

Agenda



West Dunbartonshire Council

Date: Wednesday, 26 April 2023

Time: 16:00

Format: Hybrid meeting

Contact: Carol-Ann Burns, Senior Democratic Services Officer
Email: carol-ann.burns@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of **West Dunbartonshire Council** as detailed above.

Members will have the option to attend the meeting remotely or in person at the Civic Space, 16 Church Street, Dumbarton.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:-

Provost Douglas McAllister
Councillor James Bollan
Councillor Karen Conaghan
Councillor Ian Dickson
Councillor Diane Docherty
Councillor Craig Edward
Councillor Gurpreet Singh Johal
Councillor Daniel Lennie
Councillor David McBride
Councillor Jonathan McColl
Councillor James McElhill

Councillor Michelle McGinty
Councillor June McKay
Councillor John Millar
Councillor Lawrence O'Neill
Councillor Lauren Oxley
Councillor Chris Pollock
Councillor Martin Rooney
Councillor Gordon Scanlan
Councillor Hazel Sorrell
Councillor Clare Steel
Councillor Sophie Traynor

Chief Executive
Chief Officers

Date of issue: 13 April 2023

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WEST DUNBARTONSHIRE COUNCIL

WEDNESDAY, 26 APRIL 2023

AGENDA

1 STATEMENT BY CHAIR – AUDIO STREAMING

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on the agenda and the reasons for such declarations.

4 RECORDING OF VOTES

The Council is asked to agree that all votes taken during the meeting will be done by roll call vote to ensure an accurate record.

5 MINUTES OF PREVIOUS MEETINGS

Submit, for approval as correct records, the undernoted Minutes of Meetings of West Dunbartonshire Council:-

- | | |
|---|----------------|
| (a) Ordinary meeting – 31 August 2022*; and | 9 – 25 |
| (b) Ordinary meeting – 29 March 2023 | 27 – 42 |

*Note: Council is requested to note that the Minutes of the Ordinary meeting held on 31 August 2022 were previously approved as a correct record by Council at its meeting on 26 October 2022 and that they are now being resubmitted for approval in view of the earlier version having omitted the final item of business, 'Urgent Item of Business: Motion by Councillor Clare Steel – Let of Clydebank Town Hall to Clydebank Musical Society and the Mummers Theatre Group'. This item of business has been included in this updated version of the Minutes, which is being submitted for approval as a correct record.

6 MINUTES OF OTHER COMMITTEES

Submit for approval as correct records, the Minutes of Meetings of the following Committees:-

- | | | |
|-----|--|----------------|
| (a) | Cultural Committee held on 29 June 2022; | 43 – 44 |
| (b) | Community Alliance held on 29 August 22; and | 45 – 46 |
| (c) | Dumbarton Trust Committee held on 15 March 2023. | 47 – 48 |

7 OPEN FORUM

The Council is asked to note that no open forum questions have been submitted by members of the public.

8 SHARED SERVICES UPDATE

To Follow

Submit report by the Chief Officer – Roads & Neighbourhood (Shared Services) in relation to the above.

9 NOTICE OF MOTIONS

(a) Motion by Councillor David McBride – Utility Companies Protocol for Emergency & Planned Works

This Council is extremely concerned about the emergency works by utility companies and the effects this has on the traffic on our local road networks.

Whilst emergency work by its very nature, is necessary and can have limited planning time, the utility companies need to ensure there is effective management of emergency works so that they can react to traffic congestion throughout the period of the emergency work.

Cardross Road Dumbarton is a vital artery road which is the only road available for thousands of residents in Dumbarton West to get to and from their home. Over the last three years, there have been at least twelve occasions, where Cardross Road was subject to emergency work by utility companies.

The most recent emergency works in February, March and again in April, resulted in traffic chaos. Over the recent Easter holiday weekend, the Scottish Power emergency works, caused gridlock over the busy holiday weekend affecting local residents and holiday traffic.

From an elected member perspective, there appears to be limited engagement by utilities, this leads to ineffective traffic management plans and

often no flexibility during the work, even when it is perfectly clear the traffic management arrangements are failing.

In addition, the utility companies contractors have failed to provide staff for specific traffic management duties. There appears to be no effective communication channels outside of normal working hours, to cater for when utility companies are carrying out emergency or planned works.

Given the above the Council agrees the following:

1. To ask the Chief Officer for Roads & Neighbourhood Services to draft a Road Works Protocol for Traffic Sensitive Locations, in line with the Coordination of Road Works Code of Practice, to be agreed with utilities, when works are proposed in these locations to ensure awareness of responsibilities.
2. This protocol should be applied for any road works which have to be undertaken on our defined traffic sensitive locations and should incorporate protocols for emergency works.
3. The protocol should take into account:
 - Minimal traffic management proposals,
 - Discussions on how this will work in tandem with traffic lights in nearby junctions etc.
 - Communication channels throughout the works; and
 - An assurance that work will take place every day of the traffic management to ensure the length of disruption is minimised.
 - The protocol should also include the escalation, intervention and enforcement process where Statutory Undertakers fail to deliver agreed mitigation measures to minimise traffic disruption.

(b) Motion by Councillor David McBride – Banning of Single use Disposable Vapes

This Council notes that in the UK, 14 million single use vapes are bought each month and 5.4 million are thrown away each week. It is estimated that in Scotland this would account for around £432k of these.

This is an economic issue with 10 tonnes of lithium being discarded each year which is the equivalent to the batteries inside 1,200 electric cars. This is valuable material that is lost which could have instead been recycled.

This is also a public health issue as discarded vapes present a leak risk of toxic chemicals and micro plastics which are harmful to children, pets and water systems.

Council notes that a number of Scottish Councils have already passed a motion in support of banning the sale of single use vapes.

Council further notes that the Scottish Government is working on a refreshed Tobacco Action Plan which will be published in autumn, 2023, which will consider a range of interventions with an emphasis on reducing smoking and vaping among children and young people.

In addition, the Scottish Government is carrying out an urgent review on the impact of disposable vapes on our environment in Scotland.

Given the above, the Council requests that the Chief Executive writes to the Circular Economy Minister Lorna Slater, MSP expressing our support for a ban on the sale of single use vapes and improved recycling of vapes and other Waste Electrical & Electronic Equipment by the sector.

(c) Motion by Sophie Traynor – Lyme Disease

Council notes that May marks Lyme Disease awareness month. Lyme Disease UK run an annual campaign called “Wake Up To Lyme” to raise awareness for the disease.

Lyme Disease is a bacterial infection that is acquired from the bite of an infected tick.

Referrals for this disease have increased across the world in recent years. Scotland has a high percentage of the UK Lyme referrals, with over 1/4 of the 8000 cases per year being diagnosed here.

Council recognises the need to raise awareness and increase education about Lyme Disease. Therefore, this motion calls on the Council to use the resources being offered from charities, such as the Lyme Resource Centre - Scotland, to implement awareness of Lyme Disease and the prevention of ticks into the school curriculum.

(d) Motion by Councillor Clare Steel – Online Surgeries for Elected Members

This Council agrees that it is important that elected members are accessible to constituents.

The traditional method of surgeries has been to book a meeting room in a school, Community Centre, library or other suitable building. Council agrees that this tried and tested method should continue.

However, the world has changed significantly since the creation of West Dunbartonshire Council, the way that the public interact with one another has changed and the advances in technology particularly over the past few years has made on-line communications much faster and can be more effective.

On-line meetings have a number of advantages, they save in travel time, they cut emissions, they don't require buildings to be opened or staffed, and they

can be quicker to organise and reduce potential risks to elected members. On-Line surgeries could also be advertised on the council website, Facebook and Twitter page at no additional cost.

Given the above, the Council agrees that as well as traditional surgeries, there is merit in developing the option for on-line surgeries for elected members.

The Council requests that a report be brought to a future meeting for consideration.

(e) Motion by Councillor Karen Conaghan – Dementia Awareness

This Council agrees to mark Dementia Awareness Week which this year will run from the 29th of May until the 4th of June. Council recognises the impact dementia has on the day to day lives of not only the individual themselves, but also the lives of their families and friends.

Through greater awareness and education it is possible to live well with dementia but finding the right support is crucial. Council therefore agrees to raise awareness by using our social media channels to highlight the ways in which individuals living with dementia and their families can find support, and to communicate how we might all better support those living with dementia.

Council recognises the positive links that have previously been made within our communities to assist those living with Dementia and agrees to work with partners to explore what more we can do and in particular the possibility of establishing a dementia friendly community here in West Dunbartonshire.

(f) Motion by Councillor Lauren Oxley – Pride Month

Council agrees to mark Pride Month 2023, which begins on the 1st of June. Pride Month is recognised every year by LGBTI people and their allies through various global events that celebrate, support, and empower members of the community.

