

ANGUS COUNCIL

MINUTE of MEETING of the **ENVIRONMENTAL AND LEISURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 31 August 2004 at 4.00 pm

Present: Councillors JOY MOWATT, IAIN GAUL, IAN ANGUS, FRANK ELLIS, JACK GIBB, STEWART MCGLYNN, PETER MURPHY, IAN MACKINTOSH (substituting for ROBERT MYLES), ALEX KING (substituting for KITTY RITCHIE) MARK SALMOND, RON SCRIMGEOUR, JENNIFER SPEIRS, ROBERT SPINK and GLENNIS MIDDLETON (substituting for SHEENA WELSH).

Apologies: Apologies for absence were intimated on behalf of Councillors ROBERT MYLES, KITTY RITCHIE and SHEENA WELSH.

Councillor MOWATT, Convener, in the Chair.

Before the commencement of business, the Convener introduced John Summers, Director, Keep Scotland Beautiful who presented her with an Endorsement Certificate, which Angus Council had gained through the Keep Scotland Beautiful National People and Places Programme.

He congratulated the Council on its commitment in implementing a range of measures to reduce litter and waste by improved service delivery, enforcement measures and education and training. The achievement of gaining the Endorsement Certificate was testimony to the work of the Council and the co-operation of the general public in Angus to raise standards.

1. DECLARATIONS OF INTEREST

Councillor Glennis Middleton declared an interest in item 9 as Chairman of Forfar Resource Store.

Councillor Mowatt declared an interest in item 16 as the Council's representative on SportTayside Committee.

2. 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 3, 4 and 5 so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 paragraphs 1, 6, 8 and 9.

3. TENDER FOR WASTE AND COMPOSTING WHEELED BINS

With reference to Article 3 of the minute of meeting of the Executive Sub-Committee of this Committee of 3 February 2004, there was submitted [Report No 994/04](#) by the Director of Environmental and Consumer Protection detailing tenders received in respect of the supply of composting and waste wheeled bins as outlined in the Report.

The Committee agreed to accept the following tenders:-

- (i) the supply of up to 40,350 ventilated 240 litre capacity compostable waste collection wheeled bins from Plastic Omnium Limited, Telford at a total cost of £648,424 (£16.07p per unit cost);
- (ii) the supply of 1000 ventilated 140 litre capacity compostable waste collection wheeled bins from Plastic Omnium Limited, Telford at a total cost of £15,090 (£15.09 per unit cost); and
- (iii) the supply of up to 2800 240 litre capacity waste collection wheeled bins from Plastic Omnium Limited, Telford at a total cost of £39,536 (£14.12 per unit cost).

4. AMENDMENTS TO THE SPORTS SERVICES ESTABLISHMENT WITHIN THE LEISURE SERVICES DEPARTMENT

There was submitted [Report No 996/04](#) by the Director of Leisure Services recommending status and grade changes to jobs within the Sports Services Section within the Leisure Services Department.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the consolidation, as permanent, of the existing temporary post of Development Officer (Football);
- (iii) to approve the consolidation, as permanent, of the existing temporary post of Development Officer (Sport and Recreation for People with Disabilities); and
- (iv) to approve the formal establishment of a Clerical Assistant post, grade GS1/2 part - time hours totalling 29 hours per week, to support the day to day maintenance of the Leisure Management Information System.

5. UPGRADING OF THE WEBSTER THEATRE, ARBROATH

With reference to Article 18 of the minute of meeting of the Recreation and Cultural Services Committee of 10 October 2002, there was submitted [Report No 995/04](#) by the Director of Leisure Services requesting approval to proceed to public consultation with the Webster Theatre upgrade options 2 and 3, as outlined in the Report.

Following a full discussion, the Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the submission of the Webster Theatre upgrade options 2 and 3 for public consultation;
- (iii) to note the funding package for £3.2million to upgrade the theatre, as detailed in the Report; and
- (iv) to note that a further report on the outcome of the consultation process would be submitted in due course with the final recommendation of the Webster Theatre upgrade option.

6. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 8 June 2004](#) was approved as a correct record and signed by the Convener.

7. THE ROD MCFARLANE AWARD

The Convener advised the Committee that Carnousite Library had been presented with the Rod McFarlane Award earlier that day. The Provost had presented the award, which was arranged annually by the Angus Access Panel. It was presented to a building which had made improvements to make itself more accessible by disabled people. Rod McFarlane, who was wheelchair bound, had been an elected member in Tayside Regional Council and had worked to improve the lives of disabled people.

