

WEST DUNBARTONSHIRE COUNCIL

At a Meeting of West Dunbartonshire Council held by video conference on Thursday, 26 August 2021 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, Chief Officer – Supply, Distribution & Property; Peter Hissett, Chief Officer – Regulatory & Regeneration (Legal Officer); Stephen West, Chief Officer – Resources and Section 95 Officer; Victoria Rogers, Chief Officer – People & Technology; Peter Barry, Chief Officer – Housing & Employability; Malcolm Bennie, Chief Officer – Citizen, Culture & Facilities; Laura Mason, Chief Officer – Education; Sylvia Chatfield, Head of Mental Health, Learning Disability & Addictions; Michael McGuinness, Economic Development Manager; Gillian McNeilly, Finance Manager; George Hawthorn, Manager – Democratic & Registration Services and Christine McCaffary, Senior Democratic Services Officer.

STATEMENT BY CHAIR

The Provost advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

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

RECORDING OF VOTES

The Council agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of West Dunbartonshire Council held on 23 June 2021 were submitted and approved as a correct record.

OPEN FORUM

The Provost advised that the undernoted Open Forum questions had been received from Mr Graham Parton, Ms Susan Dick, and Mr Jim Thomson. He then invited each of them to put their questions to Council:-

Question from Graham Parton – Land owned by Susan Dick

Please could I have a note of the other areas of land Susan apparently rejected as unsuitable and to which were referred to in the last open forum response? We need these for our own records if nothing else.

She received no response to this when she asked directly to the Council after the last open forum meeting as you will be aware of course that WDC are refusing to meet or discuss with Susan or myself anything in regards to the field.

I'd like you to note that I, Graham Parton, am not the landowner so I cannot and did not give permission in writing or verbally for the Council or any contractors/contractors to be on Susan's land so if I could ask that your records be updated to reflect this fact and I'd like confirmation that this has been done.

Councillor McColl provided the following response:-

Thank you for your question. In answering I am assuming that the question relates to the response to the previous Open Forum question by Ms Dick in May. In response to that question Councillor McLaren advised that he understood that a number of sites were ruled out because they were unsuitable due to the requirements of Ms Dick's business. Ms Dick herself stated a request that she did not want to be told of the "offering of unsuitable land on a leased basis". It's understood that there is some reference to past discussions on possible sites. Clearly this establishes the fields of possible options because there is not a great supply of land within the parameters Ms Dick has set as acceptable. Now Ms Dick has, in her own questions, addressed the fact that she rejected Knowetop as unsuitable. That's also not in dispute. Councillor McLaren's previous answer in May addressed Sheepfold and also other land which could not be further identified due to commercial sensitivity and unfortunately that is still the case and I can't identify that here today. The position regarding the lack of your authority in respect of Ms Dick's land is noted. So we appreciate that, so thank you for the clarity and we can confirm that we will only communicate with Ms Dick directly and through her agents hence forth. So that will happen and the records will have been updated.

Mr Parton asked the following supplementary question:-

Basically, what was said at the last meeting was that Susan had rejected fields, and that was numerous fields. Susan's only rejected Knowetop Farm which was offered as a lease and not as a swap, a swap land and when we went there it was a rubble site so obviously it wasn't acceptable to us. So the question is why was he allowed to say that Susan had rejected all these fields when Susan hasn't been spoken to about the fields and when they spoke to the Council Officers who we were dealing with they said they had never offered us any field or talked to us about except the Knowetop and possibly Sheepfold. So we'd like to know what these other fields are because they might be acceptable to Susan. You don't know that, I don't know that, it's Susan who needs to see the fields surely.

Councillor McColl responded as follows:-

In answering that, Councillor McLaren would have given his answer in good faith based on the information he's given by our officers. What I will commit to doing Graham, I will speak to the officers involved in all of this and I will write to yourself and copy in Ms Dick with definitive answer.

Having heard Mr Parton, Councillor McColl confirmed that he would write directly to Ms Dick only.

Question from Susan Dick – Land at Milton

I'd like to give a bit of background firstly.

My land is supposedly needed for the roads leading to Exxon development although not all of it will be developed this Council seems to want all of it from me - only half of it will actually be used.

