

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton on Thursday, 31 May 2018 at 2.00 p.m.

Present: Provost William Hendrie, Bailie Denis Agnew* and Councillors Jim Bollan, Jim Brown, Gail Casey, Karen Conaghan, Ian Dickson, Diane Docherty, Jim Finn, Daniel Lennie, Caroline McAllister, Douglas McAllister*, David McBride, Jonathan McColl, Iain McLaren, Marie McNair, John Millar, John Mooney, Lawrence O'Neill, Sally Page, Martin Rooney and Brian Walker

* arrived later in the meeting.

Attending: Joyce White, Chief Executive; Angela Wilson, Strategic Director - Transformation & Public Service Reform; Richard Cairns, Strategic Director – Regeneration, Environment & Growth; Beth Culshaw, Chief Officer, West Dunbartonshire Health & Social Care Partnership; Peter Hessett, Strategic Lead – Regulatory (Legal Officer); Stephen West, Strategic Lead – Resources; Laura Mason, Chief Education Officer; Malcolm Bennie, Strategic Lead – Communications, Culture & Communities; Victoria Rogers, Strategic Lead – People and Technology, Peter Barry, Strategic Lead – Housing & Employability; Ronnie Dinnie, Strategic Lead – Environment & Neighbour, Jim McAloon, Strategic Lead – Regeneration and Christine McCaffary, Senior Democratic Services Officer.

Provost William Hendrie in the Chair

URGENT ITEMS OF BUSINESS GREENSPACE WORK CONNECT – FIRE AT HAVOC PAVILION

Provost Hendrie advised that he had agreed to a request for two urgent motions to be heard. The first motion, seeking to increase grass cutting and planting, would be heard immediately after the Open Forum, and the second, in connection with fire damage at Havoc Pavilion, would be heard at the end of the business on the agenda.

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETINGS

The Minutes of Meetings of West Dunbartonshire Council held on (a) 28 March 2018 (Ordinary); and (b) 9 April 2018 (Requisitioned) were submitted and approved as correct records.

OPEN FORUM

The Provost advised that Open Forum questions had been received from (1) Mr Andrew Muir in connection with the Social Work Complaints Review Sub-Committee and (2) Mr Craig Edward in connection with Dalmuir Public Park Zero Cuts Petition.

The Provost invited Mr Muir forward and he read out his question:-

(a) Andrew Muir, Dumbarton – Social Work Complaints Review Sub-Committee

When a complaint is made to the council about the services provided by the social work department, a sub-committee is set up to investigate this matter. What criteria are used to determine the membership of the sub-committee and what steps are taken to ensure that members of the sub-committee do not have a conflict of interest when arriving at their findings?

Councillor McNair provided the following response:-

Mr Muir, thanks for your question. I can advise as follows:-

It is no longer the case that the Social Work Complaints Review Committee hears social work complaints. Following the Scottish Government's Review of Social Work Complaints, the Scottish Public Services Ombudsman, as from 1 April 2017, is now responsible for handling Social Work Complaints and has replaced the Social Works Complaints Review Committees.

I have asked the Chief Officer for Social Work and Health to write to you with more details of the new procedures as set out by the SPSO.

I hope this information is of help to you.

As a supplementary question Mr. Muir asked:-

¹I recently bought this book “...” by ... and was aghast when I read it. I would like to read out 3 quotes from it:

On page 93 he states “...”

¹ As corrected at the meeting of West Dunbartonshire Council held on 27 June 2018

On page 98 he states“...”

On page 136 & 140 he states“...”

I would put it to you that when “...” he had a clear conflict of interest.

Q. As a result of this would you be prepared to fully re-investigate those complaints that he had been involved in?

(per Council decision on 27 June 2018, the question has been edited to remove elements from which an individual could be identified.)

In response, Councillor McNair urged Mr Muir to submit his information and we will have a look at it.

The Provost then invited Mr Edward forward and he read out his question:-

(b) Craig Edward, Clydebank – Dalmuir Public Park Zero Cuts Petition

The SNP, Conservatives and Independent Councillor Agnew voted for greenspace budget cuts at the budget setting meeting on 05 March 2018. This followed a public survey which did not allow the option of zero cuts, and people participating in the survey were forced to select a cut.

Specifically, Dalmuir Public Park has seen a reduction of flower beds and a reduced grass cutting service as a result. A petition was created asking for the Council to maintain Dalmuir Public Park to the standard prior to the budget cuts approved. The petition received massive support from the public, with 2,172 signatures against any reduction of service at the Park. Furthermore, there have been public meetings/rallies organised by the Joint Trade Unions of West Dunbartonshire, calling for a reversal to all cuts which include the cuts to our Parks.

