

## **WEST DUNBARTONSHIRE COUNCIL**

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank, on Wednesday, 25 November 2009 at 6.00 p.m.

**Present:** Provost Denis Agnew and Councillors George Black, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, Douglas McAllister, David McBride, Jonathan McColl, Ronnie McColl, Patrick McGlinchey, Craig McLaughlin, Willie McLaughlin, Marie McNair, John Millar, Iain Robertson, Martin Rooney and May Smillie.

**Attending:** David McMillan, Chief Executive; Joyce White, Executive Director of Corporate Services; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Terry Lanagan, Executive Director of Educational Services; Anne Ritchie and Stephen West, Interim Executive Directors of Social Work and Health; Lynn Townsend, Head of Service, Educational Services (Support); Tricia O'Neill, Head of Human Resources and Organisational Development; Gillian McNeilly, Manager of Accounting; Angela Terry, Organisational Development Manager; Lillian Goldie, Manager (Pre-school and Childcare); Andrew Fraser, Head of Legal, Administrative and Regulatory Services and George Hawthorn, Senior Administrative Officer.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Margaret Bootland, James Bollan and Jim McElhill.

### **Provost Denis Agnew in the Chair**

### **DECLARATIONS OF INTEREST**

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

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of West Dunbartonshire Council held on Wednesday, 28 October 2009 were submitted and approved as a correct record subject to the undernoted correction:-

With reference to the item under the heading "Review of Sales, Fees and Charges" (Page 2273 refers), the words 'issue of' in Councillor Robertson's motion be replaced with the words 'report on'.

## **OPEN FORUM**

The Council noted that no open forum questions had been submitted by members of the public for consideration at this meeting.

### **MINUTES OF THE COMMUNITY PARTICIPATION COMMITTEE HELD ON 21 OCTOBER 2009**

The Minutes of the Meeting of the Community Participation Committee held on 21 October 2009 were submitted for information, and where necessary ratification.

After hearing officers in answer to Members' questions, the Council agreed that all decisions contained within the minutes be approved.

It was noted that Councillor Rooney would receive a reply to his question on the future funding of the Community Day by the Community Planning Partnership outwith the meeting.

At this point, Provost Agnew welcomed Anne Ritchie and Stephen West to their first meeting of the Council in their new roles as Interim Executive Directors of Social Work and Health.

### **THE NEW BEST VALUE IMPROVEMENT PLAN**

After hearing Councillor Robertson, the Council noted that the report on the New Best Value Improvement Plan was not available for this meeting but would be submitted to the meeting of the Council to be held on 16 December 2009, following consideration by the Improvement and Efficiency Executive at its meeting on 8 December 2009.

### **REVIEW OF SALES, FEES AND CHARGES**

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 28 October 2009 (Page 2273 refers), a report was re-submitted by the Executive Director of Corporate Services seeking Council approval for a mid-year increase to the levels of existing sales, fees and charges and recommending the introduction of some additional charges on new income streams.

It was noted that this report referred to proposals to increase certain charges for Child Care in Early Education & Childcare Centres which had now been updated by the report which follows this item on the agenda and would be considered separately at that time.

Councillor Robertson moved:-

Council thanks officers for their report and agrees to implement the charges detailed in the submitted appendices (copies circulated) from 1 January 2010.

Note: At this point in the meeting Councillor Robertson intimated a number of changes to the appendices which had been circulated. For ease of reference, these changes have been included in the documents shown as Appendices I and II to these minutes.

The Head of Legal, Administrative and Regulatory Services were heard in response to Members' questions.

Councillor Rooney moved an amendment which was not seconded and was withdrawn by him later in the meeting.

Thereafter, officers were heard in response to Members' questions.

As an amendment, Councillor McBride, seconded by Councillor McAllister, moved:-

The Council calls on the SNP Government to fund West Dunbartonshire Council adequately, particularly in relation to funding its election manifesto commitments e.g. Council tax freeze, free school meals for primary 1 to 3 children, lower class sizes and police numbers.

The SNP West Dunbartonshire Council budget, based on the inadequate budget settlement agreed in February 2009, is clearly unable to meet these commitments.

This Council agrees that West Dunbartonshire's most vulnerable residents should not subsidise SNP non-funded election commitments.

The Council agrees no action is taken to increase charges to the young, elderly and disabled and calls on the Leader of the Council to lobby the SNP Government to fund its election commitments.

At this point Councillor W. McLaughlin asked Councillor Robertson if he would accept the undernoted addendum to his motion:-

That the 2009 prices should apply for immediate uptake or renewal of yearly subscriptions in Leisure/Fitness Centres and Dalmuir Golf Course.

Councillor Robertson indicated that he could not accept the above addendum.

At this point Councillor R. McColl seconded the motion by Councillor Robertson.

Councillor Black indicated that he might want to move a further amendment but would need the opportunity to speak to Finance Officers. Accordingly, he requested that that the Council adjourn for a short period of time.

