

WEST DUNBARTONSHIRE COUNCIL

Council Offices, Garshake Road, Dumbarton G82 3PU

23 October 2008

MEETING: WEST DUNBARTONSHIRE COUNCIL

**WEDNESDAY 29 OCTOBER 2008
COUNCIL CHAMBERS
CLYDEBANK TOWN HALL
DUMBARTON ROAD
CLYDEBANK**

Dear Member,

Please attend a Meeting of **West Dunbartonshire Council** to be held in the **Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank, on Wednesday, 29 October 2008 at 7.00 p.m.**

The business is as shown on the attached agenda.

Yours faithfully

DAVID MCMILLAN

Chief Executive

Distribution:-

All Members of West Dunbartonshire Council.

Chief Executive

Executive Director of Corporate Services

Executive Director of Educational Services

Executive Director of Social Work and Health

Executive Director of Housing, Environmental & Economic Development

For information on the following agenda please contact George Hawthorn, Legal, Administrative and Regulatory Services, Council Offices, Garshake Road, Dumbarton, G82 3PU on Tel: (01389) 737204 or e-mail: george.hawthorn@west-dunbarton.gov.uk

WEST DUNBARTONSHIRE COUNCIL

WEDNESDAY, 29 OCTOBER 2008

AGENDA

1. APOLOGIES

2. MINUTES OF PREVIOUS MEETING

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

- (a) Special Meeting on 19 August 2008
- (b) Ordinary Meeting on 27 August 2008
- (c) Requisition Meeting on 10 September 2008

3. OPEN FORUM

The Council is asked to consider the undernoted questions:-

(a) William Rooney, Geared Up Club – Suitable Premises

The Geared Up Club was evicted from Alexandria Community Resource Centre 12 weeks ago. We still don't have a suitable venue with computer access to allow the club to continue with its activities. We are also facing the possibility of losing a ten thousand pound grant from the lottery.

When will we have suitable premises where we can access computers and get back to recruiting more members for our Club?

(b) Sephton MacQuire, Board Member of Social Enterprise Clydebank, T/A DCCS – Leasing of Vehicles

In January 2008, DCCS applied to The Community Planning Partnership - The Business Growth & Employability Strategy Group for £77,230 to purchase 3 new vehicles and plant & equipment to carry out £250k of new contract works in Renfrewshire. These new works would enable DCCS to employ an additional 6 full time employees from the West Dunbartonshire New Deal and Skill Seeking Programmes and provide an additional 8 training placements.

The Business Growth & Employability Strategy Group awarded DCCS £77,230 of funding week of 11 February 2008.

On the 21 February 2008 West Dunbartonshire Partnership instructed DCCS to cancel their vehicles order, as David McMillan Chief Executive of West Dunbartonshire Council had decided that in their responsibility to ensure the best use of public resources the Council had made arrangements to buy the vehicles and lease them to DCCS on appropriate terms. To date no terms and conditions for leasing vehicles from the Council have been received. The new DCCS contracts would commence on the 17th March 2008 and the Council would arrange to lease vehicles as an interim measure.

The DCCS Board of Directors asked the Council how this action could be perceived as following the Scottish Government directive of Building Community Assets. No adequate response was received.

A meeting was held on the 12 March 2008 between DCCS, Community Planning Partnership and the Council. The question of developing Community Assets was raised again. The Council responded that they could save £16k by purchasing the vehicles. £11k of the £16k being the Value Added Tax.

As of Wednesday 17 September 2008 DCCS has still not received the vehicles that the Council drew down Scottish Government funding to purchase in March 2008. The cost to the Council for hiring vehicles for DCCS up to the end of August is £7300.

The Council has failed in its obligation to provide DCCS with the specified vehicles approved to be purchased by the publicly elected Business Growth & Employability Strategy Group.

Will the Council now return the original grant funding, awarded to DCCS, for the approved specified vehicles to be purchased?

4. MINUTES OF THE AUDIT & PERFORMANCE REVIEW COMMITTEE

(a) Ordinary Meeting on 10 September 2008

Submit for information, and where necessary ratification, the Minutes of Meeting of the Audit & Performance Review Committee held on 10 September 2008.

(b) Special Meeting on 24 September 2008

Submit for information, and where necessary ratification, the Minutes of Special Meeting of the Audit & Performance Review Committee held on 25 September 2008.

5. MINUTES OF THE COMMUNITY PARTICIPATION COMMITTEE

Submit for information, and where necessary ratification, the Minutes of Meeting of the Community Participation Committee held on 17 September 2008.

6. MINUTES OF THE JOINT CONSULTATIVE FORUM

Submit for information, and where necessary ratification, the Minutes of Meeting of the Joint Consultative Forum held on 25 September 2008.

