

## **WEST DUNBARTONSHIRE COUNCIL**

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton, on Wednesday, 24 November 2010 at 6.00 p.m.

**Present:** Provost Denis Agnew and Councillors George Black, Jim Bolla, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, Douglas McAllister, David McBride, Jonathan McColl, Ronnie McColl, Jim McElhill, 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; Keith Redpath, Director of West Dunbartonshire Community Health and Care Partnership; Gillian McNeilly, Manager of Accounting; Tricia O'Neill; Head of Human Resources and Organisational Development; Andrew Fraser, Head of Legal, Administrative and Regulatory Services and George Hawthorn, Senior Administrative Officer.

**Also**

**Attending:** Chief Superintendent Calum Murray (Divisional Commander 'L' Division), Detective Chief Inspector Norrie Conway and Detective Inspector Joe McKerns, Strathclyde Police.

**Apology:** An apology for absence was intimated on behalf of Councillor Margaret Bootland.

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

## **VARIATION IN ORDER OF BUSINESS**

After hearing Provost Agnew, the Council agreed to vary the order of business as hereinafter recorded in these minutes.

## **DECLARATIONS OF INTEREST**

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

## **PRESENTATION BY STRATHCLYDE POLICE ON INTERVENTION OPPORTUNITIES WITHIN LOCAL AUTHORITIES FOR SERIOUS AND ORGANISED CRIME GROUPS**

Detective Inspector Joe McKerns, Force Tasking and Interventions Unit, Strathclyde Police gave a presentation on intervention opportunities within local authorities for serious and organised crime groups. In so doing, he highlighted the types of business which organised crime groups use to launder money, the different types of interventions which the Police can use to disrupt their activities, and the ways in which local authorities can work with the Police and share information to support this intervention strategy.

It was noted that Chief Superintendent Calum Murray and Detective Chief Inspector Norrie Conway were also in attendance for this item only.

After hearing Detective Inspector McKerns and Chief Superintendent Murray in answer to Members' questions, Provost Agnew thanked Mr McKerns for his very informative presentation.

At this point Chief Superintendent Murray informed the Council that the Police had now re-opened the area of the woods at Ross Priory which had been closed to public due to the reported explosion and in so doing thanked the Council for its support and cooperation in the matter.

Thereafter, all three representatives from Strathclyde Police left the meeting.

### **ADJOURNMENT**

After hearing Provost Agnew, the Council agreed to adjourn for a short period of time.

The meeting reconvened at 6.45 p.m. with all those Members shown on the sederunt in attendance.

### **URGENT ITEM OF BUSINESS**

At this point in the meeting Provost Agnew informed the Council that he had received a request from Councillor R. McColl that the Council should consider an urgent motion in connection with the on-going disagreement between TOA Taxi Committee Members and Drivers.

After hearing Councillor R. McColl read out his motion and the Head of Legal, Administrative and Regulatory Services in answer to Members' questions, Provost Agnew informed the Council that he would decide on the matter of urgency at an appropriate point later in the meeting.

## **MINUTES OF PREVIOUS MEETING**

### **(a) Special Meeting held on 14 October 2010**

The Minutes of the Special Meeting of West Dunbartonshire Council held on 14 October 2010 were submitted and approved as a correct record.

The Head of Legal, Administrative and Regulatory Services was heard in response to a Member's question.

### **(b) Special Meeting held on 27 October 2010**

The Minutes of the Special Meeting of West Dunbartonshire Council held on 27 October 2010 were submitted and approved as a correct record.

### **(c) Ordinary Meeting held on 27 October 2010**

The Minutes of the Ordinary Meeting of West Dunbartonshire Council held on 27 October 2010 were submitted and approved as a correct record subject to the undernoted correction.

With reference to the item under the heading "Budget Timetable" (Page xxx refers), it was noted that when the Council decided to move the Ordinary Meeting of the Council from 22 to 15 December 2010 it did not set a time. In this regard, the Head of Legal, Administrative and Regulatory Services informed the Council that the Provost had decided that there would be a Special Meeting of Council on 15 December 2010 at 5.00 p.m. and accordingly the Council was now asked to consider the timing of the Ordinary Meeting which would normally meet at 6.00 p.m.

