

WEST DUNBARTONSHIRE COUNCIL

The adjourned Meeting of West Dunbartonshire Council from 27 March 2013 was reconvened on Wednesday, 3 April 2013 at 6.05 p.m. in the Council Chambers, Council Offices, Garshake Road, Dumbarton.

Present: Provost Douglas McAllister and Councillors Denis Agnew, George Black, Jim Bollan, Gail Casey, Jim Finn, William Hendrie, David McBride, Jonathan McColl, Patrick McGlinchey, Marie McNair, John Millar, John Mooney, Ian Murray, Lawrence O'Neill, Tommy Rainey, Gail Robertson, Martin Rooney, Kath Ryall, Hazel Sorrell and Michelle Stewart.

Attending: Joyce White, Chief Executive; Elaine Melrose, Executive Director of Housing, Environmental & Economic Development; Keith Redpath, Director – West Dunbartonshire Community Health & Care Partnership; Peter Hessett, Head of Legal, Democratic & Regulatory Services; Stephen West, Head of Finance & Resources; Marion Smith, Section Head – Revenues & Benefits and Christine McCaffary, Senior Democratic Services Officer.

Apology: An apology for absence was intimated on behalf of Councillor Jim Brown.

Provost Douglas McAllister in the Chair

DISCRETIONARY HOUSING PAYMENT POLICY

A report was submitted by the Executive Director of Corporate Services seeking approval of the Discretionary Housing Payment Policy for West Dunbartonshire.

Councillor Ryall, seconded by Councillor Rainey moved that the Council agree the Policy as detailed in the Appendix to the report.

As an amendment Councillor Bollan, seconded by Councillor Black moved that:-

- (1) priority be given to people in arrears because of the bedroom tax;
- (2) an external appeals process be implemented; and
- (3) the words 'short term' be deleted from para 9.1 of the Policy.

Following discussion and having heard officers in answer to Members' questions, the Council agreed to adjourn for a period of 10 minutes to allow Councillor Bollan to produce a written copy of his amendment.

The meeting reconvened at 7.12 p.m. with all Members shown on the sederunt in attendance.

Copies of Councillor Bollan's amendment were circulated to those present, which stated clearly the terms of his amendment:-

- (1) that we amend page 207, para 14.2 list of priorities to include in the list "those who are affected by the bedroom tax";
- (2) to seek a report from the relevant officer giving options for an independent review process relevant to DHP payments;
- (3) to remove from page 209, para 9.1 the reference to short term awards for those affected by the bedroom tax; and

On hearing Councillor Bollan confirm that he was in agreement to 'foster carers' being added to the list of priority groups detailed at para 14.2, and with the agreement of the Council Councillor Ryall withdrew her motion.

Councillor Bollan's amendment then became the motion and was agreed unanimously by the Council.

ANNUAL REVIEW OF CORPORATE ASSET MANAGEMENT STRATEGY 2012/13

A report was submitted by the Executive Director of Housing, Environmental & Economic Development informing of the progress made in relation to the Corporate Asset Management Strategy.

Having heard Councillor McBride, the Council agreed:-

- (1) to note the progress being made in delivering the Corporate Asset Management Strategy;
- (2) to note that an update report on Our Lady & St. Patrick's High School, Kilpatrick A.S.N. Secondary School and Bellsmyre co-location new build school projects would be presented to the Educational Services Committee in May 2013; and
- (3) that information on progress of the Strategy would be included in appropriate Members' briefings.

MEETING THE SCOTTISH HOUSING QUALITY STANDARD – PROGRESS REPORT

A report was submitted by the Executive Director of Housing, Environmental & Economic Development on the current progress with elements of the stock retention policy and providing information on the Council's current compliance rate with the Scottish Housing Quality Standard (SHQS).

