

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton on Wednesday, 20 June 2012 at 6.00 p.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, George Black, Jim Bolland, Jim Brown, 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; Angela Wilson, Executive Director of Corporate Services; Terry Lanagan, Executive Director of Educational Services; Elaine Melrose, Executive Director of Housing, Environmental & Economic Development; Keith Redpath, Director of West Dunbartonshire Community Health & Care Partnership; Andrew Fraser, Head of Legal, Democratic & Regulatory Services; Stephen West, Head of Finance & Resources; Gillian McNeilly, Finance Manager and Craig Stewart, Committee Officer.

Provost Douglas McAllister in the Chair

CHAIR'S REMARKS

Provost McAllister informed Council that Mr Iain Ellis, Chair of the West Dunbartonshire Parental Involvement Strategy Group, had recently received a prestigious award in the national Scottish Education Awards 2012 and offered congratulations to Mr Ellis on behalf of Council on his significant achievement.

Provost McAllister also advised Council that the Clydebank Asbestos Group had recently received the Queen's Award for Voluntary Service for their tireless work in supporting victims of asbestos related illnesses. In this regard, he would be writing to the Clydebank Asbestos Group, on behalf of Council, to congratulate and commend the Group on their excellent work and for achieving this significant award.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of West Dunbartonshire Council held on 30 May 2012 were submitted and approved as a correct record, subject to the undernoted correction:-

With regard to the item under the heading 'Minutes of Previous Meeting' and with reference to (2) Appendix to minutes – to note that Councillor Rooney was Depute Spokesperson for Social Work and not Depute Convener of West Dunbartonshire Community Health & Care Partnership.

OPEN FORUM

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

COMMITTEE TIMETABLE AND MONTHLY BULLETIN FOR ELECTED MEMBERS

A report was submitted by the Executive Director of Corporate Services asking the Council to approve the proposed Committee Timetable for the period August 2012 to July 2013 and a proposal to introduce a Monthly Bulletin for Elected Members.

The Head of Legal, Democratic and Regulatory Services informed Council of a correction in the Proposed Committee timetable appended to the report, and specifically that the Joint Consultative Forum meeting date of Wednesday, 21 November 2012 was incorrect and should be deleted. The Council noted the position in relation thereto.

Councillor Rooney, seconded by Councillor McGlinchey, moved:-

That the Council agrees the recommendations contained in the Executive Director's report, as follows:-

- (1) to approve the Committee timetable as detailed in Appendix 1 to these Minutes, subject to any changes made by Council when considering the report on the Council's Standing Orders;
- (2) that the timetable will be reviewed within one year and thereafter a report would be submitted to the Council recommending the future timetable for Council meetings;
- (3) to note that the proposal to move the West Dunbartonshire Community Health and Care Partnership Committee to a quarterly cycle of meetings, as shown in the attached timetable, would be subject to the agreement of that Committee;
- (4) that all other Committees not referred to in the above timetable should meet on the same cycle as before;

- (5) that all Committee meetings should be held in the Council Offices, Garshake Road, Dumbarton;
- (6) approves the proposal to introduce a Monthly Bulletin with effect from 1 August 2012; and
- (7) that the Chief Executive, in consultation with the Provost, would arrange for Member/Officer briefing sessions to take place as and when required.

However, the Quarterly Council meetings would alternate between Clydebank and Dumbarton with the December Council meeting taking place in Clydebank Town Hall.

The annual budget setting and rent setting meetings will continue to be held in Garshake in line with previous practice.

Council agrees that the purpose of Council meetings and Committee meetings is twofold: (i) to make policy decisions; and (ii) to scrutinise Council performance. The change to quarterly meetings will better align the Committee and Council meetings with quarterly performance monitoring and will reduce duplication.

- The 'Business Day' concept will mean that it will become routine to hold two major committee meetings on the one day, one in the morning and the second in the afternoon.
- The monthly bulletin will ensure that all elected Members receive regular written briefings. And these will remain available on line as a resource to elected members over the coming years.
- In addition a Member/Officer Briefing Session will be scheduled every quarter, providing opportunities for seminars; training; and other development.

Council also notes that this new way of working will generate significant savings of £55,000 per annum, giving an overall saving of £275,000 over the 5 year term of the Council.