Acknowledges that as well as being a month-long celebration, Pride is also an opportunity to peacefully protest and raise awareness of current issues that are facing the LGBTI community, both at home and abroad.

Notes that whilst we have seen significant progress and advancements in LGBTI equality in Scotland over the last 20 years, recent reports have found that a rising number LGBTI people believe that homophobia and transphobia are on the rise, and that biphobia remains a problem.

Asks West Dunbartonshire Council to show solidarity with the LGBTI community by recognising Pride Month through the annual flag-raising ceremony, and on our social media channels, highlighting the importance of

the month and why we must continue to support our LGBTI family members, friends, colleagues, and constituents.

WEST DUNBARTONSHIRE COUNCIL

At a Hybrid Meeting of West Dunbartonshire Council held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 31 August 2022 at 4.04 p.m.

Present: Provost Douglas McAllister and Councillors James Bollan, Karen Conaghan, Diane Docherty, Craig Edward, Gurpreet Singh Johal, Daniel Lennie, David McBride, Jonathan McColl, James McElhill, Michelle McGinty, June McKay, Lawrence O'Neill, Lauren Oxley, Chris Pollock, Martin Rooney, Hazel Sorrell, Clare Steel and Sophie Traynor.

Attending: Peter Hissett, Chief Executive; Alan Douglas, Manager of Legal Services; Laurence Slavin, Chief Officer – Resources and Section 95 Officer; Victoria Rogers, Chief Officer – People and Technology; Peter Barry, Chief Officer – Housing and Employability; Beth Culshaw, Chief Officer – West Dunbartonshire Health and Social Care Partnership, Amanda Graham, Chief Officer – Citizen, Culture and Facilities; Laura Mason, Chief Officer – Education; Gail Macfarlane, Chief Officer – Shared Services Roads and Neighbourhood; Gillian McNamara, Regeneration Co-ordinator; Michelle Lynn, Assets Co-ordinator; George Hawthorn, Manager – Democratic and Registration Services and Christine McCaffary, Senior Democratic Services Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Ian Dickson, John Millar and Gordon Scanlan.

Provost Douglas McAllister in the Chair**STATEMENT BY CHAIR**

The Provost advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

Councillor Gurpreet Singh Johal declared a personal interest in Item 16(e) Motion by Councillor David McBride – West Dunbartonshire Council calls for the Immediate Release and Return to the UK of Jagtar Singh Johal, on the Basis of His Continued Arbitrary Detention in India, being related to Mr Johal and advised that he would leave the meeting during consideration of this item of business.

RECORDING OF VOTES

The Council agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

URGENT ITEM OF BUSINESS

MOTION BY COUNCILLOR CLARE STEEL – LET OF CLYDEBANK TOWN HALL TO CLYDEBANK MUSICAL SOCIETY AND THE MUMMERS THEATRE GROUP

The Provost advised that he had received a request from Councillor Steel for the Council to consider an urgent item of business on the let of Clydebank Town Hall to the Clydebank Musical Society and the Mummery Theatre Group.

Councillor Steel relayed the terms of her motion to the Council, and the Provost advised that it would be considered after the final item of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of West Dunbartonshire Council held on 22 June 2022 were submitted and approved as a correct record.

OPEN FORUM

The Provost advised that the undernoted Open Forum questions had been received from Ms Susan Dick, Mr Graham Parton and Mr Jim Thomson. He then invited each of them to put their questions to Council:-

(a) Question from Susan Dick – Land at Milton

I own the field at Milton you want for the so-called relief road.

I'm currently being offered cash for my field with no guarantee of a home for my ponies living or dead and no place for my shed, field shelter, trailers or memorial trees.

There are many other solutions available such as:-

1. You are only using half of my field for the road, you could leave me the unused half.
2. You could test properly Sheepfold and guarantee it to me once the road through it is finished.
3. One particular area at Overtoun is in your ownership and control, not leased to anyone and has been used for horses before so it's entirely suitable, you've offered me a lease before of a much further away but unsuitable area so you're not averse to leasing out your own land for

horses – the area I mention is not part of any current lease to anyone and you've owned it since 1939. It has sat empty this whole time except for the 6 months or so that horses were kept there so this is a real possibility for it all to end amicably and swiftly. No lease needs be broken to allow me to have it, it's a win win for everyone. It's a solution I'd happily take subject to some alterations being allowed - safer fencing etc ... nothing you wouldn't allow to some other leaser such as a community garden or similar. My ponies stay there till Sheepfold is ready and if Sheepfold never materialises then I stay on with a permanent lease such as you have given to others nearby.

So my question to you all is - why can't a solution be reached such as the ones I have mentioned?

Councillor McBride provided the following response:-

As you will note from the terms of the report which appears later on the agenda the Council is able to address many of your requirements as indicated in your question. Addressing the three specific points you have raised:

1. The whole of your current field will be required for the duration of the works. Due to the nature of such works the final land take cannot be guaranteed as works may encounter unforeseen conditions and changes to design may be required. Also having considered the likely layout there would appear to be no reasonable means to provide access to the remaining land.
2. The land in question (Sheepfold) will be used as a lay down area for construction work on neighbouring plots of land. On completion of these works and the required reinstatement of the land we will undertake tests which will ascertain the suitability of the land for animal grazing. This would in any event be a requirement of Esso Petroleum Company Limited before they will grant consent for the land to be used for this purpose. The Council will discuss with Ms Dick the vegetation to be reinstated on the land before we commence the seeding process to ensure it is suitable for her ponies.
3. If the recommendations of the report are approved the Council would be able to offer a grazing let for a piece of land within the Dumbarton Common Good at Overtoun which you yourself have recently identified at a cost of £1. Grazing lets would continue to be offered until the reinstatement of Sheepfold. However, no "permanent" lease is possible with Common Good land and your agent will be able to advise you further in this respect.

(b) Question from Graham Parton – Land owned by Susan Dick

I am the partner of Susan Dick and together we run the little pony therapy style business which this Council actually books for events.

We are not stopping your development, we have mentioned already the alternatives to your current course of action. If some promises made had been kept then we would not be in this situation that we are now in.

My question to yourselves is:-

At a meeting last September 2021 some promised information has never been received by our appointed land agent or ourselves, which would help us. Could you explain to us why this information was never received despite several chasers from my agents and indeed a further open forum question in December 2021 in regards to it in which Susan was told to be patient with you?

The missing information is as follows...

1. A list of Council owned land to be given to my agent who would look over it and identify if any was suitable, this land would then be discussed with the parties involved.
2. Three specific areas of land known to be in West Dunbartonshire Council's ownership at the start of this process were to be looked at and then discussed between the agents and myself as to suitability.

Councillor McBride provided the following response:-

1. Plans which were provided by the Council to the Council's agents were considered too broad by the Council's agents and not detailed enough to be put forward for consideration by Ms Dick's agents in the format provided by the Council. Discussions have since taken place between the respective agents on various sites and lack of available sites and it was then suggested by your agents that a searching company was instructed. The Council's agents agreed to this and a fee proposal was awaited from your agents in this regard. The recent proposal from yourself has superseded this and should the report be approved today it would appear to have reached a desirable landing on Sheepfold and Overtoun and an additional new site equating to roughly 2 acres for reburial of your ponies. The remainder of this land would be available for you for any other requirements you may wish to use the site for.
2. Any areas of land owned by the Council were looked at and either proposed or ruled out for either non suitability or were valued in excess of the value of your current landholding. I am not sure what three specific areas of land you refer to in your question but I am aware that discussions have been ongoing for some time in relation to various landholdings within the Council's ownership together with private landholdings, Forestry and Land Scotland and Scottish Canals

Ms Dick asked the following supplementary question on behalf of Mr Parton:-

Councillor McBride mentioned as 2 acres. The map I've been sent shows 0.44 acres, so just under half an acre. Just in case we're not all talking about the same bit – the bit of land in Bowling?

Councillor McBride advised that he would seek clarification and that a response would be sent to Ms Dick within the next 7 days.

(c) Question from Jim Thomson – Sheepfold

In Mr Thomson's absence and with his agreement, Ms Dick asked the following question:-

As you will be aware, Susan Dick is an invaluable asset to all ages throughout the area and WDC has a responsibility to ensure that a replacement site to her current field is both appropriate and safe for her ponies.

What I would like to ask therefore is that you undertake a detailed test of Sheepfold to ensure that it is indeed safe and, if further decontamination is required, that this be undertaken accordingly so she knows she has a home for her ponies.

This is something she has requested to be done for five years now and as WDC owns the land it is unclear why you have not yet done so. So could you please resolve this issue as soon as possible

Councillor McBride provided the following response:-

I would refer you to the answer provided to question one which I believe addresses your question in full.

GLASGOW CITY REGION CITY DEAL UPDATE

A report was submitted by the Chief Executive noting the progress with the implementation of the Glasgow City Region, City Deal and seeking approval to accelerate the drawdown of increased design costs required for the delivery of the Full Business Case for the Council's Exxon Infrastructure Project.

