

WEST DUNBARTONSHIRE COUNCIL

At the meeting of West Dunbartonshire Council held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday 26 November 2003 at 7.00 p.m.

Present: Provost Alistair Macdonald and Councillors Denis Agnew, Margaret Bootland, Dennis Brogan, Geoff Calvert, Gail Casey, Tony Devine, Jack Duffy, James Flynn, Jackie Maceira, Douglas McAllister, James McCallum, Linda McColl, Craig McLaughlin, Martin Rooney, Andy White and Raymond Young.

Attending: Tim Huntingford, Chief Executive; Eric Walker, Director of Corporate Services; Dan Henderson, Director of Economic, Planning and Environmental Services; Alexis Jay, Director of Social Work and Housing Services; David McMillan, Director of Commercial and Technical Services; Ian McMurdo, Director of Education and Cultural Services; Frank Newall, Head of Service, Education and Cultural Services; Lynn Townsend, Acting Head of Service, Education and Cultural Services; Angus Bodie, Manager of Transportation; Stephen Brown, Head of Legal and Administrative Services and George Hawthorn, Senior Administrative Officer.

Also

Attending: Mr Jon Hargreaves*, Chief Executive, Mr Peter Farrer, General Manager, Operations and Mr Alan Thomson, Head of Strategic Liaison, Scottish Water.

Apologies: Apologies for absence were received from Councillors Margaret McGregor, Jim Bollan, Duncan McDonald, Marie McNair and Connie O'Sullivan.

*Arrived later in the meeting.

Provost Macdonald in the Chair

PROVOST'S REMARKS

1198 Before commencing with the business of the meeting, Provost Macdonald informed the Council that Councillor Margaret McGregor was absent due to ill health and intimated that he would write to her, on behalf of the Council, wishing her a speedy recovery to good health.

1199 Provost Macdonald also made reference to the tragic accident which had resulted in the death of Councillor Jim Bollan's wife, Anne, and his neighbour Joanne Brady, a former pupil of St. Ronan's Primary School and Our Lady and St. Patrick's High School, whose mother and aunt are employees of this Council.

- 1200 On behalf of the Council, Provost Macdonald expressed his sincere condolences to Councillor Bollan and his family and thereafter, the Council stood for one minute in silence as a remark of respect.

HEALTH AND SAFETY – PRESENTATION OF CERTIFICATES OF MERIT

- 1201 Provost Macdonald informed the Council that various Council employees had been nominated by the Health and Safety Section as having made an exceptional individual contribution to the development of Health and Safety in their workplace. Thereafter, Provost Macdonald, on behalf of the Council, presented Certificates of Merit to the following individuals:-
- 1202 Anne Brennan, Deputy Manager, Langcraigs Older Care Centre, Social Work and Housing Services;
- 1203 Duncan Pender, on behalf of the Risk Assessment Group, Clydebank – DLO, Social Work and Housing Services;
- 1204 Jim Smith, on behalf of the Risk Assessment Group, Dumbarton – DLO, Social Work and Housing Services; and
- 1205 James Kerr, Area Supervisor Cleansing, Commercial and Technical Services.
- 1206 It was noted that the above officers were accompanied by Mr Gerry Gordon, Section Head (Health and Safety).

OPEN FORUM

- 1207 The following questions were submitted to Council for consideration:-
- (a) **Jacqueline Murray, Autism A.W.A.R.E, 9 (G/R) Knoxland Square, Dumbarton – Change Fund**
- 1208 How much Change Fund money did our local authority receive? How was this money spent? How did people with learning disabilities and carers help to decide this? What did this Council do for Autism Awareness Week? The Scottish Executive did set out specific tasks for Councils.
- Councillor James McCallum was heard in answer to this question as follows:-**
- 1209 I am assuming that when you refer to the change fund in your question you mean the Changing Children's Services Fund. West Dunbartonshire Council received an allocation in the year 2002/03

which amounted to £632,000 and in the year 2003/04 the allocation was £972,000.