WDC in 2017 arranged soil testing on Sheepfold as a check for equestrian suitability paid for or otherwise arranged a separate report as to suitability of it for horses and also mentioned in Council documents that it was suitable for myself and my horses and even mentioned that this showed how WDC were helping to come to an amicable solution and generally how great they were.

All of this info is readily available from your own archives and indeed was relayed to me as a response to an open forum question at that time, I'm sure some of you may remember it as indeed some of you, Councillor McLaren in particular as far as remember, read out the response to me in person at the meeting, if not yourself then it was Richard Cairns, many of you that will hear my question today will have been present.

I was allowed a site visit and given the test and suitability report documents.

Years went by and in that time [named officer] was appointed due to shall we say “difficulties” endured by myself at the hands of WDC staff – [named officer] was appointed to sort out the matter.

Sheepfold was again discussed from around August 2020 and another site visit arranged in March 2021. I was told by [named officer] of WDC in front of a witness (I cannot remember if this was on site or during the zoom call beforehand) that Sheepfold could in essence be mine in return for my land, I would have to give up my field right away and wait 2 yrs for access (note that I was not told 5 yrs). WDC would store my equipment, trailers and buildings, I would be paid for loss of use of my field for the 2 yrs and a plot could be found for the re burial of my 2 deceased ponies.

I when looking round the field queried where the road through it would go as I wanted to know how much of the 10 acre site would be left. [named officer] did not know anything of the road but later indicated that it would be at opposite end of field than I had last seen on maps. Maps were asked for by myself and promised to be sent/given. I asked about access points and about having access to prepare the area for horses and I asked about testing the land as testing for bark, leaves, grass and fruit as well as water really needed to be done.

I was waiting for updates on my queries and upon hearing nothing put in the open forum request you heard last time.

I was shocked to hear that I had apparently rejected Sheepfold when I had not as I was awaiting replies to my queries and also a few days after the open forum response I was only offered cash for my field when I felt we were talking about land swaps for not one but 2 fields. There is a private landowner involved in the other site and I will not drag them into this but myself and [named officer] of WDC were in discussions over 2 fields not just one.

My land agent of Galbraiths then spoke to [named officer] and they discussed a proposal similar to what was discussed with myself MARCH 2021 as apparently no offer was off the table and my land agent was to out forward a proposal items such as WDC paying for alternative grazing till Sheepfold was ready were discussed. He is now being rebuffed by WDC agents and told it is only cash on offer and it seemingly has an impending deadline to boot and an ominous “or else” feel about it.

Please explain to me why Sheepfold is not being discussed any more (do not tell me I rejected it when we all know that’s not true as nor did I reject the other bits of land you can’t provide information on) when so much bother had been gone to and time taken and subsequently seemingly wasted? Yes I was looking for early entry but I had not said no to this aspect and we were in very early discussions not to mention the bombshell of the wait time had just been dropped on me out of the blue. I wouldn’t like to think WDC were actually putting barriers in the way to make an

amicable solution not be possible.

I genuinely feel as if I have been at best misled over this and at worst actually lied to. I was led to believe a solution was being sought.

I categorically did not reject Sheepfold and had not given any answer on whether I would or wouldn't accept the wait for the 2 years (I was originally told 2 years so I'm not sure where the 5 years came from) nor the other many alternative sites you alluded to in the last response and which no one can give me details of as I have asked (only Knowetop Farm was rejected on horse welfare grounds as being too far away for equestrian safety).

It is very distressing to myself on top of all the other events that have occurred and which some are now the subject of 2 insurance claims to be suddenly offered cash, which with no land on offer makes my ponies future and indeed their very lives uncertain.

You know I need land for my ponies and you seemingly have land which could be suitable and could maybe bring this debacle to an end.

So please explain yourselves.

