Services Manager, Executive Director of Regeneration and Environmental Services, Head of Environment and Estates, Head of Facility Support Services, Head of Protective Services and Head of Financial Services.

**APOLOGIES**

Councillors Brooks, Love, P. O'Rourke, Smith and Stocks.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. No declarations were made.

**STRATEGIC**

**PERFORMANCE PORTFOLIO REPORT – THIRD QUARTER 2014/15**

2. There was submitted a report dated 21 April 2015 by the Executive Director of Regeneration and Environmental Services providing details of (1) performance for the third quarter of the financial year 2014/15 in relation to indicators contained within the Service Plan for Regeneration and Environmental Services; (2) indicators which (a) had not met the set target and where performance was below the acceptable threshold, and (b) had surpassed the set target and where performance was above the acceptable threshold, and (3) corrective action taken or due to be taken to ensure the targets were met.

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

**OPERATIONAL**

**GARTCOSH LOCAL NATURE RESERVE MANAGEMENT PLAN**

3. There was submitted a report dated 21 April 2015 by the Head of Environment and Estates (1) advising that the Management Plan for the Gartcosh Local Nature Reserve had expired in 2014; (2) detailing the background relative thereto; (3) indicating (a) that during 2014, and following consultation with Scottish Enterprise (and its ecological advisers) and Scottish Natural Heritage, this

Council's Greenspace Development Officers had drawn up a revised Management Plan to guide the management of the Nature Reserve for a further five years, and (b) that the revised Management Plan continued to focus on sustaining the population of the Great Crested Newts as its priority, and to include management prescriptions focused on offering opportunities for both environmental education, community involvement and a wide range of benefits to local communities and visitors; (4) outlining the financial implications of managing the Reserve, and (5) seeking approval for the revised Management Plan for 2014-18, a copy of which was in the Members' Library.

**Decided:** that the revised Management Plan for Gartcosh Local Nature Reserve be approved and implemented.

#### **LOCAL BIODIVERSITY ACTION PLAN - REVIEW OF STATUTORY REPORT TO SCOTTISH GOVERNMENT**

4. There was submitted a report dated 21 April 2015 by the Head of Environment and Estates (1) advising of a Biodiversity Audit which had recently been carried out with a view to publishing a revised North Lanarkshire Local Biodiversity Action Plan; (2) detailing the background relative thereto; (3) indicating that following the Audit and a subsequent consultation exercise, an Action Plan on the delivery of the Biodiversity duty for the period from 2011-2014 had been finalised and was available on the Council's website; (4) outlining the financial implications of producing the Action Plan, a copy of which was in the Members' Library, and (5) recommending (a) that the revised Biodiversity Action Plan be published, and (b) that the draft report on the Council's delivery of the Council's Biodiversity duties between 2011 and 2014 be published.

**Decided:**

- (1) that the publication of the revised North Lanarkshire Biodiversity Action Plan and draft report on the delivery of the Council's Biodiversity duty between 2011 and 2014, be approved, and
- (2) that the report be referred to the Planning and Transportation Committee for information.

#### **BUSINESS REGULATION SERVICE OPERATIONAL PLAN 2015/16**

5. There was submitted a report dated 21 April 2015 by the Head of Protective Services (1) explaining that the Business Regulation Service (a) was primarily responsible for food safety; health and safety enforcement, and advisory functions; (b) undertook other duties including the investigation and control of infectious diseases; private and public water supply issues, and contingency planning, and (c) had a statutory duty to prepare an operational plan on an annual basis which clearly set out the specific aims and objectives for the forthcoming period; (2) advising (a) that in April 2015, the Food Standards Agency (Scotland) was to be replaced by Food Standards Scotland, an independent body whose key role would be to protect the health and other interests of consumers in relation to all food issues, and (b) that the Health and Safety Executive had issued a National Local Authority Enforcement Code which set out the risk based approach to targeting health and safety interventions to be followed by local authority regulators; (3) providing details thereon, and (4) recommending that the Business Regulation Service Operational Plan for 2015/16, a copy of which was in the Members' Library, be approved.