- 1210 The financial framework for 2001/02 and the allocation of Changing Children's Services Fund for 2002 until 2004 are shown on pages 15 – 18 of the Children's Services Plan as approved by Council, a copy of which will be sent to you.
- 1211 The bids to the Scottish Executive for the Changing Children's Services Fund are based on multi-agency discussion involving Council Departments and colleagues in the Health Service. The bids were formulated after extensive consultation was undertaken by the Children's Services Planning Sub-Group on Children with Disability. This took the form of various questionnaire surveys and information meetings with stakeholders and members of both Special Needs Forums participated in several of the sub-group meetings. There was also a Networking Day held on 15 September 2001 which involved parents of children with disabilities. The views of parents and carers have also been expressed through a whole range of informal discussions which feed in to the planning process via the Council Departments and agencies involved.
- 1212 It should also be noted that the Children's Services Planning Group discussions led to a further Short Life Working Group to look at ways in involving children and young people in the consultation process. Development of a consultation strategy is included as a target within the Children's Services Plan and this will include children with a disability.
- 1213 There were no specific events undertaken during Autism Awareness Week, as the work of Council Services in terms of supporting children with Autism and their families is ongoing all year round.

Ms Murray asked the following supplementary question:-

- 1214 Does the Department intend to identify a specific budget or have specific plans for children with autism in the future?

Lynn Townsend, Acting Head of Service, Education and Cultural Services, responded as follows:-

- 1215 Yes, there are specific proposals within next year's plan as this is one of the Council's priority areas.
- 1216 At this point in the meeting, the Provost informed the Council that Gillian Bolton was unable to attend this meeting and that she has asked her friend Jacqueline Murray to ask the question in her absence.

(b) Jacqueline Murray on behalf of Gillian Bolton, 85 Westcliff, Dumbarton – Conduct Disorder (Pilot Project)

1217 Who initiated the pilot project? Why? Who was the Clinical Psychologist assessing these children? How many children are involved? What are the strategies set out for the individual child?

Councillor James McCallum was heard in answer to this question as follows:-

1218 The Conduct Disorder Pilot Project is one of many activities included in the Changing Children's Services Fund proposals. The pilot project was initiated following discussion between Social Work, Education and Health Service professionals and was developed via the Vulnerable Children and Families and the Mental Health Planning Sub-Groups for the Children's Services Plan.

1219 The reasons for pursuing this area of work stem from both national and local priorities. The Scottish Executive document for Scotland's Children – Action Plan emphasises the need to target services towards "Children in Need". Within this group children with conduct disorders and other behavioural problems are highlighted. It is also the experience of a wide range of professionals working within West Dunbartonshire that there are growing numbers of children and young people who present with challenging behaviour in a variety of settings including the home, the school and the community. The aim of the proposal is to develop a co-ordinated multi-agency approach to provide better integrated services to those children and their families.

1220 The project is in two main phases: Phase 1 which involves research into the most appropriate interventions to support children and families and Phase 2 which will develop the training for staff focussing on the most appropriate interventions. Due to delays and difficulties with recruitment the project is still at the start of Phase 1. The assessment process will only take place as part of the second phase therefore no children have as yet been selected or assessed. As the project is still in the early stages it is not yet possible to say how many children will be involved or how the direct work with the children and families will be taken forward.

1221 While the aim at this stage is to support children who present with conduct disorders, as medically defined, the project is likely to provide help in identifying interventions which will be of benefit to an even wider group of children.

1222 It should be stressed that the Conduct Disorder Pilot Project is only one strand in a range of services available to children and families.

Ms Murray asked the following supplementary question:-

1223 I believe that £29,000 was bid for a research project in 2001 and a further £170,000 for a project in 2001/2002. How did the Department calculate these figures without knowing how many children would need services?

Lynn Townsend, Acting Head of Service, Education and Cultural Services, responded as follows:-

1224 Obviously, we try to estimate this as accurately as we can at the time when the bid is made but, of course, the situation can change in between times for a variety of reasons. In some circumstances the bid can be changed in time to take account of these variations or money can be shifted around to meet the new demands on the service.