Councillor McBride, seconded by Councillor O'Neill moved:-

- (1) that Council notes the progress achieved to date in meeting the Scottish Housing Quality Standard and other elements of the stock retention policy;
- (2) that the Executive Director of Housing, Environmental & Economic Development submit a quarterly report to the HEED Committee on the progress and performance in the delivery of the capital investment programme; and
- (3) that Council notes the result of the recent community consultation for the proposed Supported Accommodation project in O'Hare, Bonhill and agrees to take no further action on this proposal. We reinforce our commitment to investing in Supported Accommodation in West Dunbartonshire and request the Executive Director to consider other suitable opportunities to realise this ambition. In addition Council requests that a full options appraisal is undertaken, in consultation with the local community, to inform the future use of the current vacant 186A to 197 O'Hare flat as soon as reasonably practicable.

The Council agreed unanimously to approve the above motion.

CLYDEBANK TOWN HALL CHARGES

A report was submitted by the Executive Director of Housing, Environmental & Economic Development providing an update on the charges for the recently refurbished Clydebank Town Hall.

Councillor McBride moved:-

That there be a further report to the Housing, Environmental & Economic Development Committee in May and that Labour's following submission be included:-

Background

Historic information shows that a number of local musical/theatrical groups used the Town Hall and Denny Civic Theatre previously for community type shows and received the benefit of being charged at a discounted 'local amateur' rate.

Groups such as Clydebank Mummers, Clydebank Musical Society, local dance shows, Dumbarton Peoples Theatre and many more fell into this category.

There was also a Concessionary Charges Scheme which enabled a range of users of both the Town Hall and Denny Civic Theatre to receive up to 100% discount on their lets. A range of organisations benefitted from such discounts including all fund raising events, local disabled charity groups, local historical society, colleges, council services, elderly nursing homes, Blood Transfusion Service, youth organisations, etc.

Main Issues

Following a review of the charges for the Town Hall, Council agreed to introduce a £20,000 fund to introduce a Grant Scheme for Registered Charitable Community Theatre user groups resident in West Dunbartonshire.

It is proposed that the grant scheme will cover lets for 2 main groups:

1. Theatrical/musical groups or organisations based within West Dunbartonshire who have registered charitable status and are formally constituted. Grants will cover 50% of hall hire costs for putting on shows or productions for the benefit of local audiences within West Dunbartonshire.
2. Disability groups or organisations based within West Dunbartonshire who have registered charitable status and are formally constituted or are local branches of national disability charities. Grants will cover 50% of hall hire costs for meetings and events for the benefit of local communities within West Dunbartonshire.

Groups will require to submit booking application forms for use of facilities in the normal fashion and the full cost of the let will be calculated by the booking administration team. At the time of application groups applying for grant funding will also require to submit a completed declaration form which provides information on the following:

- Charitable status of the group
- Charity Registration Number
- Name and contact details for Chairperson and Treasurer
- Nature, date and time of event
- Information on show ticket numbers and pricing (where applicable)
- Copy of Constitution (where applicable)

It is proposed that an annual register of eligible groups/organisations will be maintained to ensure that groups do not require to provide supporting documentation with each subsequent application in the same year.

Where groups demonstrate eligibility for 50% grant funding they will be advised of their revised charge and arrangements will be made to draw down the balance of the let price from the Grant budget into either the Town Hall Income account or to the Leisure Trust's account in the case of the Denny Civic Theatre.

Resource Issues

Based on historic information on frequency of lets and charges (inflated to current prices) it is envisaged that the level of grant funding required to support the same historic level of activity will be approx. £8,000 for the Denny Civic Theatre and £12,000 for Clydebank Town Hall.

It is proposed that grant funding will be allocated to groups on a first come, first served basis each year up to the maximum value of £20,000.

Councillor Hendrie asked if Councillor McBride would accept the following addendum to his motion:-

Amend the Labour motion to include discounts for local not for profit groups (community) as well as registered charities.

And add the following:-

Council thanks officers for the report but notes that it does not cover all of the issues raised by Elected Members, and asks for a further more detailed report to come to the next Housing, Environmental & Economic Development Committee (May 2013).

Elected Members are minded to amend the arrangements for community use of our theatres to benefit local groups who have been adversely affected by the changes post Town Hall refurbishment.