7. MEMBER/OFFICER WORKING GROUP: REGENERATION OF THE WEST DUNBARTONSHIRE SCHOOLS' ESTATE - PHASE 2 – PROGRESS REPORT

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 28 May 2008, submit report by the Executive Director of Educational Services providing the Council with an update on the progress of the Member/Officer Working Group: Regeneration of the Schools' Estate - Phase 2.

8. COMMITTEE TIMETABLE – JANUARY TO DECEMBER 2009

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 27 August 2008, submit report by the Executive Director of Corporate Services proposing a timetable for Meetings for 2009 and making the Council aware of comments received from Members thereon.

9. INVESTIGATION REGARDING CALLING OF THE SPECIAL MEETING ON 19 AUGUST 2008

With reference to the Minutes of the Special Requisitioned Meeting of West Dunbartonshire Council held on 10 September 2008, submit report by the Executive Director of Corporate Services informing the Council of the findings of the investigation by Brodies LLP.

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10. BEST VALUE IMPROVEMENT PLAN

Submit report by the Acting Chief Executive on the progress of the Council's Best Value Improvement Plan (BVIP).

11. BUDGET 2008/09 – ADDITIONAL DEPARTMENTAL SAVINGS

Submit report by the Chief Executive providing an update on developments to address the budget decision to identify a further 1% efficiency savings by April 2009.

12. MASTER PLANNING: PRIORITISATION OF HOUSING REGENERATION AREAS

Submit report by the Executive Director of Housing, Environmental and Economic Development asking the Council to agree a proposed programme for master planning and housing redevelopment plans as detailed within the report.

13. DRAFT STANDARD DELIVERY PLAN

Submit report by the Executive Director of Housing, Environmental and Economic Development advising the Council of the results of consultation on the Draft Standard Delivery Plan (SDP) and seeking approval to submit a Standard Delivery Plan to the Scottish Government in accordance with the recommendations of the report.

14. HOUSING REVENUE ACCOUNT (HRA) 2008/2009 BUDGETARY CONTROL STATEMENT (PERIOD 5)

Submit report by the Executive Director of Housing, Environmental and Economic Development providing the Council with an update on the financial performance of the HRA to the period ended 15 September 2008.

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15. HRA CAPITAL PROGRAMME 2008/2009 BUDGETARY CONTROL REPORT (PERIOD 5)

Submit report by the Executive Director of Housing, Environmental and Economic Development providing the Council with information on the progress of the HRA Capital Programme 2008/2009 as at 15 September 2008.

16. REVIEW OF PARTS 1 AND 2 OF THE STANDING ORDERS

Submit report by the Executive Director of Corporate Services asking the Council to approve changes to Parts 1 and 2 of the Standing Orders which relate to the Standing Orders for Meetings of Council, Committees and other bodies.

17. FINANCIAL STATEMENTS 2007/2008

Submit report by the Executive Director of Corporate Services on the audited financial statements for the year to 31 March 2008.

18. GENERAL SERVICES REVENUE BUDGETARY CONTROL STATEMENTS 2008/2009 (PERIOD 5)

Submit report by the Executive Director of Corporate Services advising the Council of the performance of the General Services Revenue budget for the period to 15 September 2008.

19. GENERAL SERVICES CAPITAL PROGRAMME BUDGETARY CONTROL REPORT (PERIOD 5)

Submit report by the Executive Director of Corporate Services providing the Council with an update on the General Services Capital Plan for 2008/2009.

20. CORRESPONDENCE

(a) Reading Burgh Council – Motion to support the campaign for Gurkha Rights. (Pages 313 – 314)

Submit correspondence from Reading Borough Council asking the Council to support a resolution in support of the Campaign for Gurkha Rights.

(b) COSLA Community Safety Executive Group – Invitation to Nomination

Submit correspondence from COSLA seeking a nominee from this Council to serve on the Community Safety Executive Group. The Council is asked to note that, with the prior agreement by the Leader of the Council and the Leader of the Opposition, Councillor Jonathan McColl was nominated to attend the first meeting of the Group on 6 October 2008, as an interim arrangement.

21. QUESTION

Question to the Convener of Educational Services from Councillor Patrick McGlinchey

Council notes that there is potential shortfall in the capital programme of £5m for next year. Council further notes the parental concern regarding the unexplained delay in the rebuild of Bonhill Primary School. Parents believe that construction work was due to begin in July 2008 in order to meet the deadline of delivering the new build school by April 2010. This would suggest a potential extension of four months to the indicative delivery date.