(c) Rosemary A. Harvie, 82 Bonhill Road, Dumbarton – Unstable Drain Covers in the roads of Dumbarton

1225 Can anything be done to alleviate the problem of unstable drain covers in the roads of Dumbarton?

1226 The residents of Bonhill Road have suffered from the noise of rattling drain covers for many months, in spite of reporting this on numerous occasions. I have spoken to Scottish Water on at least five occasions and been assured that the matter is being dealt with. Earlier this year four drain covers were reported, 2 at the top of Bonhill Road and 2 at the junction with Round Riding Road. Within a few days one of the covers was repaired, but the others were not touched.

1227 I have spoken to Scottish Water again this week and been told that sometimes permission is required from the local council to close the road in order to effect a repair on a drain cover.

1228 Could the Council please investigate this matter and do whatever is necessary to ensure that Scottish Water carries out inspections and repairs pro-actively, rather than relying on residents to report rattling drain covers and to ensure that council officials co-operate with Scottish Water whenever necessary?

Councillor Geoffrey Calvert was heard in answer to this question as follows:-

1229 The Council has no control over Scottish Water's work programme and can only dictate when they can have access to public roads for planned works, for example, time of day.

1230 Scottish Water are responsible for their own equipment, and unless any defect is considered dangerous, the Council has no authority to carry out work.

1231 It should be noted that Scottish Water do not carry out regular inspections of their own apparatus, including manhole covers. They rely mainly on reports from local residents and/or local authorities to initiate their repair process.

1232 I can advise you that Scottish Water engage sub-contractors to carry out repair work. They will often wait until there are a number of defects in the area before instructing works to commence. The Council has no authority to influence this.

1233 The Council already works closely with utility companies by reporting defects following our normal carriageway inspections.

1234 Liaison between the Council and Scottish Water will be improved with the introduction of regular network.

Mrs Harvie asked the following supplementary question:-

1235 Since submitting this question I have contacted Scottish Water who indicated that if, as a result of an unstable drain cover, the road is damaged then responsibility for the repair to the road would remain with the Council.

Councillor Calvert responded in the following terms:-

1236 I can empathise with you as I have personal experience of dealing with Scottish Water on similar issues; one case in particular is still unresolved after a year of correspondence and communication with them. However, I would invite the Director of Commercial and Technical Services to respond to the issue of Council responsibility for roads damaged by unstable drains.

David McMillan, Director of Commercial and Technical Services, responded as follows:-

1237 In my opinion, the Council would not be responsible for roads damaged by unstable drains.

URGENT ITEM

1238 The Provost, in terms of Section 50B(4) of the Local Government (Scotland) Act 1973, as inserted by the Local Government (Access to Information) Act 1985, decided that an item on 'The Clydebank Plan 2003 – 2010' be considered as the last item on the agenda as a matter of urgency on the grounds that the action to be taken required early consideration.

SCOTTISH WATER PRESENTATION

- 1239 Provost Macdonald welcomed Peter Farrer, General Manager Operations, and Alan Thomson, Head of Strategic Liaison, Scottish Water, who were in attendance to provide information on recent developments and to answer questions from Members. It was noted that Mr Jon Hargreaves, Chief Executive, Scottish Water had been delayed but was on his way to the meeting.
- 1240 Mr Farrer gave a presentation to Council on the following issues:-
- (a) Works which had been undertaken in response to the Cryptosporidium Incident last year;
 - (b) Improvements to the Milngavie Treatment Works and aqueducts; and
 - (c) Works to reduce the reported odours from the sewage works in Dalmuir.
- 1241 In response to the open forum question concerning unstable drain covers (Pages 407/408, paragraphs 1225/1237 refer), Mr Farrer confirmed that Scottish Water would be responsible for any damage caused to a road surface as result of an unstable drain cover and not the Council.
- 1242 It was noted Mr Hargreaves entered the meeting during the presentation.
- 1243 Having heard Mr Farrer and Mr Hargreaves in answer to Members' questions, Provost Macdonald, on behalf of Council, thanked the representatives from Scottish Water for their attendance and thereafter they left the meeting.

