

ANGUS COUNCIL

MINUTE of MEETING of the **ENVIRONMENTAL AND CONSUMER PROTECTION COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 7 January 2003 at 4.00pm.

Present: Councillors SHEENA WELSH, STEWART McGLYNN, IAN ANGUS, FRANK ELLIS, ALISTAIR GRAY, JOHN HENDERSON, IAN MACKINTOSH, PETER MURPHY, ROBERT MYLES, PETER NIELD and BILL ROBERTON.

Apologies: Apologies for absence were intimated on behalf of Councillors BILL CROWE and JOY MOWATT.

Councillor WELSH, Convener, in the Chair.

1. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2), that the public and press be excluded from the meeting during consideration of items 2, 3 and 4 below, so as to avoid the possible disclosure of information which was exempt in terms of Part I of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 6, 8, 9 and 10.

2. VEHICLE AND PLANT TENDERS

With reference to Article 3 of the minute of meeting of this Committee of 1 October 2002, there was submitted [Report No 4/03](#) by the Director of Environmental and Consumer Protection detailing tenders received for various vehicles and plant.

The Committee agreed to note the tenders received in respect of vehicles and plant individually valued up to £30,000 for which the Director of Environmental and Consumer Protection had delegated authority to act in terms of Section 16 of the Financial Regulations and his acceptance of the tenders for:-

- (i) the purchase of one Mobile Column Vehicle Lift from Steril UK Ltd., at a cost of £13,695;
- (ii) the purchase of one Iveco 40c.11 Van from A M Phillip Ltd, Muiryfaulds at a cost of £16,180; and
- (iii) the van-to-welfare-bus conversion from Aitken Bodytec, Grangemouth at a cost of £12,365.

3. FULL MAINTENANCE VEHICLE LEASING SCHEME (CONTRACT HIRE) 2003/2007

With reference to Article 2 of the minute of meeting of this Committee of 13 August 2002, there was submitted [Joint Report No 5/03](#) by the Chief Executive and the Director of Environmental and Consumer Protection updating the Committee on progress made in implementing the car lease contract on the basis of a preferred supplier list.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise the Director of Environmental and Consumer Protection and the Personnel Services Manager to issue tender documents to the suppliers listed in Section 3 of the Report.

4. RECYCLING PARTNERSHIPS

With reference to Article 13 of the minute of meeting of this Committee of 11 April 2000, there was submitted [Report No 6/03](#) by the Director of Environmental and Consumer Protection reminding the Committee that the National Waste Strategy placed an obligation on local authorities to maximise their recycling of municipal solid waste.

There was a need to develop partnerships with neighbouring local authorities and local private sector waste contractors to deliver this strategy and the Report indicated that currently, on a trial basis, the bulky household waste from the recycling centres in the coastal area was being delivered to Dundee City Council for sorting and recycling at their Baldovie Plant. The recyclables were sold on, with the incinerables going to DERL for waste to energy feedstock and the residue was landfilled at Restenneth Landfill Site, Forfar.

The Committee agreed:-

- (i) that the Director of Environmental and Consumer Protection develop the current recycling arrangement with Dundee City Council for recycling of bulky waste items on a partnership basis;
- (ii) that Angus Council advertise for interest from the public sector recycling companies to join with the Council in developing arrangements for the recycling of inert waste and bulky items of waste; and
- (iii) that the Director of Environmental and Consumer Protection seek tenders for a Waste Recycling Partnership should there be sufficient interest from the locally based waste management contractors for the recycling of inert waste and bulky items of waste.

5. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 12 November 2002](#) was approved as a correct record and signed by the Convener.