By agreeing this Motion, it means that we will have £55,000 to invest in our priorities. It is no secret that this Council is fully committed to education and lifelong learning and wants to ensure that our young people get the best possible educational experience in our secondary schools. Furthermore, we are determined to place our secondary schools at the heart of our communities and to empower parents in order for them to play a full part in making the school experience as fulfilling as possible.

Council therefore agrees that the annualised year 1 savings **£55,000** from the new way of working will be distributed to the Parent Council in each of the secondary schools on a per capita basis. Based on the 2012/13 estimated pupil numbers this means Parent Councils will receive the following amounts:

- St. Peter The Apostle High School - **£15,000**
- Clydebank High School - **£13,500**
- Vale of Leven Academy - **£10,150**
- Our Lady & St. Patrick High School - **£9,650**
- Dumbarton Academy - **£6,700**

As an amendment, Councillor McColl, seconded by Councillor Hendrie, moved:-

That the Council notes that only very modest savings over a number of years are being estimated by officers and agrees the potential negative impact of the proposals far outweigh the projected benefits. In the interests of democracy and to allow the Council to properly meet its responsibility to monitor the use of public money and scrutinise delegated decisions, Council agrees the following:

- Council will continue to meet at 6.00 p.m. on the last Wednesday of every month.
- Departmental Committees will continue to meet every two months.
- Other Committees will continue to meet as per their current schedule and on an ad-hoc basis as required.
- When the Clydebank Town Hall Chambers are available for use, alternation of Council and Committee meetings between Clydebank and Dumbarton will resume.

A new timetable based on the above will be prepared by officers in consultation with the Provost, Leader of the Council and Leader of the Opposition for implementation from August.

Furthermore:-

- Reports for noting will continue to come before Council or Committee and will not be substituted for briefing notes.
- Member/Officer briefing sessions can be arranged by the Chief Executive in consultation with the Provost as and when required; but these must not take place on the same day as full Council unless there are exceptional circumstances.

During consideration of this item, the Chief Executive, Executive Director of Corporate Services and the Legal Officer were heard in further explanation and in answer to Members' questions.

On a vote being taken, 10 Members voted for the amendment and 12 for the motion, which was accordingly declared carried.

REVIEW OF STANDING ORDERS

A report was submitted by the Head of Legal, Democratic & Regulatory Services recommending changes to the Council's Standing Orders.

The Legal Officer was heard in relation to certain corrections that required to be taken into account concerning the Standing Orders report and Appendix to the report.

At this point in the meeting, Provost McAllister requested Councillors Black and Bollan to stop interrupting, to resume their seats and allow the Legal Officer to finish speaking. Thereafter, Provost McAllister advised Members to act appropriately and to temper their language during the discussion. Councillor Black was again requested to take his seat.

ADJOURNMENT

As Councillor Black would not take his seat, Provost McAllister adjourned for a short period.

The meeting reconvened at 7.25 p.m. with all those Members shown on the sederunt in attendance. Provost McAllister reminded Members of their personal conduct and advised that he would not allow officers to be subjected to any verbal abuse or attack.

Councillor Rooney, seconded by Councillor McGlinchey, moved:-

That the Council agrees:-

To approve the changes to Standing Orders, as detailed in the report and contained in the Appendix thereto, subject to the following changes/adjustments, to read as follows:-

20 – Order of Debate

Insert a new 20(a) providing that there should be no debate on a motion unless there is an amendment.

Appendix 3(a) - Appeals Committee

- 1.1 The membership of the Appeals Committee will comprise 12 Members, only six of whom shall sit on any individual Committee. The membership will be proportionate to the elected member representation agreed by Council.
- 1.2 The quorum of the Appeals Committee will be three Elected Members.

Having heard the Legal Officer in clarification of certain matters, Councillor McColl, seconded by Councillor Finn, moved:-

That the Council agrees to continue with the existing Interim Standing Orders meantime, subject to any changes already agreed by Council.

On a vote being taken, 10 Members voted for the amendment and 12 for the motion, which was accordingly declared carried.

OPTIONS FOR ACHIEVING THE SCOTTISH HOUSING QUALITY STANDARDS

A report was submitted by the Executive Director of Housing, Environmental and Economic Development

The Executive Director of Housing, Environmental and Economic Development was heard in further explanation and in answer to Members' questions.