Councillor McColl provided the following response:-

It would seem there has some kind of serious miscommunication here because the information that I'm looking at here in front of me quite clearly states that our officers at the Council believe that the Sheepfold deal wasn't suitable for you because of the timescales. I respect that you have told me that that is not necessarily the case. You know accordingly if you do wish Sheepfold to be further considered, and what we'd suggest as a matter of urgency is that you instruct your agents to communicate that quite explicitly with the Council so there could be no misunderstanding. I would also say though that it has to be borne in mind that the provision of Sheepfold or, you know any other parcel of land, wouldn't be considered in addition to the value of your land as an alternative or with a balance of payment either way if it wasn't up to the same value. As I said the soonest way that all matters could be negotiated with all parties satisfaction is if things are conducted through your agents in line with appropriate commercial knowledge of practices. I appreciate that there has clearly been a miscommunication here because one side believes one thing and you obviously believe another and we need to get that resolved. I'm happy to help with that in any way offline and wouldn't want, as I said in the previous answer, to be negotiating this in a public forum, but I'll do what I can to help move things along. I would suggest that you get in touch with your agents and ask them to make that very, very clear to our officers.

Ms Dick asked the following supplementary question:-

Could I just say that I have been mentioning that to my agents and my agents have been trying their hardest to communicate that to Aaron who is the District Valuer and the response that Aaron has given back is that there is absolutely no land on offer now or in the future. He has communicated that so if he communicates that again is that something that can be addressed with help at your end because with a way out of this we can all be happy.

Councillor McColl responded as follows:-

Yes, absolutely. What I would say if you want to ask you agents, or if you are emailing them directly if you want to copy me in on that so I've got a copy of the correspondence and I'll be copied in on the responses as well and that way I can help keep things on track. I'm more than happy to do that, absolutely.

Question from Jim Thomson – Land owned by Susan Dick

I have been resident in Bowling for 27 years and, as planning convenor for the Community Council, am fully cognisant of the proposals in respect of the former Esso site and the potential economic benefits this will bring throughout the area.

What I fail to see however is any valid grounds for West Dunbartonshire Council's decision to retract the offer of the Sheepfold site to Susan Dick. As you will be aware, I have attended meetings where the offer of land, in principle, was put forward but no specific list of discarded sites within the area was ever given to her and WDC's failure to do so seems unjustifiable, given that some might have been suitable in terms of the ponies' welfare and Susan's business.

However when the offer of Sheepfold came forward that is the site which both she and her partner Graham felt would suit these requirements. While the site itself might not be ready for immediate use it would however in the interim give her somewhere to store her items and re-bury her ponies before the works begin: furthermore the fact that she asked [named officer] of WDC's Asset Team for maps and information on where gates would be etc, and that she and her partner attended a site visit, indicates that they had most certainly not discounted the site.

Sheepfold is undoubtedly a more valid solution than the cash you are proposing. As you will be aware, Susan has continuously emphasised that she does not want money for her site - what she instead wants, and needs, is land for her ponies to ensure their continued good health. Not only would this be the better option for her, it would also be a much more inexpensive option for the Council and therefore constitutes a more responsible use of taxpayer's money.

Could I therefore ask why Sheepfold, or indeed some other possible sites, cannot be back on the table for discussion? The Council's proposal to

instead just buy her site with no regard whatsoever for the inevitable and significant negative impact this would have on the wellbeing of the ponies, and the loss of a service much valued by the local community, is extremely inappropriate.

Councillor McColl provided the following response:-

I dealt with most of that, not answered, dealt with most of that in my answers to the previous questions that we had. Obviously we want to try and get the best possible solution which is an exchange of land here because that meets your needs and it meets our needs and gives us the site that we wanted to develop so hopefully we'll be in a better position when I come back to you on Monday and have some clarity on what the situation is and as I said I'm going to do what I can to try and help get a positive resolution for both sides of this, but I'll be in correspondence with you no later than Monday.

Mr Parton, Ms Dick and Mr Thomson left the meeting at this point.

GLASGOW CITY REGION CITY DEAL UPDATE

A report was submitted by the Chief Officer – Regulatory & Regeneration providing an update on progress with the implementation of the Glasgow City Region, City Deal.

After discussion and having heard officers in answer to Members' questions, the Council agreed:-

- (1) to note the progress of the Glasgow City Region (GCR), and
- (2) to note progress of the Council's City Deal project for the Exxon site.

COVID-19 UPDATE

A report was submitted by the Chief Executive on the above.

