

COMMUNITY SAFETY & ENVIRONMENTAL SERVICES COMMITTEE

At a Meeting of the Community Safety & Environmental Services Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 7 September 2005 at 11.17 a.m.

Present: Provost Alistair Macdonald and Councillors Geoff Calvert, Gail Casey, Linda McColl, Duncan McDonald, Marie McNair and Connie O'Sullivan.

Attending: Dan Henderson, Director of Development & Environmental Services; Nigel Ettles, Principal Solicitor; Irving Hodgson, Head of Development and Environmental Services; Ronald Dinnie, Head of Land Services; John McKerracher, Head of Housing and Property Services; Angus Bodie, Manager of Roads; Jim Pow, Manager of Finance, Housing & Technical Services; Graham Pollock, Environmental Services Manager; Alasdair Gregor, Planning Services Manager; Kevin Neeson, Manager of Development Services; Martin McKendrick, Anti-Social Co-ordinator, Housing & Technical Services; and Craig Stewart, Administrative Assistant.

Apology: An apology for absence was intimated on behalf of Councillor George Black.

Councillor Connie O'Sullivan in the Chair

MINUTES OF PREVIOUS MEETING

6954 The Minutes of the Meeting of the Committee held on 1 June 2005 were submitted and approved as a correct record.

RECURRENCE OF NUISANCE AT DRUMS ESTATE, OLD KILPATRICK ENVIRONMENTAL PROTECTION ACT 1990

6955 With reference to the Minutes of Meeting of the Community Safety & Environmental Services Committee held on 1 June 2005 (Page 1698, paragraph 6144 refers), a report was resubmitted by the Director of Development and Environmental Services:-

- (a) requesting consideration on whether the Council should carry out works to abate (and ensure the non-recurrence of) a Statutory Nuisance that appeared to have been abated but which has recurred, the owners of the properties involved having failed, or been unable, to comply with an Abatement Notice that was served on them; and

- (b) seeking approval for the submission of a Report to the Procurator Fiscal, to consider raising proceedings for an Offence in respect of failure to comply with a Notice issued in terms of Section 80 of the Environmental Protection Act 1990.

6956 Having heard the Convener, Councillor O'Sullivan, it was agreed to continue consideration of this item to the next meeting of the Committee in order that Ms. Kennedy, the daughter of Mrs. Lyon, Drums House, Old Kilpatrick, could meet with officers to conclude matters.

DEVELOPMENT AND ENVIRONMENTAL SERVICES DEPARTMENT - BUDGETARY CONTROL

6957 A report was submitted by the Director of Development and Environmental Services informing on how the budgets controlled by the Development and Environmental Services Department performed against projections for the period up until 15 July 2005.

6958 The Committee agreed to note the report.

DEVELOPMENT & ENVIRONMENTAL SERVICES – QUARTERLY PERFORMANCE REVIEW FOR APRIL – JUNE 2005

6959 A report was submitted by the Director of Development and Environmental Services informing on the performance of the Development and Environmental Services Department for the period April to June 2005.

6960 The Committee agreed to note the contents of the report.

DEVELOPMENT AND ENVIRONMENTAL SERVICES – MANAGEMENT REVIEW

6961 **A report was submitted by the Director of Development and Environmental Services advising of the completion of the management restructuring relating to the Development and Environmental Services Department.**

6962 The Committee agreed to note the completion of the management restructuring and the revised management structure of the Department.

DEVELOPMENT AND ENVIRONMENTAL SERVICES DEPARTMENTAL STRATEGIC PLAN 2005-2009

6963 A report was submitted by the Director of Development and Environmental Services presenting the new Development and Environmental Services Strategic Plan for the period 2005-2009 for approval.

6964 The Committee agreed to approve the 2005-2009 Departmental Strategic Plan for Development and Environmental Services.

LOCH LOMOND & THE TROSSACHS NATIONAL PARK – NATIONAL PARK PLAN 2005

6965 A report was submitted by the Director of Development and Environmental Services informing of the consultation exercise being undertaken by the National Park Authority on its Draft National Park Plan and proposing an appropriate response.