Having heard Provost McAllister, it was noted that Suspension of Standing Orders would be required in terms of a motion that was to be moved by Councillor McBride, in view of the fact that the decision taken previously was within 6 months.

Councillor McBride moved:-

That Council thanks the Executive Director and our staff for all the work undertaken to ensure that the Council meets its obligations to improve the quality of our housing stock.

Council also recognises the partnership approach adopted by Registered Social Landlords and acknowledges the many positive contributions they made throughout the process.

However, this Council is disappointed by the weak leadership and indecision of the previous administration. The SNP led Council lacked the courage to drive forward their stated policy. Their indecision has led to delays and created uncertainty over recent years. They have also increased the risk of failure to achieve the SHQS on time and increased the burden on our tenants.

The SNP policy of Partial Stock Transfer to assist in delivery of SHQS has simply failed to deliver.

- It failed to deliver the community led transfers as promised by the SNP;
- It failed to deliver significant regeneration as promised by the SNP; and
- It failed to provide the guarantees that Housing and DLO staff jobs would be protected.

These failures mean the proposals have insufficient benefit to proceed.

Council also notes that the delays mean that the current Partial Stock Transfer policy will not be ready for a tenant's ballot this year which will prolong the uncertainty for all concerned.

In addition there is still a very real political risk that tenants will vote to reject the stock transfer.

There is also a financial risk that the assumptions contained in the RSLs investment plans may not materialise and therefore the improvements in the housing within the agreed timescales could be at risk.

- The RSLs have an in principle agreement with lenders but the markets are less favourable than four years ago;
- The RSLs ability to secure £40,000 per housing unit is not guaranteed.

Given the above, this Council rejects the SNP Partial Stock Transfer policy and in doing so we will commit West Dunbartonshire Council to achieving the SHQS by full Stock Retention.

Full Stock Retention means:

- Tenants and Council Staff will have the required certainty;
- There will be no further wasteful unnecessary spending of tenants rent money on consultants; and
- The transfer costs can now be spent on improving tenants' homes.

In committing to a policy of stock retention the Council does so in the clear knowledge and understanding that to deliver SHQS in viable stock for our existing tenants and to secure investment and regeneration for the future that this decision must be supported by clear leadership and decisive action.

We must create the conditions for effective delivery that assures tenants and other stakeholders that a funded and deliverable pathway to achieving our ambitions exist, we therefore also commit to:-

- 100% stock condition survey which will support the Council's commitment to meet the SHQS the cost of which should be funded from the HRA Capital plan;
- A 5 year rent strategy of at least RPI plus 4.5% per annum to underwrite the Council's commitment to both investment in all viable stock and to ensure the service is robust and fit for purpose into the future. In making this commitment we acknowledge, as outlined in the report, that the current financial year (2012/13) is year 1 and that rent increases for years 2-5 will require to be adjusted appropriately as detailed in paragraph 5.11 so as not to undermine the business plan;
- The development of a comprehensive Asset Management Strategy to direct and protect investment in housing stock and determine a programme of disposal;
- Investment in new models of temporary accommodation to ensure that the Council has robust and affordable services in place to discharge its statutory responsibilities;
- Meeting the needs of customers to pursue a programme of new build Council housing within the capacity of the HRA;

- Seek a strategic partner which is financially and managerially able to take forward housing regeneration in West Dunbartonshire; and
- Engaging with tenants productively to shape our future plans and implementation of these decisions.

Council notes that WDC rents are amongst the lowest of all Scottish Councils and considerably cheaper than our local RSL partners.

We recognise that there are real challenges and opportunities ahead for this Council but we have the capacity and determination to overcome the obstacles and deliver the improvements in the quality of our housing.

As a first step in this process Council agrees to delegate authority to the Executive Director of HEED to use the previously earmarked balance of £1.43m as well as any unearmarked HRA surplus from 2011/12 to target additional improvements and demolitions during this financial year. A report in the total value of this fund once identified and plans for its use will be reported to a future meeting of the Housing, Environment and Economic Development Committee.

The Provost advised that Council would need to suspend Standing Order 19 in order that the motion could be considered as 6 months had not passed since a decision had been made on this matter.

