

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, 2 February 2005 at 11.00 a.m.

Present: Provost Alistair Macdonald and Councillors Jim Bolla, Geoff Calvert, Linda McColl and Duncan McDonald.

Attending: David McMillan, Director of Housing & Technical Services; Dan Henderson, Director of Development & Environmental Services; Stephen Brown, Head of Legal & Administrative Services; Anne Ritchie, Head of Social Work Operations; Irving Hodgson, Head of Planning and Development; Ronald Dinnie, Head of Roads, Transport & Environmental Services; John McKerracher, Head of Technical Services; Jim Pow, Finance Manager, Housing & Technical Services; Don Findlay, Manager of Building Services; and Craig Stewart, Administrative Assistant.

Apologies: Apologies for absence were intimated on behalf of Councillors Gail Casey and Connie O'Sullivan.

Councillor Duncan McDonald in the Chair

MINUTES OF PREVIOUS MEETING

4863 The Minutes of Meeting of the Committee held on 1 December 2004 were submitted and approved as a correct record.

OWNERSHIP ISSUES CONCERNING THE RIVER LEVEN

4864 A report was submitted by the Director of Corporate Services seeking approval to take appropriate action with regard to ownership issues which have arisen in respect of the River Leven.

4865 It was noted, amongst other things, that:-

- (a) the Council, by virtue of Royal Charter, had title to the River Leven. However, the Keeper of the Registers of Scotland had (in error seemingly) in recent years registered title to portions of the river bed to several proprietors bordering the river; and
- (b) one such registration, that of Mr. Sweeney at Balloch Bridge, had aroused significant public concern. In this regard, Mr. Sweeney had established permanent rafts and was charging a substantial amount for moorings. West Dunbartonshire Council, and its predecessor Authorities, had not hitherto charged for moorings on the River Leven.

4866 After discussion and having heard the Convener, Councillor McDonald, and the Head of Legal & Administrative Services in clarification of certain matters, the Committee agreed:-

- (1) that an application be made to the Keeper of the Registers of Scotland to rectify those titles encroaching on the River Leven;
- (2) to appeal the decision of the Keeper in respect of individual Applications where there appears to be a reasonable likelihood of success (Counsel's Opinion may be required in this connection);
- (3) to take any other appropriate action to defend the Council's legitimate interests in respect of the River Leven including, if necessary, the use of Compulsory Purchase Orders;
- (4) that further reports would be submitted to future meetings of the Committee, providing information on developments as they arose; and
- (5) that, in the meantime, Mr. Sweeney be requested to desist from charging for moorings on the River Leven until such time as this matter was resolved.

HOUSING AND TECHNICAL SERVICES DEPARTMENT – FINANCIAL REPORT PERIOD 8 2004/2005

4867 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 December 2004 (Period 8).

4868 Having heard the Finance Manager, the Committee noted the financial performance of the Housing and Technical Services Department.

LEISURE PROVISION FOR INDIVIDUALS WITH DISABILITIES

4869 A report was submitted by the Director of Housing and Technical Services advising of the progress made to date in ensuring Council run leisure facilities are accessible to individuals with disabilities and outlining the development of an activity programme for children with disabilities.

4870 Having heard the Head of Technical Services in answer to Members' questions, the Committee agreed:-

- (1) to note the contents of the report; and
- (2) to commend staff from the Housing and Technical Services Department for the excellent work undertaken on this initiative.

EMERGENCY CLOSURE OF DILLICHIP FOOTBRIDGE (BLACK BRIDGE), BONHILL

4871 A report was submitted by the Director of Housing and Technical Services informing of the requirement to undertake an immediate emergency closure of Dillichip Footbridge following adverse weather on the evening of 11 January 2005 and seeking approval to undertake an option appraisal on the replacement of the structure.

4872 The Committee agreed:-

- (1) to note the contents of the report; and
- (2) to approve the process of option appraisal in terms of consideration of the replacement of this footbridge.