After discussion, the Council agreed that the Ordinary Meeting of Council to be held on 15 December 2010 should commence at 6.00 p.m.

### **(d) Requisitioned Meeting held on 9 November 2010**

The Minutes of the Requisitioned Meeting of West Dunbartonshire Council held on 9 November 2010 were submitted and approved as a correct record.

## **OPEN FORUM**

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

## **MINUTES OF THE WEST DUNBARTONSHIRE COMMUNITY HEALTH AND CARE PARTNERSHIP HELD ON 20 OCTOBER 2010**

The Minutes of the Meeting of the West Dunbartonshire Community Health and Care Partnership held on 20 October 2010 were submitted and noted.

### **VENUES FOR COUNCIL MEETINGS IN CLYDEBANK IN 2011**

With reference to the Minutes of Meeting of Council held on 27 October 2010 (Page XXX refers), a report was submitted by the Executive Director of Corporate Services requesting the Council to consider possible venues for Council meetings in Clydebank in 2011.

Councillor McElhill, seconded by Provost Agnew, moved:-

That in 2011, full Council meetings should be held in the Abbotsford Church Hall and Committee meetings should be held in St Margaret of Scotland's Hospice.

At this point, Councillor Marie McNair declared a financial interest in the matter, as she is employed by the St Margaret of Scotland Hospice, and left the meeting.

The Executive Director of Corporate Services, the Chief Executive and the Senior Administrative Officer were heard in answer to Members' questions.

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

That in 2011, full Council meetings should be held in the Skypoint Centre and Committee meetings should be held in the Duntocher Hall.

On a vote being taken, 9 Members voted for the amendment and 11 for the motion which was accordingly declared carried.

Note: Councillor McNair returned to the meeting.

### **GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT: PERIOD 6 (2010/11)**

A report was submitted by the Executive Director of Corporate Services informing the Council of the performance of the General Services Revenue budget for the period ending 30 September 2010.

After hearing the Executive Director of Corporate Services and the Chief Executive in answer to Members' questions, the Council agreed to note the report.

## **GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT: PERIOD 6 (2010/11)**

A report was submitted by the Executive Director of Corporate Services providing the Council with an update on the Capital Plan for 2010/2011.

After hearing Councillor C. McLaughlin and the Chief Executive and the Director of Educational Services in answer to Members' questions, the Council agreed:-

- (1) to continue consideration of the request for virements to the next meeting, as detailed within Appendix III of the report, pending further clarification on the proposed Educational Services virements; and
- (2) to note the updated position as outlined in Appendices I and II of the report.

### **KPMG LLP - 2009/10 AUDIT – FINAL REPORT TO MEMBERS**

A report was submitted by the Executive Director of Corporate Services advising Council of the findings in relation to the KPMG LLP's final report to Members on the completion of their 2009/10 audit.

After hearing the Chief Executive in answer to Members' questions, the Council agreed:-

- (1) to note that the report had been considered by the Audit and Performance Review Committee on 10 November 2010; and
- (2) to note the findings of the 2009/10 Audit and thanked those officers involved in preparation of the accounts for all their hard work.

### **HOUSING REVENUE ACCOUNT 2010/11 - BUDGETARY CONTROL STATEMENT TO 30 SEPTEMBER 2010 (PERIOD 6)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing the Council with an update on the financial performance of the Housing Revenue Account (HRA) for the period ending 30 September 2010.

The Council agreed to note the terms of the report.

### **HRA CAPITAL PROGRAMME 2010/11 BUDGETARY CONTROL REPORT TO 30 SEPTEMBER 2010 (PERIOD 6)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising the Council of the progress made on the HRA Capital Programme 2010/11.

It was noted that the date shown in paragraph 3.2 of the report should have read “30 September 2010” and not “30 December 2010” as printed.