On a vote being taken, 16 Members voted for the suspension of Standing Orders and 6 against. As two thirds of those present and voting voted in favour of the suspension, Standing Orders were suspended and the motion was then considered by Council. Councillor Black tasked if Councillor McBride would accept a change to the motion that the report would come back to Council, which Councillor McBride agreed to. Councillor O'Neill then seconded the motion.

As an amendment, Councillor Hendrie, seconded by Councillor McColl, moved:-

That the Committee agrees:-

- (1) to approve Option 1 – Partial Stock Transfer, as outlined in paragraph 9.2 of the report to facilitate most effectively the delivery of SHQS by 2012;
- (2) that authority be delegated to the Executive Director of Housing, Environmental and Economic Development in consultation with the Executive Director of Corporate Services to take the necessary steps to implement that option; and
- (3) to note that reports on progress and matters for decision would be brought to the appropriate Committee as necessary.

On a vote being taken, 6 Members voted for the amendment and 16 for the motion, which was accordingly declared carried.

ADJOURNMENT

Having heard Provost McAllister the Council agreed to adjourn for a short period.

The meeting reconvened at 9.00 p.m. with all those Members shown on the sederunt in attendance.

GENERAL SERVICES CAPITAL PLAN 2012/13

A report was submitted by the Executive Director of Corporate Services providing Council with the General Services Capital Plan for 2012/13 recommended by the Corporate Management Team (CMT).

Councillor Rooney, seconded by Councillor McBride, moved:-

That Council agrees to approve the Capital Plan as appended to the report at Appendices I, II and III.

Council also notes that the draft Capital Plans for 2013/14 and a longer term Capital Plan will be presented to a future Council for agreement.

Council notes that the Labour Administration has increased the Major Road Improvement budget to £3.2million, the biggest spend ever in West Dunbartonshire.

Council also notes that the Labour Administration has informed the Chief Executive that it intends to delay decision on the Income Securitisation project for a further 18 months.

It is recognised that there are a number of factors which affect the Council's revenue budget, however, all else being equal this delay will reduce next year's budget gap from £6m to £3.3m.

This decision also releases around £1million in 2012/13 which is no longer required to fund the Income Securitisation project from September as anticipated in the 2012/13 budget.

Given the above and in relation to the Labour budget proposals for 2012/13, Council agrees to provide additional financial support to the Antonine Community Sport facility of £10,000 for 2012/13, the balance being transferred to the Modernisation Fund with immediate effect.

Council also agrees that an additional £10,000 of support for the Antonine Community Sports facility is built into the ongoing revenue budget from 2013/14 onwards.

Council further agrees that any year end surplus above the prudential reserve target of £4.2million identified in closing the 2011/12 Accounts is also added

to the Modernisation Fund, which is held within earmarked balances in the General Services Reserve.

As an amendment, Councillor McColl, seconded by Councillor Finn, moved:-

That the Council agrees:-

To thank officers for their work on the Capital Plan and to approve the recommendations contained in the report, as follows:-

- (1) to note that the funds available for uncommitted capital bids in 2012/13 are £13.261m as identified in Appendix I;
- (2) to approve the capital plan as appended to this report in Appendices I to III; and
- (3) to note that the draft plans for 2013/14 and a longer term capital plan would be presented to a future Council for consideration.

As a second amendment, Councillor Bollan, seconded by Councillor Black, moved:-

That the Council agrees:-

The recommendations contained in Appendix III to the report, but that the ICT modernisation be carried out over 2 years, rather than one year with £500,000 being included for care homes and a further £500,000 being included for street lighting upgrades.

On a vote being taken between the first amendment (Councillor McColl) and the second amendment (Councillor Bollan), 4 Members voted for the second amendment and 6 for the first amendment.

On a further vote being taken between the first amendment (Councillor McColl) and the motion (Councillor Rooney), 6 Members voted for the amendment and 15 Members voted for the motion which was accordingly declared carried.

REVIEW OF SENIOR COUNCILLOR POSITIONS, SERVICE SPOKESPERSONS, COMMITTEE CONVENERS AND MEMBERSHIP, MEMBERSHIPS OF WORKING GROUPS AND NOMINATIONS TO OUTSIDE BODIES

A report was submitted by the Executive Director of Corporate Services reviewing the nominations to Senior Councillor Positions, Service Spokespersons, Committee Conveners and Memberships, Memberships of Working Groups and Nominations to Outside Bodies.