West Dunbartonshire Council’s Social & Economic Profile 2017 estimate the Clydebank population to be 42,953. Therefore, the petition is statistically significant at 5% of the population and cannot be ignored.

To put this into perspective, the entire budget consultation attracted 2,733 responses which is one of the Council’s biggest consultations in its history. This amounted to 3% of the population which the council described as “statistically significant”.

Based on this evidence, I would like to ask the following question:

Will Councillors suspend standing orders and reverse the budget cut to greenspace, and specifically the flower bed displays not only at Dalmuir Public Park, but all Parks across the Authority?

Councillor McLaren provided the following response:-

Thank you, Provost.

I'd like to begin by thanking Mr Edwards for bringing this question to Council.

As we promised at the budget-setting Council meeting in March, any additional funding coming to Council will be considered to offset cuts in services.

We remain, however, also committed to delivering enhanced biodiversity areas in appropriate locations throughout West Dunbartonshire.

In light of additional money being made available by the SNP Scottish Government, I am pleased to announce that I will be bringing a motion to Council later in this meeting that will increase funding to Greenspace services, which includes additional money to fulfil our bedding display aspirations.

As a supplementary question, Mr Edward asked:-

Provost, with your indulgence I would like to ask a further question and set the background to the question too?

I submitted a Freedom of Information request and received a reply in March regarding the Clydebank to Renfrew Bridge. Specifically, I asked how much money had been wasted on the independent traffic assessment which WDC never used. The cost was £4,511.17. Then, this week the Clydebank Post revealed £2,250 had been wasted on a day out for 35 staff to ride boats on what I'm sure was a very nice day out on Loch Lomond – but at the struggling tax payers expense.

These are only TWO confirmed examples of money wasted that we know about totalling £6761.27. Now to the Council that may not seem a huge sum of money. But to a disabled WDC resident, that is the equivalent of 10 years and 1 months Council Tax bill – completely wasted, and provided zero benefit to the public.

The reason I bring this up is the Councillors opposite me are keen to stress how skint we are, there's no money, we have our hands tied behind our back, there's nothing we can do. Well my question to those very Councillors is this. Considering the evidence before you today, will you commit to a full comprehensive review of all money raised by the 89,000 hardworking, struggling, suffering residents of West Dunbartonshire and stop wasting public funds which should instead be spent on meaningful projects such as our amazing greenspaces, public parks and fantastic greenspace staff?

If not, then the SNP Group Leader and his Councillors seriously fall foul of the Standards Commissions Scotland's Code of Conduct for Leadership which states: *You have a duty to promote and support these principles by leadership and example, and to maintain and strengthen the public's trust and confidence in the integrity of the Council and its councillors in conducting public business.*

Right now Councillors, leadership, integrity, principles, confidence and public's trust are not words I attribute with the SNP or Denis Agnew.

Councillor McLaren provided the following response:-

It is part of our duty to the people of West Dunbartonshire to consider improvements to the area. If this means spending money to evaluate these improvements, then I am happy that it should be spent doing so.

A written response to the other points made will be provided within the standard time limit.

SUSPENSION OF STANDING ORDERS

The Legal Officer advised the Council that the suspension of Standing Orders would be required to allow consideration of the urgent item of business relating to Greenspace.

URGENT ITEM OF BUSINESS GREENSPACE

Copies of the motion were circulated to allow Members to consider the terms of the motion, following which the Council agreed to the suspension of Standing Order 20.

Councillor McLaren moved:-

Every Councillor who voted for the 2018/19 budget did so with the Administration's promise that should extra money become available, we would seek to reduce the impact of savings made in March.

Council is pleased that thanks to new funding being allocated to local government by the SNP Scottish Government, we now have an opportunity to reinvest in Greenspace.

Council agrees to reinvest £270,000 in greenspace services to greatly increase the number of areas where grass is cut, and to allow the team to realise their ambitious plans for even more perennial beds in our parks and open spaces, to include some summer bedding mixed into the displays.

Council recognises that the previous Labour Administration made a mistake when they removed the winter bedding programme, leaving our parks bereft of planting and colour for most of the year. This reinvestment will allow for perennial displays during the winter months, providing our residents with a pleasant environment all year round.

Council further agrees that with declining bee and other pollinating insect populations, the creation of appropriate biodiversity areas and wildflower planting is vital to our environment and the ability of our farmers to produce the food we eat. Council agrees that greenspace should use some of this budget to implement this policy in a sensible and sustainable way.

While we await receipt of this new Scottish Government funding, which will come to Councils before the end of this financial year, Council agrees to fund this investment in greenspace using the £30,341 underspend from last year's CVS administered grants budget, with the remainder of the £270,000 investment coming from the Prudential Reserve.