6966 The Committee agreed that the questionnaire accompanying the Draft Plan be completed in line with the relevant points made in the report.

DUMBARTON CEMETERY – UNUSED LAIRS

6967 A report was submitted by the Director of Development and Environmental Services advising of action which can be taken to extend the life of Dumbarton Cemetery through the Council returning to their ownership lairs which were previously sold but have gone unused for many decades.

6968 Following discussion, the Committee agreed:-

- (1) that the current Management Rules of West Dunbartonshire Council Cemeteries be modified to enable the Council to seek to recover a burial lair which has lain unused for fifty years or more;
- (2) to authorise action to seek to recover lairs at Dumbarton Cemetery which have lain unused for fifty years or more, subject to every effort being made to notify interested parties including advertising in the local media, etc.; and
- (3) that the Director of Development and Environmental Services be authorised to reintroduce the unrestricted sale of recovered lairs once the availability of lairs had improved sufficiently.

WORKING FOR FAMILIES FUND: PROGRESS AND NEW FUNDING

6969 A report was submitted by the Director of Development and Environmental Services providing an update on the progress of the Council's Working for Families Fund in West Dunbartonshire and the awarding of further funding from the Scottish Executive.

6970 The Committee agreed:-

- (1) to note, with satisfaction, the good progress of the Working for Families Fund in West Dunbartonshire and the assistance and support that had been provided to a significant number of parents in West Dunbartonshire; and
- (2) to welcome the intimation of further funding for Working for Families in West Dunbartonshire until March 2008.

DEVELOPMENT OF COMMERCIAL/INDUSTRIAL UNITS AT JOHN KNOX STREET, CLYDEBANK

6971 A report was submitted by the Director of Development and Environmental Services advising of progress in terms of redevelopment of the site at John Knox Street, Clydebank.

6972 The Committee agreed to note and endorse the contents of the report.

DUMBARTON TOWN CENTRE PROJECTS 2005-2006

6973 A report was submitted by the Director of Development and Environmental Services seeking approval to accept the most economically advantageous tenders received for all contracts with estimated values over £60,000, in relation to Dumbarton town centre projects.

6974 The Committee agreed:-

- (1) that authority be delegated to the Director of Development and Environmental Services, in consultation with the Service Spokesperson for Economic Development and Protective Services and the Directors of Housing and Technical Services and Corporate Services, to appoint the contractor for the projects detailed in the report; and
- (2) that the Director of Development and Environmental Services be requested to submit a report to a future meeting of the Committee, confirming (a) the contracts awarded for the projects detailed in the report and (b) the outcome of the application for European Regional Development Funding and any consequential implications for the capital allocation for Dumbarton town centre for the current financial year and for 2006/2007.

PROPOSALS FOR THE OLD ACADEMY BUILDING AND SURROUNDING AREA, DUMBARTON

- 6975 A report was submitted by the Director of Development and Environmental Services advising:-
- (a) of progress in respect of redevelopment proposals for the Old Academy Building and surrounding area at Church Street, Dumbarton; and
 - (b) that the appropriate applications will be submitted shortly seeking approval from the Council and ultimately the Scottish Ministers for the partial demolition and façade retention of the Old Academy Building and seeking approval from the Sheriff for the disposal from the Dumbarton Common Good Fund of the Old Academy Building, New Burgh Hall and related land.
- 6976 Following discussion, the Committee agreed to note the forthcoming applications being made for the partial demolition and façade retention of the Old Academy Building and to the Sheriff, for the disposal of the Old Academy Building, New Burgh Hall and related land from the Dumbarton Common Good Fund.
- 6977 In relation to a point raised by Councillor Calvert, it was noted that every effort would be made to keep the community informed of ongoing works by way of regular updates, etc.