Councillor Rooney, seconded by Councillor McGlinchey, moved:-

Council agrees the membership and nominations as detailed in the Appendix to these minutes, and invites the Leader of the Opposition to populate the vacancies and inform the Executive Director of Corporate Services of the nominations.

Any future changes to service spokespersons; memberships of committee conveners; and members of working groups and nominations to outside bodies by either political group should be notified in writing to the Executive Director.

As an amendment, Councillor McColl, seconded by Councillor Robertson, moved:-

In order to allow the majority Administration to govern and represent their constituents while ensuring the Opposition can scrutinise and represent their constituents, the political make up of Committees will be as follows:-

Committees of less than 6 members: as per Administration motion from Statutory Meeting

Committees of 6 members: 3 Labour, 2 SNP, 1 Other

Committees of 7 members: 4 Labour, 2 SNP, 1 Other

Committees of 8 members: 5 Labour, 2 SNP, 1 Other

Committees of 10 members: 6 Labour, 3 SNP, 1 Other (or 2 SNP, 2 Other where requested by Other)

Committees of 12 members: 7 Labour, 3 SNP, 2 Other

Committees of 14 members: 8 Labour, 4 SNP, 2 Other

In terms of the Audit & Performance Review Committee, good practice will continue with the Opposition having a majority in order to enable proper scrutiny. As such it will comprise 4 SNP, 3 Labour, 1 Other.

With regards to outside body representation, Council reaffirms its nominations with the following exceptions/additions:

The Scottish National War Memorial – **Denis Agnew** (will be the Veterans' Champion)

Clydebank Independent Resource Centre – **Administration x2, Jim Bollan**

Strathclyde Concessionary Travel Scheme Joint Committee – **Administration (sub)**

Scottish Local Government Against Poverty – **Administration x2**

Strathleven Regeneration Company – **Council Leader, Labour, George Black (sub)**

Joint Committee for the & Loch Lomond District Plan (Flood Risk Management) – **HEED Convener**

WD Children's Panel Advisory Committee – **Mr Graham Jeffries** (+vacancy to be filled)

Alexander Cross Cameron Working Group – **Denis Agnew, Labour x3**

Gaul Trust – **Denis Agnew, Labour**

Clydebank Rebuilt – **Jim Brown, Labour x3**

Dunbartonshire Educational Trust – **Ian Murray, Labour x2**

Airport Consultative Committee – **Jim Finn, Labour (sub)**

Airport Flightpath Fund Board – **Bill Hendrie, Labour (sub)**

Both Prison Visiting Committees – **George Black, Jim Brown**

National Association of Councillors - General Management Committee – **Jim Finn, Labour**

Scottish Accident Prevention Council - Home Safety Committee – **George Black**

Scottish Maritime Museum Trust – **Ian Murray**

West of Scotland Archaeology Joint Committee – **Denis Agnew, Labour (sub)**

North Strathclyde Community Justice Authority – **Gail Casey, Jonathan McColl (sub)**

Fire Board – **Jim Finn, Labour, George Black (sub), Labour (sub)**

Police Authority – **Jonathan McColl, Labour, Labour x2 (sub)**

Community Planning Partnership Board – **Jonathan McColl, Labour x2, Bill Hendrie (sub), Labour x2 (sub)**

COSLA Convention – **Jonathan McColl, Labour x2** (May nominations valid until after June convention due to tight timescales for notification)

On a vote being taken, 10 Members voted for the amendment and 12 for the motion, which was accordingly declared carried.

**ELECTED MEMBER REPRESENTATION ON WEST DUNBARTONSHIRE
COUNCIL ADOPTION PANEL AND FOSTERING PANEL**

A report was submitted by the Director of the Community Health & Care Partnership seeking the nomination of three Elected Members to serve on the Adoption Panel and Fostering Panel.

The Council agreed to nominate Councillors Jim Brown, Marie McNair and Michelle Stewart to serve on the Adoption and Fostering Panels for West Dunbartonshire Council.

The meeting closed at 9.20 p.m.