**Decided:** that the Business Regulation Service Operation Plan for the period 2015/16 be approved and implemented.

**REMEDIATION OF CONTAMINATED LAND AT 11 AND 12 SELKIRK WAY, CARNBROE, COATBRIDGE**

6. There was submitted a report dated 21 April 2015 by the Head of Protective Services (1) advising of ground investigation works that had been carried out on a housing development at Selkirk Way, Coatbridge; (2) indicating that of the 18 properties investigated, the gardens of six had levels of contaminants that were considered low risk; ten had levels of contaminants above low risk but below the level of contaminated land, and the properties at 11 and 12 Selkirk Way had high levels of contamination; (3) intimating that because of the high level of contaminants, both gardens would require to be fully remediated, and (4) suggesting, for the reasons detailed therein, that the Council (a) undertake all remedial works to these properties at a total cost of approximately £70,000; (b) waive 100% of the associated costs due to be met by the home owners, and (c) submit a further report to a future meeting of this Committee, proposing a Council policy to cover any future incidents of contaminated land remediation.

**Decided:** that consideration be continued to a future meeting of this Committee.

**CUMBERNAULD PEACE GARDEN – CENTENARY FIELDS DESIGNATION**

7. There was submitted a report dated 21 April 2015 by the Head of Environment and Estates (1) referring to, and containing details of, the Centenary Fields Programme, operated by Fields in Trust; (2) indicating that through that Programme, authorities and land owners had been encouraged to dedicate at least one recreational space as a Centenary Field; (3) advising that a proposal to have the Cumbernauld Peace Garden, as detailed in the Appendix to the report, designated as a Centenary Field had been accepted by the Fields in Trust organisers, and (4) recommending that the Cumbernauld Peace Garden be designated as a Centenary Field.

**Decided:** that the designation of Cumbernauld Peace Garden Site as a Centenary Field be approved.

**LAND AT DRYBURGH ROAD, WISHAW**

8. There was submitted a report dated 21 April 2015 by the Head of Environment and Estates seeking approval to declare an area of land at Dryburgh Road, Wishaw, as detailed in the plan attached to the report, surplus to operational requirements.

**Decided:**

- (1) that the area of land at Dryburgh Road, Wishaw be declared surplus to operational requirements, and
- (2) that the report be remitted to the Policy and Resources (Regeneration and Infrastructure) Sub-Committee for consideration.

**PROVISION OF PUBLIC TOILETS AT KENILWORTH AVENUE, WISHAW**

9. There was submitted a report dated 21 April 2015 by the Head of Facility Support Services (1) advising that the public toilets at Kenilworth Avenue, Wishaw were located within the Coltness Gatehouse building and were an attended facility, operating Monday to Wednesday 9 am to 5 pm and Thursday to Sunday 9 am to 6 pm; (2) indicating (a) that, following the completion of the Wishaw Hub project, it was proposed that new toilets be provided adjacent to the main entrance to the new building and which would be available to the public; (b) that the toilets would be available for use during normal working hours which were anticipated to be Monday to Friday 8.45 am to 7.30 pm and

Saturday 9.30 am to 4.30 pm, and (c) that the toilets would operate as a non attended facility, similar to those found within major supermarkets; (3) proposing that, following the completion of the Wishaw Hub project, the public toilets at Kenilworth Avenue be closed and the building declared surplus to requirements, and (4) outlining the personnel and financial implications of the proposal.

**Decided:**

- (1) that, on the completion of the Wishaw Hub project, the public toilets at Kenilworth Avenue, Wishaw be closed;
- (2) that the Coltness Gatehouse building be subsequently declared surplus to requirements;
- (3) that the report be referred to the Policy and Resources (Human Resources) Sub-Committee for approval, and
- (4) that the report be referred to the Policy and Resources (Regeneration and Infrastructure) Sub-Committee for consideration.

**CONTRACTS ACCEPTED UNDER FINANCIAL LIMITS**

10. There was submitted a report dated 24 March 2015 by the Head of Democratic and Legal Services advising that the contract highlighted within the Appendix of the report had been accepted by the Executive Director of Corporate Services, in accordance with Contract Standing Orders.

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

**REQUEST FOR APPROVAL TO TENDER FOR PEST CONTROL SERVICES**

11. There was submitted a report dated 21 April 2015 by the Head of Protective Services seeking approval for the commencement of a new tendering process to secure the services of a private pest control contractor to provide cover, when necessary, for the Service's "in house" pest control service during the period from 1 October 2015 to 30 September 2019.

**Decided:** that the commencement of a tendering process to secure the services of a private pest control contractor, for the period from 1 October 2015 to 30 September 2019, be approved.