LICENSING AND REGISTRATION OF PERSONS WHO STORE EXPLOSIVES

- 6978 A report was submitted by the Director of Development and Environmental Services seeking approval for a procedure to licence or register persons who store explosives, including fireworks.
- 6979 The Committee agreed:-
- (1) that any applications for licences or registrations which have been the subject of objections or are contentious (including all applications which officers would wish to refuse) would be referred to the Licensing Committee for determination;
 - (2) that authority be delegated to the Director of Development and Environmental Services to grant licences and registrations which have not been the subject of objections and are not contentious; and

- (3) that any revocation of a licence or registration be determined by the Licensing Committee, with the exception that authority be delegated to the Director of Development and Environmental Services to revoke a licence or registration where any delay in so doing would present a significant risk to public safety.

REGULATION OF PRIVATE LANDLORDS UNDER THE ANTI SOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004

6980 A joint report was submitted by the Director of Housing and Technical Services and the Director of Development and Environmental Services providing details of the provisions set out in Parts 7 and 8 of the Anti Social Behaviour Etc. (Scotland) Act 2004 and seeking agreement to submit the response to the Scottish Executive's consultation paper on the regulation of private landlords and to the recommendation on departmental responsibilities for administering the Scheme.

6981 After discussion and having heard the Director of Development and Environmental Services and the Anti-Social Co-ordinator in answer to Members' questions, the Committee agreed:-

- (1) that the proposed response to the consultation paper detailed in the appendix to the report be submitted to the Scottish Executive on behalf of the Council;
- (2) that the Department of Development and Environmental Services, which currently administered HMO licensing, would have responsibility for the development, administration and operation of the registration scheme. However, the Department of Housing and Technical Services would be responsible for the service of anti social behaviour notices; and
- (3) that both Departments would establish protocols to ensure that where it was identified that landlords are in breach of registration, or where they are failing to address problems of anti social behaviour, they are dealt with in accordance with the guidance set out by the Scottish Executive.

RESOLUTION TO ADOPT THE NOISE CONTROL PROVISIONS OF THE ANTI SOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004

6982 A report was submitted by the Director of Development and Environmental Services seeking approval of a resolution to apply the provisions contained within Part 5 of the Anti Social Behaviour Etc. (Scotland) Act 2004 within West Dunbartonshire.

6983 The Committee agreed:-

- (1) to approve the proposal to resolve to implement the noise provisions as contained in, and in the manner specified in, Part 5 of the Anti Social Behaviour Etc. (Scotland) Act 2004;
- (2) that authority be delegated to the Director of Development and Environmental Services to authorise officers to enforce the provisions of Part 5 of the Anti Social Behaviour Etc. (Scotland) Act 2004; and
- (3) to note the officers who will be authorised to enforce Part 5 of the Anti Social Behaviour Etc. (Scotland) Act 2004 as outlined in the report.

CONTROL OF ODOUR NUISANCE FROM WASTE WATER TREATMENT WORKS

6984 A report was submitted by the Director of Development and Environmental Services advising that the Scottish Executive has established a Scottish Odour Steering Group to produce a statutory Code of Practice.

6985 After discussion and having heard the Convener, Councillor O'Sullivan, the Committee agreed:-

- (1) to note the intention of the Scottish Executive to produce a Statutory Code of Practice pertaining to minimisation of odour nuisance from Waste Water Treatment Works; and
- (2) to congratulate the staff from Development and Environmental Services, particularly Mr. Pat Hoey, for their considerable efforts in ensuring that this was made a statutory undertaking.

LOCAL AIR QUALITY CONTROLS FOR ROAD TRAFFIC

6986 A report was submitted by the Director of Development and Environmental Services recommending the adoption of powers to introduce air quality controls over road traffic within West Dunbartonshire.

6987 The Committee agreed to approve the proposal to adopt the provisions of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003.

6988 In relation to a point raised by Councillor Calvert, it was noted that the Environmental Health Section would make the necessary arrangements to notify bus and taxi companies of the introduction of this new legislation.

EAT SAFE AWARD SCHEME – FIRST AWARD

- 6989 A report was submitted by the Director of Development and Environmental Services advising that the Balloch House Inn is the first recipient of the Eat Safe Award in West Dunbartonshire.
- 6990 The Committee agreed to note, with satisfaction, the award to the Balloch House Inn.