Council understands that West Dunbartonshire's full year share of the new Scottish Government funding is expected to be around £240,000, and when we receive our funding, this will be used to reinstate the Prudential Reserve. Following the detailed allocation of this new funding, should there be a shortfall, Council will agree how to fund the Prudential Reserve at the 2019/20 budget setting meeting.

As an amendment, Councillor McBride moved:-

The SNP Councillors have a record of ignoring the concerns of residents of West Dunbartonshire but they do tend to react to those of the First Minister.

The attached letter from the Scottish Government, which was a reply to a letter sent to the First Minister of Scotland from a local resident complaining about the SNP/Independent budget cuts. The reply on her behalf states:-

"In light of this increase in funding the Scottish Government does not accept that the budget cuts, as you have described, were at all necessary. If you have not already done so I would suggest that you present these facts to West Dunbartonshire Council and ask them why in light of an increase they still needed to cut funding to community groups, voluntary groups and local partner organisations within their area".

Given the Scottish Government agree the current budget cuts were unnecessary this Council calls on the Chief Executive to reverse those cuts not deemed necessary by the Scottish Government including:

- Cuts to voluntary organisations
- Reduction in funding to strategic partners.
- Grass cutting
- Summer bedding plants
- Cemetery maintenance
- Increased biodiversity areas

The cost of reversing the cuts are £30k for the cuts to voluntary organisations and this should come from the under-spend identified at the recent Corporate Services Committee.

In addition the SNP had decided to cut £666k from its grass cutting / Greenspace budget. However, the Labour Opposition proposes that this budget cut is reversed in its entirety with £240k coming from the additional £240k of Scottish Government funding announced on 26th May.

The balance of £426K to come from the reserve earmarked for use as the "Change Fund" be reallocated and used to fund this policy decision in the 2018/19 financial year. Officers should include this money mainlined in the budget book for future years.

Note: As at the 5th March the Change Fund had £2.143m available for use during 2018/19.



[REDACTED]

[REDACTED]

[REDACTED]

Our ref: [REDACTED]
20 March 2018

Dear [REDACTED]

Thank you for your email of 8 March, in your role as [REDACTED] Dumbarton, addressed to the First Minister about cuts to your local community groups, voluntary groups and partner organisations. The First Minister has asked me to thank you for your email and to reply on her behalf as local government finance falls within my area of responsibility.

The First Minister has asked me to say that she wholeheartedly agrees with your comments about the importance of the community however it is important to remember that local authorities are independent corporate bodies whose duties are set out in statute. Scottish Ministers have no general powers that would allow them to intervene in matters regarding the allocation of funds as part of local authority budget setting.

For the Scottish Government's part, despite continued UK Government real terms cuts to Scotland's resource budget, the Scottish Government has treated local government very fairly. In the coming financial year, the local government finance settlement of £10.7 billion will provide a real terms boost in both revenue and capital funding. The 2018-19 settlement provides an increase in local government day to day spending for local revenue services of £175 million and delivers an increase in capital spending of £89.9 million. Councils also had the flexibility to raise an additional £77 million by increasing council tax by up to 3 per cent. Taken together, the total funding (revenue, capital and council tax) settlement delivers an increase in the overall resources to support local services of £342 million or 3.3 per cent.

West Dunbartonshire Council will receive almost £204 million of Scottish Government funding in 2018-19 an increase of £8.6 million compared with 2017-18. West Dunbartonshire Council has also taken the opportunity to increase council tax levels by the maximum allowable 3 per cent providing an extra £1.2 million to support services, giving an overall increase of £9.8 million or £5.1 per cent.

In the light of this increase in funding the Scottish Government does not accept that budget cuts, as you have described, were at all necessary. If you have not already done so I would

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suggest that you present these facts to West Dunbartonshire Council and ask them why in the light of an increase in funding of over 5 per cent they still needed to cut funding to the community groups, voluntary groups and local partner organisations within their area.

I hope that you find this information helpful.

Yours sincerely

Local Government Division

Councillor McColl then seconded Councillor McLaren's motion and Councillor O'Neill seconded Councillor McBride's amendment.

Note:- Bailie Denis Agnew and Councillor Douglas McAllister arrived at this point in the meeting.

At the request of Councillor O'Neill the Council proceeded by way of a roll call vote.

On a vote being taken 9 Members, namely Councillor Bollan, Casey, Lennie, Douglas McAllister, McBride, Millar, Mooney, O'Neill and Rooney voted for the amendment and 13 Members, namely Provost Hendrie, Bailie Agnew and Councillors Brown, Conaghan, Dickson, Docherty, Finn, Caroline McAllister, McColl, McLaren, McNair, Page and Walker voted for the motion which was accordingly declared carried.

ADJOURNMENT

At the request of Councillor McColl, the Council agreed to adjourn the meeting for a period of 10 minutes. The meeting reconvened at 3.45 p.m. with all Members noted in the sederunt present.