8. SERVICE PLAN UPDATES

With reference to Article 3 of the minute of meeting of this Committee of 27 November 2003, there was submitted [Report No 905/04](#) by the Chief Executive providing the contextual background for submission of all departmental service plan updates and asking the Committee to approve the Environmental and Consumer Protection Service Plan 2004/2005 update and the Leisure Services Service Plan 2004/2005 update, copies of which had been circulated to all members.

The Committee, for its interest, agreed:-

- (i) to approve the [Environmental and Consumer Protection Service Plan 2004/2005](#) and the [Leisure Services Service Plan 2004/2005](#) updates; and
- (ii) to note that Progress Reports on the various actions set out in the action plans within both updates would be prepared by the Director of Environmental and Consumer Protection and the Director of Leisure Services respectively, for consideration in the January 2005 cycle of meetings.

9. THE FOOD STANDARDS AGENCY'S STRATEGY FOR THE IMPLEMENTATION OF FOOD SAFETY MANAGEMENT PROCEDURES INTO CATERING BUSINESSES

With reference to Article 7 of the minute of meeting of this Committee of 29 April 2004, there was submitted [Report No 976/04](#) by the Director of Environmental and Consumer Protection advising the Committee on the Food Standards Agency's funding approach for the introduction into Catering Businesses of Food Safety Management Procedures.

The Report indicated that a new European Union Food Hygiene Proposal (Report No 497/04 refers) would require the implementation of Food Safety Management Procedures into food businesses in Scotland to comply with new legal obligations. The Scottish Executive had provided the Food Standards Agency Scotland (FSAS) with £4million over the next two years commencing in September 2004. To enable the spending of these monies to be effectively focused, the FSAS had devised a strategy with the effective assistance of the Society of Chief Officers of Environmental Health in Scotland to provide each Local Authority with funding based on the Pennington formula. Each Local Authority would be required to submit a bid in the form of a costed business case for the expenditure of the funding over the two year period relating to the implementation of Food Safety Management Procedures into catering businesses. The costed business case for Angus Council was detailed in the Report.

The Committee agreed to note the contents of the Report.

10. REVIEW OF FOOD SERVICE PLAN 2003-2004

With reference to Article 3 of the minute of meeting of this Committee of 23 August 2003, there was submitted [Report No 977/04](#) by the Director of Environmental and Consumer Protection advising the Committee that the Framework Agreement on Local Authority Food Law Enforcement (September 2000) required the Council to review the Food Service Plan on an annual basis.

The Report indicated that the Food Service Plan played a pivotal role in the quality and delivery of the service provided by Angus Council and ensured that the Council complied with the requirements of the Framework Agreement on Local Authority Food Law Enforcement. The review, a copy of which was appended to the Report, was key to ensuring compliance with the objectives, targets and actions defined within the plan.

The conclusion of the Report stated that as in previous reviews, it was clear from the data contained in Part 6 of this review that the staff involved in the enforcement of Food Safety Legislation continued to improve their performance regarding the delivery of the various services. It was therefore hoped that present trends could either be maintained or improved upon in future years. However, whether the level and quality of services could be maintained would depend on the continued investment in the human resources needed to undertake this very specialist and essential area of work.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the conclusions contained in the Review of the Food Service Plan.

11. HEALTH AND SAFETY ANNUAL REPORT

With reference to Article 5 of the minute of meeting of this Committee of 28 August 2003, there was submitted [Report No 978/04](#) by the Director of Environmental and Consumer Protection highlighting the work undertaken within the Environmental and Consumer Protection Department during 2003/2004 on health, safety and welfare issues.

The Report indicated that the Core Safety Group, the membership of which had been reviewed in light of the merger with the previous Contract Services Department, had been established in 1997 by the Environmental and Consumer Protection Department as a means of keeping all health, safety and welfare issues under review. Various issues had been progressed throughout the year and the Group would continue to meet on a regular basis as future initiatives were identified.

The Committee agreed to note the contents of the Report.

12. REVIEW OF THE HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2003-2004

With reference to Article 6 of the minute of meeting of this Committee of 27 November 2003, there was submitted [Report No 979/04](#) by the Director of Environmental and Consumer Protection advising the Committee of the work done during 2003/2004 on the enforcement of Health and Safety legislation within Angus. It was a requirement of the audit process that members were informed of the outcome of the annual review of the Health and Safety Enforcement Service Plan and a summary of the main conclusions were outlined in the Report.

The Committee agreed to note the contents of the Report.

