

## **EAST AYRSHIRE COUNCIL**

### **COMMUNITY SERVICES COMMITTEE**

**Minutes of meeting held on Tuesday 26 September 1995 at 1400 hrs  
in the Council Offices, Civic Centre, Kilmarnock**

- PRESENT:** Councillors R Beattie (Chair), A Campbell, J Carmichael, G Cree, J Darnbrough, T Farrell, D Macrae, G McCredie, A McIntyre, K Nicoll, G Smith, J Smith and R Taylor.
- ATTENDING:** D Montgomery, Chief Executive; F Lees, Depute Chief Executive; W Stafford, Director of Community Services; B Haughan, Director of Support Services; K McVey, Head of Legal Services and A Fairbairn, Chief Executive's Department;
- APOLOGIES:** Councillor D Sneller.

#### **1. MINUTE OF MEETING OF 8 AUGUST 1995**

The minutes of the previous meeting were submitted and noted.

#### **2. LICENSING BOARD**

With reference to the meeting of 8 August 1995 there was submitted a report (issued) by the Director of Support Services and Head of Legal Services outlining the operational and membership issues affecting the establishment of a Licensing Board, including single membership of the Board, disqualifications from membership, arrangements for Board meetings, considerations affecting the number of divisions and the appointment of a Clerk to the Board.

Having heard the Director of Support Services in explanation and in answer to members' questions, the Committee recommended:

- (i) that East Ayrshire Council form a single Licensing Board;
- (ii) that 12 members be appointed to serve on the Board; and
- (iii) that the Head of Legal Services be appointed as Clerk to the Board.

#### **3. CIVIC GOVERNMENT AND MISCELLANEOUS LICENSING**

There was submitted an interim report (issued) by the Director of Community Services identifying proposals for harmonising the Civic Government Licensing function operated by Cumnock and Doon Valley and Kilmarnock and Loudoun District Councils and the miscellaneous licensing function operated by both District Councils and the Regional Council.

Having heard the Director in explanation and in answer to members' questions, it was agreed:

- (i) that the Director of Community Services consult with the representatives of the taxi trade to discuss the issues identified in respect of harmonisation of taxi licensing and report to a future meeting of the Committee on the outcome, implications of the harmonisation process (including possible requirement to

- vary existing licences) and a timetable for phasing in harmonisation processes;
- (ii) that the Director of Community Services report to a future meeting of this Committee with details of suggested standard Civic Government licensing conditions, a draft scheme of administration/delegation including development of computer licensing system (in consultation with the Head of Information Technology), suggested enforcement processes and suggested timetable for phasing in amendments, taking into consideration the need for any further zoning of activities and the consequent need to vary existing licences;
  - (iii) with regard to the miscellaneous licensing function, the Director of Community Services submit a report to a future meeting of the Committee providing details of suggested standard conditions, a draft scheme of administration/delegation, including development of computer licensing system (in consultation with the Head of Information Technology), suggested enforcement processes and suggested timetable; and
  - (iv) otherwise, to note the content of the report.

#### **4. ENVIRONMENTAL PROTECTION - ANTI-LITTER CAMPAIGN**

There was submitted a report (issued) by the Director of Community Services inviting the Committee to consider a strategy for improving anti-litter awareness amongst school pupils.

The report highlighted that whilst the Environmental Protection Act 1990 had strengthened the powers available to local authorities to deal with litter, enforcement was still difficult, and enforcement through education may be a more appropriate alternative in some cases.

The report also made reference to the establishment of a series of suitable talks to be given to school children in the Council's area, when each pupil would be invited to sign a pledge. A suggested layout being contained as an Appendix to the report.

Having heard the Director of Community Services it was agreed that:

- (i) the Committee note the terms of the report;
- (ii) authorise further investigation into the provision of anti-litter talks to primary school pupils;
- (iii) to refer the matter to the Education Committee to consider, and if acceptable, to initiate discussions with appropriate personnel the best way to progress the issue; and
- (iv) the Director of Community Services write to Strathclyde Police and obtain information regarding enforcement of existing legislation.

#### **5. DEPARTMENT OF THE ENVIRONMENT : CONSULTATION PAPER : PRODUCER RESPONSIBILITIES FOR PACKAGING WASTE**

There was submitted a report (issued) by the Director of Community Services to advise members of an invitation to comment on the Department of the Environment Consultation Paper on the Producer Responsibility for Packaging Waste and consider an appropriate response to be submitted by 19 September 1995.

