

WEST DUNBARTONSHIRE COUNCIL

At a meeting of West Dunbartonshire Council held within the Council Chambers, Garshake Road, Dumbarton on Wednesday 28 June 2000 at 7.30 p.m.

Present: Provost Alistair Macdonald (LAB) and Councillors James McElhill (SNP), Mary Campbell (LAB), Daniel McCafferty (LAB), John Syme (LAB), Andrew White (LAB), Anthony Devine (LAB)*, Mary Collins (LAB), Ian McDonald (SNP), Duncan McDonald (LAB), John McCutcheon (SNP), Linda McColl (LAB), Geoffrey Calvert (LAB & CO-OP), James McCallum (LAB & CO-OP), John Trainer (LAB), James Bollan (SSP), Craig McLaughlin (SNP), Ronald McColl (SNP), Margaret McGregor (SNP) and Connie O'Sullivan (LAB).

*Arrived later in the meeting.

Attending: Tim Huntingford, Chief Executive; Eric Walker, Director of Corporate Services; Ian McMurdo, Director of Education and Cultural Services; Dan Henderson, Director of Economic, Planning and Environmental Services; David McMillan, Director of Commercial and Technical Services; John McKerracher, Head of Leisure, Property, Catering and Cleaning Services; Anne Ritchie, Head of Social Work (Operations); Angela Clements, Head of Information Services; Anne Laird, Manager of Administrative Services; David Logan, Section Head Legal Services (Conveyancing)(hereinafter referred to as the "legal officer"); Mary Cullen, Section Head (Policy Development), Commercial and Technical Services; William McCabe, Section Head - Events/Halls, Commercial and Technical Services; and Ronald Lee, Strategy Officer (Policy), Social Work and Housing Services.

Apologies: Apologies for absence were intimated on behalf of Councillors James Flynn (LAB) and Iain Robertson (SNP).

Provost Alistair Macdonald in the Chair

ORDER OF BUSINESS

In terms of Standing Order 6, Provost Macdonald determined that the presentation on the ambulance service should precede normal business and that the Notices of Motion be taken at the end of the meeting.

Councillor Devine entered the meeting during the following item.

PRESENTATION BY THE SCOTTISH AMBULANCE SERVICE

Mr John Hulme, Assistant Divisional Manager (South West Division) and Mr George Weir, Operations Officer (West Central Division), Scottish Ambulance Service (both in attendance for this item only) made a presentation on the operation of Scottish Ambulance Service in West Dunbartonshire and in particular provided details on the forthcoming review of the service which would involve consultation with all partners including the local authority.

Having heard Mr Hulme and Mr Weir in answer to questions from members, Provost Macdonald thanked them both for their interesting presentation and thereafter they withdrew from the meeting.

THE LATE COUNCILLOR WILLIAM KEMP

Provost Macdonald paid tribute to the late Councillor William Kemp in the following terms:

“Fellow Councillors, it falls upon me to say a few words in recognition of the recent sad loss of a former Council colleague whom we all knew. I would like to think, I speak for you all.

Billy Kemp was in every sense Mr. Old Kilpatrick and although his term of office as a Councillor was relatively short he served the area well, with dignity and commitment.

I knew Billy before, during and after he was a Councillor. I considered him a friend as indeed did almost everyone in Old Kilpatrick.

There were inevitably many occasions in which our opinions differed but never once did those differences spill into personal attacks or disrespect for each other. In fact, truth be told Billy set an example on public standards and conduct for everyone.

It was a sad occasion when we learned of his sudden passing recently. Many of us here tonight attended the funeral and the overwhelming numbers present were testament to a man who was loved, respected and admired by all who knew him.

His commitment to the Youth Camp, the Gala Day, the Old Peoples Welfare and to everybody in Old Kilpatrick will be greatly missed. Old Kilpatrick and we are, today, that much the poorer but knowing Billy I can still see that humorous glint behind the spectacles and he would be saying to us all – Old Kilpatrick and you lot are not that much the poorer – you are that much the richer for having me around for a time.

In extending our deepest sympathies to Billy’s family at this time, may I suggest that the greatest tribute we as fellow Councillors can pay, would be to respect his memory and try to live up to the principles which he practised.”