CYCLING, WALKING AND SAFER STREETS PROJECT 2005/2006

4873 A report was submitted by the Director of Housing and Technical Services seeking approval to undertake a list of schemes which will be funded from the Scottish Executive public transport budget.

4874 After discussion and having heard the Head of Land Services in answer to Members' questions, the Committee agreed that approval be granted to undertake the projects detailed in the Appendix to the report, a copy of which is appended hereto.

VEHICLE REPLACEMENT PROGRAMME 2005/2006

- 4875 A report was submitted by the Director of Housing and Technical Services:-
- (a) seeking approval to purchase light vehicles up to 4.5 tonnes gross vehicle weight (GVW) through the ABC framework agreement; and
 - (b) seeking authority to commence tendering procedures for heavy goods vehicles over 4.6 tonnes (GVW).
- 4876 After discussion, the Committee agreed to grant delegated authority to the Director of Housing and Technical Services, in consultation with the Director of Corporate Services, to purchase vehicles through the ABC framework agreement and/or tender and award contracts for the supply of vehicles.

CENTRAL ENERGY EFFICIENCY FUND

- 4877 A report was submitted by the Director of Housing and Technical Services advising of the formal offer of grant support received from the Scottish Executive to assist the Council in the setting up of a Central Energy Efficiency Fund.
- 4878 Having heard the Manager of Building Services, the Committee agreed to note the contents of the report.

DEVELOPMENT AND ENVIRONMENTAL SERVICES DEPARTMENT – BUDGETARY CONTROL

- 4879 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 were performing against projections for the period up until 15 December 2004.
- 4880 The Committee agreed to note the contents of the report.

DEVELOPMENT AND ENVIRONMENTAL SERVICES – MANAGEMENT REVIEW

- 4881 A report was submitted by the Director of Development and Environmental Services making recommendations on a revised management structure for the Department of Development and Environmental Services.

4882 The Committee agreed:-

- (1) that the revised structure be approved; and
- (2) to note that the Director of Development and Environmental Services would implement the proposals in consultation with the appropriate Trade Unions.

CLYDEBANK PLAN 2003-2010 (UPDATED NOVEMBER 2004)

4883 A report was submitted by the Director of Development and Environmental Services on the content of the Clydebank Plan 2003-2010 (updated November 2004) prepared by Clydebank Rebuilt Ltd.

4884 The Committee agreed to note the publication of the Clydebank Plan 2003-2010 (updated November 2004).

PROPOSED DEVELOPMENTS AT CLYDEBANK

4885 A report was submitted by the Director of Development and Environmental Services on progress concerning supermarket and associated developments at Clydebank.

4886 After discussion, the Committee agreed:-

- (1) that the supermarket site at Clydebank Shopping Centre be offered for disposal on the open market;
- (2) that an option appraisal into the financial viability and funding requirements of the museum/heritage facility be carried out, covering both capital and revenue costs;
- (3) that, subject to the financial viability of the new museum/heritage facility being proven, new Council leisure and museum/heritage facilities would be constructed at Queens Quay with the funding being obtained from (a) the Council's share of the disposal of the site identified for a new supermarket; (b) the heritage contribution; and (c) any other funding as may be identified;
- (4) that, again, subject to the test of viability for the museum/heritage facility being proven, the leisure facility and heritage/museum facility be designed and constructed as part of the one project and as one complex/building but with clearly defined separate spaces;

- (5) that the Director of Housing and Technical Services and the Director of Education and Cultural Services be authorised to progress indicative drawings and specifications, in order to permit tendering of the contract;
- (6) that, in the first instance, developers be invited to bid for the supermarket site on the basis of firstly constructing the new development at Queens Quays; and
- (7) that Clydebank Rebuilt, and other partners, would play an integral part in assisting the Council in progressing these developments and, specifically, that Clydebank Rebuilt be requested to ensure the Council's development proposals are reflected in the Clydebank Plan 2003-2010.