The report then detailed discussion which had taken place regarding this matter and having heard the Director of Community Services in answer to members' questions, when the need to recycle our own waste was emphasised, it was agreed that:

- (i) the Committee be invited to note the contents of the report;
- (ii) make appropriate representations to the Department of the Environment, notwithstanding the closing date for responses; and
- (iii) a Member/Officer Group would look at the feasibility of recycling waste and report back to a future meeting.

## **6. FOOD SAFETY (GENERAL FOOD HYGIENE) REGULATIONS 1995**

There was submitted a report (issued) by the Director of Community Services to advise members on the Food Safety (General Food Hygiene) Regulations 1995 which came into operation on 15 September 1995 and the implications of the legislation which implement the provisions of the European Community Food Hygiene Directive (93/43/EEC) and replace the Food Hygiene (Scotland) Regulations 1959 as amended.

Following discussion and having heard the Director of Community Services, it was agreed:

- (i) to note the terms of the report;
- (ii) to remit to the Director of Community Services and the Director of Education to consider the reinforcement of formal elementary food hygiene training in secondary schools; and
- (iii) that the introduction of such training take cognisance of existing good practice.

## **7. TRAINING FOR ELECTED MEMBERS**

There was submitted a report (issued) by the Director of Community Services recommending that the provision of training for elected members on the range of work carried out by the Department should initially cover the following issues:

- (i) Future delivery of services;
- (ii) Staffing;
- (iii) Accommodation;
- (iv) Joint working arrangements;
- (v) Galleon Centre;
- (vi) Sports Council;
- (vii) Partnership with outside agencies; and
- (viii) Standby arrangements

Having heard the Director of Community Services in explanation and in answer to members' questions, it was agreed:

- (i) that training be arranged as proposed;
- (ii) that the training sessions to be open to all members of the Council who may wish to attend; and

- (iii) that it be remitted to the Director of Community Services in consultation with the Chair, to make the necessary arrangements.

## **8. SCOTTISH ENVIRONMENT PROTECTION AGENCY**

There was submitted for the information of members a Newsletter (issued) which had been recently published by the Scottish Office Environment Department on the latest developments relating to the establishment of the Scottish Environment Protection Agency and the duties of that agency.

Following discussion when members' made reference to the:

- (i) recent floodings in Kilmarnock and other parts of East Ayrshire; and
- (ii) the need to obtain from the Regional Council information on any action taken to prevent further flooding.

It was agreed that the Director of Community Services would request the information sought in (b) above.

## **9. ADVISORY COMMITTEE ON WASTE DISPOSAL IN STRATHCLYDE**

There was submitted a report (issued) by the Director of Community Services to determine if the Council would wish to participate in the successor body to the Advisory Committee on Waste Disposal in Strathclyde and highlighting the proposed aims and objectives and draft constitution.

Having heard the Director in explanation and in answer to members' questions, the Committee agreed:

- (i) that the Council participate in the successor body to the Advisory Committee;
- (ii) to recommend that the body be named the West of Scotland Advisory Committee;
- (iii) that the Council appoint a member to serve on the Advisory Committee; and
- (iv) otherwise, to note the terms of the report.

## **10. RADIATION MONITORING**

There was submitted a report (issued) by the Director of Community Services together with a report by the Regional Chemist and Public Analyst, Strathclyde Regional Council, on the West of Scotland Environmental Radiation Monitoring Scheme providing interim information on future arrangements for radiation monitoring.

The report highlighted that twenty-four existing local authorities in the West of Scotland currently undertake to co-ordinate sampling of environmental materials for the determination of radioactivity levels.

Having heard the Director of Community Services outline future arrangements it was agreed:

- (i) to note the terms of the report; and
- (ii) to request the Director of Community Services to submit a further report on radiation monitoring to a future meeting, following discussions on the future provision of scientific services.

### **11. ENVIRONMENTAL PROTECTION ACT 1990 : REVISION OF THE CODE OF PRACTICE ON THE DUTY OF CARE - CONSULTATION PAPER**

There was submitted a report (issued) by the Director of Community Services to advise members of an invitation to comment on a consultation document - Environmental Protection Act 1990 Part 2 - Waste Management Revision of the Duty of Care Code of Practice.

