

## **WEST DUNBARTONSHIRE COUNCIL**

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank, on Wednesday, 15 December 2010 at 6.00 p.m.

**Present:** Provost Denis Agnew and Councillors George Black, Jim Bolland, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, Douglas McAllister, David McBride, Jonathan McColl, Ronnie McColl, Jim McElhill, Patrick McGlinchey, Craig McLaughlin, Willie McLaughlin, Marie McNair, John Millar\*, Iain Robertson, Martin Rooney and May Smillie.

\*Arrived later in the meeting.

**Attending:** David McMillan, Chief Executive; Joyce White, Executive Director of Corporate Services; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Terry Lanagan, Executive Director of Educational Services; David Connell, Head of Finance and ICT; David Clarke, Head of Service (Resources), Educational Services; Craig Jardine, Manager of Educational Estates; Alan Douglas, Manager of Legal Services and George Hawthorn, Senior Administrative Officer.

**Apologies:** An apology for absence was intimated on behalf of Councillor Margaret Bootland.

### **Provost Denis Agnew in the Chair**

#### **RESIGNATION OF COUNCILLOR MARGARET BOOTLAND**

Provost Agnew informed the Council that Councillor Margaret Bootland had decided to resign from the Council due to ill health. Provost Agnew commended Councillor Bootland for her good work as a Councillor and wished her well.

Councillor Ronnie McColl, on behalf of the SNP Group, praised Councillor Bootland as an effective adversary and a good Councillor for her area who will be sorely missed.

Thereafter, Councillor Rooney, on behalf of the Labour Group, informed the Council that he was proud to call Margaret his friend and praised her work both as a member of the Labour Party and as an effective Councillor for her area. He commended her for her bravery and work ethic and echoed Councillor McColl's sentiment that her presence will be missed by every member of the Council.

Councillor McAllister echoed the sentiments previously expressed by Councillors R. McColl and Rooney and in so doing highlighted Councillor Bootland's fighting qualities and urged everyone to encourage her to "keep her chin up" as she had intimated this message to him when he was ill.

Provost Agnew thanked everyone for their contributions and concluded by wishing Councillor Bootland a full recovery from her illness.

### **DECLARATIONS OF INTEREST**

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

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of West Dunbartonshire Council held on 24 November 2010 were submitted and approved as a correct record.

### **CLYDEBANK INDEPENDENT RESOURCE CENTRE - PRESENTATION**

The Council received a DVD presentation by the Clydebank Independent Resource Centre (CIRC) on the experiences and challenges of people who live in poverty in Clydebank.

Provost Agnew invited Peter Kelly from the Poverty Alliance to introduce the DVD which included three short films which were produced in response to the European Year for Combating Poverty and Social Exclusion; one of which was about the work of the CIRC entitled "Tae Sail on Them is No their Fate". Mr Kelly informed the Council that the film would be shown at the International Human Rights Documentary Film Festival, the European Parliament and the Scottish Parliament.

After viewing the film, Provost Agnew, on behalf of the Council thanked Mr Kelly and representatives from the CIRC for their attendance and congratulated the CIRC on their good work. Thereafter, Mr Kelly and representatives from the CIRC left the meeting.

Note: Councillor John Millar entered the meeting at this point.

### **ADJOURNMENT**

After hearing Provost Agnew, the Council agreed to adjourn for a few minutes to allow the video equipment to be dismantled.

The meeting reconvened at 6.30 p.m. with all those Members shown on the sederunt in attendance with the exception of Councillors Brown, Finn, Hendrie, McBride, McElhill, J. McColl and Rooney.

## **OPEN FORUM**

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

### **MINUTES OF THE JOINT CONSULTATIVE FORUM ON 23 SEPTEMBER 2010**

The Minutes of the Meeting of the Joint Consultative Forum held on 23 September 2010 were submitted and all decisions contained therein were approved.

Note: Councillors McElhill, McBride and Hendrie returned to the meeting at this point.

### **MINUTES OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE ON 10 NOVEMBER 2010**

The Minutes of the Meeting of the Audit and Performance Review Committee held on 10 November 2010 were submitted and all decisions contained therein were approved.

## **TREASURY MANAGEMENT MID YEAR REPORT 2010/11**

A report was submitted by the Executive Director of Corporate Services providing the Council with an update on treasury management and prudential indicators during 2010/11.

The Council agreed:-

- (1) to note the treasury management and prudential stewardship information within the report;
- (2) to approve the amendment to the counterparty criteria as discussed within the report at section 4.5.4;
- (3) to approve the 2010/11 revised estimates of treasury and prudential indicators as advised within the report (Tables A, B, C, D, E, G and N); and
- (4) to instruct that a copy of the report be passed to the Audit and Performance Review Committee to ensure further scrutiny takes place.

Note: Councillor Jonathan McColl returned to meeting at this point.

### **GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT: PERIOD 7 (2010/11)**

A report was submitted by the Executive Director of Corporate Services informing the Council of the performance of the General Services Revenue budget for the period ending 31 October 2010.

The Council agreed to note the contents of this report.

### **GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT: PERIOD 7 (2010/11)**

A report was submitted by the Executive Director of Corporate Services providing the Council with an update on the Capital Plan for 2010/2011.

The Council agreed:-

- (1) to approve the updated capital plan which includes:-
  - (a) temporary prudential borrowing of £1.103m as discussed in section 3.6 of the report;
  - (b) £0.130m related to consultancy costs to design and procure a new Dumbarton Academy as discussed in section 3.7 of the report and included within Appendix II of the report;
  - (c) all virement requests as detailed in Appendix III of the report (shown as the appendix to these minutes); and
- (2) to note the position to date as outlined in Appendices I and II of the report.