After hearing the Executive Director of Housing, Environmental and Economic Development in answer to Members’ questions, the Council agreed:-

- (1) that the further information on capital monies allocated to the Dalvait Tenants’ and Residents’ Associations requested by Councillor Rooney, should be given to him outwith the meeting; and
- (2) otherwise to note the contents of the report.

### **INTRODUCTION OF SCOTTISH LIVING WAGE**

With reference to the Minutes of the Requisitioned Meeting of Council on 9 November 2010 (Page XXX refers), a report was submitted by the Chief Executive outlining the implications associated with West Dunbartonshire Council introducing the Scottish Living Wage of £7.15 per hour.

Councillor Ronnie McColl moved the undernoted motion:-

Council thanks officers for the report and the work they have undertaken with the Unions to date, and agrees the recommendations at 8.1 and 8.2 of the report.

Council further agrees, subject to reaching a collective agreement with the trades unions, that the effective date of implementation will be May 2010, when the Scottish Minimum Living Wage increased to £7.15 per hour.

After hearing Councillor McBride, Councillor R. McColl agreed to accept the undernoted addendum to his motion:-

In addition to the above, all private and third sector organisations working on Council contracts should be expected to subscribe to the Scottish Living Wage.

Thereafter, Councillor McBride seconded the motion as amended to include the addendum.

After hearing the Head of Legal, Administrative and Regulatory Services, Director of West Dunbartonshire Community Health and Care Partnership and Leader of the Council in answer to Members’ questions, and following discussion, the Council agreed to approve the above motion and addendum.

## QUESTIONS

### (a) Questions by Councillor Martin Rooney to the Leader of the Council

The Leader of the Council will be aware of our legal responsibilities to inform other government agencies and unions as soon as potential redundancies are known. Council notes that the combination of the SNP Administration and the Management Adjustment cuts means that there will be a threat to over 100 posts.

- (1) Can the Leader of the Council advise what action has been taken to meet these legal obligations?
- (2) Specifically when did the Trades Unions receive formal notification?
- (3) What government agencies were advised about the potential redundant posts and when?

### Councillor R. McColl replied as follows:-

In line with the policy where there is a requirement for statutory notification of potential redundancies, the appropriate Director/Head of Service have and will ensure that the required period of notification and consultation is met to ensure compliance with legislative requirements.

As the Labour Group is aware, the Council has a policy of no compulsory redundancies, and to date Council has received no information from the Chief Executive suggesting that there is a need to review this position.

### (b) Questions by Councillor Casey to the Social Work Spokesperson

- (1) The SNP led Council has decided to cut £975,000 from Housing Support Services.

How will the review be conducted and what impact could this have on Housing Support workers in the Council and the voluntary sector?

- (2) The SNP led Council is to reduce frontline Social Work staff by 3 FTE to save a total of £240,000 between 2011 and 2012.

What measures have been taken to mitigate against the identified risks expected due to increased time for assessments and service delivery?

- (3) The SNP led Council is to restructure the provision of Learning Disabilities in order to save £250,000 between 2011 and 2012.

What impact will this have on voluntary organisations?

**Councillor R. McColl replied as follows:-**

- (1) The department is reviewing current levels of service and costs of service provision in order to seek efficiencies with care providers and to prioritise services currently funded. The intention is to achieve the savings with as minimum direct impact on service users as possible.
- (2) The level of service provided by the department will be monitored on a regular basis by management and communicated to Members through performance reporting to Committee.
- (3) This is expected to be achieved through locating a number of service users who are currently provided with care services outwith the authority back within the Council area. Depending on the needs of these service users this will mean an increased need for care provision for either local voluntary provider organisations or the potential for absorption within existing Council-run services.

**(c) Questions by Councillor Martin Rooney to the Social Work Spokesperson**

- (1) The SNP led Council has decided to cut £300,000 from a staffing review of care homes staff working patterns and shift allowances etc. What specific changes could be introduced?

- (2) The SNP led Council has decided to introduce new charges of £350,000 from Home Care and Housing Support.