After discussion and having heard the Regeneration Co-ordinator in answer to Members' questions, Councillor Rooney seconded by Councillor McGinty moved:-

That the Council agrees:-

- (1) to note the progress of the Glasgow City Region programme;
- (2) to note the progress on the Council's City Deal project for the Exxon site and approve submission of a Project Change Request to the City Region Project

Management Office for accelerated drawdown of £2.99M (subject to minor price revisions) required to deliver the Full Business Case;

- (3) to meet the accelerated drawdown from the agreed capital budget contribution of £9.64M should the Project Change Request be refused by the Project Management Office; and
- (4) to note the revised target date for the submission of the Full Business Case of June 2023

The motion was agreed by the Council.

Councillor Bollan having failed to find a seconder for a proposed amendment asked that his dissent be recorded in respect of this item.

EXXON LAND ACQUISITIONS

A report was submitted by the Chief Officer – Supply, Distribution and Property providing an update on progress made in negotiations with landowners and seeking approval for acquisitions as detailed in the report.

The Council agreed:-

- (1) to the purchase of the area of ground shown in Appendix 1 to these minutes from Arnold Clark Automobiles Limited for the sum of Twenty Thousand Pounds (£20,000) Sterling;
- (2) to dispose of the area of ground shown in Appendix 2 to Arnold Clark Automobiles Limited for the sum of Three Hundred and Sixty Five Thousand Pounds (£365,000) Sterling;
- (3) to the purchase of the area of ground detailed in Appendix 3 from Charles Cleary at a value of Sixty Five Thousand Pounds (£65,000) Sterling.
- (4) to the purchase of the area of ground detailed in Appendix 4 from Chivas Brothers Limited at a value of Twenty Thousand Pounds (£20,000) Sterling together with reasonable accommodation works in respect of safety fencing for the area of land being retained by Chivas Brothers Limited;
- (5) to purchase the area of ground detailed in Appendix 5 to these minutes from Susan Jane Dick on the following terms:-
 - 1. Land value of Seventy Seven Thousand Four Hundred Pounds (£77,400) Sterling;
 - 2. Transfer of an area of ground up to 4 acres at the site currently known as Sheepfold, on reinstatement after works, subject to Esso Petroleum Company Limited's approval and subject to ongoing obligations as to use of land. This will be at a value agreed per

acre as at today's date to ensure no detriment to Susan Jane Dick when purchasing at a later date.

3. Granting of a grazing let at a site at Overtoun for a nominal sum of £1 for a term to be defined.
4. Transfer at nil value an area of ground near Littlemill for reburial of horses;
- (6) to the purchase of the area of ground or part of the area of ground detailed in Appendix 6 to the SSPCA, following conclusion of negotiations with the landowner at a value to be agreed with the District Valuer;
- (7) to acquire any or all of the sites by Compulsory Purchase Order under Part I of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and either the Town & Country Planning (Scotland) Act 1997 or the Roads (Scotland) Act 1984 should there be any delay in acquisition;
- (8) to delegate authority for the Manager of Legal Services to determine the appropriate approach and formulate any Compulsory Purchase Order for submission to Scottish Ministers for their approval to the Council's subsequent legal acquisition of the land;
- (9) to authorise the Chief Officer - Supply, Property and Distribution to conclude negotiations; and
- (10) to authorise the Chief Officer - Regulatory and Regeneration to conclude the transaction on such conditions as considered appropriate.

VENTILATION IN LEARNING ESTABLISHMENTS

A report was submitted by the Chief Officer – Supply, Distribution and Property providing an update on indicative costs in relation to ventilation across our learning estate.

Councillor Steel moved:-

This Council notes the report from the Chief Officer Supply, Distribution and property and thanks all of those who have contributed to this.

In particular, the Council notes the indicative cost of retrospectively installing mechanical ventilation in our learning establishment which total £8,229,329.

It is also noted that our learning establishments use a variety of natural and mechanical ventilation systems and that during the public health emergency, the council opted to employ proactive CO2 monitors, in line with HSE guidance to help manage the risk of infection.

Council recognises that improved ventilation systems are included in new build and refurbished learning establishments and although the urgency of the COVID 19 pandemic may have passed, this Council requests that Educational Services develop a ten year plan to focus on upgrading ventilation in all our learning establishments over time.

The motion was agreed by the Council.

WEST BRIDGEND HALL

A report was submitted by the Chief Officer – Supply, Distribution and Property providing an update on progress with the West Bridgend Hall project following the motion to Council on 22 June 2022.

The Council agreed:-

- (1) to note the contents of the report; and
- (2) that officers proceed to tender for a new build for West Bridgend Hall whilst continuing to monitor all opportunities to either negate or augment the Council funding already approved within the ten-year capital plan.

REQUEST FOR NOMINATION TO THE SCOTTISH JOINT COUNCIL FOR LOCAL GOVERNMENT EMPLOYEES (SJC)

A report was submitted by the Manager – Democratic and Registration Services asking Council to consider a request from COSLA for nominations to the Scottish Joint Council for Local Government Employees (SJC).

The Council agreed to nominate Councillor Daniel Lennie to sit on the SJC, and Councillor Michelle McGinty as the substitute nominee.

AUDIT COMMITTEE ANNUAL REPORT 2021/22

A report was submitted by the Chief Officer – Resources providing an overview of the Audit Committee's activity during the financial year 2021/22.

The Council noted the contents of the report.

UNAUDITED 2021/22 ANNUAL ACCOUNTS

A report was submitted by the Chief Officer – Resources providing a copy of the unaudited 2021/22 Annual Accounts together with information as to the 2021/22 outturn as set out in the draft accounts.

The Council agreed:-

- (1) to note the unaudited 2021/22 Annual Accounts;
- (2) to note the information provided in relation to the financial performance of the Council's services and capital plan for 2021/22;
- (3) to note the current position regarding the Council's reserves;
- (4) to note that a report on the audited accounts will be submitted to either the Council or Audit Committee by 31 October 2022 for approval; and
- (5) if required to meet the timetable for submission, to delegate authority to the Audit Committee to formally approve the audited accounts by 31 October 2022, prior to submission to the Accounts Commission.

GENERAL SERVICES BUDGETARY CONTROL REPORT TO PERIOD 4

A report was submitted by the Chief Officer – Resources providing an update on the General Services revenue budget and the approved capital programme to 31 July 2022.

The Council agreed:-

- (1) to note a current projected annual adverse variance on the revenue account of £0.318m (0.13% of total budget);
- (2) to note that projected expenditure on the capital account was lower than the 2022/23 budget by £14.140m (21.56% of budget), made up of £12.260m (18.69% of budget) of project slippage, and an in-year net underspend of £1.880m;
- (3) the virement as requested at paragraph 4.13 of the report (Appendix 9); and
- (4) the acceleration as requested at paragraph 4.14 of the report (Appendix 10).

HOUSING REVENUE ACCOUNT (HRA) BUDGETARY CONTROL REPORT TO PERIOD 4

A report was submitted by the Chief Officer – Resources providing an update on the financial performance to 31 July 2022 of the HRA revenue and capital budgets.

The Council agreed:-

- (1) to note that the revenue analysis showed a projected annual favourable variance of £0.008m; and
- (2) to note that the net projected annual position in relation to the capital plan was highlighting an in-year adverse variance of £0.319m (0.43%) as detailed in Appendix 4 to the report.

NOTICE OF MOTIONS

(a) Motion by Councillor Sophie Traynor – Clydebank Asbestos Group

Councillor Traynor moved:-

Council acknowledges the fantastic contribution made by Clydebank Asbestos Group in the fight for justice for victims and their families.

Council recognises the decade of support, help and advice which the organisation has provided to people with asbestos-related conditions and their families.

Council requests that Provost McAllister holds a civic reception to mark the group's 30th anniversary in October.

Councillor McBride asked if Councillor Traynor would accept the following as an addendum to her motion:-

Council notes that all West Dunbartonshire Council councillors have been invited to the Clydebank Asbestos Group's 30th anniversary event in the Golden Jubilee Conference Hotel on Friday, 14 October. Therefore, rather than duplicate events we should ask the Provost and the Provost's Office to offer civic support and combine both events to mark the 30th anniversary.

Councillor Traynor confirmed her acceptance, and the motion with addendum was then agreed by the Council.

(b) Motion by Councillor June McKay – Council and Partners' Emergency Response to Dalmuir Fire

Councillor McKay moved:-

This Council notes the fantastic response to the recent fire at Frank Downie House in Dalmuir, a former 32 bed Residential Care Service.

This was a major fire and its close proximity to houses meant that Clydemuir Primary School was opened as an evacuation centre for those asked to leave their homes.

Council staff were on site in minutes including the Neighbourhood Team, Care at Home, Education, Facilities Management, Homelessness, and our resilience staff.

