

COMMUNITY SAFETY & ENVIRONMENTAL SERVICES COMMITTEE

At a Meeting of the Community Safety & Environmental Services Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 1 June 2005 at 11.00 a.m.

Present: Councillors George Black, Geoff Calvert, Gail Casey, Linda McColl, Marie McNair and Connie O'Sullivan.

Attending: David McMillan, Director of Housing & Technical Services; Nigel Ettles, Principal Solicitor; Irving Hodgson, Head of Development and Environmental Services; Ronald Dinnie, Head of Land Services; John McKerracher, Head of Technical Services; Angus Bodie, Manager of Transportation; Jim Pow, Finance Manager, Housing & Technical Services; Don Findlay, Manager of Technical Services; Graham Pollock, Environmental Services Manager; Alasdair Gregor, Planning Services Manager; Kevin Neeson, Manager of Development Services; Rodney Thornton, Section Head (Waste Services); David McCulloch, Section Head (Trading Standards); William Gibson, Section Head (Estates); and Craig Stewart, Administrative Assistant.

Apologies: Apologies for absence were intimated on behalf of Provost Alistair Macdonald and Councillors Jim Bolla and Duncan McDonald.

APPOINTMENT OF CONVENER

6138 In the absence of the Convener, Councillor McDonald, the Principal Solicitor invited the Committee to appoint a Chair for this meeting of the Committee.

6139 It was agreed that Councillor O'Sullivan be appointed Chair. Accordingly, Councillor O'Sullivan assumed the Chair.

MINUTES OF PREVIOUS MEETING

6140 The Minutes of the Meeting of the Committee held on 6 April 2005 were submitted and approved as a correct record.

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

- 6141 With reference to the Minutes of Meeting of the Community Safety & Environmental Services Committee held on 6 April 2005 (Page 1590, paragraph 5728 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.
- 6142 Having heard the Head of Development and Environmental Services, it was noted that three of the interested parties (Mr C. Lyon of Drums House, Old Kilpatrick; Mr H. Cairns of Mews Cottage, Old Kilpatrick and Dr E. Glen and Ms J. Lindsey of Courtyard House, Old Kilpatrick) had intimated that they could not attend this meeting of the Committee and had requested that their written submissions be considered instead. In addition, it was noted that Mr Lyon had given permission for his daughter to speak on his behalf at the meeting.
- 6143 It was also noted that the person whose property was affected by the Statutory Nuisance, Mr Nelson of Stables Cottage, Old Kilpatrick, had been invited to be in attendance at the meeting but was not present to make his views heard.
- 6144 After discussion and having heard Councillor O'Sullivan, it was agreed to continue consideration of this item to the next meeting of the Committee with a view to agreeing the Director's recommendation if the parties fail to progress matters, given the considerable time period that had elapsed in respect of this matter.
- 6145 Councillor Black, having failed to obtain a seconder for a proposed motion, asked that his dissent be recorded.

OWNERSHIP ISSUES CONCERNING THE RIVER LEVEN

6146 With reference to the Minutes of Meeting of the Community Safety & Environmental Services Committee held on 6 April 2005 (Page 1587, paragraph 5703 refers), a report was submitted by the Director of Corporate Services providing the Committee with information regarding developments in respect of the River Leven.

6147 The Committee agreed:-

- (1) to note the developments in relation to the River Leven as outlined in the report;
- (2) to refuse to accede to the request from Mr Sweeney's Solicitor, as detailed in paragraph 3.1(b)(ii) of the report, until the title position had been fully considered; and
- (3) that further progress reports would be submitted to future meetings of the Committee as necessary.

JOINT TRANSPORT STRATEGY FOR WESTERN SCOTLAND UPDATE

6148 A report was submitted by the Director of Housing and Technical Services seeking approval for the final version of the WESTRANS Joint Transport Strategy for Western Scotland.

6149 In this connection, it was noted that the Strategy document represented a regional level assessment of transport needs and aspirations, taking into consideration existing problems as well as planned developments.