With this in mind, we require answers to the following questions along with options to solve any issues identified to allow us to make an informed decision with regards whether or not it is appropriate to make such changes:

- Why are external caterers not permitted to use the kitchen facilities out with the museum cafe's hours of operation?
- Why are groups not permitted to bring their own pre-prepared buffet food?
- Why are groups not permitted to run their own bar (with the appropriate Occasional Licence)?
- What would be the impact and risks associated with amending any of the above policies?

Community use of our theatres, Clydebank Town Hall in particular, has been an issue since the Town Hall re-opened and officers have had many queries from numerous Elected Members, groups and members of the public.

As such, officers should feel free to address any other issues that have been raised with them as they deem appropriate and should not feel restricted by the 4 bullet points above when writing the report.

Councillor McBride agreed to accept the addendum to his motion, which was then agreed unanimously by the Council.

NOTICES OF MOTIONS

(a) Motion by Councillor William Hendrie – Bedroom Tax Policy

Councillor Hendrie's motion fell as the issue had been included in the amendment moved by Councillor McColl in relation to the item 'Underoccupancy Rules for Housing Benefits (Bedroom Tax)', which was considered by the Council at its meeting on 27 March 2013.

(b) Motion by Councillor Martin Rooney – Scottish Government Failure to Act on the Reductions in Housing Benefit Due to Under Occupancy Rules (Bedroom Tax)

Councillor Rooney's motion fell due to him having moved it as an amendment in relation to the item 'Underoccupancy Rules for Housing Benefits (Bedroom Tax)', which was considered by the Council at its meeting on 27 March 2013.

(c) Motion by Councillor Gail Casey - Blacklisting of Trade Unionists

This Council is deeply concerned by recent revelations that some major construction companies have been involved in denying employment to workers who have been engaged in trade union activity, such as the reporting of breaches of health and safety standards, through the unacceptable practice of operating a "blacklist" of these workers collated by private consultancies such as the Consulting Association.

This Council notes that:

- Information and evidence has been provided to the Scottish Select Affairs Committee during the Committee's enquiry into the use of blacklisting of trade unionists in Scotland.
- The UK Information Commissioner has investigated and taken action against the Consulting Association for this practice.
- Trade Unions (notably Unite, GMB and UCATT) have an on-going campaign against the blacklisting of trade unionists which has severely impacted on many trade unionists and their families.

- It has been asserted that the blacklisting of trade unionists has involved covert surveillance and record keeping and may have involved the complicity of the police and security services.
- The operation of such blacklists may be a breach of legal statutes, regulations and conventions covering employment rights, human rights, freedom of information, data protection and rights to freedom of association.
- Victimisation of workers raising concerns over workplace health, safety and welfare discourage efforts to prevent workplace accidents, fatalities and injuries and encourage industrial disputes both official and unofficial.
- The current consideration by the Scottish Government of legislation on rules for Public Procurement may provide an opportunity to ensure that companies that engage in the blacklisting of trade unionists are prevented from tendering for public sector contracts.
- Councils, such as Hull City Council, have resolved to ensure that companies who continue to be involved in blacklisting are not included, where permitted by legislation, in future lists of approved suppliers and have urged UK Government Ministers to ensure that such companies are prevented from securing future public sector contracts by the inclusion of appropriate clauses in the sustainable procurement bill being considered at Westminster.

This Council resolves to:

- Support the campaign by trade unions against the operation of blacklists against trade unionists.
- Where permitted by legislation, exclude companies who continue to be involved in blacklisting of trade unionists from future approved suppliers lists.
- Where permitted by legislation, ensure that companies included in future approved suppliers lists demonstrate that they have processes in place to encourage the reporting by workers, including those who are trade union members, of workplace concerns, particularly in respect of health, safety and welfare.
- Write to the Scottish Government urging the inclusion of clauses in future Scottish bills covering public procurement to prevent companies who continue to be involved in the blacklisting of trade unionists from securing future public sector contracts.

The Council agreed unanimously to approve the above motion.

The meeting closed at 7.55 p.m.