On a vote being taken, 12 Members voted in favour of the adjournment and 7 against and accordingly the meeting was adjourned for a short period of time.

## **ADJOURNMENT**

The meeting reconvened at 7.30 p.m. with all those Members shown on the sederunt in attendance.

As a further amendment, Councillor Black, seconded by Councillor McNair, moved:-

That the report be endorsed with the exception of:-

- (a) the increases in fees in respect of charges to the Elderly and persons with Learning Disabilities, Home Care, Refuse Collection and Halls; and
- (b) the removal of the following proposed new charges: Flat charges for home support; provision of transport to and from day care centres and special needs equipment for persons with physical disabilities.

The Executive Director of Corporate Services was heard in response to Members' questions.

On a vote being taken, 4 Members voted for the second amendment (by Councillor Black) and 7 for the amendment (by Councillor McBride).

On a second vote taken, 7 Members voted for the amendment (by Councillor McBride) and 9 for the motion (by Councillor Robertson) which was accordingly declared carried.

## **CHARGES FOR CHILDCARE IN EARLY EDUCATION & CHILDCARE CENTRES**

A report was submitted by the Executive Director of Educational Services seeking the Council's approval on new revised charges for the provision of childcare in Council operated Early Education & Childcare Centres.

It was noted that copies of the appendices to the report, which had been omitted from the original issue of the agenda, had been circulated to Members at the meeting.

The Executive Director of Educational Services was heard in answer to Members' questions.

Councillor R. McColl, seconded by Councillor J. McColl, moved:-

That the recommendations of the report be approved (as follows):-

- (1) to approve the increase in childcare charges detailed in the report; and
- (2) that the new charges be introduced from February 2010.

As an amendment, Councillor McGlinchey, seconded by Councillor McBride, moved:

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That the Council does not increase any of the fees for childcare charges at this time.

The Executive Director of Educational Services was heard in answer to Members' questions.

On a vote being taken, 7 Members voted for the amendment and 12 for the motion which was accordingly declared carried.

### **REMIT FROM THE EDUCATION AND LIFELONG LEARNING COMMITTEE – RESIDENTIAL OUTDOOR EDUCATION PROVISION**

With reference to the Minutes of Meeting of the Education and Lifelong Learning Committee held on 11 November 2009 (Page XXXX refers), the relevant excerpt from the Minutes of that Meeting were submitted together with a report by the Executive Director of Educational Services seeking approval to pursue the lease of private property to offer residential outdoor provision to pupils, at existing charges.

After hearing the Head of Legal, Administrative and Regulatory Services and the Executive Director of Educational Services in answer to Members' questions, and following discussion, the Council agreed to approve the pursuit of the lease of McGregor's Landing on the terms and conditions suitable to the Executive Director of Educational Services, in consultation with the Executive Director of Housing, Environmental and Economic Development and the Head of Legal, Administrative and Regulatory Services.

### **KPMG LLP – 2008/09 - FINAL REPORT TO MEMBERS**

A report was submitted by the Executive Director of Corporate Services advising the Council of the findings in relation to KPMG LLP's Final Report to Members for the completion of their 2008/2009 Audit.

It was noted that paragraph 3.3 of the report should have read: "The action plan includes 9 recommendations..."

After hearing officers in answer to Members' questions, the Council agreed to note the findings of the 2008/09 audit and that the action plan should be referred to the Audit & Performance Review Committee for consideration.

### **EMPLOYEE SURVEY**

A report was submitted by the Chief Executive providing a summary of the 2009 Employee Survey results and recommending steps to address the outcomes.

After hearing the Chief Executive and Organisational Development Manager in answer to Members' questions and following discussion, the Council agreed:-

- (1) to integrate the emerging key issues and recommendations as part of the organisational cultural change programme; and
- (2) that staff should be made aware of the results of the survey via a wide communications strategy.

### **NOTICE OF MOTIONS**

**(a) Motion by Councillor David McBride – Scottish Government Funding**

This Council notes that West Dunbartonshire Council is being underfunded by the Scottish Government by the sum of 5.67 million pounds.

This equates to a cut of 2.1 percent.

Official government figures show that the Finance Secretary, John Swinney has effectively cut 270 million pounds from local government.

Council notes that official tables provided by the Scottish Parliament Information Centre show that the share of the Scottish Budget provided to local authorities has fallen from 34.7 percent in 2006/07 to 33.9 percent in 2010/11.

This means that local authorities received £11,885.3 million rather than £12,155.4 million in 2010/11 which equates to a cut of 270 million pounds.

Council instructs the Leader of the Council to write to the Finance Secretary requesting that the local government share of the budget be restored to its 2006/7 level and that West Dunbartonshire Council receives its fair share of resources.

Furthermore, Council notes that the Scottish Government has 600 million pounds more in its budget in 2010 than it had last year and requests that a significant proportion of this is allocated to West Dunbartonshire Council in order to avoid cuts to council services and increases to charges to vulnerable people in our community.

Councillor McBride was heard in support of the above motion which was seconded by Councillor Calvert.