6150 The Committee agreed:-

- (1) to approve the WESTRANS Joint Transport Strategy on behalf of West Dunbartonshire Council; and
- (2) to note that the Strategy document would be considered at the next meeting of the WESTRANS Joint Committee, prior to final approval being given for the document to be published by June/July 2005.

PROPOSALS FOR STATUTORY REGIONAL TRANSPORT PARTNERSHIPS (RTPs) – UPDATE

6151 A report was submitted by the Director of Housing and Technical Services providing an update on the ongoing consultation on the document: "Scotland's Transport Future – Proposals for Statutory Regional Transport Partnerships" prepared by the Scottish Executive, and the details of the proposed RTPs given in the Transport Bill.

6152 The Committee agreed:-

- (1) to note the ongoing developments towards the formation of Regional Transport Partnerships; and
- (2) to note that Strathclyde Passenger Transport and WESTRANS are now required to develop plans for April 2006.

LEISURE ACTIVITIES FOR CHILDREN WITH OR AFFECTED BY DISABILITIES

6153 A report was submitted by the Director of Housing and Technical Services providing an update on the success of the first leisure activities programme for children with or affected by disabilities which took place in Council leisure facilities during Easter 2005.

6154 Following discussion it was agreed:-

- (1) to note the success of the Shining Stars initiative and the joint working of Housing & Technical Services and Education & Cultural Services to develop and implement the scheme and future programme of activities during Summer 2005; and
- (2) to convey the Committee's thanks and appreciation to all those involved in this highly successful initiative.

ASBESTOS MANAGEMENT UPDATE

6155 A report was submitted by the Director of Housing and Technical Services advising of progress achieved and further actions required to ensure compliance with the Control of Asbestos at Work Regulations 2002, and implementation of both the Council's Asbestos Policy and the recommendations of the CoSLA Working Group on Asbestos.

6156 The Committee agreed:-

- (1) to note the progress made to achieve compliance with the Control of Asbestos at Work Regulations 2002;
- (2) to note the actions taken to implement the Council's Asbestos Policy and the recommendations of the CoSLA Working Group on Asbestos; and
- (3) to note the intention to engage in continued joint working with other local authorities on this matter.

RIVER LEVEN STUDY

- 6157 A joint report was submitted by the Director of Development and Environmental Services and the Director of Housing and Technical Services advising of the content of a Consultant's study concerning flood prevention, navigation and economic development on the River Leven and seeking Member's instructions.
- 6158 Following discussion, the Committee agreed:-
- (1) to note the contents of the report;
 - (2) that Councillors Calvert, McCallum, McColl, McDonald and O'Sullivan be nominated to attend a proposed meeting/seminar with partner organisations in respect of this matter; and
 - (3) that the Director of Development and Environmental Services and the Director of Housing and Technical Services be requested to submit a further report for consideration at a future meeting of the Committee.

DEVELOPMENT & ENVIRONMENTAL SERVICES – ANNUAL PERFORMANCE REVIEW

- 6159 A report was submitted by the Director of Development and Environmental Services informing on the performance of the Development & Environmental Services Department for the period April 2004 to March 2005.
- 6160 The Committee agreed to note the contents of the report.

EUROPEAN STATE AID LEGISLATION AFTER 2006

- 6161 A report was submitted by the Director of Development and Environmental Services providing an update on the latest UK government position with regard to the new state aid rules.
- 6162 The Committee agreed:-
- (1) to note the position outlined in the report regarding state aids; and
 - (2) that the Council should continue to participate in the West of Scotland European Consortium and Alliance for Regional Aid and, where relevant, participate in lobbying activity.

STRATHLEVEN REGENERATION COMPANY

- 6163 A report was submitted by the Director of Development and Environmental Services setting out details of Strathleven Regeneration Company's agreed business plan and requesting that the Council allocate seed-funding to facilitate the activities of this company. It was noted that a revised report had been sent to Members in connection with this matter.
- 6164 After hearing Councillor O'Sullivan, it was agreed to refer the matter to the next meeting of Council for further consideration.