13. WASTE STRATEGY GRANT AND IMPLEMENTATION

With reference to Article 3 of the minute of meeting of this Committee of 29 April 2004, there was submitted [Report No 980/04](#) by the Director of Environmental and Consumer Protection updating the Committee on the implementation of the Waste Strategy and the management of the funding position through Scottish Executive Grant.

The Report indicated that significant progress had been made with the implementation of the Waste Strategy and managing the grant. To further progress the objectives of the Strategy and the agreed implementation plan the Director proposed a phased programme which was outlined in the Report and which was necessary to progress the implementation programme to take full advantage of the Scottish Executive Waste Fund Grant.

Following a full discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the funding changes detailed in the Report as a result of the re-profiled offer of grant;
- (iii) to approve the phased introduction of a dry recycle and composting collection system, as outlined in the Report, and in accordance with the Waste Strategy Implementation Plan and funding approved by the Scottish Executive;
- (iv) to instruct the Director of Environmental and Consumer Protection to procure equipment and appoint staff as set out in the Waste Strategy Implementation Plan as agreed with the Scottish Executive; and
- (v) to instruct the Director of Environmental and Consumer Protection to ensure that all costs were met by Scottish Executive Grant funded from the Waste Strategy Fund.

14. RECYCLING STATISTICS UPDATE

With reference to Article 7 of the minute of meeting of this Committee of 28 August 2003, there was submitted [Report No 981/04](#) by the Director of Environmental and Consumer Protection updating the Committee on the situation with regard to recycling and detailing progress in relation to Angus Council's recycling activities.

The Report indicated that the Council continued to meet its planned commitments to recycling and continually aimed to encourage and enable the recovery of materials capable of recycling.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report and the appended statistics; and
- (ii) to instruct the Director of Environmental and Consumer Protection to enter into dialogue with neighbouring authorities, including Aberdeenshire and Fife, and SEPA regarding a registration scheme for tyre marking and the disposal of used tyres.

15. REFUSE COLLECTION AUDIT

With reference to Article 6 of the minute of meeting of this Committee of 28 August 2003, there was submitted [Report No 982/04](#) by the Director of Environmental and Consumer Protection advising the Committee that a Report had been compiled on the Refuse Collection Service performance, as recommended by the Accounts Commission, providing information on the nature and number of complaints received; statutory performance on missed bins; refuse collection monitoring and customer survey on the refuse collection service. The full Report, including statistical data, was appended to the Report.

The Committee agreed to note the contents of the Report.

16. LOCAL AIR QUALITY - UPDATE ON PREVIOUS ASSESSMENT

With reference to Article 8 of the minute of meeting of this Committee of 28 August 2003, there was submitted [Report No 983/04](#) by the Director of Environmental and Consumer Protection advising the Committee on progress regarding the continuing process of Local Air Quality Review and Assessment.

The Report reminded members that the Report entitled "Local Air Quality Management - Updating and Screening Assessment for Angus Council" had been submitted to the Scottish Executive and SEPA for comments. Both the Scottish Executive and SEPA had generally accepted the conclusions of the Report, however, clarification had been sought in relation to certain points and these were detailed in the Report, as was the Director's response.

By far the most significant outcome of the process had been the Scottish Executive's comment regarding PM₁₀ Values (ie particulate matter less than 10 microns in diameter). Whilst accepting that these complied with the 2004 standards these were to be considerably reduced by 2010. The Executive was of the opinion that monitoring data in the Report indicated that this 2010 standard was likely to be exceeded. Additional monitoring had therefore been carried out and the detailed assessment "Local Air Quality Management - Detailed Assessment of PM₁₀ Values", a copy of which had been placed in the Members' Lounge, had been submitted to both the Scottish Executive and SEPA for comment.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the comments received from the Scottish Executive and SEPA regarding the Local Air Quality updating and screening assessment for 2003 and the Director's response; and
- (iii) to note the contents of the Report "Local Air Quality Management - Detailed Assessment of PM₁₀ Values".

17. CONSUMER ADVICE IN ANGUS - AN UPDATE

With reference to Article 4 of the minute of meeting of this Committee of 22 January 2004 there was submitted [Report No 984/04](#) by the Director of Environmental and Consumer Protection updating the Committee on developments involving the delivery of consumer advice in Angus.

The Report indicated that funding of £10,000 had been provided by the Government for the setting up of an Angus Consumer Support Network (CSN) and this was being done in partnership with Angus Citizens Advice Bureau. The main task once the funding had been agreed, would be to put together a comprehensive consumer information pack which would be made available through the outlets of the CSN Partners and via the Angus Library Network.