**PROPOSAL TO USE SCOTLAND EXCEL FRAMEWORK FOR THE TREATMENT OF RESIDUAL WASTE AND OTHER WASTE STREAMS**

12. There was submitted a report dated 21 April 2015 by the Head of Environment and Estates (1) advising of the requirement to enter into a contract for the treatment of recyclable and residual waste and that an opportunity had arisen to take advantage of a new Scotland Excel Framework; (2) detailing the background relative thereto; (3) indicating that Waste Management Services (a) proposed to create annual tonnage based contracts for residual waste and other appropriate recycling streams; (b) had, using the Framework, identified the most economically advantageous arrangements that met the Council's requirements, viz:-

Lot 1 – Treatment and Disposal of Residual Waste;  
Lot 11 – Treatment of Cardboard;  
Lot 21 – Treatment of Mixed Scrap Metal;  
Lot 22 – Treatment of Shredded and Non Shredded Wood;  
Lot 23 – Treatment of Textiles, and

(c) proposed to directly call off from the Framework, as previous contracts and market conditions indicate there was no further scope to negotiate and obtain a reduction by creating a mini competition; (4) outlining, in paragraph 3 of the report, examples of the tonnage per Lot and indicative annual costs/income generated, and (5) intimating that the Scotland Excel terms and conditions would apply in respect of any awards under the Framework Agreement.

**Decided:**

- (1) that the proposal for Waste Management Services to award contracts through direct call off from the Scotland Excel Framework for the Treatment of Recyclable and Residual Waste be approved;
- (2) that it be noted that the Scotland Excel terms and conditions would apply in respect of any awards under the Framework Agreement, and
- (3) that the report be otherwise noted.

**FINANCIAL**

**REVENUE MONITORING REPORT – 1 APRIL 2014 TO 27 FEBRUARY 2015 – REGENERATION AND ENVIRONMENTAL SERVICES**

13. There was submitted a report dated 21 April 2015 by the Executive Director of Regeneration and Environmental Services (1) providing a summary of the Regeneration and Environmental Services financial performance for the period from 1 April 2014 to 27 February 2015, as contained within the Appendices to the report; (2) giving explanations for any significant variances, together with risks and uncertainties; (3) detailing the projected outturns, and (4) advising of proposed budget virements.

**Decided:**

- (1) that the proposed budget virements, as detailed in the report be approved, and
- (2) that the contents of the report be otherwise noted.

**REVENUE MONITORING REPORT – 1 APRIL 2014 TO 27 FEBRUARY 2015 – REGENERATION AND ENVIRONMENTAL SERVICES TRADING ACCOUNTS**

14. There was submitted a report dated 21 April 2015 by the Executive Director of Regeneration and Environmental Services (1) providing a summary of Regeneration and Environmental Services Trading Accounts financial performance for the period from 1 April 2014 to 27 February 2015; (2) forecasting the outturn as at 31 March 2015, and (3) summarising (a) in Appendix 1 of the report the overall trading summary; (b) in Appendices 2 to 4 of the report a summary of each of the individual activities within the Service, and (c) in Appendix 5 to the report, the payments made to other bodies.

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

**CAPITAL MONITORING REPORT – 1 APRIL 2014 TO 27 FEBRUARY 2015 – REGENERATION AND ENVIRONMENTAL SERVICES COMPOSITE CAPITAL PROGRAMME FOR 2014/15**

15. There was submitted a report dated 21 April 2015 by the Executive Director of Regeneration and Environmental Services (1) advising of the overall projected financial position for the 2014/15 Capital Programme for the period from 1 April 2014 to 27 February 2015; (2) providing an update on the financial performance of the Regeneration and Environmental Services Capital Programme for that

period; (3) containing explanations of significant variances and potential risks, and (4) detailing in the Appendix to the report the projected outturn for 2014/15.

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

#### **CONFERENCE**

16. There was submitted a report dated 26 March 2015 by the Head of Democratic and Legal Services advising of an invitation received in respect of Member attendance at a conference, and seeking consideration of the invite.

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

<b>Conference</b>	<b>Date</b>	<b>Place</b>	<b>Attendance</b>
Consumer Affairs and Trading Standards Conference and Exhibition 2015	29 June-2 July 2015	Bournemouth	Councillor McPake

#### **RETIRAL OF CRAWFORD MORGAN**

The Convener referred to the forthcoming retiral of Crawford Morgan, Head of Protective Services. Members joined the Convener in acknowledging the contribution Crawford had made to the Council, and Local Government, and extended their best wishes for his retirement.

Crawford Morgan replied in appropriate terms.