

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton, on Wednesday, 26 January 2011 at 6.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, Jim Bolland, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, Douglas McAllister, David McBride, Jonathan McColl, Ronnie McColl, Jim McElhill, 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; David Connell, Head of Finance and ICT; Jim McAloon, Head of Regeneration and Economic Development; Anne Ritchie, Head of Children's Services, Care and Criminal Justice Services (CSWO); Andrew Fraser, Head of Legal, Administrative and Regulatory Services and Craig Stewart, Committee Officer.

Apology: An apology for absence was intimated on behalf of Councillor Patrick McGlinchey.

Provost Denis Agnew in the Chair**IBROX DISASTER – TWO MINUTES OF SILENCE**

After hearing Provost Agnew, the Council stood for two minutes in silence in commemoration of those who perished in the Ibrox Disaster of 2 January 1971.

It was noted that Provost Agnew, on behalf of the Council, would send a letter of condolence to the Chief Executive of Rangers Football Club in this respect.

PROVOST'S REMARKS

Provost Agnew, Chair, advised Council that he had received two Emergency Notices of Motion and asked the movers of the Motions to state their terms. Having heard Councillors Douglas McAllister and George Black inform the Council of the nature of their Emergency Motions, it was agreed that in light of urgency, both motions would be dealt with at the appropriate point later in the meeting.

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETINGS

(a) Ordinary Meeting held on 15 December 2010

The Minutes of the Ordinary Meeting of West Dunbartonshire Council held on 15 December 2010 were submitted and approved as a correct record.

(b) Special Meeting held on 21 December 2010

The Minutes of the Special Meeting of West Dunbartonshire Council held on 27 October 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 ON 15 DECEMBER 2010

The Minutes of the Meeting of the West Dunbartonshire Community Health and Care Partnership held on 15 December 2010 were submitted and noted.

MINUTES OF THE JOINT CONSULTATIVE FORUM ON 17 DECEMBER 2010

The Minutes of the Meeting of the Joint Consultative Forum held on 17 December 2010 were submitted and all decisions contained therein were approved.

REMIT FROM THE CORPORATE CULTURAL SUB-COMMITTEE – NAME OF EDUCATIONAL SERVICES: CULTURAL SECTION

Reference was made to the Minutes of the Meeting of the Corporate Cultural Sub-Committee held on 14 December 2010 (Page 3294 refers), at which the undernoted motion was unanimously agreed:-

To take forward a clear vision of how to place the Educational Services: Cultural Section more effectively, this Sub-Committee recommends to Council that the term 'Cultural Section' be dropped and it should now be termed 'Educational Services: Educational Outreach Section'.

Provost Agnew moved this motion.

As an amendment, Councillor J. McColl moved:-

That Council notes the recommendations from the Corporate Culture Sub-Committee and agrees that the Libraries and Cultural Services section within the Educational Services department will be renamed, removing any reference to 'Culture' from its title.

Council recommends that the section should be renamed the Libraries, Museums and Social Education Section, subject to the approval of the Corporate Culture Sub-Committee.

The Head of Legal, Administrative and Regulatory Services was heard in clarification of certain matters.

At this point, Provost Agnew, with the consent of the Council, agreed to withdraw his motion. Therefore, the amendment by Councillor J. McColl became the motion and was then seconded by Provost Agnew.

In response to a question, the Executive Director of Educational Services was heard in elaboration of his concerns with regard to changing the name of the Section.

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

That there be no change to the name of the Libraries and Cultural Services Section.

On a vote being taken, 6 Members voted for the amendment and 13 for the motion which was accordingly declared carried.

VACANCIES ON OUTSIDE BODIES

A report was submitted by the Executive Director of Corporate Services requesting the Council to make nominations in respect of vacancies arising in the list of outside bodies.

After discussion, the Council agreed:-

- (1) that following Councillor Bootland's resignation, to leave the matter of appointing a Member to the Knowes Housing Association and Clyde Naval Base Liaison Committee until after the local by-election to be held on 3 March 2011; and
- (2) that Councillor David McBride be nominated to serve on the Strathclyde Police Authority Joint Board in place of Councillor William McLaughlin, who resigned from the Board on 5 January 2011.

CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2009/10

A report was submitted by the Chief Social Work Officer (CSWO) providing the Council with information on the statutory work undertaken on the Council's behalf during the period 1 April 2009 to 30 September 2010.