Staff remained on site until the early hours of the morning providing help and reassurance to local residents.

This Council thanks the emergency services and all of our employees for their response, but for the swift actions of emergency services the fire could have devastated the homes and lives of the residents whose properties are in close proximity to the site.

The motion was agreed by the Council.

(c) Motion by Councillor Gurpreet Singh Johal – Standing up for Responsible Tax Conduct

Councillor Johal moved:-

West Dunbartonshire Council notes that:

1. The pressure on organisations to pay the right amount of tax in the right place at the right time has never been stronger.
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. Almost two-thirds (63%) of the Scottish public agree that the Government and local councils should consider a company’s ethics and how they pay their tax as well as value for money and quality of service provided, when undertaking procurement.
4. Around 15% of public contracts in Scotland have been won by companies with links to tax havens.
5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

This Council believes that:

1. Paying tax is often presented as a burden, but it shouldn’t be.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring

contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.

4. Where substantive stakes are held in private enterprises, then influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned - e.g., no use of marketed schemes requiring disclosure under DOTAS regulations (Disclosure Of Tax Avoidance Schemes) or arrangements that might fall foul of the General Anti-Abuse Rule.
5. More action is needed, however, as current law significantly restricts councils' ability to either penalise poor tax conduct or reward good tax conduct, when buying goods or services.
6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

West Dunbartonshire Council resolves to:

1. Approve the Councils for Fair Tax Declaration subject to officers reviewing the Tax Declaration and bringing forward a report to a future meeting of the Council which sets out a comprehensive understanding of the Declaration and the implications for the Council and its services.
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
6. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
7. Promote Fair Tax Mark certification to any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses who say what they pay with pride.

9. Support calls for urgent reform of EU, UK and Scots law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

The motion was agreed by the Council.

(d) Motion by Councillor Chris Pollock – Dumbarton Football Club 150th Anniversary

Councillor Pollock moved:-

Council commemorates and celebrates the 150th anniversary of Dumbarton Football Club.

West Dunbartonshire Council recognises that Dumbarton FC is the fourth oldest professional football club in Scotland. The club has won two top league titles, four lower league triumphs, the Scottish Cup and numerous promotions.

Council commends the clubs place within our community with successful initiatives over the years such as the “More choices, more chances programme” as well as more recent outreaches across the community.

Council asks the Provost to host a civic reception honouring the club and wishes Dumbarton Football Club every success for the next 150 years.

The motion was agreed by the Council.

Note:- Councillor Johal left the meeting at this point, having previously declared an interest in the following item of business.

(e) Motion by Councillor David McBride - West Dunbartonshire Council calls for the Immediate Release and Return to the UK of Jagtar Singh Johal, on the Basis of His Continued Arbitrary Detention in India

Councillor McBride moved:-

This Council notes that:-

- Jagtar Singh Johal is a British national arbitrarily detained in India since 2017, facing the death penalty as a result of politically motivated charges based on a confession extracted under torture. He is a Sikh activist from Dumbarton who sought to draw attention to human rights abuses against India’s Sikh population, including in a blog post calling for accountability for historic anti-Sikh pogroms.
- The UN Working Group on Arbitrary Detention has found that under international law, Jagtar’s detention is clearly arbitrary. They found that

Jagtar's detention lacks any legal basis and that his fair trial rights have been gravely violated, with him remaining in detention "apparently with no evidence". The UN body called for him to be immediately released.

- Prime Minister Boris Johnson has recognized that Jagtar is arbitrarily detained. It is UK Government policy to call for the release of arbitrarily detained UK nationals overseas, but the Government has yet to do so in Jagtar's case.
- Jagtar is at serious risk of a death sentence. At least two of the charges against Jagtar carry the death penalty as a maximum punishment. The risk of Jagtar being sentenced to death is very high given the politicized nature of his case and the current political climate. Earlier this year, an Indian court sentenced 38 people to death in a single case.[2]

Given the above this Council agrees to:-

1. Call on the Foreign Secretary to advocate for the release of Jagtar Singh Johal and his return to the UK;
2. Request that the Council's Chief Executive write to the Convention of Scottish Local Authorities (COSLA) regarding Jagtar's case; and
3. Request that copies of this motion be distributed to all councils in Scotland asking them to consider supporting for their consideration.

Council acknowledges cross-party support for Jagtar Singh Johal and also thanks Martin Docherty-Hughes MP for his continuing support, using his offices to support the campaign in Parliament and the Foreign Commonwealth Office.

Since the motion was submitted Members may be aware of media reports of the UK Intelligence Agencies MI5 and MI6 providing a tip-off that led to the detention and torture of Jagtar Singh Johal.

A legal case has been launched by Jagtar, supported by the groups Reprieve and Redress. Both organisations are calling for his immediate release and for the Government to disclose what role they played in providing this information.

The motion was agreed by the Council.

Note:- Councillor Johal returned to the meeting at this point and the Provost, on behalf of all Elected Members, expressed full support for Mr Johal's release.

(f) Motion by Councillor Ian Dickson - £1,000 for Every Household

In Councillor Dickson's absence Councillor McColl, seconded by Councillor McElhill moved:-

Labour in West Dunbartonshire campaigned on a manifesto pledge to put £1,000 in the pocket of every West Dunbartonshire resident, with Scottish Labour Leader Anas Sarwar telling the BBC on April 7th, that Labour led Councils would be focused on such "bold policies to protect household budgets."

Council notes that having an overall majority gives Labour the mandate and ability to implement their election pledges as they see fit.

Council therefore calls on officers to work with the Administration to bring forward proposals for the Council to play our part in putting the promised £1,000 into every West Dunbartonshire citizen's pocket.

As an amendment Councillor McGinty, seconded by Councillor Rooney moved:-

Council thanks Councillor Dickson for his motion recognising that the best way to help West Dunbartonshire Citizens is to ensure we get Labour politicians elected at all government levels, Local Government, Scottish Parliament and at Westminster.

Council notes that Labour politicians campaigned on practical measures to help local residents with the cost of living crisis.

- At the Statutory Council meeting we set up a cross party cost of Living Working Group;
- At the June Council we committed additional funding to help with this including:
 - £250,000 contribution to a household energy fund
 - £52,000 food supplement for foodbanks (£1,000 per week)
 - Summer activities for pupils including swim, gym and sports camps
 - £25,000 to Antonine Sports Centre to support their sports and leisure activities for local people.
- In September a cost of living conference has been organised to take place in Clydebank Town Hall.
- The community Clean initiative to remove bulk waste and to clean up open spaces including grass cutting is still to come.
- The Cost of Living Fund also includes a £1m capital fund and a process has been agreed for this.
- There are a lot of initiatives within the HSCP budget which will also provide much needed help to local residents, including unpaid carers and welfare advice officers.

The Council is going through its Strategic Planning Process and Labour priorities will be reflected in the final plan.

Unfortunately, the previous SNP Administration squandered the Council's free reserves and had left a £13.8m budget gap.

Labour Councillors will continue to bring forward proposals to help local residents with the cost of living crisis.

On a roll call vote being taken 11 Members voted for the amendment, namely Provost McAllister and Councillors Edward, Johal, Lennie, McBride, McGinty, McKay, O'Neill, Rooney, Sorrell and Steel and 8 Members voted for the motion, namely Councillors Bollan, Conaghan, Docherty, McColl, McElhill, Oxley, Pollock and Traynor. The amendment was declared carried.

(g) Motion from Councillor Jonathan McColl – Levenhowe / Ballagan Burn Flood Prevention

Councillor McColl moved:-

Council thanks officers for working with local Lomond Ward members and Levenhowe residents during the previous term around flood prevention in the area.

Council notes that a budget allocation was made in the 2022/23 budget to deliver flood prevention works on Ballagan Burn identified by officers and communicated to local members and residents.

Council asks officers to provide an update to the next IRED Committee on the proposed works and at the same time to produce a summary briefing that can be emailed to Levenhowe residents to bring them up to date.

The motion was agreed by the Council.

(h) Motion by Councillor Karen Conaghan – Suicide Rate in West Dunbartonshire

Councillor Conaghan moved:-

Council is concerned that in West Dunbartonshire deaths by suicide continue on an upwards trend. We are all too aware of the link between social deprivation and mental ill health. The global pandemic of the COVID 19 virus and now the subsequent cost of living crisis have only added to the levels of depression and anxiety felt by many in our communities. We all have a part to play in helping prevent suicides and therefore Council requests a report be brought to the next Council meeting outlining what we already do in terms of suicide prevention work and what more could be done.

The motion was agreed by the Council.