MINUTES OF PREVIOUS MEETING

- 1244 The Minutes of Meeting of West Dunbartonshire Council held on 27 August 2003 were submitted and approved as a correct record.

MINUTES OF COMMUNITY PARTICIPATION COMMITTEE

- 1245 The Minutes of Meeting of the Community Participation Committee held on 8 October 2003 were submitted and all decisions contained therein were approved.

BARLINNIE PRISON VISITING COMMITTEE

- 1246 With reference to the Minutes of Meeting of Council on 25 June 2003 (Page 56, paragraph 194 refers), Council was asked to note that the nomination of a lay person to serve on the above Committee was still to be determined.

- 1247 The Council agreed that an advert be placed in the local press and thereafter the Chief Executive be delegated responsibility to select a suitable person.

**REMIT FROM LICENSING COMMITTEE –
FEE FOR LICENSING LATE HOURS CATERING**

- 1248 With reference to the Minutes of Meetings of the Licensing Committee held on 6 August 2003 (page 195, paragraph 357 (d) refers) and 1 October 2003 (pages 318/319, paragraphs 883/885 refer), the Council agreed that the fee for the Licensing of Late Hours Catering be set at £220.

**REMIT FROM CHILDREN'S SERVICES COMMITTEE:
HEALTH REPRESENTATIVES**

- 1249 With reference to the Minutes of Meeting of the Children's Services Committee held on 19 November 2003 (page 395, paragraph 1166 refers), a report was submitted by the Director of Education and Cultural Services, together with the relevant excerpt minute, recommending that a senior officer of Argyll and Clyde and Greater Glasgow Health Boards be in attendance at future meetings of the Children's Services Committee in a non-voting capacity.
- 1250 The Council agreed to approve the recommendation.

**PROVISION FOR PUPILS WITH LANGUAGE AND COMMUNICATIONS
DISORDERS AT THE SECONDARY SCHOOL STAGE**

- 1251 With reference to the Minutes of Meeting of the Children's Services Committee held on 19 November 2003 (page 395, paragraph 1168 (2) refers), a report was submitted by the Director of Education and Cultural Services, together with the relevant excerpt minute, recommending that Council approves increased capital and revenue budgetary provision to meet the implementation of the plans for a Communications Support Service in the Vale of Leven Academy, as detailed in the report.
- 1252 The Council agreed to approve the above recommendations.

**BUILDING OUR FUTURE:
THE REGENERATION OF THE SCHOOLS' ESTATE**

- 1253 With reference to the Minutes of Meeting of Council held on 25 June 2003 (page 59, paragraphs 219/225 refer), a report was submitted by the Chief Executive setting out the context in which the regeneration of schools' estate requires to be taken forward.

- 1254 Following discussion, Councillor McCallum, seconded by Councillor White moved:-
- 1255 West Dunbartonshire Council welcomes the report “Building our Future – the Regeneration of the Schools Estate”. Council recognises the Report as the foundation for the delivery of a ten year programme which will completely transform education and education facilities in West Dunbartonshire.
- 1256 Council now instructs the Chief Executive to proceed with the preparation of the Outline Business Case for submission to the Scottish Executive. The Outline Business Case will not include proposals for co-location of non-denominational and denominational schools.
- 1257 Council notes that the Labour Administration will consult with:
- All Head Teachers
Representatives from all School Boards
The Parents Network
Trade Unions
Church representatives
- 1258 In its consultation the Labour Administration will take as its guiding principle the Parents Charter already recognised and signed by the Council.
- 1259 The Council will develop its education services on the following principles:
- 1260 Building Community Learning Centres where these are the best solution.
Addressing issues of over-capacity in the current school estate.
Focusing initially on the secondary school sector.
Creating synergy with other Council services within the School Estate.
- 1261 Recognising the job-creation opportunities in the Schools Regeneration Programme, the Chief Executive shall consult with the Employment Service, the Chambers of Commerce, the West Dunbartonshire Construction Alliance and Scottish Enterprise Dunbartonshire to ensure the maximum opportunities for the creation of local jobs and Modern Apprenticeships.
- 1262 At this point in the meeting, Councillor McCallum commended the Chief Executive, Director of Education and Cultural Services and all other officers involved in the preparation of the report for all their good work to date.
- 1263 Thereafter, the Director of Education and Cultural Services was heard in answer to Members’ questions.