Prior to consideration of the following item, an explanation was sought as to why the first part of the Council minutes from the Adjourned meeting on 31st May 2000 had not appeared in the volume of minutes. The legal officer explained that under normal circumstances a minute would not be prepared until the full meeting had been completed and as the

Adjourned meeting was held immediately before this meeting, it was not possible to submit the completed minute in time for consideration by this meeting of Council.

MINUTES OF MEETINGS OF COMMITTEES

Tendering Committee - 31 May 2000

The minutes of meeting of the Tendering Committee held on 31 May 2000 were submitted for information.

Planning and Economic Development Committee - 31 May 2000

The minutes of meeting of the Planning and Economic Development Committee held on 31 May 2000 were submitted and approved on the motion of Councillor O'Sullivan, seconded by Councillor Linda McColl.

Community Initiatives Committee - 2 June 2000

The minutes of meeting of the Community Initiatives Committee held on 2 June 2000 were submitted and approved on the motion of Councillor McColl, seconded by Councillor Trainer.

Following a question on the Council's no smoking policy (**volume page 5880 refers**), clarification was sought on the right of a Councillor to ask questions on Council minutes. The legal officer advised that as there was no specific reference to this matter within the Council's Standing Orders, the Provost, in terms of Standing Order 12 (b) had the right to decide on all matters of order, competency and relevancy. In this circumstance, the Provost had the right to determine if the questions being asked were relevant and competent.

Tendering Committee - 6 June 2000

The minutes of meeting of the Tendering Committee held on 6 June 2000 were submitted and approved on the motion of Provost Macdonald, seconded by Councillor R. McColl.

Education Committee - 7 June 2000

The minutes of meeting of the Education Committee held on 7 June 2000 were submitted and approved on the motion of Councillor McCafferty, seconded by Councillor Trainer.

Planning and Economic Development Committee - 7 June 2000 (Reconvened from 31 May 2000)

The minutes of the meeting of the Planning and Economic Development Committee held on 7 June 2000 (reconvened from 31 May 2000) were submitted and approved on the motion of Councillor O'Sullivan, seconded by Councillor Linda McColl.

Requisitioned Meeting of West Dunbartonshire Council - 14 June 2000

The minutes of the requisitioned meeting of West Dunbartonshire Council held on 14 June 2000 were submitted and approved on the motion of Provost Macdonald, seconded by Councillor White

Policy and Resources Committee - 14 June 2000

The minutes of meeting of the Policy and Resources Committee held on 14 June 2000 were submitted and approved on the motion of Councillor White, seconded by Councillor Trainer.

Finance Committee - 14 June 2000

The minutes of meeting of the Finance Committee held on 14 June 2000 were submitted and approved on the motion of Councillor Devine, seconded by Councillor White.

Information Services Committee - 19 April 2000

The minutes of meeting of the Information Services Committee held on 19 April 2000 were submitted and approved on the motion of Councillor McCallum, seconded by Councillor Trainer.

Appeals Committee - 25 April 2000

The minutes of meeting of the Appeals Committee held on 25 April 2000 (reconvened on 11 May and 25 May 2000) were submitted for information.

BRITISH RED CROSS SOCIETY – LEASE OF 102 MAIN STREET, ALEXANDRIA

In terms of remit from the Finance Committee of 14 June 2000 (**volume page 5933 refers**), there was submitted report by the Director of Economic, Planning and Environmental Services on the feasibility of the British Red Cross Society being offered premises at 38 Mitchell Way, Alexandria, as an alternative to the existing premises at 102 Main Street, Alexandria.

Having heard Councillor Devine, the Council approved the recommendations of the report, namely that Section 83 grant funding in respect of 102 Main Street, Alexandria be discontinued and that Section 83 grant funding to cover the rental cost of Unit 17, Lomond Trade Centre, Alexandria, or other appropriate premises to be determined by the Director of Economic, Planning and Environmental Services, be approved effective from a date to be set by the Director of Corporate Services.

Councillor Campbell left the meeting at this point.