Going hand in hand with the development of the CSN was the ability to deliver a consistent quality of service. Final audit of the Council's commitment to meet the standard of Quality Mark Scotland had been conducted in May and the staff involved had passed the test with no reported non-conformances.

Consumer Direct, the new Government funded consumer advice helpline, had been designed to give basic consumer advice by telephone and to refer onto Trading Standards departments the more complex complaints which needed officer intervention. From 23 June to 18 August, Angus Council's Trading Standards Section had received 62 referrals with 48 of these being complaints for staff to deal with. These calls related to situations where the trader or business was based in Angus. Early indications were that this was a 15 - 20% increase in complaints dealt with, compared with the same period last year.

The Committee agreed to note the contents of the Report.

18. BEST KEPT WAR MEMORIAL

With reference to Article 21 of the minute of meeting of this Committee of 28 August 2003, there was submitted amended [Report No 985/04](#) by the Director of Leisure Services advising that Monifieth had won the Memorials with Gardens category and that Edzell had achieved first place in the Small Communities category, in the Best Kept War Memorial competition organised by the Angus and Perthshire Area Council of the Royal British Legion, Scotland. These two war memorials had gone forward for judging on a Scotland wide basis and Edzell War Memorial had won the Small Community category and Monifieth War Memorial had received a Highly Commended award, whilst Carnoustie War Memorial had been placed third in the Champions of Champions award.

This was a clear indication of the high standard of the floral display, design and quality of maintenance achieved by Leisure Services working in partnership with the local branch of the Royal British Legion.

The Committee agreed to note the contents of the Report and congratulated all those concerned on these achievements.

19. LETS ON COUNCIL PREMISES REVIEW

There was submitted [Joint Report No 986/04](#) by the Director of Leisure Services and the Director of Education advising the Committee of current issues associated with the Protection of Children Act 2003 specifically with regard to the Disqualified from Working with Children List and the impact which this might have on the letting of Council premises.

The Report indicated that COSLA had contacted all Local Authority Chief Executives to gather information on current and future conditions on clubs and organisations who let Council premises. It was now proposed to review existing letting arrangements in the Council, informed by the current consultation exercise with clubs and organisations on a draft Angus Club Excellence Scheme. The scheme would support clubs and organisation to meet the letting criteria and would do so in a phased way to meet the needs of the individual clubs. It was proposed that the accreditation scheme would consist of three levels with the top level meeting all of the proposed new letting criteria. The scheme, a copy of which was appended to the Report, would be a partnership between the Council and Angus Sports Council and

appreciated the commitment of the voluntary sector and the large number of individuals who volunteered to run and administer the clubs and organisations across Angus. It was proposed that the new arrangements could be adopted by all departments who let premises to groups.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to note that the Council had responded to the COSLA request for information on current and future conditions on clubs and organisations who let council premises;
- (iii) to approve a review of the letting policies presently adopted by Council departments;
- (iv) to note the consultation being carried out with clubs and organisations for the proposed Angus Club Excellence Scheme; and
- (v) to note a further report would be presented to Committee on the outcome of the consultation and the review of the letting policy.

20. ARBROATH SPORTS CENTRE – ACCESS BARRIER

There was submitted [Report No 987/04](#) by the Director of Leisure Services advising the Committee on difficulties with car parking at Arbroath Sports Centre and proposing action to ensure that authorised use was made of disabled car parking facilities.

The Report indicated that for many years parking restrictions in the disabled parking and goods delivery area at Arbroath Sports Centre had been continually abused by able bodied customers. It was therefore proposed to install an access barrier to the road way which leads to the disabled parking area, which also encompasses the yellow-lined area outside the two houses on site. The barrier would allow entry automatically and exit would be by token or swipe card. Tokens would be issued at the Reception Desk to casual visitors and swipe cards issued to the regular users, the householders on site and regular delivery drivers. It was intended that customers who misused this area would be charged a fee of £10.00 for an exit token.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the installation of the automatic barrier at Arbroath Sports Centre;
- (iii) to approve the charge of £10.00 for unauthorised parking beyond the barrier;
- (iv) to approve the procurement of the works by Property Services; and
- (v) to note that the situation would be monitored and kept under review.

21. SPORTTAYSIDE ANNUAL REPORT 2003-2004

With reference to Article 4 of the minute of meeting of the Recreation and Cultural Services Committee of 4 October 2001, there was submitted [Joint Report No 988/04](#) by the Director of Leisure Services and the Director of Education advising the Committee of the current activities associated with the work of the regional sports partnership, SportTayside.