PROPOSALS FOR AN AREA TOURISM PARTNERSHIP

4887 A report was submitted by the Director of Development and Environmental Services on proposals by Visit Scotland to establish an Area Tourism Partnership and recommending that the Committee nominate one Member to serve on this group.

4888 The Committee agreed:-

- (1) to note the proposed establishment of an Area Tourism Partnership; and
- (2) that Provost Macdonald be nominated as the Council's representative to serve on this body.

TRADING ACCOUNT – ESTATES MANAGEMENT

4889 A report was submitted by the Director of Development and Environmental Services providing monitoring information and reporting on the performance of the Estates Management trading activity.

4890 The Committee agreed to note the contents of the report.

LEGAL OFFER TO PURCHASE LAND AT BURNS STREET, RENTON

4891 A report was submitted by the Director of Development and Environmental Services advising that Cordale Housing Association Ltd. had submitted an offer to purchase land from the Council at Burns Street, Renton and recommending an appropriate course of action.

4892 After discussion and having heard the Convener, Councillor McDonald, the Committee, contrary to the recommendation of the Director, agreed:-

- (1) to accept the offer from Cordale Housing Association Ltd. for the purchase of a part of Council-owned land at Burns Street, Renton; and
- (2) that authority be delegated to the Director of Development and Environmental Services to enter into further negotiations with Cordale Housing Association Ltd. and, thereafter, that the matter be referred to the Head of Legal & Administrative Services for conclusion.

LANDFILL ALLOWANCE SCHEME REGULATIONS

4893 A report was submitted by the Director of Development and Environmental Services:-

- (a) providing information on the Landfill Allowance Scheme Regulations which are designed to reduce the amount of biodegradable waste which is landfilled and ensure that Scotland meets its share of the obligations as set out in the Landfill Directive; and
- (b) making recommendations on changes to the Council's waste management policies and practices to ensure that the Council's diversion of waste from landfill is maximised.

4894 It was noted that the additional legislative burdens placed on the Council by the EU Landfill Directive, the Landfill Allowance Scheme, the National Waste Strategy and the Scottish Executive's target of 25% recycling by 2006, and 30% recycling by 2008, meant that the Council's existing household waste collection and disposal policies would require to be amended.

4895 The Committee agreed:-

- (1) that in order to recycle more of the waste produced in West Dunbartonshire, year on year, the Director of Development and Environmental Services be authorised to apply for further funding to the Strategic Waste Fund, to provide sustainable waste recycling services to 2020;
- (2) that in order to divert waste from landfill and prior to the cessation of the Council's current waste disposal contract, the Director of Development and Environmental Services be authorised to progress procurement procedures for a waste disposal contract which meets with the requirements of the Landfill Allowance scheme and the Landfill Directive obligations; and
- (3) that the Council would continue to work in partnership with the Glasgow and Clyde Valley Waste Strategy Group, in order to research new waste treatment technologies.

STRATEGIC WASTE IMPLEMENTATION PLAN – KERBSIDE RECYCLING SCHEME

4896 A report was submitted by the Director of Development and Environmental Services providing an update on the Council's blue bin kerbside recycling scheme.

4897 After discussion, the Committee agreed to note the success of the initial phase of the Strategic Waste Implementation Plan and, in particular, the "Waste Aware" programme which played a significant role in raising awareness of the blue bin scheme by reducing opt-out rates to a minimum, producing lower than anticipated apathy rates, reducing contamination rates to below average and generating positive participation rates.

CHARGING POLICY – DOMESTIC WHEELED BINS

4898 A report was submitted by the Director of Development and Environmental Services recommending an amendment to the Council policy on charging for the supply of domestic wheeled bins.

4899 The Committee agreed:-

- (1) to endorse the continued re-charging for the replacement of existing landfill waste bins; and
- (2) that good quality second hand bins would, in the first instance, be offered to householders at no charge, where these were available.