DIGITAL SCOTLAND TASKFORCE

In terms of remit from the Information Services Committee of 14 June 2000 (**volume page 5952 refers**), there was submitted report by the Head of Information Services on the recent progress made by the Government's Digital Scotland Taskforce, the recommendations contained in its recently published report and the implications for West Dunbartonshire Council.

After discussion, the Council noted the recommendations contained within the Digital Scotland Taskforce Report and agreed to set up a Working Group to tackle the issues and exploit the potential of Electronic Government. It was further agreed that the membership of the Working Group to be as follows:-

Labour Group (4)

Councillor McCallum
Councillor McCafferty
Councillor White
Councillor O'Sullivan

Opposition (2)

Councillor McLaughlin
Councillor Robertson

Councillors McElhill and D. McDonald left the meeting and Councillor Campbell re-entered the meeting during discussion of the above item.

HOUSING PLAN 1998 – 2003: SECOND ANNUAL UPDATE

There was submitted report by the Director of Social Work and Housing Services, together with the second annual update of the Council's Housing Plan 1998 – 2003.

Having heard Councillor Trainer and the Strategy Officer (Policy), Social Work and Housing Services in answer to members' questions, the Council noted the contents of the update and approved its submission to the Scottish Executive Development Department with appropriate internal and external distribution thereafter.

It was further noted that Councillor Flynn, Convener of the Housing Committee, would respond in writing to Councillor Bollan's question on the Council's policy concerning the stock transfer of Council housing.

Councillors D. McDonald and McElhill re-entered the meeting during discussion of the above item.

REQUEST FROM CLYDEBANK WOMEN'S AID

There was submitted report by the Director of Corporate Services advising that a request had been received from Clydebank Women's Aid regarding the use of funds previously awarded to Clydebank Women's Forum.

The Council noted that the Clydebank Women's Forum had ceased to operate at local government reorganisation in 1996, with a balance of £3,906.32 being returned to West

Dunbartonshire Council, and that a request had been received from Clydebank Women's Aid (which includes some members previously involved in Clydebank Women's Forum) for payment of the remaining funds.

Councillor Devine and the Director of Corporate Services were heard in answer to members' questions. Following discussion, Councillor McCafferty, seconded by Councillor Syme, moved closure of the debate (Standing order 17 (h) refers).

On a vote being taken, 13 members voted for the motion and 7 against and accordingly the debate was closed.

Thereafter, the Council agreed to award the sum of £3,906.32 to Clydebank Women's Aid, subject to a grant application being completed to the satisfaction of the Head of Finance.

THE BRITISH OLYMPIC APPEAL IN SCOTLAND, SUPPORTING SCOTTISH ATHLETES

There was submitted letter from the Scottish Olympic Appeal Office seeking support for the Scottish arm of the British Olympic Appeal.

The Council agreed to award the Scottish Olympic Appeal the sum of £1,000.

STRATHCLYDE FIRE BRIGADE

There was submitted letter from Strathclyde Fire Brigade seeking a donation for a project to erect a sculpture which will celebrate the work of the Fire Service within the area of the Joint Board.

Having heard Councillor Calvert, the Council agreed to note the correspondence from Strathclyde Fire Board and that the Board be advised that the Council regrets that it is unable to make a contribution towards the sculpture due to current financial pressures.

COUNCIL'S CONTRIBUTION TO THE REFURBISHMENT OF CLYDEBANK SHOPPING CENTRE

There was submitted report by the Director of Economic, Planning and Environmental Services on progress made during discussions with DTZ, agents for the Co-operative Insurance Society Limited (CIS), on proposals for the refurbishment of Clydebank Shopping Centre, the extension of the existing ground leases and the proposed reduction in ground rental received by the Council in lieu of its contribution to the project.

Having heard the Director of Corporate Services and Director of Economic, Planning and Environmental Services in answer to members' questions, the Council agreed:-

- (1) to approve the recommendations contained in the report, namely, to endorse negotiations to secure the refurbishment of Phase 1 and environs of Clydebank Shopping Centre as outlined in the report on the basis of the Council's net income being reduced to 19.4% of net rents received by CIS after the deduction of

irrecoverables with revised income share taking effect upon completion of the refurbishment and extension of the shopping centre. The Council further noted that conclusion of the agreement would be subject to the securing of planning consent by CIS for their revised proposal; and

- (2) that a full presentation on the proposals be made at a future meeting of the Council.