The Report indicated that SportTayside, formerly the Tayside Sports Development Group, had evolved since the recruitment of a Regional Manager and support staff during 2002. SportTayside had been used by **sportscotland** as a model of good practice with regard to regional sports partnerships with the partnership receiving a commitment, which provided funding and resources to take it through to 31 January 2006. **sportscotland** were now committed to extending this type of regional working across Scotland and SportTayside hoped to explore further opportunities to develop its structure and methods of operation. The Annual Report 2003 - 2004, a copy of which had been circulated to members, indicated the strategic direction which the partnership was working to, as well as the current activities associated with the sports specific posts, Impact programmes and Coaching Tayside.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report; and
- (ii) to welcome the continuing support to the regional sports partnership known as SportTayside.

22. MANAGEMENT RULES FOR SPORTS SERVICES

There was submitted [Report No 989/04](#) by the Director of Leisure Services presenting the revised Management Rules to regulate conduct in the sports and leisure facilities owned, occupied or managed by Angus Council.

The Report indicated that Section 112 of the Civic Government (Scotland) Act 1982 gave local authorities the power to make management rules to regulate (a) the use of, and (b) the conduct of persons while in or on any land or premises owned, occupied or managed by the local authority or otherwise under its control and to which the public had access whether on payment or not. There were currently separate management rules for leisure facilities and for public parks, gardens, recreation grounds and open spaces. No management rules were in place for caravan parks. In line with the cultural facilities, a consolidation of the existing management rules into a single document for Sport Services, which would also apply to caravan parks, was recommended and copies of the proposed Management Rules were appended to the Report.

The Committee agreed:-

- (i) to approve, in principle, the revised draft Management Rules for Sports Services, a copy of which was attached to the Report;
- (ii) to authorise the Director of Leisure Services, in consultation with the Director of Law and Administration, to make further amendments to the draft Management Rules as might be considered appropriate;
- (iii) to authorise the Director of Leisure Services, together with the Director of Law and Administration, to initiate the necessary procedures for public consultation; and
- (iv) to note that a further report on the outcome of consultations would be submitted in due course.

23. FRIENDS OF BRECHIN TOWN HOUSE MUSEUM CONSTITUTION

With reference to Article 22 of the minute of meeting of this Committee of 16 October 2003, there was submitted [Report No 990/04](#) by the Director of Leisure Services presenting, for approval, a revised Constitution of the Friends of Brechin Town House Museum. In order to achieve charitable status the Committee of the Friends had been involved in detailed discussions with HMI Taxes and a few minor changes had been incorporated into the Constitution, a copy of which was appended to the Report. These changes did not affect the productive partnership working with the Council.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the revised Constitution for the Friends of Brechin Town House Museum, a copy of which was appended to the Report.

24. NEWTYLE LIBRARY OPENING HOURS

With reference to Article 15 of the minute of meeting of this Committee of 29 April 2004, there was submitted [Report No 991/04](#) advising the Committee of the result of the consultation with library users in Newtyle over library hours and recommending that the decision to return to the original opening times with the appointment of a new library assistant on 9 August 2004 be homologated.

The Report indicated that 186 questionnaires had been sent out to registered library users and 80 replies had been received. Users had been asked to indicate their preferences as regards opening periods and many respondents had taken the opportunity to mark a wide range of options. When the returned questionnaires had been analysed the most popular choices were the days and periods relating to the original opening times with the current temporary opening times being next in popularity. In view of the indicated preference from the returns it was recommended that the original opening hours be reinstated with the appointment of a new Library Assistant on 9 August 2004.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to homologate the decision to restore the library opening times at Newtyle library to those of which were in operation prior to the Council's decision to institute temporary hours as a result of the abusive behaviour towards staff in Newtyle by local young people.

25. ARTS AND HERITAGE GRANT AID

With reference to Article 21 of the minute of meeting of this Committee of 8 June 2004, there was submitted [Report No 992/04](#) by the Director of Leisure Services giving details of the Arts and Heritage Grant Aid applications under £500 which had been dealt with under delegated authority since 8 June 2004.

The Committee agreed to note the grants of under £500 awarded since 8 June 2004, as detailed in the Report.

26. ANGUS ART COMMISSION 2004

With reference to Article 31 of the minute of meeting of this Committee of 28 August 2003, there was submitted [Report No 993/04](#) by the Director of Leisure Services advising the Committee of the award of the seventh annual Angus Art Commission for 2004 to Andrew Reid, a drawing and painting graduate of Duncan of Jordanstone College of Art and Design.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the award of the Angus Art Commission for 2004 to Andrew Reid of Duncan of Jordanstone College of Art and Design.