Having heard the Director of Community Services in explanation and following members' questions' it was agreed:

- (i) to note the contents of the report; and
- (ii) to formulate a suitable response to the Scottish Office by the due date.

### **12. ENVIRONMENT ACT 1995 : WASTE MANAGEMENT LICENSING**

There was submitted a report (issued) by the Director of Community Services to advise members of changes in the Council legislation which governs the waste recycling and disposal facilities. The Environmental Act 1995 now requires all facilities previously controlled by a Council resolution to be licensed.

Having heard the Director in explanation and following members' questions it was agreed:

- (i) to authorise the progression of suitable applications for waste management licences for the civic amenity sites at Dalricket Mill Landfill, Milton Farm Landfill and Western Road Transfer Station;
- (ii) that the Director of Community Services further investigate the implications of licensing in nine unmanned civic amenity sites as detailed in the report; and
- (iii) otherwise, to note the contents of the report.

### **13. LANDFILL TAX**

There was submitted a report (issued) by the Director of Community Services to advise the Committee of responses to the Government's proposals for introducing a landfill levy.

The report made reference to the consultation paper which had been circulated earlier this year, when proposals for a landfill tax had been put forward by H M Customs and Excise.

The report having taken cognisance of discussion which had ensued regarding this issue and having heard the Director of Community Services, it was agreed:

- (i) that the implications for the provision of waste disposal facilities, not only within the department, but also within those other departments of the Council which produce substantial quantities of waste be noted; and
- (ii) otherwise, to note the contents of the report.

### **14. STRATHCLYDE FIRE BRIGADE : ESTABLISHMENT OF FORMAL LINKS**

There was submitted a report (issued) by the Director of Community Services to advise members on the links which have been established with Strathclyde Fire Brigade and to consider an invitation by the Commander, West Command, to visit Kilmarnock Fire Station.

The report advised that the Fire Brigade were keen to work closely with the Council for the benefit of protection of residents of the area and that a reporting system had been suggested in which the Assistant Fire Master would submit brief reports to the Council on the following types of incident:

- (i) fires involving fatalities;
- (ii) chemical incidents;
- (iii) major special services, eg traffic accidents
- (iv) fires involving four tenders or more; and
- (v) unusual incidents.

Following discussion, the Committee agreed to:

- (i) introduce a formal reporting system along the lines suggested in the report and remit to the Chair and the Director of Community Services to meet with the Firemaster to discuss the best method of reporting; and
- (ii) accept the invitation by the Assistant Firemaster to attend an open day at Kilmarnock Fire Station and remit to the Chairman and Director of Community Services to make the necessary arrangements.

## **15. WASTE DISPOSAL**

There was submitted a report (issued) by the Director of Community Services following consultation with appropriate officers, to advise members on the outcome of the tendering process for the provision of refuse disposal services and to consider future arrangements for waste disposal in East Ayrshire.

The report made reference to:

- (i) present position with regard to waste disposal in Cumnock and Doon Valley and Kilmarnock and Loudoun Districts;
- (ii) the summary of contract specifications seeking prices for possible alternative periods of five, ten and fifteen years any of which might subsequently be adopted by the Council;
- (iii) the tendering process;
- (iv) the evaluation of contracts;
- (v) the comparison of bids; and
- (vi) the requirement to determine the length of contract.

Having heard the Director of Community Services in explanation of the various factors to be taken into account and in support of his recommendation that the contract be awarded for a five year period, for which a bid of £16.50 per tonne had been received from Barr Limited, and having heard the Head of Legal Services in respect of the legal position and following members' questions, Councillor Beattie, seconded by Councillor Farrell moved that the:

- (i) the length of contract be five years;
- (ii) the contract be awarded to the lowest tenderer for that period - Barr Limited;
- (iii) the Council consult with the appropriate Trade Unions in respect of existing waste disposal staff;

- (iv) the appreciation of the Council to the staff of the two District Councils who have assisted in the compilation and assessment of the tender documents be recorded;
- (v) it be remitted to the Policy and Resources Committee to sanction the expenditure involved, estimated at £1,361,250 in 1996/97 and £1,485,000 plus variation in future years; and
- (vi) otherwise, to note the contents of the report be noted.

An amendment was put by Councillor Nicoll, seconded by Councillor McCredie that:

- (i) a contract period of five years should be agreed, but the tendering process should then be carried out again seeking prices for a five year period only.

Following a vote, the motion was carried by 10 votes to 3.