URGENT ITEM OF BUSINESS
**MOTION BY COUNCILLOR CLARE STEEL – LET OF CLYDEBANK TOWN HALL
TO CLYDEBANK MUSICAL SOCIETY AND THE MUMMERS THEATRE GROUP**

Councillor Steel moved:-

Council notes that Clydebank Musical Society (CMS) and the Mummers Theatre Group intend to return to Clydebank Town Hall with shows in October and November of this year respectively.

Both groups are local, charitable organisations and are struggling to meet the costs involved in hiring the Town Hall for their planned 2022 shows.

Both groups suffered significant financial losses during the Covid-19 pandemic restrictions.

Both groups are making their own efforts to fundraise to meet all of the costs associated with putting on such shows.

In recognition of these difficulties and the current cost of living crisis affecting all of our residents, Council agrees to waive all Clydebank Town Hall charges associated with their upcoming shows in October and November 2022.

Clydebank Town Hall will be provided to them without cost on a one-off basis.

Thereafter, Council requests that officers prepare a report to come back to Council to allow Elected Members to consider a review of all hire costs associated with Clydebank Town Hall events and what level of charitable discount or reduction is appropriate.

The motion was agreed by the Council.

The meeting closed at 6.25 p.m.

WEST DUNBARTONSHIRE COUNCIL

At a Hybrid Meeting of West Dunbartonshire Council held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 29 March 2023 at 4.07 p.m.

Present: Provost Douglas McAllister and Councillors Jim Bollan, Karen Conaghan, Ian Dickson, Diane Docherty, Craig Edward*, Gurpreet Singh Johal, Daniel Lennie, David McBride, Jonathan McColl, James McElhill, Michelle McGinty, June McKay, John Millar, Lawrence O'Neill, Lauren Oxley, Chris Pollock, Martin Rooney, Gordon Scanlan, Hazel Sorrell, Clare Steel* and Sophie Traynor.

*Arrived later in the meeting.

Attending: Peter Hessett, Chief Executive; Alan Douglas, Chief Officer – Regulatory and Regeneration (Legal Officer); Laurence Slavin, Chief Officer – Resources and Section 95 Officer; Peter Barry, Chief Officer – Housing and Employability; Beth Culshaw, Chief Officer – West Dunbartonshire Health and Social Care Partnership; Amanda Graham, Chief Officer – Citizen, Culture and Facilities; Gail Macfarlane, Chief Officer – Roads and Neighbourhood; Laura Mason, Chief Education Officer; Victoria Rogers, Chief Officer – People and Technology; Angela Wilson, Chief Officer – Supply, Distribution and Property; Michelle Lynn, Assets Co-ordinator; Gillian McNamara, Economic Development Manager; George Hawthorn, Manager – Democratic and Registration Services, Carol-Ann Burns, Senior Democratic Services Officer; and Scott Kelly, Committee Officer.

Provost Douglas McAllister in the Chair

STATEMENT BY CHAIR

Provost McAllister advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

RECORDING OF VOTES

The Council agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

MINUTES OF PREVIOUS MEETINGS

The Minutes of Meetings of West Dunbartonshire Council held on 21 December 2022 (Ordinary Meeting) and 1 March 2023 (Budget Meeting) were submitted and approved as correct records.

MINUTES OF MEETING OF AUDIT COMMITTEE

The Minutes of Meeting of the Audit Committee held on 9 November 2022 were submitted and all decisions contained therein were approved.

OPEN FORUM

The following Open Forum questions were submitted:-

(a) Question from Jay Haston – WAVE Trust

To ask the leader of the Council, following the decision that was unanimously taken by the Council at the August 26th 2021 meeting in respect of the WAVE Trust, can the leader of the Council provide an update into what work has subsequently been undertaken to progress this?

Councillor McGinty provided the following response:-

I would like to thank Jay Haston for the question, which I will respond to as Deputy Leader of the Council and in my role as Chair of the Health & Social Care Partnership.

For context, the original motion from Councillor Ian Dickson included a request for a report to come to a future Council meeting on how the ambitions of the Wave 70/30 campaign can be achieved in West Dunbartonshire.

I can give reiterate that commitment that a report highlighting the Council, the HSCP and other partners contribution to the ambitions will come to Council, HSCP and if appropriate to our Community Planning Partnership.

Today I will give an overview of the range of activities and achievements across the Council so far.

The Council have a range of actions in place to reduce child abuse, neglect and other adverse childhood experiences (ACEs) by at least 70% by the year 2030.

This Council is committed to;

- a trauma informed approach;
- values the importance of good universal services from pregnancy with early identification and provision of extra support as required; and
- prevention of Adverse Childhood Experiences

A range of work has been carried out to support this campaign, some examples include:

The Promise that care experienced children and young people grow up loved, safe, and respected. A dedicated lead officer post (or 'Promise Keeper') is now in post to support partners working in Integrated Children's services to deliver against developments around the **Promise Plan 2021-24**.

Two hundred and fifty staff across community planning partners being trained in relation to the principles and approaches to The Promise as well as a number of local sessions from the **Each & Every Child** initiative which aims to change hearts and minds on care experience in Scotland to shift public attitudes and improve life chances of children, young people and their families.

We recognise the importance of good universal services from pregnancy with early identification and provision of extra support as required including antenatal contact to allow the health visiting service to build trusting relationships with families at this pivotal time.

Given the increasing understanding of the impact of poor parental mental health on children and young people a number of staff across WDC early years and HSCP are involved in **NHSGGC Infant and Maternal Mental Health networks** and have accessed NHS NES **Infant mental health training** to support good infant and maternal mental health.

For parents that need additional support a review of the Special Needs in Pregnancy Service (SNIPS) commenced in 2021/22 to ensure it continues to meet the needs of the clients and the NHSGGC Family Nurse Partnership service for first time mothers under the age of 19 continues to offer a relationship-based service antenatally and until the child is two.

WDC Education are leading on the development of the supports via the local allocation of the **Whole Family Wellbeing Fund** with work progressing to improve and develop approaches to providing early family help and wellbeing.

The Alcohol and Drug partnership already resource for the **Whole Family Approach** which aims to ensure that family members affected by substance use have access to relevant high-quality, holistic and consistent whole family approach are included in this.

In Children's social care there has been an increase in the number of children's plans that have been revisited through the permanency process, where children have been able to reach positive destinations through permanency planning. To support continued improvement in this, a number of independent reviewers have been recruited to further support the voices and rights of children in reviews of children's plans for those involved in Children's social work services.

Development work was undertaken jointly with partners within Health, Education, Children's Hearings Scotland (CHS) and **Scottish Children's Reporter Administration (SCRA)** to review and redesign the assessment format provided by Children and Families Social Work Services to Children's Hearings. This work was undertaken in partnership with children and young people facilitated by the Champions Board, and with parents and carers of children subject to a referral. Local uptake of **Partners In Advocacy** support to children and young people entering the Hearing process increased.

The focus is on Trauma informed and responsive approach

In March approximately 30 managers and leaders from Children's Health Care and Justice attended the national **NHS NES Scottish Trauma Informed Leaders Training (STILT)** to support leaders of organisations to develop trauma informed systems, processes, environments and teams from top down as well as bottom up. This will be followed up in April with a local session working with the NHSGGC Transforming Psychological Trauma Implementation Coordinator to action plan and make best use of the national tools available.

Additional training on trauma

All staff working in children's houses have accessed four-day training in the **Dyadic Developmental Psychotherapy (DDP)** approach. This approach encourages working with young people and their family and or other key people involved in their care. It raises awareness of trauma and its impact on young people's development and how this might affect their behaviour and supports staff to interact and talk with young people with this informed approach. It highlights use of a **PACE** approach in interactions i.e. to be Playful, (to allow us to attune and match young people's mood and emotions), Appreciative, (of the young person's point of view and what they are telling us about how they feel), Curious (to wonder why a young person feels the way they do, or wonder what their behaviour is really telling us) and finally to be Empathetic (to really try to understand how young people are feeling).

Additionally, over a hundred staff across WDC Education including Educational Psychology, and HSCP Children's Social work have accessed a level 1 DDP learning opportunity.

Prevention of Adverse Experiences

A few recent events on this are as follows;

- 'Healing Trauma and Connecting People through Community Arts' and had 32 participants. Evaluation showed staff knowledge improved from 5.6 to 8.6 out of 10.
- A focus on '**The First 1001 Days**' in recognition of the clear, compelling evidence that pregnancy and the first two years of a child's life are a significant and influential phase in development and prevention of adversity. Fifty-one participants attended and the evaluation showed that staff knowledge had improved from 7.2 to 8.8 out of 10. 6.
- The most recent event in February had 57 people attending with the theme of 'Developing your trauma-informed practice journey' highlighted the existing good practice across schools and residential care as well as the accessible NHS NES trauma training resources.

The documentary film Resilience about Adverse Childhood Experiences (ACEs) continues to be a key resource to increase ACE awareness among the workforce.

Over 1200 staff in West Dunbartonshire have seen the film, which is always followed by a Panel Q&A.