### **HOUSING REVENUE ACCOUNT 2010/11 - BUDGETARY CONTROL STATEMENT TO 31 OCTOBER 2010 (PERIOD 7)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing the Council with an update on the financial performance of the Housing Revenue Account (HRA) for the period ending 31 October 2010.

The Council agreed:-

- (1) to note the contents of this report, and
- (2) to approve the budget virement as referred to in paragraph 3.13 and detailed in Appendix D of the report.

## **HRA CAPITAL PROGRAMME 2010/11 BUDGETARY CONTROL REPORT TO 31 OCTOBER 2010 (PERIOD 7)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising the Council of the progress made on the HRA Capital Programme 2010/11.

The Council agreed to note the contents of this report.

Note: Councillor Rooney returned to the meeting at this point.

### **QUESTION**

#### **Question by Councillor John Millar to Spokesperson for Housing, Environment and Economic Development**

Council notes that materials for winter maintenance were cut by the SNP Administration from £170,940 to £87,570.

The SNP offset the cut by political enhancement of £100,000.

However, this £100,000 enhancement was deleted in the emergency budget on 14 October 2010.

Can the Spokesperson inform Council what is the impact of the SNP Administration's removal of the £100,000 from the Roads Gritting budget?

#### **Councillor Hendrie replied as follows:-**

Claims by Councillor Millar and his colleagues in the Labour Party that the difficult consequences of recent weather conditions is the result of some mysterious cut in West Dunbartonshire Council's winter maintenance budget is political opportunism at its worse, given the situation across Scotland. It is also manifestly untrue.

The Council's winter maintenance budget is and was as follows:-

2008/2009 - £85,430  
2009/2010 - £87,570  
2010/2011 - £87,570

His suggestion that £100,000 of the roads gritting budget was removed is simply not true.

The only change to winter maintenance is that we no longer grit pavements overnight between the hours of 10 p.m. and 7 a.m.

In fact, in emergency circumstances such as the weather we have seen, the Director has the authority to spend whatever she requires, so it is clear that the severe weather and not lack of money is the issue.

As the figures I have quoted show, the winter maintenance budget is consistent with last year and if he bothered to obtain the facts, he would know that the availability of and access to salt and grit is greater than in previous years.

It would be to the benefit of our communities if Councillor Millar and his party were to be honest and work together with the rest of the Council.

I would like to finish by thanking staff for their outstanding effort during very severe weather, ensuring that West Dunbartonshire, unlike other areas, remained open for business.

### **NOTICE OF MOTION**

#### **(a) Motion by Councillor Jim Bollan – Winter Gritting and Maintenance Programme**

The Manager of Legal Services informed the Council that it would need to suspend Standing Order 19 (a) before it could consider the motion by Councillor Bollan as a period of six months had not passed since the Housing, Environment and Economic Development Committee had made a decision in respect of this matter.

At this point, Councillor Bollan requested that a roll call vote be used to record the vote on the proposed suspension of standing orders.

On a vote being taken to determine whether the vote should be recorded as a roll call vote, 10 Members voted in favour of a roll call vote and 10 against. There being an equality of votes, Provost Agnew used his casting vote against the roll call vote and accordingly the vote was recorded by a show of hands as shown below.

On a vote being taken, 10 members voted in favour of the suspension of standing orders and 10 against. As a majority of two-thirds of those present and voting had not been achieved standing orders were not suspended and the motion could not be considered.

#### **(b) Motion by Councillor Geoff Calvert - Housing Property Maintenance Trading Account**

**This Council notes that local authorities have a statutory target of generating revenues not less than expenditure (break-even) over a rolling three-year period for each significant trading operation. This Council notes also that over the financial three-year period from 2007-2010, the Housing Property Maintenance Account has generated a 'profit' of £3.204 million for the General Services Account. Furthermore,**

in the financial five-year period from 2002-2007, a total of £5.795 million was transferred.

Whilst this total of approximately £8 million income to the General Services Account has been welcome, this Council recognises that the West Dunbartonshire Tenants and Residents Organisation (WDTRO) has made a strong case to retain all or part of the Housing Property Maintenance Trading Account surplus within the Housing Revenue/Capital Accounts (HRA) in order to speed up work required to bring Council housing stock up to the Scottish Housing Quality Standard (SHQS) 2015.

This Council recognises that any Trading Account surplus not transferred to the General Services Account as happens at present, would require the resulting shortfall in the General Services account to be made up through efficiency savings and/or increased charges and notes also that these surpluses are not generated by housing repairs alone.

However, given that these surpluses have been budgeted for within the General Services, account, this Council recognises that under the 1973 legislation, Local Authorities are expressly forbidden from transferring funds from General Services Account to the HRA. Therefore, in having great sympathy for the case put forward by the WDTRO, this Council regrets that it is not able to simply transfer the full surplus to the HRA.

However, if a way can be found to budget for the rates of surplus being currently generated in a way that will allocate 50% of the total surplus to General Services and retaining the other 50% within HRA for allocation to the Housing Capital Programme, this Council agrees that the potential benefit of an infusion of an extra £0.5 million per year approximately to Housing Capital will be of substantial benefit to both Council tenants and the wider community.

Therefore, this Council requests the Chief Executive to prepare a report as to how this laudable aim can be achieved as a matter of urgency so that it can be considered as part of the budget process for the financial year 2010/11.

The Council agreed to approve the above motion.

The meeting closed at 6.40 p.m.