After discussion and having heard officers in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note the information provided on COVID-19 in West Dunbartonshire since the update provided to the June 2021 Council; and
- (2) to note the information provided in relation to the additional support and advice that the Council was providing to communities and businesses across West Dunbartonshire to help alleviate the impact of COVID-19.

Note:- Councillor Douglas McAllister joined the meeting and Councillor Millar left the meeting during consideration of the above item,

COMMITTEE TIMETABLE – OCTOBER 2021 TO JUNE 2022

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 23 June 2021, a report by the Chief Officer – Regulatory & Regeneration was re-submitted seeking approval of a committee timetable for the period October 2021 to June 2022.

Following discussion Councillor Douglas McAllister, seconded by Councillor McColl moved:-

- (1) that the following dates for October 2021 be agreed:-

Wednesday, 6 th October	9.30 am	Tendering Committee
Wednesday, 6 th October	10 am	Planning Committee
Wednesday, 20 th October	10 am	Licensing Committee
Thursday, 21 st October	9.30 am	Appeals Committee
Wednesday, 27 th October	10 am	West Dunbartonshire Council

- (2) that the report be continued to the September meeting of Council to consider and agree meeting dates beyond 27 October; and
- (3) that meetings of Council and its committees will be hybrid style meetings, commencing with the Council meeting 29 September 2021.

The motion was agreed by the Council.

ADJOURNMENT

The Council agreed to adjourn the meeting for a period of 15 minutes.

The meeting reconvened at 5.05 p.m. with all those listed in the sederunt present, except for Councillor Millar.

CLOTHING GRANTS AND SCOTTISH GOVERNMENT FUNDING FOR MUSIC TUITION AND CURRICULUM CHARGES

A report was submitted by the Chief Officer – Resources providing an update on the recent changes to the minimum value of clothing grants for the academic year 2021/22 and funding allocated to fund music tuition and curriculum charges.

Councillor Conaghan, moved:-

Council agrees to implement a level Clothing Grant across all pupils and agrees to remove instrument hire charges. As noted in the report at page 128, "...there is sufficient funding available from within existing budgets and the additional Scottish Government funding..." to achieve this.

Councillor McNair asked if Councillor Conaghan would accept the following addendum to her motion:-

We welcome the increase in school clothing grants but are concerned about the difference in thresholds between those on Universal Credit and Tax Credits, and ask that officers bring a report back in the future that looks at this issue.

Councillor Conaghan confirmed her acceptance to the addendum and Councillor McNair then seconded the motion.

As an amendment, Councillor Rooney seconded by Councillor Mooney moved:-

This Council notes that Scottish Government austerity measures had forced some councils to cut musical training and to introduce charging. Fortunately, in West Dunbartonshire we have largely protected musical services in our schools despite the funding pressures but the additional funding will allow us to remove any historical charges.

The Council also notes that the previous Labour Administration doubled the school clothing grants for eligible pupils and is pleased to note that the Scottish Government is following our lead. However, we want to go further and align the primary school pupil school clothing rate with the secondary school rate so that all eligible pupils receive £150 each year and the top up payment of £30 is to be paid to eligible primary school pupils in advance of winter.

The Council therefore agrees Scenario 2 with the additional funding will come from the redistribution of the £835,000 of funding received from the Scottish Government and this will be built into future years budgets.

In addition, this Council agrees to double the School Clothing Grant from £150 to £300 and this means the Council will have to find another £727,000 between 2022 and 2027 to fund this initiative.

The aim will be to increase the clothing grant through a series of incremental changes, that we will double the school clothing grant over the next 6 years, so that we can provide a School Clothing Grant of £150 at the start of the School Year in August and that we will provide a second School Clothing Grant of £150 in January each year.

On a roll call vote being taken 10 Members voted for the amendment, namely Councillors Bollan, Casey, Lennie, Douglas McAllister, McBride, Mooney, O'Neill, Page, Rooney and Walker and 11 Members voted for the motion, namely Provost Hendrie, Bailie Agnew and Councillors Brown, Conaghan, Dickson, Docherty, Finn, Caroline McAllister, McColl, McLaren and McNair. The motion was declared carried.