As an amendment, Councillor Robertson moved:-

Council notes that the motion before us today from the Labour Group is not about constructive debate or helping people.

Council further notes that monies are allocated to local authorities using a formula put in place by the former Labour Executive in Edinburgh and recently ratified once more by the Labour Group at COSLA led by Councillor Jim McCabe.

Council agrees that writing to the Finance Secretary will not make any difference as, in the interests of fairness, he must use the formula agreed by all political parties for allocating budgets across Scotland.

Council does however agree that the Leader of the Council should write to both the Chancellor Alistair Darling and the Finance Secretary John Swinney expressing our concerns of the effects of the recession on local government and the services we provide.

Councillor Black asked Councillor Robertson if he would accept the following addendum to the last paragraph of his amendment:-

and furthermore asking for action to be taken on the rapacious charges which the banks are inflicting on the public despite being funded by tax payers money.

The Head of Legal, Administrative and Regulatory Services informed the Council that Councillor Black had introduced new business to the item which was not directly relevant to the issue raised in the motion.

Provost Agnew ruled that the addendum did introduce new business which could not be considered unless taken separately as an urgent item of business later in the meeting, subject to there being sufficient time.

After hearing Councillor Calvert, Councillor Robertson agreed that the second paragraph of his amendment be amended to read as follows:-

Council further notes that monies are allocated to local authorities using a formula put in place by the Tories and recently ratified once more by the Labour Group at COSLA led by Councillor Jim McCabe.

Councillor Jonathon McColl seconded the amendment by Councillor Robertson.

On a vote being taken, 11 Members voted for the amendment and 7 for the motion. The amendment was accordingly declared carried.

**(b) Motion by Councillor Jonathan McColl – Prisoner of Conscience**

Council is heartened by news of the release of our recently adopted prisoner of conscience, Saed Yassin; the 34 year old Palestinian human rights defender, who had been held in 'administrative detention' in Israel since October 2006.

Council thanks all those who wrote letters and got involved, helping out in any way they could with the local Amnesty International Branch Campaign for his release.

Council is proud of those employees who, as members of the local Amnesty International Branch, give their own time and other resources selflessly to the cause of helping others. They are a credit to the Council and West Dunbartonshire as a whole.

After hearing Councillor J. McColl, the Council unanimously agreed to approve the above motion and thanked all those officers involved in supporting the campaign.

**(c) Motion by Councillor Patrick McGlinchey – Glasgow Airport Rail Link**

Council notes that as part of the draft budget statement to Parliament on the 17 September 2009, the SNP Government announced that they will be cancelling the Glasgow Airport Rail Link (GARL).

The cancellation of GARL will affect the whole of Scotland - particularly the West - taking with it an estimated 1,300 jobs and £300 million boost to the Scottish economy.

Council further notes that the Glasgow Chamber of Commerce, Scottish Chambers of Commerce, CBI Scotland, Institute of Directors and Scottish Council for Development and Industry have all warned of the long term economic damage to the West of Scotland - including tourist destinations such as West Dunbartonshire with the National Park - if the decision stands.

Council believes the Scottish Government's intention to ditch GARL will be bad for the whole of Scotland and therefore Council instructs the Leader of the Council to write to the Finance Minister, John Sweeney, calling on his Government to reverse the decision to include the funding of GARL in his upcoming budget.

Councillor McGlinchey was heard in support of the above motion which was seconded by Councillor McBride.

As an amendment, Councillor J. McColl, seconded by Councillor Robertson, moved:-

Council notes that in the middle of the worst recession in modern times, the Scottish Government is tasked with spending money where it believes it will have the greatest positive impact on communities.

While it is recognised that GARL may have provided some wider economic benefit for West Dunbartonshire in the long term, there is no significant direct benefit to West Dunbartonshire residents.

Council thanks the Scottish Government for indicating that the Fastlink project linking Clydebank to Glasgow with a dedicated bus link is to be prioritised over GARL, as the direct benefit from this to West Dunbartonshire residents is clear.

Council notes that the only two Labour politicians to explain how they would begin to pay for the GARL are Glasgow City Council Leader, Councillor Steven Purcell and Scottish Labour Leader, Iain Gray, MSP.

Councillor Purcell has indicated he would take the money from local authority budgets across Scotland, specifically the money earmarked for providing free school meals for P1-3.

Iain Gray has publicly supported Ian MacMillan, CBI Director's call for GARL to be delivered. Ian MacMillan wants the Government to stop providing free personal care for the elderly as part of the GARL funding package. He also calls for the reintroduction of bridge tolls.

No one knows what other vital Council services they would have us cut.

Council agrees that it is at best irresponsible and at worst cynical party political point scoring for Councillor McGlinchey to be calling for GARL but not indicating what he wants to cut to pay for it.

Council will continue to support the delivery of the Regional Transport Strategy through SPT.

On a vote being taken, 10 Members voted for the amendment, 7 for the motion. The amendment was accordingly declared carried.

The meeting was closed at 10.10 p.m.