What consultation has taken place with the service users and their carers?

- (3) The SNP led Council has decided to cut the Community Work Service in order to save £164,000, etc.

In the light of this cut, how will Social Work services meet its statutory duties to promote social care and promote Social Inclusion?

**Councillor R. McColl replied as follows:-**

- (1) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.



As stated in the question, management will be reviewing how services are provided to ensure that work patterns employed and use of shifts are as efficient as possible. Unions are fully involved in this process.

- (2) In accordance with normal practice, the service will seek to involve, through our service planning groups, service users and carers in the detailed implementation of the Council's decision.
- (3) The department will continue to provide appropriate community engagement mechanisms in order to obtain service user and carers' feedback into the planning process and on performance.

The saving does not remove the full budget for the Community Work Service and the service has been transferred to the Community Planning Partnership Manager in order that a review of overall community development activities can be provided in a more strategic manner across the Council.

The Community Health and Care Partnership will continue to promote social care and social inclusion through ongoing social work activity.

**(d) Questions by Councillor Patrick McGlinchey to the Social Work Spokesperson**

- (1) The SNP led Council has decided to cut £130,000 from residential places for children.

Which Care Homes are to be closed and how many places will be removed? In addition, what are the implications for existing staff?

- (2) The SNP led Council has decided to cut £245,000 from social work by removing the 'identified vacant posts'.

What are the identified vacant posts and what services are to be removed as a result of the deletion?

**Councillor R. McColl replied as follows:-**

- (1) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

This does not relate to closure of any of the Council's Care Homes, but reflects an expectation that officers are aiming to use fewer external residential schools and secure placements in 2011/12.

This is thanks in no small part to the SNP's successful policy of providing more community based supports as an alternative to residential schooling.

There are no implications for existing staff.

- (2) The responsibility for operational matters, such as this, are within the purview of senior officers.

It should be noted that only two members of the Labour Group attended the last members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

Vacant posts have been identified across a range of sections within the department and no services have been removed as a result of this decision.

**(e) Questions by Councillor David McBride to the Corporate Services' Spokesperson**

- (1) The SNP led Council is to cut £1m as a result of the restructure in Corporate Services which will result in the loss of 30 FTE jobs.

What process will be used to select the 30 FTE staff to leave the Council's employment?

- (2) The SNP led Council has decided to cut £95,000 from the Registration Service with the loss of 3 FTE jobs, which could result in the closure of two Registration offices.

Which Registration offices are to be closed as a result of this decision?

**Councillor Craig McLaughlin replied as follows:-**

- (1) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

This process will be managed in accordance with the Council's Organisational Change Policy and with cognisance of the Council's no compulsory redundancy policy.

It is anticipated that within Corporate Services these will be achieved mainly through non filling of vacant posts, retirements or early retirements and redeployment in a small number of cases.

- (2) A report will go to the Corporate & Efficient Governance Committee detailing proposals in relation to the Registration Service.

**(f) Questions by Councillor Margaret Bootland to the Corporate Services' Spokesperson**

It was noted that Councillor Rooney asked the undernoted questions in the absence of Councillor Bootland.

- (1) The SNP led Council has decided to centralise the Health & Safety Function in order to save £80,000 and cut 3 FTE posts.

What will be the impact of these changes?

- (2) The SNP led Council has decided to cut £130,000 from the review of the Chief Executive's Department resulting in the loss of 5 FTE posts.

What posts are to be cut?

**Councillor Craig McLaughlin replied as follows:-**

- (1) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

Officers will use this opportunity to reconsider the way the service is delivered, and by centralising, reducing duplication, maximising experience and expertise we can make significant efficiencies and provide better more specialised services, thus reducing the need to engage external consultants.

- (2) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

This decision will be implemented in line with the Council's organisational change policy and with cognisance of the Council's policy of no compulsory redundancies.

**(g) Questions by Councillor Patrick McGlinchey to the Educational Services' Spokesperson**

- (1) The SNP led Council has decided to introduce a 1% cut in teaching staff in Primary and Secondary Schools to save £455,000 and cut 11.5 FTE posts.