- 1264 As an amendment Councillor McLaughlin, seconded by Councillor Young, moved:-
- 1265 That the Council notes that the Labour Administration's real agenda is to rationalise schools through closures and mergers across West Dunbartonshire, as is made clear in paragraph 2.4 of the report.
- 1266 Furthermore the Council praises Glasgow City Council for its decision not to use PPP to fund improvements to its Primary School stock.
- 1267 That this Council condemns East Lothian Council for the PPP debacle that has left numerous schools with unfinished building sites on their campuses.
- 1268 After discussion, on a vote being taken, 2 Members voted for the amendment and 14 for the motion which was accordingly declared carried.

FIRE DAMAGE AT HILL STREET, BRUCEHILL

- 1269 A report was submitted by the Director of Social Work and Housing Services seeking approval to demolish 8 four-in-a-block flats at 10, 12, 14, 16, 17, 19 and 23 Hill Street, Brucehill, Dumbarton, following a series of fires.
- 1270 Following discussion, the Council agreed that the properties at 10 - 16 Hill Street and 17 – 23 Hill Street, Dumbarton be demolished.

CONSULTATION ON SCOTLAND'S TRANSPORT PROPOSALS FOR A NEW APPROACH TO TRANSPORT IN SCOTLAND

- 1271 A report was submitted by the Director of Commercial and Technical Services seeking approval of a response to the 7 consultation questions contained within Section C of the document "Scotland's Transport – Proposals for a new approach to Transport in Scotland".
- 1272 Having heard Councillor Calvert, the Council agreed to approve the responses to consultation, as detailed in the Appendix to the report.

SUSPENSION OF STANDING ORDERS

- 1273 In terms of Standing Order 24, the Council unanimously agreed to suspend Standing Orders to allow consideration to be given to the following item of business.

ROYAL SCOTTISH PIPE BAND CHAMPIONSHIP – MAY 2005

- 1274 A report was submitted by the Director of Corporate Services:-
- (a) providing an update on the request by the Royal Scottish Pipe Band Association (RSPBA) for West Dunbartonshire Council to host the 2005 Scottish Pipe Band Championship; and
 - (b) requesting that further consideration be given to the level of sponsorship offered by this Council.
- 1275 Having heard the Provost in answer to Members' questions, the Council agreed to increase sponsorship for this event from £24,000 to £28,000.

ABSTRACT OF ACCOUNTS 2002-2003

- 1276 A report was submitted by Director of Corporate Services on the audited Abstract of Accounts for the Year to 31 March 2003.
- 1277 Having heard Councillor Devine, the Council agreed to note the contents of the report and to commend all staff involved in attaining the improved level of collection rate for Council Tax from 84% to 87%.

AUDIT SCOTLAND – FINAL AUDIT REPORT FOR MEMBERS 2002/2003

- 1278 A report was submitted by the Director of Corporate Services requesting the Council to consider the Auditor's Final Audit Report for 2002/2003.
- 1279 Having heard Councillor Devine, the Council agreed:-
- (1) to delegate the responsibility for monitoring the action plan to the Audit and Performance Review Committee; and
 - (2) that a separate report detailing issues raised from meetings referred to in Section 3 of the Audit Report (Page 110 of the Agenda refers), mainly the action plan and corrective responses, be submitted to the aforesaid Committee for consideration.

