

ANGUS COUNCIL

MINUTE of MEETING of the **ENVIRONMENTAL AND CONSUMER PROTECTION COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 18 February 2003 at 4.00pm.

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

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 item 2, 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 TENDERS

With reference to Article 2 of the minute of meeting of this Committee of 7 January 2003, there was submitted [Report No 212/03](#) by the Director of Environmental and Consumer Protection detailing tenders received for various vehicles.

The Committee agreed to note the tenders received in respect of vehicles 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 three Team Sweep vehicles from A M Phillip, Muiryfauld, Forfar at a cost of £21,790 each;
- (ii) the purchase of one Chassis Cab Pick-up Truck from A M Phillip, Muiryfauld, Forfar at a cost of £17,770;
- (iii) the purchase of four Double Cab Tipper Trucks from A M Phillip, Muiryfauld, Forfar at a cost of £16,375 each;
- (iv) the purchase of one Seat Alhambra Liberty from Jubilee Automotive Group, N W Midlands at a cost of £23,257; and
- (v) the supply by contract hire of one Vauxhall Astra Van 1.7 DTI Envoy from Key Fleets, Stockton-on-Tees, at a cost of £2,619.12 per year for three years.

3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 7 January 2003](#) was approved as a correct record and signed by the Convener.

4. REVIEW OF FEES AND CHARGES - WEIGHING AND MEASURING EQUIPMENT ETC.

With reference to Article 7 of the minute of meeting of this Committee of 19 February 2002, there was submitted [Report No 213/03](#) by the Director of Environmental and Consumer Protection giving details of proposed increased fees and charges for the testing, calibration etc. of weighing and measuring equipment for 2003/2004.

The increases, which were detailed in the Schedule and Appendix to the Report, were mainly based on LACORS (Local Authorities Co-ordinators of Regulatory Services) recommendations and incorporated the suggested 2.5% increase for inflation. Fees for petroleum storage licences were still controlled by statute, and these had last increased in April 2002.

The Committee agreed:-

- (i) to adopt the fees and charges detailed in the Schedule and Appendix to the Report for the year 2003/2004; and
- (ii) to otherwise note the contents of the Report.

5. THE REPORT OF THE WASTE FOOD TASK FORCE

With reference to Article 8 of the minute of meeting of this Committee of 7 January 2003, there was submitted [Report No 214/03](#) by the Director of Environmental and Consumer Protection advising the Committee that a consultation document on the Report from the Waste Food Task Force had recently been received from the Food Standards Agency (Scotland).

The Report indicated that the Food Standards Agency (FSA) Report was a substantial document covering a wide range of issues including the staining of meat by-products, the meat hygiene service, co-ordination between agencies, the investigation of food crime, legal penalties, availability of information and Food Brokers and Consumers. The principal objective of the FSA Report and the thrust of its twenty four detailed recommendations was to create a marked shift in the economics of the by-product waste trade to make food frauds uneconomical, while not adding additional regulatory burdens to industry unless clearly justified. It concluded that this objective could be achieved by creating barriers to the opportunity for re-cycling back into the human food chain, to make this material easier to identify and trace and to squeeze the potential for profit out of the trade in unfit meat.

The recommendations of the FSA Report, if adopted, would require local authorities to meet enforcement targets set by the FSA based on a risk assessment scheme. These additional burdens on authorities would be incorporated into the present FSA "Framework of Agreement on Local Authority Food Law Enforcement" giving statutory underpinning to these recommendations. It did, however, indicate that Government must meet the resource funding issues to ensure that the various agencies involved in the enforcement of this area of legislation had the trained human resource necessary to meet the new enforcement demands.

The Report concluded that it was clear from the contents of the FSA Report that the recommendations failed to require the staining of low risk animal by-products material. This omission had left a loophole in that high risk material could still slip past controls by being mixed with low risk material due to lax enforcement.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the comments of the Director of Environmental and Consumer Protection concerning the failure of the Report to recommend the requirement to stain low risk animal by-products material;
- (iii) to note that the omission had left a loophole in that high risk material could still slip past controls by being mixed with low risk material due to lax enforcement;
- (iv) to request that the recommendation not to require the staining of low risk animal by-product material be reversed;
- (v) to insist that any additional control burdens placed on local authorities be fully resourced;
- (vi) to instruct the Director of Environmental and Consumer Protection to include these concerns in his reply; and
- (vii) to instruct the Director of Environmental and Consumer Protection to write to the appropriate Ministers in Westminster and the Scottish Executive in the above terms.

6. NEW EC PROPOSALS ON ANIMAL FEED HYGIENE

There was submitted [Report No 215/03](#) by the Director of Environmental and Consumer Protection advising the Committee of European Commission proposals to introduce new controls on the hygiene of animal feed which would have an impact on feed business operations and on farmers who prepared food for their animals.

The Report indicated that the European Commission had published proposals to control hygiene in the animal feed sector which, in essence, required feed producers and farmers to introduce a quality system. The system they had chosen was basically the same as that applying to butchers, which was the Hazard Analysis and Critical Control Point System, the principles of which were outlined in the Report. The proposals had been circulated by the Food Standards Agency for consultation and were due to be responded to by 10 March 2003. There was as yet, however, no clear date for implementation of the proposals.

A response from Angus Council to the proposals would be made in due course and reported to Committee. However, the first reaction to the proposals was that this would place a sizeable burden on farmers, the inspection, monitoring and advice role for the department would be onerous and would have a huge impact on resources, if, as was likely, this became a statutory duty.