Can the Convener of Educational Services provide clarification of the reasons for the delay and give parents an absolute assurance that the new build Bonhill Primary School, as previously specified, remains on track and within budget? Furthermore can the Convener of Education give an absolute assurance that the new build Goldenhill Primary School, as previously specified remains on track and within budget?

22. NOTICES OF MOTION

(a) Motion by Councillor Jim Bollan – Re-decoration Allowances

This Council agrees to exclude re-decoration allowances, which are funded from the HRA, from being set off against Council tax arrears.

(b) Motion by Councillor Jim Bollan – Webpage for Trades Unions

This Council agrees to allocate a free full page, with a front page link, on the Council's website to the joint trades unions on WDC for their exclusive use to provide their members with information/advice, subject to compliance with all relevant legislation. The joint trades unions will have full editorial control over the content on the page. The facility, with appropriate professional advice and back up, should be made available to the trades unions as an urgent priority.

(c) Motion by Councillor David McBride – Proposed Changes to Governance of the Council.

This Council notes that the present SNP-led Administration has been the catalyst for a substantial breakdown in the hitherto positive and productive relationships between the Council, Trade Unions and staff. This SNP-led breakdown has been exacerbated by its financial incompetence that leaves the Council facing a budget deficit of £7million.

Therefore, this Council has no confidence in the present SNP-led Administration and is duty bound to take steps to rectify this appalling situation.

This Council agrees that the following changes to positions of responsibility are to take immediate effect.

- Leader of the Council: Councillor Martin Rooney
- Depute Leader of the Council: Councillor Margaret Bootland
- Convenor of Corporate and Efficient Government and Spokesperson for Corporate Services: Councillor David McBride
- Convenor of Social Work and Health Improvement and Spokesperson for Social Work and Health: Councillor Gail Casey
- Convenor of Education and Lifelong Learning and Spokesperson for Educational Services: Councillor Patrick McGlinchey
- Convenor and Spokesperson of Housing, Environment and Economic Development: Councillor John Millar
- Convenor of Planning and Licensing Committees: Councillor Marie McNair
- Convenor of Community Participation: Independent/SSP Councillor
- Convenor of Appeals Committee: Independent/SSP Councillor
- Leader of the Opposition: SNP nomination
- Convenor of Audit and Performance Review: SNP nomination.

Furthermore, the Council agrees that the following positions will be considered to be the 'Senior Councillor' appointments in accordance with current legislation.

- Convenor of Corporate and Efficient Government
- Convenor of Social Work and Health Improvement
- Convenor of Education and Lifelong Learning
- Convenor of Housing, Environment and Economic Development
- Convenor of Planning and Licensing Committees
- Convenor of Community Participation
- Leader of the Opposition
- Convenor of Audit and Performance Review

This Council is confident that these changes to the governance of the Council will result in a more equitable resolution to the Single Status impasse consequent to the SNP-led Motion that has been the cause of so much recent anguish among Council staff. In addition, this Council believes that an Administration with the courage to challenge the SNP Government for its woeful lack of provision of adequate resources to West Dunbartonshire is in the best interests of all our residents.

(d) Motion by Councillor David McBride – Proposed vote of no confidence

This Council notes that the present SNP-led Administration has been the catalyst for a substantial breakdown in the hitherto positive and productive relationships between the Council, Trade Unions and staff. This Council notes with disappointment that Provost Denis Agnew has played a decisive role in this breakdown.

This Council is aware that at least three complaints have been made to the Standards Commission for Scotland by members of staff concerning Provost Agnew's alleged behaviour.

Whilst in no way presuming the outcome of these investigations, it is clear that the Council will be subject to more negative public publicity resulting from these investigations during the coming months, to the detriment of the reputation of West Dunbartonshire Council. This Council does not believe that the interests of this Council are being served whilst Councillor Denis Agnew holds the prestigious appointment of Provost of West Dunbartonshire.

Therefore, this Council has no confidence in Councillor Agnew as Provost of West Dunbartonshire and calls on him to act with honour and resign his appointment with immediate effect.

(e) Motion by Councillor David McBride – Standing Orders

This Council agrees the following change to its Standing Orders:

Standing Order 1 (b)

To delete all after "Standing Order 8".

(f)/

(f) Motion by Councillor Bolla - Council Tax Payments

The new payment date of the 1st of the month for Council Tax payments is causing difficulty for many claimants who receive their state benefits on or immediately after the 28th of each Month.

This Council therefore agrees to either revert to Council taxpayers being able to make Council Tax payments on or before the 28th of each month or introduce flexibility into the current arrangements to allow those Council Tax payers who receive benefits via bank payments scheduled to arrive on the 28th day an additional 7 days to make the necessary payment to WDC.

A report to the November Council meeting indicating how the new system will operate is required with a start date for the more flexible payment method being 1/4/2009.