

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton on Wednesday, 25 April 2012 at 6.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, Jim Bolland, Jim Brown, Gail Casey, Jim Finn, William Hendrie, Douglas McAllister, David McBride, Jonathan McColl, Ronnie McColl, Jim McElhill, Patrick McGlinchey, Craig McLaughlin, Willie McLaughlin, John Millar, Lawrence O'Neill, Iain Robertson, Martin Rooney and May Smillie.

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; Tricia O'Neill, Head of Human Resources & Organisational Development; Stephen West, Head of Finance & Resources; and Christine McCaffary, Senior Democratic Services Officer.

Apology: An apology for absence was intimated on behalf of Councillor Marie McNair.

Provost Denis Agnew in the Chair**DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest.

URGENT ITEM OF BUSINESS

The Provost advised that he had received a request from Councillor McBride for an Emergency Notice of Motion to be heard.

On hearing advice from the Legal Officer on the urgency of the motion and further information provided by the Executive Director of Educational Services, the Provost confirmed that the terms of the motion not being of urgency, it could not be heard. He agreed that the meeting be adjourned for 5 minutes to allow Councillor McBride to amend his motion.

The meeting resumed at 6.15 p.m. with all Members in the sederunt present.

The Provost agreed that due to the special circumstances and urgency of the matter, the motion would be dealt with at this point in the meeting and invited Councillor McBride to state the terms of his motion.

Councillor McBride moved:-

Due to the high level of public concern this Council agrees that this matter must be discussed at this meeting particularly as there will not be any Council meetings between the Elections on 3rd May and 16th May 2012.

This Council is gravely concerned to learn of two separate incidents on Friday 20th April and Monday 23rd April when two Knoxland Primary School pupils were approached by an unknown man, asking the children to accompany him. This follows an earlier incident at St. Mary's in Duntocher, Clydebank in March.

The consequences of these incidents, had the children been taken, are unimaginable. Council agrees that the safety and protection of our children attending, and travelling to and from education establishments is paramount. We request that the Executive Director of Educational Services provides a verbal update to tonight's Council meeting detailing all the facts known and all actions taken by the school, Council and the police, and follow this by at least weekly briefings to Elected Members.

We call on the police to work with the Council in providing additional security advice to all schools in West Dunbartonshire with immediate effect. In addition Council agrees to arrange a full review of this incident, all actions and decisions taken in relation to security and providing information to parents and the community.

The remit of the review will be to ensure that robust procedures are in place for the safety of our children. Membership of the review should include the Authority, Police, parent representatives from Knoxland Primary and the wider community, Head Teachers and Teachers.

The Council agreed unanimously to approve the above motion.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of West Dunbartonshire Council held on 28 March 2012 were submitted and approved as a correct record.

MINUTES OF JOINT CONSULTATIVE FORUM

The Minutes of Meeting of the Joint Consultative Forum held on 22 March 2012 were submitted, approved as a correct record and its decisions ratified, subject to Councillor Millar's apologies being included in the minutes.

MINUTES OF WEST DUNBARTONSHIRE COMMUNITY HEALTH & CARE PARTNERSHIP

The Minutes of Meeting of West Dunbartonshire Community Health & Care Partnership held on 28 March 2012 were submitted, approved as a correct record and its decisions ratified.

MINUTES OF THE COMMUNITY PARTICIPATION COMMITTEE

The Minutes of the Meeting of the Community Participation Committee held on 18 April 2012 were submitted, approved as a correct record and its decisions ratified.

OPEN FORUM

The Council noted that no open forum questions had been submitted by members of the public.

MINUTES OF OTHER COMMITTEES

The Provost advised that Item 8(a) – Minutes of the Recruitment & Individual Performance Management Committee was an item that, in terms of the Local Government (Scotland) Act, 1973, was excluded from press and public and would be considered after all other business on the agenda.

The Minutes of Meetings of the following Committees and Sub-Committees were submitted and approved as correct records.

- (1) Appeals Committee held on 9 February 2012.
- (2) Housing, Environment and Economic Development Committee held on 7 March 2012.
- (3) Education and Lifelong Learning Committee held on 24 March 2012.
- (4) Appeals Committee held on 15 March 2012.
- (5) Corporate Cultural Sub-Committee held on 20 March 2012.
- (6) Corporate and Efficient Governance Committee held on 21 March 2012.
- (7) Local Review Body held on 21 March 2012.
- (8) Planning Committee held on 3 April 2012.
- (9) Licensing Committee held on 3 April 2012.