LAW AND PRACTICE IN RELATION TO MARCHES AND ON EDUCATION TO ADDRESS SECTARIANISM AND RACISM

A joint report was submitted by the Chief Officer – Regulatory & Regeneration and Chief Education Officer providing details of what education is offered within West Dunbartonshire schools on tackling racist and sectarian behaviour and outlining the law and practice on marches with particular regard to their routing.

Councillor Douglas McAllister, seconded by Councillor Conaghan moved:-

That consideration of the report be continued to a future meeting of Council, but not the September meeting, to allow time for responses from the First Minister and Cabinet Secretary for Justice to be received.

The Council agreed the motion.

GENERAL SERVICES BUDGETARY CONTROL REPORT - PERIOD 4 TO 31 JULY 2021

A report was submitted by the Chief Officer – Resources advising on both the General Services revenue budget and the approved capital programme to 31 July 2021.

After discussion and having heard officers in answer to Members' questions, the Council agreed:-

- (1) to note that the revenue account showed a projected annual favourable variance of £0.022m (0.01% of the total budget), excluding any variance projected for COVID-19 which was expected to be fully funded by Scottish Government funding carried forward from 2020/21 and that to be received in-year 2021/22;
- (2) to note that the capital account showed that expenditure and resource use for 2021/22 was lower than budget by £10.001m (18.59% of budget), made up of £9.992m (18.58% of budget) relating to project slippage, and an in-year underspend of £0.009m; and
- (3) to note the position regarding the audit process and the reporting requirements thereof.

HOUSING REVENUE ACCOUNT (HRA) BUDGETARY CONTROL REPORT TO 31 JULY 2021 (PERIOD 4)

A report was submitted by the Chief Officer – Housing & Employability providing an update on the financial performance to 31 July 2021 (Period 4) of the HRA revenue and capital budgets for 2021/22.

After discussion and having heard the Chief Officer in answer to Members' questions, the Council agreed:-

- (1) to note that the revenue analysis showed a projected annual favourable variance of £0.002m; and
- (2) to note the net projected annual position in relation to the capital plan was highlighting an in-year variance of £1.499m, which was made up of slippage of £1.799m (3.72%) and overspend of £0.300m (0.62%) as detailed in Appendix 4 of the report.

ANNUAL TREASURY MANAGEMENT

A report was submitted by the Chief Officer – Resources providing an update on treasury management during 2020/21.

Having heard the Finance Manager in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note the information provided within the Annual Report as appended to the report; and
- (2) to note that the report would be referred to the Audit Committee for further scrutiny.

Note:- Councillors Conaghan and O'Neill left at this point in the meeting.

COMMUNITY PLANNING SUPPORT

A report was submitted by the Chief Officer – Citizen, Culture & Facilities seeking approval to continue the arrangement for the support of Community Planning to be provided by Argyll & Bute Council.

Councillor McColl, seconded by Councillor Dickson moved:-

That Council agrees the recommendations in the report, subject to the Chief Officer obtaining confirmation from the Trade Union Conveners that they have no objections. If that's not the case then the report will be continued to the next meeting of Council.

As an amendment, Councillor Rooney seconded by Councillor Bollan moved:-

That Council agrees Option 2 as detailed in the report and retains the provision of support in West Dunbartonshire Council.

On a roll call vote being taken, 8 Members voted for the amendment, namely Councillors Bollan, Casey, Lennie, Douglas McAllister, McBride, Mooney, Rooney and Walker and 11 Members voted for the motion namely, Provost Hendrie, Bailie

Agnew and Councillors Brown, Dickson, Docherty, Finn, Caroline McAllister, McColl, McLaren, McNair and Page. The motion was declared carried.

NOTICE OF MOTIONS

Motion by Councillor Ian Dickson – Wave 70/30 Campaign

Councillor Dickson moved:-

Council supports the Wave Trust's 70/30 campaign to reduce child abuse, neglect and other adverse childhood experiences (ACEs) by at least 70% by the year 2030.

Council asks officers to bring a report to a future meeting of this Council on how the ambitions of this campaign can best be achieved in West Dunbartonshire.

The Council agreed the motion.

Motion by Councillor Sally Page – Water Safety Policy and Lido on Loch Lomond

Councillor Page moved:-

This Council agrees to write and adopt a Water Safety Policy.