The viewing in November 2022, attracted 56 staff. Evaluation shows increased knowledge and commitment to action. A targeted viewing in February for adoptive parents, foster carers, kinship carers and Throughcare carers was well received which built on the **trauma informed parenting** sessions the carers had also accessed.

An invitation from Mr Haston was offered to attend a meeting with Mr Haston, Harry Burns and the founder of the WAVE Trust. Councillor McGinty accepted the invitation.

Note: Councillor Steel entered the meeting during consideration of this item.

(b) Question from Susan Dick – Land at Milton

I currently own land which will be bulldozed as part of the Exxon development.

I have one request in light of this Council's drive towards net zero and any climate change policies they may have.

Within this field there is a large and beautiful 200 year old tree. It is on a prominent site within the field near the private road also belonging to myself and which is a right of way, it is a healthy tree which grows straight with no known issues or health concerns.

There is also a large wildlife pond near the Arnold Clark end of the site.

I don't think either of them are in the path of the intended roads.

When the site is cleared I ask that serious attempts are made to save this tree and the pond from destruction. I ask this due to the tree's great age and the fact that a tree of this age and size will be an asset in carbon capturing, something that should be important to us all. The pond will also be doing its bit for wildlife in the area and carbon capture as well.

It is not good enough to simply destroy such a valuable tree and replace it with tiny saplings as is the norm.

The hundreds of trees that will be lost on this site mean that the drive towards net zero will be damaged extensively but the saving of this tree and pond could help offset some of the damage done to the environment when this field is destroyed.

Could I have any kind of assurances that when decisions are being made the saving of the tree and pond could be considered as essential.

To be truthful after all that has gone on over my field it is the very least you can do.

Councillor McBride provided the following response:-

The Planning in Principle was granted on 13th January 2021 for the Exxon infrastructure and commercial/industrial development.

The permission contained 31 conditions which included a condition relating to the submission of a Landscape Framework and Strategy before the submission of the first detailed application. A Landscape Framework and Strategy has been submitted and is presently being discussed with Nature Scot, the Council's Biodiversity Officer and other key consultees to allow the discharge of this condition.

The agreed Landscape Framework and Strategy will inform the details of the Approval of Matters Specified in Condition detailed application which is due to be submitted in late April 2023.

The existence of trees, hedgerows and boundary vegetation within the site is recognised as is the existence of seasonal ponds. A key consideration in the detail of the development will be the retention of key landscape features including trees and any sensitive ecological features wherever possible, together with the provision of new landscaping and habitat features to enhance the wider site.

Ms Dick asked the following supplementary question:-

I hope that I would be able to make some comments when the planning application comes out.

I am quite concerned about the tree in light of what has recently happened.

On the field you may not be aware of this but it is on my Facebook page which I know that some of you follow, in the last 2 weeks, 2 large groups of trees have been cut down just outside my boundary and damaged my fence. No authorization was given to that and no permission asked for so I am a little concerned in case something is done to that tree without any planning application been looked at, so if anyone needs in the field to do surveys or any future work or anything on that field I must be given notification.

I am very concerned about the future of that tree, it is on a prominent site, I hope it will be retained, it can be seen from all parts of the field, road and cycle track. It is particularly huge but as I say can I have assurance that should surveys be getting done with Nature Scotland or whoever and any future work that I be notified.

Councillor McBride provided the following response:-

West Dunbartonshire Council's contractor were carrying out survey works using co-ordinates to establish the line of the new proposed SGN diversion. Tree felling was undertaken for the line of the new diversion route prior to the nesting season. A member of West Dunbartonshire Council staff met the surveyors on site, once on site it was noted the surveyors had commenced work and were on Ms Dicks land. We have responded to Ms Dick's agents advising that we recognise damage has been caused and we will be in touch further to compensate for the damage.

CONTINGENCY ARRANGEMENTS (NUCLEAR INCIDENT) – MOTION FROM COUNCIL 21 DECEMBER 2022

A report was submitted by the Chief Officer – People and Technology providing an update on the local resilience structures should there be a nuclear incident at Faslane.

Having heard Provost McAllister, it was noted that the Document Pack for the meeting contained an error in the reproduction of Appendix 1 to the report and there was submitted (tabled) a corrected version of the Appendix.

After discussion and having heard the Chief Officer – People and Technology in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note West Dunbartonshire Council's response structures; and
- (2) to note Specific Nuclear Incident Planning.

GLASGOW CITY REGION CITY DEAL – UPDATE

A report was submitted by the Chief Officer – Regulatory and Regeneration noting the progress with the implementation of the Glasgow City Region City Deal.

After discussion and having heard the Economic Development Manager and the Chief Officer – Roads and Neighbourhood in further explanation and in answer to Members' questions, the Council agreed to note the progress of the Glasgow City Region programme.

Note: Councillor Edward entered the meeting during consideration of this item.

NON-DOMESTIC RATES EMPTY PROPERTY RELIEF POLICY

A report was submitted by the Chief Officer – Resources seeking approval of the introduction of West Dunbartonshire Council's locally agreed Non-Domestic Rates (NDR) Empty Property Relief (EPR).

The Council agreed:-

- (1) to approve the new West Dunbartonshire Council Empty Property Relief Policy; and
- (2) that a review of the new Empty Property Relief Policy is carried out by 31 March 2024 and presented to the Corporate Services Committee following consultation with internal and external stakeholders.

SCALE OF CHARGES – CLYDEBANK TOWN HALL – MOTION FROM COUNCIL 31 AUGUST 2022

A report was submitted by the Chief Officer – Citizen, Culture and Facilities requesting consideration of a review of all hire costs associated with Clydebank Town Hall events and what level of charitable discount or reduction is appropriate.

After discussion and having heard the Chief Officer – Citizen, Culture and Facilities in further explanation and in answer to a Member's question, the Council agreed:-

- (1) to note the current scale of charges and discount scheme at Clydebank Town Hall and in addition note the £20,000 fund created as part of the 23/24 budget to support community groups with the hire of Council venues or facilities for one-off events;
- (2) to delegate authority to officers to establish a process and criteria for applications;-
- (3) to delegate authority to the Chief Officer – Citizen, Culture, & Facilities and/or the Chief Officer – Resources to approve or reject applications to the fund; and

- (4) to extend the 25% discount to cover all hours including nights and weekends.

TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY

A report was submitted by the Chief Officer – Resources seeking approval of the proposed Treasury Management Strategy Statement and Annual Investment Strategy and the indicators contained within.

After discussion and having heard the Chief Officer – Resources in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to approve the proposed Treasury Management Strategy Statement and Annual Investment Strategy and the indicators contained within;
- (2) to approve the continued use of the asset life method (using either annuity or equal instalment) for the repayment of loan fund advances with the exception of spend to save schemes where the funding/income profile method could be used;
- (3) to approve the ability to continue to use countries with a sovereign rating of AA and above; and
- (4) to note the report will be referred to Audit Committee for further scrutiny.

GENERAL SERVICES BUDGETARY CONTROL REPORT TO 31 JANUARY 2023 (PERIOD 10)

A report was submitted by the Chief Officer – Resources providing an update on the General Services revenue budget and the approved capital programme to 31 January 2023.

Having heard the Chief Officer – Resources in further explanation the Council agreed:-

- (1) to note a current projected annual adverse variance on the revenue account of £1.999m (0.78% of total budget); and
- (2) to note that projected expenditure on the capital account was lower than the 2022/23 budget by £35.309m (53.04% of budget), made up of £30.488m (45.79% of budget) of project re-profiling, and an in-year net underspend of £4.820m (7.24% of budget).

HOUSING REVENUE ACCOUNT BUDGETARY CONTROL REPORT TO 31 JANUARY 2023 (PERIOD 10)

A report was submitted by the Chief Officer – Resources providing an update on the financial performance to 31 January 2023 (Period 10) of the HRA revenue and capital budgets for 2022/23.

Having heard the Chief Officer – Supply, Distribution and Property in further explanation and in answer to a Member's question, the Council agreed:-

- (1) to note the revenue analysis shows projected adverse variances of £2.253m however this will be offset by reducing the contribution from revenue to capital (CFCR) therefore netting to a revenue break even position; and
- (2) to note the net projected annual position in relation to the capital plan is highlighting an in-year adverse variance of £27.242m (41.53%) which is made up of re-profiling of £31.671m (48.28%) and overspend of £4.429m (6.75%) as detailed in Appendix 4 to the report.

NOTICE OF MOTIONS

(a) Motion by Councillor Jim Bollan – Naloxone Intervention Kits

Councillor Bollan moved:-

Council recognises the huge number of deaths due to opiate overdose in Scotland. West Dunbartonshire, at the end of 2022, had six such deaths within the space of a month.

People who overdose on opiates can be saved by Naloxone being administered, which temporarily reverses the effects of opiate overdose to allow medical intervention.

