

Protective Services Committee  
14 March 1996

**Irvine, 14 March 1996** - At a Meeting of the Protective Services Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Jack Carson, Thomas Barr, Patrick Browne, Ian Clarkson, James Clements, David Gallagher, Elliot Gray, Joseph McKinney, Thomas Morris and George Steven.

**In Attendance**

The Legal Services Manager, the Head of Accountancy, Principal Officer (Licensing and District Court), a Corporate Policy Officer (Ms. Hewitt) and an Administration Officer (Mr. Hannah).

**Chair**

Mr. Carson in the Chair.

**Apologies for Absence**

John Donn.

**1. Minutes Confirmed**

The Minutes of the Meeting of the Protective Services Committee held on 1 February 1996, copies of which had previously been circulated, were confirmed.

**2. Scheme of Delegation to Committee**

Submitted report by the Chief Executive on the Scheme of Delegation to the Protective Services Committee which had been approved by the Corporate Strategy Committee at their Meeting on 27 February 1996. Copies of the report had previously been circulated.

Noted.

**3. Services Delivery Plan**

Submitted report by the Legal Services Manager (a) detailing the services to be provided by the Legal Services Department from 1 April 1996; and (b) outlining plans for the delivery of the Department's on plans for the delivery of the Department's services.

The Committee approved the Legal Services Department Service Delivery Plan.

**4. Trading Standards: Statutes Conferring Enforcement and Other Duties**

Submitted report by the Legal Services Manager requesting authorisation to enforce and administer legislation normally associated with the Trading Standards function.

Trading Standards Legislation can be divided into 3 distinct categories namely:-

- (a) Statutes conferring enforcement duties;

- (b) Criminal Statutes; and
- (c) Statutes affecting consumer affairs and money advice.

The Committee agreed to authorise the Legal Services Manager to administer and enforce the Statutes detailed in the report.

## **5. Fees and Charges for Trading Standards Services**

Submitted report by the Legal Services Manager detailing a scale of fees and charges for trading standards services produced in accordance with the guidelines issued by the Local Authority Co-ordinating Body on Food and Trading Standards (LACOTS).

The Committee agreed (a) to adopt the scale of fees and charges as detailed in the report; (b) that the Legal Services Manager report to a future Meeting of the Committee on the functions of and local authority representation on LACOTS.

## **6. Trading Standards Performance Indicators**

Submitted report by the Legal Services Manager detailing recommendations for targets for performance indicators to be produced by the Trading Standards Service.

The Accounts Commission Direction 1995 requires local authorities to publish certain information in relation to the activities of the Trading Standards Service on an annual basis. Three performance indicators have been identified for the Trading Standards Service activities.

Performance indicator 1 provides a measure of efficiency of the Trading Standards Service in dealing with consumer enquiries, complaints and requests from businesses. The suggested targets are that all consumer enquiries are completed on the day of receipt; that 90% of consumer complaints are completed within 30 days or less of receipt; and that 98% of business advice requests are completed within 30 days or less of receipt.

Performance indicator 2 details the frequency of visits required for inspections to business premises. Premises are categorised in relation to their level of risk and it is suggested that all high risk premises be inspected annually, all medium risk premises be inspected once every 2 years and all low risk premises be inspected once every 5 years.

Performance indicator 3 relates to the extent to which the Trading Standards Service takes follow-up action to verify whether businesses have taken remedial action required in respect of notices or warnings served upon them and it is suggested that all follow-up action in respect of these matters be taken within a period of 30 days.

After discussion the Committee agreed (a) to approve the recommendations in respect of targets for performance indicators 1, 2 and 3; and (b) that the Legal Services Manager report on the monitoring of high risk premises within North Ayrshire to a future Meeting of the Committee.

## **7. Appointment of Ex Officio Justices of the Peace**

Submitted report by the Legal Services Manager on the District Courts (Scotland) Act 1975 which permits a local authority to nominate up to one quarter of its members as ex officio Justices of the Peace for their area.

The Committee agreed that Councillors J. Carson, S. Dewar, T. Dickie, J. Gorman, T. Morris, D. Munn and S. Taylor be nominated to the Secretary of State as ex officio Justices.

## **8. Scheme for the Establishment of Community Councils in North Ayrshire**

Submitted report by the Chief Executive on proposed minor amendments to the Administrative Scheme for the Establishment of Community Councils to reflect local government reorganisation and recommending that North Ayrshire Council adopt the Cunninghame District Council Scheme for the Establishment of Community Councils.

After discussion the Committee agreed (a) subject to minor amendments reflecting local government reorganisation, to adopt the Cunninghame District Council Scheme for the Establishment of Community Councils in North Ayrshire; (b) that the Scheme be reviewed in one year; and (c) that all Community Councils be forwarded a copy of the North Ayrshire Council Scheme for the Establishment of Community Councils and advised of their obligations in respect of the Scheme.

## **9. Public Processions**

Submitted report by the Legal Services Manager on the regulation of public processions in North Ayrshire.

The regulation of Public Processions is the responsibility of Strathclyde Regional Council until 1 April 1996. Thereafter the responsibility for the regulation of public processions will fall to North Ayrshire Council and procedures are required for disposing of applications for public processions.

At present, a substantial number of organisations in North Ayrshire detailed in a list attached to the report merely require to notify the Police of the time, route and numbers of their march and to abide by standard conditions. Organisations of a "sectarian" or "political" nature, however, must apply to the Council for permission and the local member will be consulted on these applications.

After discussion the Committee agreed (a) to adopt Strathclyde Regional Council's procedures for processing applications and conditions regarding parades and processions as detailed in the report; and (b) to remit with powers to a Special Sub-Committee, comprising the Chair, Vice-Chair and ex officio members, to deal with any applications to which objections are received.

The Meeting ended at 2.30 p.m.