GLASGOW CITY REGION CITY DEAL - UPDATE

A report was submitted by the Strategic Lead – Regeneration on the progress with the implementation of the Glasgow City Region, City Deal and the Council's City Deal project.

After discussion and having heard the Strategic Lead – Regeneration in answer to Members' questions, the Council agreed to:-

- (a) note the progress of the Glasgow City Region (GCR) City Deal; and
- (b) note the progress with the Council's project for the Exxon site.

LOCAL SCRUTINY PLAN 2018-19

A report was submitted by the Chief Executive providing information on the Local Scrutiny Plan for 2018-19.

After discussion and having heard officers in answer to Members' questions, the Council agreed to note the Local Scrutiny Plan for 2018-19 and the actions identified in key areas as already outlined within delivery plans.

NOTICES OF MOTION

(a) Motion by Councillor Jim Bollan – Equal Pay for WDC Workers

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

Council agrees to review the issues surrounding equal pay for WDC workers.

Council is aware hundreds of low paid, particularly women, workers who would have been entitled to a payment for various valid reasons did not submit claims on time and missed out on equal pay payouts.

Council calls on the CEO to compile a report giving the numbers of workers who missed out on such a payment, with average potential costs had all these claims been approved and made timeously.

The CEO should report back to the June 2018 Council Meeting.

As an amendment Councillor Caroline McAllister, seconded by Bailie Agnew moved:-

Council takes no action on this motion.

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

SUSPENSION OF STANDING ORDERS

Having heard the Provost, the Council agreed to suspend Standing Order 20 to allow the following item of business to be considered.

NOTICES OF MOTION

(b) Motion by Councillor Jonathan McColl – Trade Union Conveners

Councillor McColl, seconded by Councillor Dickson moved:-

The Administration, having reviewed feedback from staff and members of the public following the budget decision to consult on publicly funded Trade Union Convener hours, announced on 16th April 2018 that we were ending the consultation and would take steps to reverse this proposed cut.

Council agrees with the Administration's decision and asks that £50,000 from the reserve earmarked for use as the "Change Fund" be reallocated and used to fund this policy decision in the 2018/19 financial year. Officers should include this money mainlined in the budget book for future years going forward.

As an amendment, Councillor McBride seconded by Councillor O'Neill moved:-

This Council notes that in an answer to a question from Jackie Baillie's MSP at First Ministers questions on 29 March 18, the First Minister Nicola Sturgeon refused to back the SNP/Independent Councils decision to cut Facility Time.

Council is also notes the SNP Administrations attack on Trade Union Facility Time was subsequently reversed on 16 April 18 - less than an hour before the First Minister addressed the STUC Congress.

Council further notes that the SNP/Independent Administration rejected any calls to reverse the Facility Time cuts from Trade Unions, our Communities and Opposition Councillors.

The SNP only admitted their decision to cut Trade Union Conveners facility time was wrong when the First Minister made her speech at the STUC .

This was the catalyst for the Administration change of heart and for "reversing the cut to move forward" and not any misunderstanding. The cut was a political choice and the reversal was a political necessity.

Given the above, this Council agrees that £50,000 from the reserve earmarked for use as the "Change Fund" be reallocated and used to fund this policy decision in the 2018/19 financial year. Officers should include this money mainlined in the budget book for future years.

On a vote being taken 11 Members voted for the amendment and 11 for the motion. There being an equality of votes the Chair, Provost Hendrie, used his casting vote in favour of the motion, which was declared carried.

(c) Motion by Councillor Marie McNair – Clydebank Group Holidays – 30th Anniversary

Councillor McNair moved:-

This Council congratulates Clydebank Group Holidays on their 30th Anniversary.

Council commends the selfless efforts of the group in providing low cost holidays to many who would be unable to afford to meet the costs on their own.

Provost Hendrie has agreed to host a civic reception to honour the work carried out by the group, this will take place at a date and time to be arranged in consultation with the group.

The Council approved the motion.

URGENT ITEM OF BUSINESS
WORK CONNECT – FIRE AT HAVOC PAVILION

Councillor McColl moved:-

Council notes that due to a deliberate and callous act of arson, the HSCP's Learning Disabilities Work Connect group lost £20,000 of mixed equipment including arts and crafts materials, cutlery and crockery and gardening equipment and tools.

Council thanks those individuals and organisations who have donated money and equipment to help replace what was lost in the fire.

Council agrees to transfer up to £20,000 from the Prudential Reserve to enable the Work Connect group to continue their activities as quickly as possible.

Council will consider how it will replenish the Prudential Reserve at the 2019/20 budget meeting.

The Council approved the motion.

The meeting closed at 4.55 p.m.