This Council agrees to draft an initial proposal for a Lido on Loch Lomond in Balloch, to provide a supervised swimming area.

Councillor McColl asked if Councillor Page would accept the following addendum to her motion-

Add at the end,

The report should outline the potential benefits as well as potential risks and liabilities, along with comments from our partners in Police Scotland, the Scottish Fire and Rescue Service and Loch Lomond and the Trossachs National Park.

Council also asks the Leader of the Council to write to Council Leaders in the Glasgow City Region and neighbouring authorities asking them to ensure they take every appropriate opportunity to educate their citizens who visit areas like West Dunbartonshire, on the dangers open water swimming.

The Council Leader is also asked to write to Scotrail and the British Transport Police to ask that they take steps to provide information and advice to travellers visiting Balloch and other tourist areas with open water.

Councillor Douglas McAllister asked if Councillor Page would accept the following addendum to her motion:-

Council agrees that we contact whoever is responsible for the multi-member working group, probably the relevant Scottish minister, and ask that we are allowed a representative on that group.

Councillor Page confirmed her acceptance of both addendums and the Council agreed the motion as amended.

Motion by Councillor David McBride – Estate Management

Councillor McBride, seconded by Councillor Casey moved:-

Council continues to acknowledge the exceptional hard work of our staff during the Covid pandemic. For many, working practices, additional duties and priorities have altered the way they work as they serve and respond to the communities of West Dunbartonshire.

As restrictions ease the Council must continue its focus on recovery of all council services and this includes Housing Operations of Estate Management.

While the vast majority of tenants have continued to maintain their garden to high or acceptable levels, there has now been two summer growing seasons where for entirely practical reasons our housing estates have not had the regular inspections, individual tenant engagement and enforcement action to ensure gardens are maintained or clear of rubbish.

While some tenants may need the assistance of our Care of Garden scheme, others may lack the skills or equipment and may need to assistance and encouragement of Estate Officers to provide a helping hand to get started. However, there may also be some tenants who require greater encouragement and even enforcement action to ensure they comply with the tenancy agreement which they have signed up to and help ensure are housing estates are maintained to acceptable standards.

Council applauds the action taking by community groups including the newly formed Dumbarton West Community Action Group who arranged a special one off skip siting in conjunction with Greenspace and Waste Services to be deployed locally to allow local residents to clear some bulkier items stored in gardens. However further assistance maybe required to clear the estates further

Council acknowledges there is a backlog of outstanding actions required to address the outstanding works and to tackle any complaints from local tenants. To ensure our tenants do not suffer a third summer growing season in a row of unacceptable standards a rigorous action plan needs to be developed now and implemented during between now and next spring.

Council therefore requests the Chief Executive brings a report to the next Council meeting including options for elected member consideration so that any necessary works can be progressed as a matter of urgency. This report should identify costs, funding options including reserves and include but not restricted to:-

Audit of all or estates to gather the full extent of the problem that exists.

Analysis of action required e.g. assistance, additional waste collections, Care of Garden Scheme or enforcement action.

A breakdown of additional resources required, e.g. staff overtime, additional staff recruitment relaxing the criteria of the Care of Garden Scheme.

Temporary waiver of fees for Special Uplifts & Care of Garden Scheme. Consideration of skips being supplied to encourage tenants to clear gardens of larger household items, similar to the successful community action in Dumbarton West.

Audit of common areas within estates to ensure we are maintaining these to acceptable levels.

Council believes this report should be compiled in consultation with the WDTRO and seek their views on what measures and funding would be acceptable and welcome by them.

This Council must ensure that by next summer our estates are again well maintained and a pleasant environment for our tenants and residents.

Councillor McColl asked if the report could come back to the October meeting of Council to allow sufficient time to consult with WDTRO. Councillor McBride agreed to some flexibility with the timing, but asked that officers try to submit the report to the September meeting if possible.

The Council agreed the motion.

Motion by Councillor John Millar – Nuisance Gulls

On behalf of Councillor Millar, Councillor Rooney moved:-

This Council recognises the nuisance that gulls cause during the breeding season when they swoop on people and animals when attempting to protect their young.