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

- (1) that the report on eligibility criteria for the Independent Living Fund, which was being submitted to the meeting of the Community Health & Care Partnership Committee on 2 February 2011, should also be considered by the Council at its meeting on 23 February 2011;
- (2) to request that a further report be made available at the point of review of the Community Health and Care Partnership; and
- (3) otherwise to note the contents of the report.

CLYDE VALLEY SHARED SERVICES REVIEW

A report was submitted by the Executive Director of Housing, Environmental and Economic Development setting out the outline business cases for those shared services that the Council agreed to pursue through the Clyde Valley Review of Shared Services.

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

That the Council agrees:-

- (1) in principle to continue to participate in all workstreams, excluding that on a common charging framework;
- (2) to further progress the business cases for waste management based on Option 3 - Treatment and Disposal;
- (3) to further progress the business case for social transport/fleet management based on Option 1 - Measure B;
- (4) to further progress the business case for the social work and health collaborative;
- (5) in principle to further explore shared support services (back office services) on the basis of the enhanced scope of shared services described in the outline business case document;
- (6) to the establishment of necessary project teams to enable detailed work to be undertaken in each of the workstreams; and

- (7) that subject to (2-5) above, that the detailed business cases would be brought back to the Council for consideration once completed.

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

That the Council does not accept this report and that no action be taken in respect of this matter.

On a vote being taken, 2 Members voted for the amendment and 11 for the motion which was accordingly declared carried.

THE SECURITISATION OF THE COUNCIL'S NON-OPERATIONAL ESTATES PORTFOLIO

A report was submitted by the Executive Director of Housing, Environmental and Economic Development on the Securitisation of the Council's Non-Operational Estates Portfolio.

Councillor R. McColl, seconded by Councillor C. McLaughlin, moved:-

That the Council agrees the recommendations in the report, as follows:-

- (1) to procure external advisors by tender under the terms of catalyst to prepare a detailed business case for the project;
- (2) thereafter providing the detailed business case does not reveal any significant changes to the viability of the project as detailed in the business case (in which case a further report should be submitted to Council) to invite the investment market to put forward their best terms by way of a funding competition to provide debt finance to the LLP;
- (3) that a report be submitted to the Council meeting in September 2011, for consideration of the preferred financial institution proposal for consideration and approval;
- (4) that the Council agrees to opt to tax for VAT in accordance with the proposal outlined in paragraph 3.2.12 of the report;
- (5) that funding £0.770m for the refurbishment of the Alexandria Shopping Centre be included within the committed expenditure of the general services capital programme over a 2 year period;
- (6) to note that an essential component of the project was the creation of a new company and Limited Liability Partnership with commercial objects, both of which would be 100% owned by the Council;
- (7) to note that the project involved the assignation of rents from the Council's investment properties (excluding Common Good) to the Limited Liability Partnership for a 25 year period;

- (8) to note that the project involved the Council in guaranteeing the loan provided to the Limited Liability Partnership and that the Director of Housing, Environmental and Economic Development be authorised, in consultation with the Executive Director of Corporate Services, Head of Legal, Administrative and Regulatory Services and the Head of Finance & ICT, to agree the terms of any guarantee;
- (9) to note that the Limited Liability Partnership would be responsible for the estates management of the investment assets, which would be managed on a commercial basis;
- (10) to note that this may involve the transfer under TUPE of some Estates Section staff to the body providing estates management of the assets which transfer;
- (11) to note that the Limited Liability Partnership would procure finance, IT, HR, Legal and administrative support from the Council;
- (12) to note the levels of investment in the assets proposed over the 25 year period as detailed in the report;
- (13) to note the importance of the loan being spent for purposes which reduce the Council's revenue budget and for purposes which enhanced the wellbeing of West Dunbartonshire and its inhabitants; and
- (14) to note that a report would be submitted to the Council meeting in June comparing and assessing options for spend of the loan.

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

That the Council takes no action and that the status quo should apply in respect of this matter.

As a second amendment, Councillor Rooney, seconded by Councillor McBride, moved:-

The Council congratulates the Chief Executive for bringing forward this initiative and congratulates all staff involved in the project so far, for their contributions.

Council agrees the recommendations at 8.9 of the report.