Following discussion, the Committee agreed to note the contents of the Report.

7. ABANDONED VEHICLES

There was submitted [Report No 216/03](#) by the Director of Environmental and Consumer Protection advising the Committee that the Removal and Disposal of Vehicles Amendment (Scotland) Regulations 2002 reduced the notice periods which local authorities must observe before dealing with abandoned vehicles. There was therefore a need to update current policies and procedures to recognise these legislative changes.

The Report indicated that, at present, Angus Council had a duty to deal with vehicles abandoned in its area. This had been undertaken in line with the Refuse (Disposal) Amenity Act 1978. Due to the rising costs of legitimately dealing with end of life vehicles, there had been a dramatic increase in the numbers of vehicles abandoned by their owners. During 2002/2003 almost 250 vehicles had been removed by the Council. Proposals were being developed nationally to change the vehicle registration system to ensure that all vehicles could be associated with a registered keeper who had a clear responsibility for meeting the costs and complying with the responsibilities associated with the vehicle until the DVLA had been properly notified of a change in keepership. However, this had not yet been implemented.

The Removal and Disposal of Vehicles Amendment (Scotland) Regulations 2002 had come into force on 15 January 2003 and the new measures contained therein would reduce the notice periods which Councils must observe before removing abandoned vehicles. The revised regulations reduced from seven days to twenty four hours the notice of removal for a vehicle which appeared to be in such a condition that it ought to be destroyed; and reduced from twenty one days to seven days the period within which a vehicle, deemed by the local authority not to be in such a condition that it ought to be destroyed, must be removed from the local authority's custody by the owner. Although the reduction of notice periods was a devolved matter, it was also part of a wider package of proposed measures being introduced at UK level to tackle the problem of tracing the ownership of, and dealing with, abandoned cars and these were outlined in the Report.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) that a partnership be entered into between Angus Council and the Driving and Vehicles Licensing Agency to improve access to details of registered keepers of vehicles which were apparently abandoned; and
- (iii) that a contract be tendered for contractors to uplift and dispose of abandoned vehicles.

8. END OF LIFE FRIDGES - RESPONSE BY SCOTTISH EXECUTIVE

With reference to Article 7 of the minute of meeting of this Committee of 7 January 2003, there was submitted [Report No 217/03](#) by the Director of Environmental and Consumer Protection updating the Committee on the issue of funding for disposal of end of life fridges.

The Report reminded Members that, in January 2002, new legislation had placed a duty on local authorities to provide special treatment and re-cycling of end of life fridges and freezers containing ozone depleting substances. Angus Council had tendered for such services (Report 899/02 refers). Grant had been provided up to the end of financial year 2002/2003 by the Scottish Executive in the sum of £117,160, against the Council's costs of £147,998, a shortfall of £31,000.

COSLA, following representations from a majority of the local authorities, had written to the Minister Ross Finnie MSP asking for a further review of the level of grant provided as it did not meet the costs. A copy of the response by the Minister, which had been sent to Councillor Imrie of Midlothian Council, Chair of the COSLA Waste Management Task Group, was attached as an Appendix to the Report. The Minister had indicated that no further funding would be released.

Following a full discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the shortfall of £31,000 to Angus Council in 2002/2003;
- (iii) to note the response from the Environment and Rural Development Minister, Ross Finnie MSP to COSLA;
- (iv) to condemn the Minister's decision not to fund fully this additional burden;
- (v) to request the Minister to review his decision, particularly in respect of rural local authorities where the financial and environmental costs of partnerships might outweigh the benefits of local arrangements; and
- (vi) to instruct the Director of Environmental and Consumer Protection to write to the Minister in the above terms.

9. REVIEWED OPERATIONAL ARRANGEMENTS AT THE RECYCLING CENTRES

There was submitted [Report No 218/03](#) by the Director of Environmental and Consumer Protection bringing forward certain essential changes to the operational arrangements and opening times at the recycling centres.

The Report indicated that one of the most successful recycling initiatives in Angus had been the establishment of the Burgh recycling and civic amenity centres. Introduced by the Council in the early 1990's, these facilities had proved to be a most valuable service to the general public and small traders in Angus. They operated seven days a week, 362 days per year, providing the public of Angus a facility to recycle as many as 20 different items of household waste. It was estimated that 5000 tonnes of recyclate was recovered every year through the seven recycling centres, contributing considerably to the 20.3% of household/commercial wastes recycled in Angus.

To ensure the continuing success of the centres, it was now opportune to review how the Council could best deliver to its customers and maintain a quality service that not only provided for better use of the centres but actually encouraged more recycling. It was proposed that a level of additional manpower be introduced as and where necessary at weekends, by providing two attendants at times when the centres were at their busiest, namely on both Saturdays and Sundays during the spring/summer opening period April to October. To achieve this as a cost neutral exercise, it was proposed that the centres opened 45 minutes later each week-day and weekend day at 9.15 am.

The Committee agreed:-

- (i) to note the contents of the Report;

- (ii) to note the measures to be taken to provide additional attendant cover, as appropriate, at recycling centres during weekends during the spring/summer period; and
- (iii) to approve the amended opening times at recycling centres as follows:-
 - 9.15 am to 5.00 pm (mid October to end March)
 - 9.15 am to 8.00 pm (April to mid October) (27 weeks)