ADDITIONAL FUNDS IN SCHOOLS: BUDGET ALLOCATION

There was submitted report by the Director of Education and Cultural Services advising that the Government had allocated additional funding totalling £601,000 for schools in West Dunbartonshire.

After discussion, the Council approved the distribution of the additional funds to schools based on the formula suggested in the letter from the Scottish Executive, as detailed in Appendix 1 to these minutes.

ADJOURNMENT

At this point the Council agreed to adjourn for a period of 5 minutes.

The meeting was reconvened at 9.35pm. with all Members and Officers on the sederunt present, with the exception of the Head of Social Work, Head of Information Services and the Strategy Officer (Policy), Social Work and Housing Services.

MUNICIPAL BUILDINGS, DUMBARTON

With reference to the Minutes of the Meeting of Council held on 29 September 1999 (**volume page 5084 refers**), there was submitted report by the Director of Commercial and Technical Services advising that additional costs would be incurred in the proposed provision of access and facilities for the disabled in the Municipal Buildings, Dumbarton, in order to comply with fire regulations. The Council noted that the total estimated cost of proposals approved in September 1999 was £65,000, which was to be met from the Common Good Fund, but that the cost of the necessary additional works, together with essential redecoration costs, would bring the total to £115,000.

Councillor McCallum, seconded by Councillor Trainer, moved that the full cost of the project be met from the Dumbarton Common Good fund.

By way of an amendment, Councillor McColl, seconded by Councillor McGregor, moved as follows:-

This council notes with growing concern the spiralling costs of this project.

Furthermore this council notes that these increased costs are a further testament to the ill-conceived Labour Party motion tabled by Councillor McCallum.

In view of these revised increased costs coupled with the immense amount of wasted officer's time in this matter the council agrees to note the report and to take no further action on this matter.

Subsequent to this the council agrees that in the best interests of the public, disabled groups and the health of officers and members, that all meetings now be rescheduled to take place in Garshake.

On a vote being taken, 6 members voted for the amendment and 14 for the motion which was accordingly carried.

50TH ANNIVERSARY OF WHITECROOK BOWLING CLUB

There was submitted report by the Director of Commercial and Technical Services on a request by Whitecrook Bowling Club for financial assistance and support in kind to mark the 50th anniversary of the Club in the millennium year.

Having heard the Provost it was agreed that most of the costs referred to in the report be met from the Provost's fund.

KIRKTONHILL RESIDENTS ASSOCIATION – PROPOSED MILLENNIUM EVENT

There was submitted report by the Director of Commercial and Technical Services on a proposal by Kirktonhill Residents Association to hold a Teddy Bears Picnic for children under the age of 6 at Levensgrove Park either in July during the West Dunbartonshire Festival Gala Week or later in August.

The Council agreed to award the Association the sum of £100 towards the estimated shortfall in funding.

MILLENNIUM FUNFAIR – MOSS O'BALLOCH

There was submitted report by the Director of Commercial and Technical Services seeking Council approval to hold a Millennium Funfair at Moss O'Balloch event area from Monday 24 July to Monday 7 August 2000.

After discussion, the Council approved the request providing the Funfair operator complies with Council Guidelines and Health and Safety conditions and meets the requirements laid down by the Department of Corporate Services.

MILLENNIUM EVENTS: ALEXANDRIA PARISH CHURCH

There was submitted report by the Director of Commercial and Technical Services advising that two requests had been received from Alexandria Parish Church, Balloch, for funding for a Flower Festival and craft weekend on 25 – 27 August 2000.

The Council agreed to award the Church the sum of £150 towards the cost of the banner for the Flower Festival and the Festival Sewing Group's workshops.

NOTICES OF MOTION

The following Notices of Motion were submitted and dealt with as undernoted:

(a) Notice of Motion by Councillor O'Sullivan:-

West Dunbartonshire Council agrees to give its support to the Jubilee 2000 campaign which calls for the one-off cancellation of unpayable debt held by the world's poorest countries.