ENVIRONMENTAL PROJECTS CAPITAL BUDGET

- 6165 A report was submitted by the Director of Development and Environmental Services advising on the proposed programme of access and environmental projects in 2005/2006 and seeking authority for the appointment of funds to undertake the projects listed.
- 6166 Having heard the Head of Development & Environmental Services in further explanation the Committee agreed to support the proposed programme of capital projects as undernoted:-
- (1) £40,000 for Access & Environmental Improvements;
 - (2) £20,000 for the Enviro Squad;
 - (3) £30,000 for Greenspace and Environmental Education; and
 - (4) £10,000 for Woodland Management.

ALEXANDRIA TOWN CENTRE PROJECTS 2005-2006

- 6167 A report was submitted by the Director of Development and Environmental Services advising on the proposed programme of town centre projects in Alexandria in 2005/2006 and seeking authority for the apportionment of funds to undertake those projects.
- 6168 The Committee agreed to authorise the expenditure of £125,000 on the Shopfront Improvement Project Phase Two from the General Services Capital Allocation to Alexandria Town Centre.

**FORMALISATION OF THE POLICIES OF THE ESTATES SECTION IN
RELATION TO THE LEASING OF INDUSTRIAL PREMISES TO
BUSINESSES IN THE MOTOR TRADE**

- 6169 A report was submitted by the Director of Development and Environmental Services seeking endorsement with regard to existing estate management policies concerning the leasing of industrial premises to businesses involved in the motor trade.
- 6170 Following discussion, the Committee agreed that a further report would be submitted to a future meeting of the Committee, setting out for Members' consideration a formal policy in respect of the leasing of industrial premises within identified industrial estates.

**POLICY ON LETTING OF SHOPS TO PROVIDERS OF
FINANCIAL SERVICES**

- 6171 With reference to the Minutes of Meeting of the Community Safety & Environmental Services Committee held on 1 December 2004 (Page 1293, paragraph 4417 refers), a report was submitted by the Director of Development and Environmental Services reviewing the Council's policy on letting shop premises to certain providers of financial services.
- 6172 After discussion, the Committee agreed:-
- (1) that officers be requested to review the policy, within the appropriate legal constraints, with a view to ensuring that the number of such premises were kept to an absolute minimum; and
 - (2) that a further report would be submitted to a future meeting of the Committee for consideration.

FUTURE OF GLENCAIRN HOUSE, 95 HIGH STREET, DUMBARTON

- 6173 A report was submitted by the Director of Development and Environmental Services seeking authority to lease and/or sell Glencairn House on the open market.
- 6174 Having heard Councillor O'Sullivan, the Committee agreed:-
- (1) that the Chief Executive be requested to consult with Councillor Agnew, Spokesperson for Cultural Services and Historic Scotland prior to a further report being submitted to a future meeting of the Committee for consideration; and
 - (2) that consideration would be given to public consultation on this matter at the appropriate time.

**PROPOSED INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT
ON THE ROOF OF THE COUNCIL OFFICES, GARSHAKE ROAD,
DUMBARTON**

- 6175 A report was submitted by the Director of Development and Environmental Services seeking approval for the proposed installation of telecommunications equipment on the roof of the Council Offices at Garshake Road, Dumbarton by Hutchison 3G UK Ltd.
- 6176 In this connection, reference was made to a staff petition against the proposal and the local Member, Councillor McNair, advised that a considerable number of constituents had been in contact with her raising concerns in respect of this matter.
- 6177 Following discussion, the Committee agreed that no action be taken on this proposal and that each application in respect of telecommunications equipment, proposed to be installed on Council premises (with the exception of school premises), would continue to be dealt with by the Committee and not under delegated powers.

TRADING STANDARDS – SERVICE DELIVERY PLAN

- 6178 A report was submitted by the Director of Development and Environmental Services seeking approval for a Service Delivery Plan for the Trading Standards Section for 2005/2006.
- 6179 Having heard the Section Head (Trading Standards) in further explanation, the Committee agreed to approve the Service Delivery Plan for Trading Standards for 2005/2006.