(10) Tendering Committee held on 18 April 2012.

(11) Appeals Committee held on 19 April 2012.

The Minutes of the Local Negotiating Committee for Teachers held on 13 March 2012 were submitted, approved as a correct record and its decisions ratified.

NOTICES OF MOTION

(a) Motion by Councillor Jim Bollan – Social Enterprise Clydebank

Council is deeply concerned about the situation which exists in the organisation "Social Enterprise Clydebank". SEC receives public funds from West Dunbartonshire Council and the Community Planning Partnership. There are major concerns regarding the management and financial position of the Company, which will impact on people's employment. Given the scrutiny role that should have been deployed by the CPP/WDC with the level of public funds invested, Council agrees to hold a full and thorough independent enquiry by an appropriate external agency not previously contracted to WDC. The independent enquiry should cover all aspects of the business including finance, management, recruitment, decision making, employment policies and procedures and governance. The enquiry should also investigate the decision making process within the CPP concentrating on the Executive Board and any role the EB played in recommending funding, capital or revenue, for SEC.

Councillor R. McColl asked Councillor Bollan whether he would be willing to accept the following as an addendum to his motion:-

Council thanks officers for the briefing note supplied to Members and asks Employability Officers to assist those employees made redundant to find employment and/or training options following the liquidation of Social Enterprise Clydebank (SEC).

Council also instructs officers to provide further briefing notes keeping Councillors informed of progress in helping former SEC employees.

Councillor Bollan indicated that he was willing to accept the addendum to his motion, which was then approved unanimously by Council

(b) Motion by Councillor Jim Bollan - Level 2 SVQ Modern Apprenticeships

Council agrees to review the rate of £2.65 per hour being proposed for the 197 level 2 SVQ Modern Apprenticeships, which is substantially lower than the rate for the other 53 Modern Apprenticeships. Council agrees this rate is derisory and will increase poverty in West Dunbartonshire. Council also agrees the rate of £6.20 per hour should be the minimum rate paid to all 250 Apprenticeships being offered by WDC. Any additional resources required will be funded from earmarked reserves.

On hearing advice from the Legal Officer and the Head of Finance & Resources, Councillor Bollan advised that he wished to amend the reference in his motion to earmarked reserves to unearmarked reserves.

After hearing the Legal Officer further, the Council noted that the above motion would require the suspension of Standing Order 19 prior to consideration as a period of six months had not passed since the Council had made a decision setting the level of the unearmarked reserves or prudential reserve.

On a vote being taken, 10 Members voted in favour of the suspension of Standing Orders and 10 against. Having failed to obtain the support of two thirds of those Members present and voting, Standing Orders were not suspended and the motion could not be considered.

(c) Motion by Councillor George Black – H.M. Forces Deployed Overseas - Council Tax

This Council would wish to be supportive of the national aspiration to assist members of H.M. Forces in relation to Council Tax whilst deployed overseas and calls upon officers to bring forward a report on the implementation of a scheme in West Dunbartonshire emulating the initiative by Glasgow City Council.

The Council agreed unanimously to approve the motion.

(d) Motion by Councillor Jonathan McColl – DisabledGo Guide

This agenda item was not moved and therefore not considered.

EXCLUSION OF PRESS AND PUBLIC

Council approved the undernoted Resolution:-

“In terms of Section 50(A) of the Local Government (Scotland) Act, 1973 that the press and public be excluded from the remainder of the meeting as the following items of business involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.”

MINUTES OF OTHER COMMITTEES

The Minutes of the Meeting of the Recruitment & Individual Performance Management Committee held on 12 December 2011 were submitted and approved as a correct record.

VALEDICTORY

As this was the last scheduled meeting of Council, the Provost took the opportunity to pass on his thanks to all officers for the hard work done during this Council's term.

He referred to Councillor Craig McLaughlin and Councillor Willie McLaughlin, neither of whom were standing for re-election, and, on behalf of the Council acknowledged the work and commitment shown by them both, particularly during some difficult times and wished them well for the future.

Councillor Willie McLaughlin thanked all staff and fellow Elected Members for the help and assistance given to him and wished his colleagues well in the forthcoming elections.

Councillor Craig McLaughlin extended his thanks to Council staff for their excellent work in taking West Dunbartonshire forward and to officers for the support and advice given to him, stating that he was confident that the Council was in a better place than ever before.

Members warmly concurred with the Provost's remarks and passed on their own appreciation to him, officers and both Councillors McLaughlin.

The meeting closed at 6.50 p.m.