The Council introduced a service in 2014 for gulls nesting on domestic properties. The service relies on homeowners contacting the Council to remove nests and eggs from rooftops at the start of the breeding season.

Council is concerned that the gull population seems to be increasing and if accurate then this could lead to increases in increase nuisance.

Council calls on the Chief Executive to write to the Scottish Government to establish whether there is anything that can be done in partnership with local Councils to manage the number of gulls and reduce their impact on our communities. This Council also agrees to promote the service in advance of next year's breeding season.

Councillor McLaren asked if Councillor Rooney would accept the following addendum to the motion:-

Add at end,

Council is concerned that there has been a sharp decline in natural-nesting gull populations since 1969 (as reported by the Seabird Monitoring Programme in 2019) and that many species, including the herring gull, are currently on the red list of Birds of Conservation Concern. Council notes that it is illegal to cull these birds, and that council policy on how and when nests may be removed from roofs is already in line with nationwide legislation.

Council requests that after the current Seabirds Census (2015-2021) is published a briefing will be arranged for Elected Members to present and discuss its findings.

Councillor Rooney confirmed his acceptance, and the Council agreed the motion with addendum.

Motion by Councillor Martin Rooney – Avoidable Drug Deaths in West Dunbartonshire

Councillor Rooney, seconded by Councillor Casey moved:-

Council notes that Scotland has now had the highest drug deaths rate in Europe for 7 years in a row. In West Dunbartonshire the number of deaths reduced from 32 in 2019 to 29 in 2020. However, this was still the second highest rate ever in Scotland.

This Council agrees that people with addictions have been badly let down by the Scottish Government and its agencies and calls on the Chief Executive to bring forward a report to a future Council meeting setting out the scale of the challenges and the initiatives that are in place to reduce avoidable drug deaths in West Dunbartonshire.

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

The Scottish Government has accepted responsibility for its part in failing to tackle the problem, and in December 2020 appointed Angela Constance MSP to a newly created Minister of Drugs Policy post.

Since then commitments have been made to spend a quarter of a billion pounds addressing the emergency over the next 5 years, with the immediate priority being getting more people into treatment; and £100 million will go towards improving and increasing the provision of residential rehabilitation while £4 million is being spent on the implementation of Medication Assisted Treatment standards.

Council calls on elected representatives across Parliaments and Councils to work together to address the drugs emergency in Scotland and across the UK.

Council ask the HSCP Chief Officer to bring a report to a future Council meeting setting out the scale of the challenges and the initiatives that are in place to reduce avoidable drug deaths in West Dunbartonshire.

On a roll call vote being taken 8 Members voted for the amendment, namely Provost Hendrie, Bailie Agnew and Councillors Dickson, Docherty, Finn, McColl, McLaren and McNair and 8 Members for the motion, namely Councillors Casey, Lennie, Douglas McAllister, McBride, Mooney, Page, Rooney and Walker, with one Member abstaining, namely Councillor Bollan.

There being an equality of votes, Provost Hendrie, Chair, used his casting vote in favour of the amendment which was accordingly declared carried.

Note:- Due to technical difficulties Councillor Caroline McAllister left the meeting during discussion of the above item and before the roll call vote was taken.

Motion by Councillor Martin Rooney – Mental Health Services in West Dunbartonshire

Councillor Rooney moved:-

This Council is concerned with the increase in mental health issues as a result of COVID-19 and the public health emergency.

There are reports of services not being able to cope with the demand and delays in and the ability of public services and partners to meet the demand.

There are significant concerns about whether we have the skills or capacity to deal with people with mental health issues.

Council agrees that a report should come to a future meeting setting out the details of the mental health issues and our capacity to respond effectively to these.

Bailie Agnew asked if Councillor Rooney would amend the third paragraph of the motion to read:-

Council has significant concerns about whether we have adequate capacity to deal with the current caseload and how COVID-19 may impact the HSCP's ability to recruit.

Councillor Rooney confirmed his acceptance to the rewording of the paragraph and the Council agreed the motion, as amended.

Note: Councillor Caroline McAllister re-joined the meeting during consideration of the above item.

The meeting closed at 8.50 p.m.