EAT SAFE AWARD SCHEME

- 6180 A report was submitted by the Director of Development and Environmental Services advising of a new food safety award scheme which the Environmental Health Section was promoting amongst food businesses.
- 6181 Following discussion, the Committee agreed:-
- (1) to welcome the award scheme as an incentive to raise standards and endorse its administration by the Environmental Health Section; and
 - (2) that officers from the Environmental Health Section would arrange to promote the scheme through the West Dunbartonshire Licensing Forum.

AIR QUALITY

6182 A report was submitted by the Director of Development and Environmental Services requesting approval of the Local Air Quality Strategy and advising that the Local Air Quality Management Progress Report 2005 had been completed and submitted to the Scottish Executive.

6183 The Committee agreed:-

- (1) to approve the Local Air Quality Strategy; and
- (2) to note that the Local Air Quality Management Progress Report 2005 had been completed and submitted to the Scottish Executive.

NHS ARGYLL & CLYDE: OUTBREAK CONTROL PLAN

6184 A report was submitted by the Director of Development and Environmental Services requesting endorsement of the Outbreak Control Plan covering Argyll and Bute, East Renfrewshire (Part), Inverclyde, Renfrewshire and West Dunbartonshire (Part) Council areas.

6185 The Committee agreed to formally endorse the NHS Argyll & Clyde Outbreak Control Plan, April 2005.

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

6186 A report was submitted by the Director of Development and Environmental Services providing an update on progress with the implementation of the Houses in Multiple Occupation (HMO) strategy and seeking agreement of an inspection scheme to ensure standards are being met and conditions of licence complied with.

6187 The Committee agreed:-

- (1) to note the implementation of the HMO strategy; and
- (2) to approve the continuation of direct inspection for the verification of compliance.

THE HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2005/2006

6188 A report was submitted by the Director of Development and Environmental Services seeking approval of the Health and Safety Enforcement Service Plan 2005/2006.

6189 The Committee agreed to approve the Health and Safety Enforcement Service Plan 2005/06.

**STRATEGIC WASTE IMPLEMENTATION PLAN –
PILOT RECYCLING SCHEME**

- 6190 A report was submitted by the Director of Development and Environmental Services advising of a planned recycling pilot scheme for residents of tenemental/multi-occupancy housing.
- 6191 After discussion and having heard the Section Head, Waste Services in further explanation, it was agreed:-
- (1) to note the success of the funding bid to allow development of the pilot scheme as outlined in the report; and
 - (2) to endorse the Council's continuing partnership with Greenlight Recycling in respect of the scheme.

**COMMITTEE ON RADIOACTIVE WASTE MANAGEMENT – SECOND
CONSULTATION ON RADIOACTIVE WASTE MANAGEMENT**

- 6192 A report was submitted by the Director of Development and Environmental Services seeking agreement on a response to the Committee on Radioactive Waste Management (CoRWM) second consultation entitled "How should the UK manage radioactive waste?".
- 6193 It was agreed:-
- (1) to note the contents of the report; and
 - (2) to approve the Council's formal response to the consultation document on the basis outlined in the Appendix to the report.

URGENT ITEM OF BUSINESS

- 6194 The Convener, in terms of Section 50B (4) (b) of the Local Government (Scotland) Act 1973 as inserted by the Local Government (Access to Information) Act 1985, decided that the following item be considered as a matter of urgency on the grounds that the action to be taken required early consideration.

BOBATH SCOTLAND – IDENTIFICATION OF A SITE FOR NEW CENTRE

- 6195 A report was submitted by the Director of Development and Environmental Services advising of a request from Bobath Scotland for assistance in identifying a site for a new facility and seeking authority to progress a proposal from Bobath regarding establishing new facilities at Auchentoshan, Clydebank.

6196 Following discussion, the Committee agreed:-

- (1) that Bobath Scotland be given assistance in their search for a new site within West Dunbartonshire for their proposed development;
- (2) that the proposal for a development at Auchentoshan be agreed in principle, subject to satisfactory responses being received from the Directors of Education & Cultural Services, Social Work Services and Housing & Technical Services; and
- (3) that the Director of Development and Environmental Services, in consultation with the Head of Legal and Administrative Services, be authorised to progress and conclude matters.

The meeting closed at 11.45 a.m.