The setting up of a Limited Liability Partnership is a major Strategic decision for West Dunbartonshire Council and we should endeavour to take a corporate approach to the governance of the Partnership.

Therefore Council agrees that the Board of Management of the Limited Liability Partnership could include: The Chief Executive; the four Executive Directors; the Leader of the Council; the Leader of the Opposition; and a Trades Union representative.

Council notes that if we simply took the £35m and used it to pay off existing debt then we would save £125,000 for every million pounds of debt we repay.

As an illustration, dependent on the nature of the specific loan identified for repayment and the renewal period outstanding, a revenue saving of up to **£4,375,000** could be achieved.

In short the loss of £2,700,000 of revenue as a result of the Limited Liability Partnership would be replaced by the £4,375,000. This represents a net saving of **£1,675,000** per year or £41,875,000 over the 25 year term.

Given the above and in the interests of Best Value this Council agrees that we will only invest in projects which can demonstrate a better return against the debt repayment comparator.

In addition over the 25 years we will generate investment of £13,395,000 in our non-operational assets and receive £16,585,000 to support Council services.

Finally Council agrees that the Limited Liability Partnership is to be included in a future Business Day Agenda, in order to give Councillors another opportunity to explore the business model and the implications and opportunities further.

On a vote being taken between the second amendment (Councillor Rooney) and first amendment (Councillor Bollan), 6 members voted for the second amendment and 2 for the first amendment.

On a second vote being taken between the amendment (Councillor Rooney) and motion (Councillor R. McColl), 6 Members voted for the amendment and 12 for the motion which was accordingly declared carried.

GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT: PERIOD 8 (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 November 2010.

The Council agreed to note the contents of the report.

**GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT: PERIOD 8
(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.

In this connection, it was noted that the 2010/11 capital plan reported to Council in December had been updated for known changes and currently Capital was under spent against the probable outturn to date.

The Council agreed:-

- (1) to approve the updated capital plan; and
- (2) to note the position to date as outlined in Appendices I and II of the report.

**HOUSING REVENUE ACCOUNT 2010/11 - BUDGETARY CONTROL
STATEMENT TO 30 NOVEMBER 2010 (PERIOD 8)**

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 November 2010.

The Council agreed to note the contents of this report.

**HRA CAPITAL PROGRAMME 2010/11 BUDGETARY CONTROL REPORT TO 30
NOVEMBER 2010 (PERIOD 8)**

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.

The Council agreed to note the contents of this report.

EMERGENCY NOTICES OF MOTION

- (a) **Emergency Motion by Councillor Douglas McAllister – First Bus Service Withdrawals affecting Duntocher, Faifley and Hardgate**

This Council is concerned at the decision by First Bus to withdraw services on the 118 route between Duntocher and Glasgow, except during morning and evening peak times from Mondays to Fridays, notes that services from Glasgow will terminate at Baljaffray, Milngavie at all other times. This Council believes that insufficient consideration has been given to the residents of Duntocher, Faifley and Hardgate who will be adversely affected by the changes to the First Bus services.

This Council is of the view that working people, school children and pensioners in Duntocher, Hardgate and Faifley will be greatly inconvenienced by these changes by First Bus which came into effect on 16 January 2011.

Further, this Council believes that the route taken by the 118 First Bus services provides a vital link to Gartnavel Hospital, Glasgow University and Buchanan Street Bus Station.

This Council believes that the service must be protected and requests that the leader of West Dunbartonshire Council writes to the Managing Director of First Bus, Mr Ronnie Park, insisting that the decision to withdraw services on the 118 route is reviewed as an urgent priority.

The Council agreed unanimously to approve the above motion.

(b) Emergency Motion by Councillor George Black – Removal of lock fast cycle facilities at Dalmuir, Dumbarton and Balloch railway stations

This Council calls upon the Executive Director of Housing, Environmental and Economic Development to bring forward a report to the February meeting of Council on the implications of the Strathclyde Passenger Transport Executive's (SPTE) arbitrary decision to remove lock fast cycle facilities at Dalmuir, Dumbarton and Balloch stations.

Furthermore, Council agrees that the Executive Director should contact SPTE to request that the decision, which will become effective from 28 January 2011, be suspended in order to allow the Council to have input.

The Council agreed unanimously to approve the above motion.

The meeting closed at 8.20 p.m.