Council notes Jubilee 2000 is represented in Scotland by a coalition of organisations which includes Oxfam, Unison Scotland, T&G Scotland, Churches STUC, a number of Local Authorities and voluntary organisations. Its purpose and aim is to have all debt cancelled by the end of the millennium.

Furthermore, the coalition have indicated that a billion people in the world's poorest countries are effected by debts of £100 Million and every £1 given in aid £3 is paid in debt recovery.

The council notes with concern that for example Mozambique in East Africa, the poorest country on earth spends £167,000 on interest loans, three times the amount it spends on its health service.

Council agrees that the effect of this debt recovery means that money is diverted from basic services such as health care and education. This in turn prevents those third world countries from developing. Also the human misery and suffering caused must be eradicated."

Having heard Councillor O'Sullivan, the Council agreed unanimously to approve the above motion.

Councillor McLaughlin declared a non-pecuniary interest in the following item, but reserved the right to participate in the debate.

(b) Notice of Motion by Councillor White:-

This Council notes, with extreme concern, Councillor Craig McLaughlin's misuse of the computer equipment allocated to him by the Council for use in his duties as an elected member.

Council notes that Councillor McLaughlin's use of this equipment to promote misleading and inaccurate information about the SNP to Council staff, is in breach of the National Code of Local Government Conduct for Elected Members and undermines the Information Services Security Policy.

Furthermore, this Council agrees that it is totally unacceptable for the SNP Group to mislead and waste the time of Council staff. The SNP's behaviour is not only an invasion of Council employees' privacy at work, but deflects them from their duties to the Council taxpayers of West Dunbartonshire.

This Council therefore agrees

1. To request that Councillor McLaughlin makes a full and unreserved apology for his misuse of Council property.
2. To instruct the Chief Executive to confiscate all IT equipment that has been allocated to Councillor McLaughlin for a period of six months.
3. To return the IT equipment to Councillor McLaughlin after this period provided no further breaches of the National Code of Local Government Conduct by Councillor McLaughlin have been brought to the Council's attention.

Prior to moving the motion, Councillor White informed the Council that if Councillor McLaughlin was prepared to give a full and an unreserved apology to the Council for the misuse of Council property, he would withdraw his motion.

Councillor McLaughlin declined the offer on the basis that the incident required a full investigation.

Thereafter Councillor White was heard in support of this motion, which was seconded by Councillor Trainer.

The legal officer was heard in answer to members' questions concerning the interpretation of paragraph 32 of the National Code of Local Government Conduct.

By way of an amendment, Councillor McColl, seconded by Councillor McElhill, moved as follows:-

This council notes with concern Councillor White's motion judging Councillor McLaughlin to have breached the National Code of Local Government Conduct.

The council further notes that Councillor White had used his motion simply to try to score party political points and alarmingly to hinder the work of Councillor McLaughlin in representing his constituents.

Furthermore this council notes that Councillor White has no grounds for his allegation of a breach of national code of conduct, as the Chief Executive has not completed his correspondence with Councillor McLaughlin on the matter.

The SNP group accepts that every councillor's actions should always be the subject of scrutiny and are willing to have the matter thoroughly investigated, by a properly constituted and democratic Standards Committee.

This council further notes that the Labour group has consistently delayed the creation of a standards committee, which would have the ability to investigate such matters.

To resolve this matter council therefore agrees to refer this issue together with the findings by the former monitoring officer into the investigations of Councillor White's past breach of confidentiality and abuse of Council equipment. This matter refers to the leaking of a confidential letter concerning a member of staff to a national newspaper for political gain.

At this point the Council agreed that there be a roll call vote. On a vote being taken, 7 members voted for the amendment, namely Councillors McElhill, I. McDonald, McCutcheon, Bollan, McLaughlin, McColl, McGregor and 13 for the motion, namely Provost Macdonald, Campbell, McCafferty, Syme, White, Devine, Collins, D McDonald, McColl, Calvert, McCallum, Trainer, and O'Sullivan. The motion was declared carried.

- (c) It was noted that Councillor Bollan's motion on disabled transport had been considered at the meeting of Council which was adjourned from 31 May 2000, which meeting was held earlier in the evening.

The meeting closed at 11.10p.m.