Which schools will be affected by the cuts?

- (2) The SNP led Council has decided to cut Special Needs Assistants by 5% to save £165,000.

From which schools will the 13 FTE staff be cut?

- (3) The SNP led Council has decided to cut £157,000 from clerical and support staff in our schools resulting in 8.4 FTE posts being cut.

Which schools will lose their member(s) of staff?

**Councillor J. McColl replied as follows:-**

- (1) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

Officers tell me that the effects of this management adjustment, due for implementation in August 2011, are to be allocated across West Dunbartonshire as a whole.

- (2) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

West Dunbartonshire schools currently have a more generous allocation of Learning Assistants than schools in other authorities, and this management adjustment will bring us more in to line with the rest of Scotland.

Officers are planning to review the method by which Learning Assistants are allocated to schools. It is expected that this exercise will be completed in spring 2011 and it is therefore not possible to identify the schools affected at this time.

- (3) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

The intention is not for schools to lose a full member of staff. The overall reduction from this management adjustment of 8.4 posts will be spread across all schools and so the reduction will be in staff pointages rather than full jobs.

**(h) Questions by Councillor Douglas McAllister – Educational Services' Spokesperson**

- (1) The SNP led Council has decided to cut £855,250 from centrally deployed staffing, resulting in the loss of 22.5 posts.

How will these savings be achieved and what services will suffer?

- (2) The SNP led Council has decided to cut £121,000 from Community Learning and Development (CL&D), resulting in the loss of 5.8 FTE posts.

What impact will this cut have on services?

- (3) The SNP led Council has decided to cut £161,250 from the mobile crèche service resulting in the loss of 5 FTE posts.

How will this service be provided in future?

**Councillor J. McColl replied as follows:-**

- (1) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

Officers intend to make these savings across all centrally held budgets, through early retirement, voluntary severance, redeployment and restructuring.

- (2) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

This management adjustment affects clerical assistants in the former CL&D centres from April 2011. The management of the centres is now the responsibility of Housing, Environment and Economic Development, however the office staff located within the centres have continued to fulfil duties for CL&D.

Recent restructuring of CL&D will enable the work currently carried out by the centre clerical staff to be absorbed by other members of service staff.

- (3) This Council continues to operate its policy of no compulsory redundancies and work is currently underway to redeploy the staff into vacancies across the early years' service.

The sessional budget element has been retained and this will now be allocated to CL&D, Council of Voluntary Services and the Young Families Outreach programme to allow them to continue to deliver crèche services to support their activities and voluntary sector groups. Discussion is currently underway as to how this will work in practice.

**(i) Questions by Councillor John Millar to the Housing, Environment and Economic Development Spokesperson**

- (1) The SNP led Council has decided to cut £550,000 from the Housing, Environment and Economic Development department budget following a review with the loss of 20 FTE posts.

What posts will be deleted and how will the deletion of staff be achieved?

- (2) The SNP led Council has decided to cut £340,000 from soft services which will result in the loss of 20 FTE posts.

What posts will be deleted and how will the savings be achieved?

**Councillor William Hendrie replied as follows:-**

- (1) The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

This management adjustment will be achieved through the operational review and modernisation of service provision.

This decision will be implemented in line with the Council's organisational change policy and with cognisance of the Council's policy of no compulsory redundancies.

- (2) The responsibility for operational matters, such as this, are within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

This management adjustment will be achieved through the operational review and modernisation of service provision.

This decision will be implemented in line with the Council's organisational change policy and with cognisance of the Council's policy of no compulsory redundancies.

**(j) Question by Councillor Geoff Calvert to Housing, Environment and Economic Development Spokesperson**

The SNP led Council has decided to cut £350,000 in phase 2 of Housing, Environmental and Economic Development Management savings which will result in 15 FTE posts being deleted.

How will the savings be achieved and within what timescales?

**Councillor William Hendrie replied as follows:-**

The responsibility for operational matters, such as this, is within the purview of senior officers.

