

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the ENVIRONMENT AND HERITAGE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 FEBRUARY 2009 at 9.30 a.m.

PRESENT: Councillors Buchanan, Carleschi, Coleman, Lemetti, C MacDonald, McLuckie, McNally, Mahoney, C R Martin, Meiklejohn and Nicol.

CONVENER: Councillor Mahoney.

APOLOGY: Councillor J Constable.

ATTENDING: Directors of Community Services and of Development Services; Head of Cultural and Lifelong Learning; Head of Leisure Services; Head of Business Services; Head of Accountancy; Acting Head of Planning and Transportation; Planning and Environment Manager; Environmental Health Officer Co-ordinator; Development Plan Co-ordinator (C Hemfrey); Environment Co-ordinator (I Edwards); Acting Legal Services Manager (D Blyth); and Committee Officer (A Sobieraj).

DECLARATION OF INTEREST: Councillor Mahoney declared a non-financial interest in item EH48 due to his membership of the Management Committee of “Friends of Kinneil” and further declared that no member of the public acting reasonably would consider that he might be influenced by his interest. Councillor Mahoney therefore participated in the discussion and decision.

EH40. DESIGNATION OF A LITTER CONTROL AREA, MAIN STREET, AIRTH

There was submitted Report (circulated) dated 9 February 2009 by the Director of Development Services (a) on the sustained littering of the car park serving at the licensed grocers’ premises at 47 Main Street, Airth; and (b) requesting the designation of a Litter Control Area in terms of Section 90 of the Environmental Protection Act 1990, as amended.

This designation followed ongoing concerns of local residents and difficulties by Environmental Health Officers in obtaining removal of materials. Designation as a Litter Control Area would enable service on the owner of an Abatement Notice in terms of Section 92 of the Environmental Protection Act 1990 and to take action to ensure the owner’s removal of materials. Failure to comply with this Notice may incur a maximum fine on the owner of £2,500 on summary conviction. A maximum fine of £2,500 on conviction may also be imposed on any person littering on land which had been designated as a Litter Control Area.

Discussion took place on the following:-

- The widespread problem of littering within many Members’ Wards and the need to utilise legal powers to address littering;

- The importance of designation as a Litter Control Area to a wide variety of business premises with littering problems; and
- The importance of ongoing monitoring of litter on designation as a Litter Control Area.

Members indicated the problem of littering within their Wards and requested information on the eligible areas for designation as Litter Control Areas. The Director of Development Services undertook to distribute to Members for information, copies of the Regulations on the designation of Litter Control Areas.

AGREED:-

- (1) to approve the proposal to designate the car park area serving the business premises at 47 Main Street, Airth, as a Litter Control Area by way of the “Airth (number 1) Litter Control Area Designation Order 2009”; and
- (2) to refer the matter to the full Council for approval with a request to make the Order as detailed in Appendix 1 to the Report.