6. ENVIRONMENTAL AND CONSUMER PROTECTION DEPARTMENT SERVICE PLAN - PROGRESS REPORT

With reference to Article 7 of the minute of meeting of this Committee of 28 May 2002, there was submitted [Report No 7/03](#) by the Director of Environmental and Consumer Protection advising the Committee on progress made by the Department in actioning the priority objectives for 2002/2003 as outlined in the Environmental and Consumer Protection Department Service Plan. An update of progress with priority objectives for each of the service areas was outlined in the Appendix to the Report and generally related to the period up to the end of October. Some targets had been fully achieved, some achieved in part and some re-scheduled because of events, whilst others were on-going and not due to be achieved until later in the year.

The Committee agreed to note the contents of the Report.

7. SCOTTISH EXECUTIVE FINANCIAL ASSISTANCE - DISPOSAL OF END OF LIFE REFRIGERATORS

With reference to Article 19 of the minute of meeting of the Policy and Resources Committee of 10 September 2002, there was submitted [Report No 8/03](#) by the Director of Environmental and Consumer Protection advising the Committee of the Scottish Executive grant to Councils for the disposal of redundant domestic fridges and the COSLA response to what was considered a short-fall in funding.

The Report indicated that, on 2 December 2002, the Minister of Environmental and Rural Development announced £3.3m to help local authorities in Scotland to dispose of domestic refrigerators in the year 2002/2003. The allocation of this grant to Angus was £81,138. Immediately after the announcement had been made and the figures had become clear, COSLA had been contacted by a substantial number of Councils indicating that their funding allocations were inadequate.

An early assessment by COSLA indicated that most local authorities were reporting short-falls, in some cases up to 50%. COSLA had since written to the Minister, Ross Finnie MSP, asking him to initiate a further review of funding as it appeared that one of the problems indicated was that there were far more fridges being surrendered than had been first estimated. The finding of a survey undertaken by COSLA to establish the effects of the funding allocation was appended to the Report.

The shortfall in Angus was in the order of just under £31,000 and unless the Minister responded to a further review as requested by COSLA, it was clear that the Scottish Executive did not intend to honour their commitment given in their letter of 2 December 2002 to local authorities to provide funding that met the additional costs incurred, or would incur, in storing, transporting and disposing of domestic fridges.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to support the efforts of COSLA for a further review of funding, by the Scottish Executive for fridge disposal; and
- (iii) to instruct the Director of Environmental and Consumer Protection to write to COSLA to enlist the support of all local authorities in Scotland for the Scottish Executive to be responsible for the SEPA licence costs related to the end of life fridge storage.

8. NEW DIRECTIVES AND POLICY DEVELOPMENT IN WASTE MANAGEMENT

With reference to Article 9 of the minute of meeting of this Committee of 1 October 2002, there was submitted Report No 9/03 by the Director of Environmental and Consumer Protection outlining the new Directives and other policy pressures that would be applied to local authorities in the management of the municipal waste stream over the next four years.

The Report indicated that COSLA had set up a Waste Management Task Group on a member/officer basis to better understand and deliver the National and Area Waste Strategies and to promote uniformity of approach. The Officers Task Group had conducted a piece of work to identify all of the new Directives and legislative pressures that would apply over the next four years and these were outlined in the Report. A matrix prepared by the COSLA Waste Management Task Group, which prioritised the tasks as they would develop, was also attached as an Appendix to the Report.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to instruct the Director of Environmental and Consumer Protection to include all of the new developments in the Angus Waste Implementation Plan and to Report to the Committee on specific issues as they emerged.

9. KIRRIEMUIR RECYCLING CENTRE PROJECT

With reference to Article 10 of the minute of meeting of this Committee of 26 September 2000, there was submitted [Report No 10/03](#) by the Director of Environmental and Consumer Protection advising the Committee that the Kirriemuir Recycling Centre Project was now complete and open to the public. The Report also finalised the cost and addressed an overspend of £14,000.