FOOD SERVICE PLAN 2005/2006

- 6991 A report was submitted by the Director of Development and Environmental Services seeking approval of the Food Service Plan 2005/2006.
- 6992 It was noted that the Framework Agreement on Local Authority Food Law Enforcement issued by the Food Standards Agency (FSA) required that Members approve Food Service Plans each year.
- 6993 The Committee agreed to approve the Food Service Plan 2005/2006.

REQUEST FROM AN ADJOINING LANDOWNER TO PURCHASE 1.62 ACRES OR THEREBY OF LAND AT DALGLEISH AVENUE, DUNTOCHER

- 6994 A report was submitted by the Director of Development and Environmental Services advising of a request from an adjacent landowner to purchase land owned by the Council and recommending the sale of 1.62 acres or thereby of land to the rear of the Duntocher Hotel at Dalgleish Avenue, Duntocher.
- 6995 Having heard the Convener, Councillor O'Sullivan, the Committee agreed that the Director of Development and Environmental Services be requested to liaise with the Director of Housing and Technical Services in order that authority could be given for the disposal only of land which was required to enable road and access improvements to be made at this location.

RECYCLING AND WASTE MINIMISATION SUCCESSFUL FUNDING BID

- 6996 **A report was submitted by the Director of Development and Environmental Services informing of progress made with the Council's long term Strategic Waste Implementation Plan and a successful funding bid for the development and delivery of recycling services until 2020.**
- 6997 Having heard the Environmental Services Manager in further explanation, the Committee agreed to note and endorse the progress made to date with

recycling in West Dunbartonshire and the success of the funding application to further develop recycling services until 2020.

**HOUSING AND TECHNICAL SERVICES DEPARTMENT –
FINANCIAL REPORT 2005/2006 TO 15 JULY 2005 (PERIOD 3)**

6998 A report was submitted by the Director of Housing and Technical Services providing an update on the financial performance of the Housing and Technical Services Department to 15 July 2005 (Period 3).

6999 The Committee agreed:-

- (1) to note the financial performance of the Housing and Technical Services Department; and
- (2) to approve the additional spend on replacement computers to be funded from general slippage within the Housing and Technical Services Capital Programme.

HOUSING & TECHNICAL SERVICES - PERFORMANCE REPORT

7000 Submit report by the Director of Housing and Technical Services informing on the performance of Housing and Technical Services and providing information on:-

- (1) Statutory Performance Indicators for 2004/2005 (unaudited) and the first quarter's figures for April to June 2005 where indicated; and
- (2) an update on the Department's programme of Best Value Reviews.

7001 The Committee agreed to note the contents of the report.

**BALLOCH CASTLE COUNTRY PARK HERITAGE LOTTERY FUND
RESTORATION PROJECT**

7002 A report was submitted by the Director of Housing and Technical Services providing an update on the progress of the Heritage Lottery Fund (HLF) restoration project at Balloch Castle Country Park.

7003 The Committee agreed to note the contents of the report and the success of Phases one and two of the project works.

CYCLING AND WALKING STRATEGY 2005 – 2010

7004 A report was submitted by the Director of Housing and Technical Services seeking approval for the Cycling and Walking Strategy 2005 - 2010.

7005 The Committee agreed:-

- (1) to approve the document entitled "Cycling and Walking Strategy 2005 – 2010"; and
- (2) that authority be delegated to the Director of Housing and Technical Services to prepare a published version for circulation to the Council's Community Planning partners and other relevant organisations.

ROAD MANAGEMENT PLAN 2005 – 2010

7006 A report was submitted by the Director of Housing and Technical Services informing of the document "Road Management Plan 2005 – 2010" which provides details of how the responsibilities of West Dunbartonshire Council, as the local Roads Authority, are managed and delivered.

7007 After discussion and having heard Councillor McDonald, Service Spokesperson for Technical Services, the Committee agreed:-

- (1) to approve the Roads Management Plan 2005 – 2010 and that it be published and circulated to key community partners; and
- (2) to commend the officers involved for their hard work and commitment in the production of this ambitious plan.