COMMITTEE ON RADIOACTIVE WASTE MANAGEMENT – CONSULTATION ON LONG-TERM RADIOACTIVE WASTE MANAGEMENT

4900 A report was submitted by the Director of Development and Environmental Services recommending a proposed consultation response to the Committee on Radioactive Waste Management (CoRWM) regarding the safe long-term management of the United Kingdom's radioactive waste.

4901 The Committee agreed:-

- (1) to note the contents of the report; and
- (2) to approve the response to the Consultation document on the basis outlined in the report.

CONTAMINATED LAND

4902 A report was submitted by the Director of Development and Environmental Services informing on the allocation of additional resources by the Scottish Executive for the cleaning up of contaminated land.

4903 Having heard the Convener, Councillor McDonald, the Committee agreed:-

- (1) to welcome the additional funding allocated to West Dunbartonshire as a result of successful bids made by the Environmental Health Section; and
- (2) that the proposal to progress matters be endorsed.

ANTISOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004 PART 5 NOISE

4904 A report was submitted by the Director of Development and Environmental Services seeking the formal adoption of Part 5 (Sections 41-54) of the Antisocial Behaviour etc. (Scotland) Act 2004 (ASBA).

4905 After discussion and having heard the Director of Development and Environmental Services in answer to Members' questions, the Committee agreed:-

- (1) that the Council formally adopts Part 5 (Sections 41-54) of the Antisocial Behaviour etc. (Scotland) Act 2004; and
- (2) to note that a noise nuisance service would be provided by the Environmental Health Section.

SALE OF SPRAY PAINTS TO YOUNG PEOPLE

4906 A report was submitted by the Director of Development and Environmental Services seeking approval to enforce a new law prohibiting the sale of spray paints to persons under 16 years of age.

4907 The Committee agreed :-

- (1) to note and welcome this new duty as contained in the Antisocial Behaviour etc. (Scotland) Act 2004; and
- (2) to approve enforcement of the new law by the Trading Standards Section.

LICENSING OF SUPPLIERS OF FIREWORKS

- 4908 A report was submitted by the Director of Development and Environmental Services seeking approval for procedures to issue, refuse or revoke licences to supply fireworks in terms of the Fireworks Regulations 2004 (as amended).
- 4909 Having heard the Director of Development and Environmental Services in answer to Members' questions, it was agreed:-
- (1) that the Community Safety & Environmental Services Committee should decide whether or not to issue a licence where the applicant has been convicted of specific criminal offences with respect to the storage, possession, use or supply of fireworks. In this connection, the Committee would be able to exercise discretion, for example depending on the seriousness of the offences, the number of offences and how long ago the offences were committed;
 - (2) that the same principles should apply to the revocation of a licence if a licence holder was convicted of fireworks offences, it having been noted that the Director of Development and Environmental Services would report any such instances to the Committee in order that a decision could be made on whether or not to revoke the licence concerned; and
 - (3) that authority be delegated to the Director of Development and Environmental Services to issue such licences where an applicant has no criminal convictions with respect to fireworks offences.

URGENT ITEM OF BUSINESS

- 4910 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.

MANAGING UNAUTHORISED CAMPING BY GYPSIES/TRAVELLERS: PROVISION OF SHORT STAY SITE

- 4911 A report was submitted by the Chief Executive informing of the Scottish Executive Guidance on Managing Unauthorised Camping and seeking approval for work to be undertaken to investigate the possibility of providing a short stay site for Gypsy Travellers.
- 4912 After discussion and having heard the Head of Social Work Operations, the Committee agreed:-

- (1) that, as part of the preparation of a Strategy for the Management of Unauthorised Encampments, work should be undertaken to identify a suitable location for the provision of an authorised stopping place for Gypsies/Travellers;
- (2) to note that further work would be undertaken to explore the possible use of the site identified in the report which was located off an unadopted track from the A812 Renton Road, Dumbarton; and
- (3) that a further report on the outcome of that work would be submitted to a future meeting of the Committee for consideration.

The meeting closed at 11.57 a.m.