Last year in Scotland 1,300 lives were saved by Naloxone.

Council agrees to locate a Naloxone Intervention Kit in all Council premises, Offices, Libraries, Leisure Centres, Residential Units and other locations, where it is felt they could be of emergency assistance.

Free training for staff locally (45mins) is available, the Naloxone Kit and a free supply of the Naloxone is available locally from the NHS for all accredited/trained users.

The motion was agreed by the Council.

(b) Motion by Councillor Clare Steel – Scottish Water Inadequate Infrastructure and Local Flooding in Linnvale

Councillor Lennie, on behalf of Councillor Steel, moved:-

This Council is concerned about the annual flooding events which affect Linnvale in Clydebank.

The Council notes that an Open Forum Question from John Mooney was considered at the December Council and that Councillor David McBride responded on behalf of West Dunbartonshire Council. A copy of the question and response is appended to this motion.

The access to Linnvale is limited and the only way in and out of the area by vehicle is through Livingston Street which is highly prone to localized flooding. As a result, when we have heavy rain, the road into Linnvale becomes unusable and means that local residents, emergency services and businesses are affected.

As well as the temporary isolation this causes, there is an inherent risk of flooding to homes which is a major concern for local residents.

Council is concerned that although the flooding is captured in the Clyde & Loch Lomond Local Flood Risk Management Plan, funding for the Scottish works to bring its infrastructure up to an adequate standard has not yet been identified.

The Council has made commitment to support Tenants & residents with flood preventions to their property. Council has also committed to working with Scottish Water to accelerate key areas that experience flooding due to capacity issues in the Scottish water draining system. Funding has been allocated by West Dunbartonshire Council to progress those studies.

Given the above, the Council asks the Chief Executive to write to the appropriate Cabinet Secretary highlighting the impact of the flooding on the residents of Linnvale and calls on the Scottish Government and Scottish Water to prioritise the replacement of the inadequate Scottish Water infrastructure.

Appendix

Open Forum Question John Mooney:

The following Open Forum question has been submitted: - Question from John Mooney – Flooding in Linnvale, Clydebank.

The Linnvale community is very concerned about the recurrent flooding of their streets. It is disappointing and demoralising to read the recriminations between the Council and Scottish Water about this in the local press.

Can the Council provide an assurance today that it will do its utmost to work in partnership with Scottish Water and the Linnvale community to sort this out for good?

Council Response by Councillor David McBride:

The Clyde & Loch Lomond Local Flood Risk Management Plan sets out the actions that West Dunbartonshire Council has agreed to take forward to reduce the overall flood risk within the area.

These actions have been discussed and agreed by the WDC, SEPA, Scottish Water and all other responsible authorities & Public bodies involved in reducing Flood Risk.

West Dunbartonshire Council will be the Lead on the action for a Surface Water Management Plan for the Clydebank Area, this is a cycle 3 action under the Clyde & Loch Lomond Local Flood Risk Management Plan for West Dunbartonshire Council & Scottish Water due to the ongoing actions.

At this time there is no confirmation of when the funding will be made available from the Scottish Government to fund this piece of work as the flooding budget is currently oversubscribed.

The flood study has identified a number of locations at high risk to the impact of surface water and the need for a detailed Surface Water Management plan to be developed to address current capacity issue of the existing drainage system.

Whilst the responsibility for surface water lies with the local authority, the majority of drainage systems are owned and maintained by Scottish Water and as such any plans need to be developed in conjunction with them.

Although the Council will be looking at methods to best manage the Surface Water within the area, there will still be a Flood Risk from the combined sewer systems where the capacity is not sufficient.

Scottish Water have confirmed that there is a capacity issue within the existing systems at Linnvale which results in flooding experienced at street level.

A budget allocation of £500k was made in the 2022/23 budget to accelerate flood prevention works.

The 2nd Nov 2022 IRED Committee approved that £375k would be allocated to accelerate feasibility studies for a number of priority locations that are identified within the Surface Water Management Study. Linnvale has been identified as a priority location.

As part of this investment the Council will liaise with Scottish Water to undertake a focused study to develop plans for water alleviation and system upgrades to reduce the impact of surface water within the area.

Councillor Traynor asked if Councillor Lennie would accept the following addendum to his motion:-

To run communication campaign informing residents of what support is available to help mitigate themselves.

Councillor Lennie confirmed his acceptance to the addendum and the motion with addendum was unanimously agreed by the Council.

(c) Motion by Councillor Craig Edward – Additional Dwelling Supplement Tax Increase

Councillor Edward moved:-

Council notes the Scottish Budget announced on the 15th of December 2022, resulted in the Additional Dwelling Supplement (ADS) increased from 4% to 6% with immediate effect. This tax is payable on the total price of purchasing additional residential properties in Scotland, when a property purchase price exceeds £40,000.

Local Authorities are still obliged to pay the ADS rate. To put this into context, if the Housing Department purchased an 'off the shelf' buy back property on the open market at £100,000, then the Housing Revenue Account (HRA) would be paying an additional £2000 in ADS.

Housing policy must not solely rely on building new homes, when it is possible to purchase private housing to meet the needs of our citizens on the housing waiting list. Each property purchased becomes council housing stock.

This Council has ambitious plans to purchase more homes for council ownership. Based on our 2023/24 projections, the HRA would be paying £300,000 in ADS, which is £100,000 more than was the case prior to the Scottish Government increasing this tax at the Scottish Budget announcement.

This will have a real impact on Council's plans because if it did purchase a home at £100,000 for example, the unjustness of the ADS tax will result in either council tenants suffering with a £300,000 surcharge, or council purchasing three less properties each year.

This is not an acceptable situation for our tenants or for our citizens on housing waiting lists.

Council commends the hard work and diligence of our housing staff who have already been lobbying strongly and repeatedly for this obstructive tax increase

to be reversed, to enable more homes to be purchased for council housing use.

Council supports the work of our staff highlighting this tax injustice. Therefore, the Convenor of Housing, Employability & Communities, and the Leader of the Council, will make respective representations to the relevant Cabinet Secretaries, and via COSLA. The representation will highlight the absurdity of this situation, call for this tax increase to be reversed immediately, and highlight the negative impact the ADS increase has on the Scottish Government's own priorities in terms of increasing supply and housing by 2040.

Council will also liaise directly with the WDTR0 on raising these concerns and report back to council on the outcome of the representations made, as above.

As an amendment, Councillor Singh Johal moved:-

Council notes that the Scottish Government Draft Budget on 15th December included an increase to the Additional Dwelling Supplement Tax from 4% to 6%. This increase would continue to impact on our affordable housing programme.

If local authorities were required to pay the ADS, then the impact is for a house purchase of £100,000 would mean paying £6,000 in ADS per acquisition. It is estimated that this could cost in the region of £480,000 to purchase 80 properties per year.

Council notes that alongside our COSLA and partners West Dunbartonshire Council has lobbied strongly for the removal of the Additional Dwelling Supplement (ADS) for Councils.

As a result, on 8th February, the Scottish Government acknowledged the impact on social housing and launched a second consultation, which if the supported, would mean that local authorities would be given the same exemption from paying the ADS on buyback purchases where the intention is to use as social housing.

Housing Associations have benefited from since the introduction of Land and Buildings Transaction Tax (LBTT).

The proposed changes in the consultation will support the Scottish Government's priorities to increase social rent housing supply and deliver on the Housing to 2040 ambition.

Councillor Edward then withdrew his motion.

Councillor Bollan asked if Councillor Singh Johal would accept the following addendum to his amendment:-

If the Government doesn't agree to waive the charge for the local authorities the matter is brought back to Council.

Councillor Singh Johal confirmed his acceptance to the addendum and the amendment with addendum was agreed by the Council.

(d) Motion by Councillor Sophie Traynor – Growing Up Grieving

Councillor Traynor moved:-

Council recognises the differing levels of bereavement services for children and young people within schools across West Dunbartonshire.

The current support that is in place varies significantly across schools in the area and is not holistic enough to fully support grieving children and young people throughout their school careers. The motion is based on the National Childhood Bereavement Project's "Growing Up Grieving" report which was delivered by Includem which looks at this issue on a national level.

Council requests the Chief Education Officer to address the lack of universality of bereavement support provided in schools across West Dunbartonshire through a bereavement policy that takes at a whole school approach to death, dying and bereavement to support all children and young people who are experiencing grief.

The motion was unanimously agreed by the Council.

(e) Motion by Councillor Craig Edward – Welcoming HM Coastguard to Clydebank

Councillor Edward moved a motion in relation to the above but failed to find a seconder:-

Thereafter, Councillor Lennie moved:-

The Council notes that the network of HM Coastguard Rescue Teams across the UK provide a range of rescue services to the public.

The service comprises volunteers, who are trained and supported in their role by full time staff.