The Report indicated that the site at Bellies Brae, Kirriemuir, which had been reconstructed to form a recycling centre, had previously been used as a gas works plant. During the reconstruction, it had been discovered that there was land contamination on the site which required remediation. These costs were outwith the contract cost for the works and required to be addressed by utilisation of part of the recent Capital Allocation made to the Council for dealing with contaminated land.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to address the £14,000 overspend on this project by applying this sum from the Capital Allocation for contaminated land remediation made recently to the Council.

10. SHELLFISH CLASSIFICATION PROTOCOL DOCUMENTS

There was submitted [Report No 11/03](#) by the Director of Environmental and Consumer Protection advising the Committee of the new Shellfish Classification Protocol from the Food Standards Agency (Scotland) which the Council was required to use from 1 January 2003.

The Report indicated that the new sampling protocol for shellfish was intended to give direction on the classification process administered by the Food Standards Agency Scotland (FSAS). It had been the subject of consultation and the FSAS had incorporated the final comments into the protocol. The Environmental and Consumer Protection Department would be required to use the new protocol from 1 January 2003 for any shellfish beds classified within the Council's administrative area. The protocol covered the classification of Bivalve Mollusc Harvesting Areas and related to the aspects of the management of these areas by Food Authorities as outlined in the Report. Each new classification would include an identification number to be used on all future sample submissions and correspondence.

The FSAS was considering extending the use of the sampling database developed in partnership with the Scottish Centre for Infection and Environmental Health (SCIEH). The system was already operating for the general microbiological sampling of food. The extension to shellfish sampling would enable any food authority in Scotland to interrogate the sampling database on a weekly basis and view the results for sites within their area of responsibility. The FSAS intended to keep food authorities informed of their progress in this matter.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to direct the Director of Environmental and Consumer Protection to implement the new protocol for the effective control of Shellfish Classification.

11. APPOINTMENT OF AUTHORISED OFFICERS

With reference to Article 11 of the minute of meeting of this Committee of 1 October 2002, there was submitted [Report No 12/03](#) by the Director of Environmental and Consumer Protection seeking approval to update authorisation of the Environmental Health Officers and Animal Health Inspectors of the Council to enforce provisions in legislation in connection with their duties.

The Report indicated that, in pursuance of the wider duties of an Environmental Health Officer and Animal Health Inspector, it would now be necessary to ensure that authorisations were in place to facilitate right of access and enforcement with regard to the Dogs Act 1906 - to enforce burial of agricultural animals; the Protection of Animals Act 1912 - to inspect agricultural animals and report incidents of cruelty; the Performing Animals Act 1925 - to inspect and enforce various provisions; and the Food Safety Act 1990 - to enter premises under Section 32 for the purposes of inspecting records related to drug administration to agricultural animals. (Environmental Health Officers already had this authorisation).

The Committee agreed to authorise, with immediate effect, the Environmental Health Officers and Animal Health Inspectors employed by Angus Council, within the Environmental and Consumer Protection Department, to enforce provisions of an authorised officer within the following legislation, namely Dogs Act 1906; Protection of Animals Act 1912; Performing Animals Act 1925, and in, the case of the Animal Health Inspectors, Section 32 of the Food Safety Act 1990.

12. LOO OF THE YEAR AWARDS 2002

With reference to Article 11 of the minute of meeting of this Committee of 8 January 2002, the Committee was advised of Angus Council's success in the local authority category of the 2002 Cannon Hygiene Loo of the Year Awards for high standards of public toilet facility and standards in washroom cleaning and management.

Angus had received the following Awards:

Market Place, Arbroath	Five Stars	2002 Attendant of the Year
Baltic Street, Montrose	Five Stars	2002 Attendant of the Year
Reform Street, Kirriemuir	Four Stars	2002 Attendance of the Year
Buttermarket, Forfar	Three Stars	
Church Street, Brechin	Three Stars	

The Committee, for its interest, agreed to note that all five of the Council's "Superloo" Teams had received awards, maintaining the Council's position as an authority providing consistently high standards of public toilets and to congratulate the staff involved.