It should be noted that only two Members of the Labour Group attended the last Members' business day, the subject of which was roles and working relationships.

If more than 25% of the Labour Group had attended the last business day, perhaps they would have a better understanding of the difference between strategic and operational decision making.

This management adjustment will be achieved through the operational review and modernisation of service provision.

This management adjustment reflects on-going work within the service to reduce management costs by realising synergies across service areas, de-layering structures and devolving decision making as far as practicable.

This decision will be implemented in line with the Council's organisational change policy and with cognisance of the Council's policy of no compulsory redundancies.



## NOTICES OF MOTION

At this point Provost Agnew informed the Council that he had decided to allow the proposed emergency motion by Councillor R. McColl on the on-going disagreement between TOA Taxi Committee Members and Drivers as a matter of urgency and intimated that it would be considered at the end of the meeting.

### **(a) Motion by Councillor Geoff Calvert - Standard Delivery Plan – Housing Stock Transfer**

At the meeting of the full Council on 29 October 2008, this Council agreed its commitment to ensure that the condition of all its housing would meet the Scottish Housing Quality Standard (SHQS) by 2015 at the latest.

Furthermore this Council also noted that it would continue to adopt a flexible approach to the delivery of wider regeneration opportunities, including consideration of localised stock transfers if appropriate, in partnership with Communities, Registered Social landlords (RSLs) and the Housing and Regeneration Division of the Scottish Government. The Council expressed its commitment to build on existing achievements in master planning and in support of existing community groups in, for example, Castlehill/Westcliff and Haldane.

The Council was clear in its pledge that transfers would be tenant led and the Council also expressed the view that a single receiving landlord was NOT a favoured option.

Progress to deliver the Standard Delivery Plan over the last two years has now led to the decision having been taken by the Housing, Environment and Economic Development (HEED) Committee on 6 October 2010 to 'package' potential stock for transfer into four geographical areas – Dumbarton, Vale of Leven, Clydebank East and Clydebank West. Furthermore, because in Clydebank the areas agreed for transfer in October 2008 will be 'too risky' for local RSLs to consider, the HEED Committee agreed to consider adding more Green/Amber properties to the mix in Clydebank to make a more attractive proposition for RSLs.

These decisions confirm that the pledges given to tenants by this Administration that any ballot would be local and tenant-led have been overturned. What is more, the move to 'sweeten the pill' for potential bidders means that the initiative has now shifted from the customer (tenants) to the supplier (RSLs). This Council does not accept these fundamental changes in policy as being in the best interests of its tenants.

Therefore, this Council, in assessing the likelihood of 100% tenant support at a ballot in these changed circumstances, accepts that tenants are most unlikely to agree and for Council to proceed for the next 12–18 months in pursuit of an ever-diminishing chance of success, with no other option as a contingency, would be a dereliction of its duty to its tenants.

Given that this Council has rejected the Labour Opposition's view that it would be preferable to retain all stock as opposed to the partial Stock Transfer SDP as promulgated by the SNP Administration, this Council believes that it is time for an additional option that will achieve the SHQS 2015 to be worked up for consideration.

This Council agrees that the Executive Director for HEED be requested to prepare a new option that will deliver the SHQS 2015 based on full-scale stock transfer proposal. This Council wishes the Director's report, which should not be constrained by pre-conditions, to be brought back to Council for consideration rather than the HEED Committee, given that the existing policy was agreed by Council.

Councillor Calvert was heard in support of his motion which was seconded by Councillor Millar.

As an amendment, Councillor Hendrie, seconded by Councillor McElhill, moved:-

Having agreed the transfer packages and processes at the Housing, Environment and Economic Development Committee and given the extensive consultation that has taken place with tenants organisations regarding these packages and processes, Council does not agree with the Labour motion as it stands.

However, Council does agree that officers should bring a report to a future Council meeting detailing the implications of the potential transfer of our remaining stock as part of a Phase 2 plan.

This report should include all implications, including but not limited to the capacity of Housing Associations, rent levels and the potential transfer of Direct Labour Organisation staff to receiving landlords in the future.