WINTER MAINTENANCE STRATEGY DOCUMENT – 2005/2006

7008 **A report was submitted by the Director of Housing and Technical Services informing of the Council's statutory obligations under Section 34 of the Roads (Scotland) Act 1984 and seeking approval of the Winter Maintenance Strategy Document – 2005/2006.**

7009 **Following discussion, the Committee agreed:-**

- (1) **to note the contents of the report;**
- (2) **that authority be delegated to the Director of Housing and Technical Services to provide assistance to Bear Scotland and Amey Highways, if requested, to keep the A82 Trunk Road open during severe weather; and**
- (3) **to approve the Winter Maintenance Strategy Document – 2005/2006.**

**PERFORMANCE OF THE LEISURE SERVICES TRADING OPERATION
DURING 2004/2005**

- 7010 **A report was submitted by the Director of Housing and Technical Services providing an update on the performance of the Leisure Services Trading Operation against desired outcomes and objectives for 2004/2005 as detailed within the Leisure Services Business Plan for the years 2004 – 2007.**
- 7011 **The Committee agreed to note the progress made by the Leisure Services Trading Operation in meeting the key business objectives as detailed within the Leisure Services Business Plan for 2004 – 2007.**

**LEISURE SERVICES CHARTER MARK ACCREDITATION –
MONITORING VISIT**

- 7012 **A report was submitted by the Director of Housing and Technical Services providing an update on the progress of Leisure Services Charter Mark Accreditation which was achieved by the service in March 2004.**
- 7013 **Having heard Councillor McDonald, Service Spokesperson for Technical Services, the Committee agreed to note the contents of the report with satisfaction.**

**INCREASING EMPLOYEE PARTICIPATION IN PHYSICAL ACTIVITY –
EMPLOYEE COSMOPOLITAN CLUB MEMBERSHIP SCHEME**

- 7014 **A report was submitted by the Director of Housing and Technical Services providing an update on the success of the scheme to provide employees of West Dunbartonshire Council with discounted opportunities to participate in physical activity at the Council's indoor leisure facilities.**
- 7015 **The Committee agreed to note the ongoing success of the employee Cosmopolitan health and fitness scheme in increasing physical activity amongst employees of West Dunbartonshire Council as part of the Council's commitment to promote employee health and well-being and maximise attendance.**

**PERFORMANCE OF THE CATERING TRADING OPERATION DURING
2004/2005**

- 7016 A report was submitted by the Director of Housing and Technical Services providing an update on the performance of the Catering Trading Operation against desired outcomes and objectives for 2004/2005 as detailed within the Catering Services Business Plan for the years 2004 – 2007.
- 7017 The Committee agreed to note the progress made by the Catering Trading Operation in meeting the key business objectives as detailed within the Catering Services Business Plan for 2004 – 2007.

‘BUZZING FOR HEALTH’ AWARDS CEREMONY

- 7018 A report was submitted by the Director of Housing and Technical Services advising of the successful ‘Buzzing for Health’ school meals awards ceremony which was held at the Beardmore Hotel and Conference Centre, Clydebank on Friday, 29 April 2005.
- 7019 The Committee agreed to note the success of the Awards Ceremony.

CENTRAL ENERGY EFFICIENCY FUND

- 7020 A report was submitted by the Director of Housing and Technical Services advising of projects being considered for funding from the Central Energy Efficiency Fund (CEEF) and on the approach required to ensure effective spend of CEEF funding.
- 7021 The Committee agreed to note the contents of the report.

ENERGY EFFICIENCY FOR HOMEOWNERS

- 7022 A report was submitted by the Director of Housing and Technical Services seeking approval to endorse a Scottish Power initiative and allow the use of the Council logo on an information leaflet to be distributed to homeowners.
- 7023 The Committee agreed:-
- (1) to endorse the Scottish Power initiative on the basis outlined in the report; and
 - (2) to approve the use of the Council logo on the information leaflet which would be distributed to homeowners.

The meeting closed at 11.43 a.m.