Council welcomes the announcement by HM Coastguard on 16th January of the creation of the Glasgow/Clydebank Coastguard Rescue Team which will be based in Clydebank later this year.

Council acknowledges that the Coastguard Rescue Team will be a great addition to our emergency response services and asks the Chief Executive to write to HM Coastguard inviting them to become involved in West Dunbartonshire Community Planning Partnership.

Councillor Lennie's motion was agreed by the Council.

(f) Motion by Councillor Craig Edward – Clyde Green Freeport Bid Disappointment

Councillor Edward moved a motion in relation to the above but failed to find a seconder:-

Thereafter, Councillor Rooney moved:-

The Green Freeport initiative gives special tax status to a designated area to drive investment, innovation and growth.

The Glasgow City Region Bid included: Mossend International Freight Park in North Lanarkshire; Glasgow Airport in Renfrewshire; and Peel Ports with sites at Glasgow, Inverclyde (Ocean Terminal) and West Dunbartonshire.

Despite being the strongest bid in terms of creating 30,000 new jobs, a bold decarbonisation plan to support net zero targets, and the wider economic benefits of a major investment in the Glasgow City Region, our Green Freeport bid was unsuccessful.

Council notes that the two new Green Freeports chosen by UK and Scottish Government ministers are Inverness and Cromarty and Firth of Forth.

The chair of the Glasgow City Region, the Leader of Glasgow City Council, Councillor Susan Aitken wrote to the Deputy First Minister John Swinney MSP and the UK Levelling Up Secretary Michael Gove MP to express disappointment and to question why this major investment is going entirely to one side of Scotland to the Firth of Forth and the Cromarty Firth.

Councillor Aitken argued that this not only bypasses the engine room of Scotland's economy but also those communities where the need for Levelling Up is deeper and more acute than practically anywhere else in the UK.

The City Region Cabinet will continue to work with the UK and Scottish Government to bring additional investment into the Glasgow City Region which is the economic heart of Scotland.

Councillor Rooney's motion was agreed by the Council.

The meeting closed at 6.18 p.m.

CULTURAL COMMITTEE

At a Hybrid Special Meeting of the Cultural Committee held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 29 June 2022 at 10.00 a.m.

Present: Councillors Martin Rooney, Craig Edward, June McKay, Lauren Oxley and Chris Pollock.

Attending: Amanda Graham, Chief Officer – Citizen, Culture & Facilities; Alan Douglas, Legal Manager; Sarah Christie, Team Leader – Arts & Heritage; Michelle Lynn, Assets Coordinator and Lynn Straker and Nicola Moorcroft, Committee Officers.

Councillor Martin Rooney in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

RECORDING OF VOTES

The Committee agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

SUSPENSION OF STANDING ORDER

Having heard the Legal Officer, the Committee agreed to suspend Standing Order 20(a) to allow consideration of the following item of business.

PREVIOUS DECISIONS OF THE CULTURAL COMMITTEE

A report was submitted by the Chief Officer – Citizen, Culture & Facilities, providing an overview of decisions of the Cultural Committee during 2021/2022 which have a cost implication for the Council.

After discussion and having heard from the Chief Officer and the Team Leader – Arts & Heritage in further explanation, and in answer to Members' questions, the Committee agreed:-

- (1) to remove the current restrictions limiting bookings in the Town Hall which was creating a recurring £80,000 revenue pressure due to lost income;
- (2) to proceed with the previously agreed self-service catering option at the Town Hall negating the additional revenue cost of re-opening the coffee shop (included in £80,000 above);
- (3) to revert to the pre-Covid timetable with a six days a week opening and not progress with seven day opening thus removing an additional £25,000 revenue pressure;
- (4) to maintain the Garden Gallery in its current form and not proceed with works to create additional display space therefore removing £23,500 of capital costs;
- (5) to utilise existing channels to promote the area and cultural offering and not proceed with the development of a standalone website thus removing estimated net revenue costs of up to £100,000 and up to £103,000 of capital costs; and
- (6) to note that the Blitz is a significant and important element of Clydebanks history which will be recognised in the new museum space being developed in the town's library with a permanent display of objects and ephemera, including a space for reflection and a Roll of Honour naming all those who lost their lives.

DUMBARTON AT 800 – OCTOCENTENARY OF THE ROYAL BURGH

A report was submitted by the Chief Officer – Citizen, Culture & Facilities, outlining the planned activity by the Arts and Heritage team to mark the octocentenary of the Royal Burgh of Dumbarton between July 2022 and July 2023.

After discussion and having heard the Team Leader – Arts & Heritage in further explanation, and in answer to Members' questions, the Committee agreed:-

- (1) to note the contents of the report and to support the activities and approach described within the paper; and
- (2) to ensure commitment to working closely and engaging with local West Dunbartonshire businesses in promoting this occasion and for a report to come back to Members in the near future detailing the work done to engage with the community.

The meeting closed at 10:37 a.m.

COMMUNITY ALLIANCE

At a Meeting of the Community Alliance held by video conference on Monday, 29 August 2022 at 4.02 p.m.

Present: Anne MacDougall, Chair; Provost Douglas McAllister; Councillor Gurpreet Singh Johal; Rona Young, Clydebank Seniors Forum; Donnie Nicolson, Bellsmyre Development Trust and Frances McGonagle WDTR0.

Attending: Clare English, Communities Manager; Suzanne Mason, Communities Team Leader; Chris Young, Project Development Worker and Ashley MacIntyre, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillor John Millar; Barbara Barnes, Health & Social Care Partnership (HSCP) Locality Engagement Network and Brenda Pasquire, West Dunbartonshire Citizens Advice Bureau.

Ms Anne MacDougall in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

OPEN FORUM

The Alliance noted that no open forum questions had been submitted by members of the public.

VERBAL UPDATE

Anne MacDougall, Chair, asked for it to be noted that this would be the last meeting of the Community Alliance or any reformatted community led body which she would participate in as the Chair.

Rona Young, Clydebank Seniors Forum asked for it to be noted that this would be the last meeting of the Community Alliance or any reformatted community led body which she would attend.

COMMUNITY ALLIANCE UPDATE AND PROPOSED WAY FORWARD

A report was submitted by the Communities Manager providing an update on the proposed approach to transition from the current organisational structure towards a more community led format and seeking approval for this approach.

After discussion and having heard the Communities Team Leader and the Project Development Worker in further explanation and in answer to Members' questions, the Alliance agreed:-

- (1) that the Community Alliance should cease to operate in its current form; and
- (2) the proposed approach to transition from the current structure by engaging with local people through the Approach to Developing a Communications Plan (as shown in Appendix 1 to the report).

VALEDICTORY

Provost Douglas McAllister thanked Anne MacDougall, Chair and all other members of the Alliance for their years of dedication, service and greatly valued experience.

Other Members were heard in similar terms thanking the Chair for her commitment to the Alliance.

The meeting closed at 4.30 p.m.

DUMBARTON TRUST COMMITTEE

At a Meeting of the Dumbarton Trust Committee, held in the Brock Training Room, Council Offices, 16 Church Street, Dumbarton, on Wednesday, 15 March 2023 at 1.00 p.m.

Present: Councillors Karen Conaghan, Gurpreet Singh Johal, David McBride and Chris Pollock.

Attending: Adrian Gray, Business Unit Finance Partner (Corporate Functions); Nigel Ettles, Principal Solicitor and Ashley MacIntyre, Committee Officer.

Apology: An apology for absence was intimated on behalf of Laurence Slavin, Chief Officer – Resources.

Councillor Gurpreet Singh Johal in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Dumbarton Trust Committee held on 18 January 2023 were submitted and approved as a correct record.

GRANT APPLICATIONS

A report was submitted by the Chief Officer – Resources, providing information on a grant application to the Dumbarton Trust Fund and making a recommendation for consideration.

After discussion and having heard the Business Unit Finance Partner (Corporate Functions), in further explanation of the report and in answer to Members' questions, the Committee agreed to award £3,822.96 as requested in the grant application from Friends of Levensgrove Park for the reasons provided within Appendix 1 to the report.

DEPLETION OF FUND – PROPOSED CLOSURE

A report was submitted by the Chief Officer – Resources, providing information on the remaining balance in the Dumbarton Trust Fund and recommending closure of the fund, with the remaining balance being distributed to Older People groups in the Dumbarton Area.

After discussion and having heard the Business Unit Finance Partner (Corporate Functions), in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to approve the distribution of the remaining £1,124.26 in the Dumbarton Trust Fund to Ben View Resource Centre Lunch Club and Befriending Service;
- (2) that Councillor Gurpreet Singh Johal, Chair, would provide a covering letter to be sent to Ben View Resource Centre;
- (3) that the covering letter would be circulated to all Members of the Committee; and
- (4) to approve the closure of the Dumbarton Trust Fund.

The meeting closed at 1.12 p.m.