At this point Councillor Bollan read out the terms of a second amendment on the issue of stock transfer. The Head of Legal, Administrative and Regulatory Services advised that the Council would require to suspend Standing Order 19 (a) in order to consider Councillor Bollan's proposed amendment as a period of six months had not passed since the Housing, Environment and Economic Development Committee had made a decision on this matter.

## **ADJOURNMENT**

After hearing Councillor Black, the Council agreed to adjourn for a short period of time to enable Councillor Bollan to speak to the Head of Legal, Administrative and Regulatory Services about the wording of his proposed amendment.

The meeting reconvened at 8.20 p.m. with all those Members shown on the sederunt in attendance.

As a second amendment, Councillor Bollan, seconded by Councillor Black, moved:-

This Council calls on officers to prepare a report on the option of retaining all of its 11,000 existing Council houses.

Council notes the change in economic circumstances since Council agreed to a partial stock transfer. The Scottish Government have indicated there will be no new Capital funding for RSLs next year or for the foreseeable future. This will result in RSLs having no capital to either refurbish transferring stock or build new homes for transferring tenants. It is highly likely that the partial stock transfer will result in the Council failing to meet the SHQS by 2015.

On a vote being taken between the second amendment (Councillor Bollan) and the amendment (Councillor Hendrie), 9 Members voted for the second amendment and 11 for the amendment.

On a vote being taken between the amendment (Councillor Hendrie) and the motion (Councillor Calvert), 11 Members voted for the amendment and 8 for the motion.

The amendment was accordingly declared carried.

**(b) Motion by Councillor Geoff Calvert – Housing DLO Surplus**

Councillor Calvert informed the Council that, having taken advice from the Head of Legal, Administrative and Regulatory Services, he had decided to withdraw the motion.

**(c) Motion by Councillor Jim Bollan – Partial Housing Stock Transfer**

Council agrees that the next scheduled report to the Housing Environment and Economic Development Committee on the partial stock transfer will come to full Council for decision.

Councillor Bollan was heard in support of his motion which was seconded by Councillor Black.

As an amendment, Councillor Hendrie, seconded by Councillor McElhill, moved:-

Council notes that Councillor Bollan is opposed to the Council's stock transfer policy and has taken every opportunity at Council and Committees to attempt to de-rail the process.

Council is concerned that this motion, rather than being about democratic decision making, is yet another attempt by Councillor Bollan to hold up or stop this process entirely.

As such, Council agrees that, in line with Standing Orders, stock transfer reports will continue to be debated at the Housing, Environment and Economic Development Committee.

On a vote being taken, 11 Members voted for the amendment and 10 for the motion. The amendment was accordingly declared carried.

**(d) Motion by Councillor David McBride – Living Wage**

Councillor McBride withdrew his motion as this issue had been determined earlier in the meeting.

**(e) Emergency Motion by Councillor Ronnie McColl - Vale of Leven and Dumbarton TOA**

Council notes the on-going disagreement between TOA Taxi Committee members and drivers.

Council also notes that a number of drivers have had their radios removed and instructs licensing officers to ascertain whether drivers have acted in an inappropriate manner that might lead to their licenses being reviewed.

Council further notes that statements have been made by individuals alleging that TOA are now trading under a different company name to that which appears on their licence.

Council agrees that this situation is cause for concern and cannot continue to go unchecked. Therefore, Council instructs officers to fully investigate these matters, and any related allegations of impropriety that may impact on TOA's license, and prepare a report for the next Licensing Committee.

Councillor R. McColl spoke in support of his motion.

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

After hearing Councillor Black, Councillor R. McColl agreed to accept the undernoted change of wording to the second paragraph of his motion:-

Replace the words "instructs licensing officers to ascertain whether drivers have acted in an inappropriate manner that might lead to their licenses being reviewed" with "instructs licensing officers to bring a report to the Licensing Committee".

Thereafter, the Council agreed to approve the above motion, as amended.

The meeting closed at 9.20 p.m.