CIVIL PARTNERSHIP REGISTRATION: A LEGAL STATUS FOR COMMITTED SAME-SEX COUPLES IN SCOTLAND

- 1280 A report was submitted by the Chief Executive informing the Council of proposals to introduce Civil Partnership Registration in Scotland and seeking approval of a proposed response to the Scottish Executive Consultation

Document “Civil Partnership Registration: A legal Status for committed Same-Sex Couples in Scotland”.

1281 Having heard Councillor McAllister, the Council agreed to approve the proposed response to the Consultation document, as detailed in the Appendix to the report, subject to the following amendments:-

1282 Response 8 – replace the word ‘Yes’ with ‘No’ and delete the additional comments.

1283 Response 9 – delete the additional comments.

CORRESPONDENCE FROM CLYDEBANK ASBESTOS GROUP: PROTEST AGAINST AMERICAN CARGO SHIP

1284 A letter was submitted from the Clydebank Asbestos Group seeking Council support of Hartlepool Council’s stance to oppose American Cargo Ships being sent to Hartlepool to be broken up.

1285 Having heard Councillor White, the Council agreed that a letter of support be sent to Hartlepool Borough Council and that a letter be sent to the Clydebank Asbestos Group seeking information on how this Council could assist them with their campaign.

ST. ANDREW’S DAY MARCH AND RALLY AGAINST RACISM AND FASCISM

1286 A letter was submitted from the Scottish Trades Union Congress informing Council of the Annual St. Andrew’s Day March and Rally Against Racism and Fascism which will be held on Saturday 29 November 2003 in the Square, Salt Market (near Glasgow Green) at approximately 12 noon.

1287 The Council agreed that a letter of support be sent to the Scottish Trades Union Congress and that officers should consider ways of maximizing publicity for the event via the Council’s intranet and website.

ATTENDANCE OF PROVOST MACDONALD AT MEETING TO DEBATE GAELIC LANGUAGE BILL

1288 A report was submitted by the Director of Corporate Services seeking approval of the attendance of Provost Macdonald at a meeting convened to debate the provisions of a proposed Gaelic Language Bill.

1289 Following discussion, the Council agreed to approve the attendance of Provost Macdonald at the aforementioned meeting.

CONFERENCES

(a) INVOLVING OLDER PEOPLE: LESSONS FOR COMMUNITY PLANNING & THE WAY AHEAD

- 1290 An invitation for the Council to be represented at the COSLA conference "Involving Older People: Lessons for Community Planning & the Way Ahead" to be held on 1 December 2003 in the Thistle Hotel, Cambridge Street, Glasgow was submitted for consideration.
- 1291 The Council agreed to nominate Councillor Martin Rooney or substitute to attend the above Conference.

(b) EQUAL FUTURES: CHILDREN AND YOUNG PEOPLE BUILDING RACIAL EQUALITY

- 1292 An invitation for the Council to be represented at the Equal Futures: Children and Young People Building Racial Equality Conference to be held on 2 December 2003 in the SECC, Glasgow was submitted for consideration.
- 1293 The Council agreed to nominate Councillor Marie McNair or substitute to attend the above Conference.

THE CLYDEBANK ACTION PLAN

- 1294 A report was submitted (tabled) by the Director of Economic, Planning and Environmental Services on the Clydebank Action Plan 2003 – 2010 seeking Council's agreement, in principle, to the proposed financial contribution by West Dunbartonshire Council for the delivery of the projects outlined in the Plan.
- 1295 Having heard the Chief Executive and Councillor White, the Council agreed:-
- (1) to give agreement, in principle, to contribute to the delivery of the Clydebank Plan for the years 2004 – 2010 to the sum of £5.81m for capital projects , as outlined in Table Two of the report and that the funding be met form the general services capital Fund; and
 - (2) that the above funding be conditional on there being a matching agreement with Scottish Enterprise Dunbartonshire and availability of adequate capital resources.

The meeting closed at 8.55 p.m.