

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank, on Wednesday 28 May 2008 at 7.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, James Bollan, Margaret Bootland, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, 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.

*Arrived later in the meeting.

Attending: David McMillan, Chief Executive; Bill Clark, Executive Director of Social Work and Health; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Terry Lanagan, Executive Director of Educational Services; Joyce White, Executive Director of Corporate Services; David Clarke, Head of Service (Resources); David Connell, Head of Finance and ICT; Tricia O'Neill, Head of Human Resources and Organisational Development; Liz Cochrane, Principal Policy Officer; Stephen Brown, Head of Legal, Administrative and Regulatory Services; Anne Laird, Manager of Administrative Services and George Hawthorn, Senior Administrative Officer.

Also

Attending: Phil White, Manager of West Dunbartonshire Community Planning Partnership.

Apology: An apology for absence was submitted on behalf of Councillor Douglas McAllister.

Provost Denis Agnew in the Chair

PROVOST'S REMARKS

Provost Agnew reminded all Members that the Chief Executive had written to them concerning their conduct within Chambers and asked them to comply with the Code of Conduct for Councillors.

JAN CLEIFE

Councillor Robertson informed the Council of the recent death of Jan Cleife, who was a long serving member of staff, a teacher representative on the Education and Lifelong Learning Committee and Chair/Vice Chair of the Local Negotiating Committee for Teachers. He asked that a letter be sent to her family expressing the Council's sincere condolences for their loss.

Thereafter, Councillor Rooney, on behalf of the Labour Group, informed the Council that Jan would be sorely missed as she had made a valuable contribution to the education service throughout her lifetime as a teacher and active trade unionist.

Provost Agnew echoed the sentiments expressed by Councillors Robertson and Rooney and agreed that the Council's condolences and best wishes should be sent to Jan's family.

URGENT ITEMS OF BUSINESS

In terms of Standing Order No. 7, as a matter of urgency and given the importance of the issue, Provost Agnew agreed to accept a motion from Councillor Robertson in connection with the fire at Lomond Court, Westbridgend, Dumbarton. Provost Agnew also indicated that he had decided to accept the additional item on the Member/Officer Working Group: Regeneration of the Schools' Estate – Phase 2: Progress Report, as a matter of urgency and given the importance of the issue, which would be considered later in the meeting.

Note: Councillor McElhill entered the meeting at this point.

URGENT ITEM - FIRE AT LOMOND COURT, WESTBRIDGEND, DUMBARTON

Councillor Robertson moved the undernoted motion:-

Council thanks Officers and Staff for their hard work, much of which was above and beyond the call of duty, resulting from the recent fire at Lomond Court in Dumbarton.

Council is aware that a number of flats at Lomond Court are part of Westbridgend Sheltered Housing Complex and the vast majority of Lomond Court is occupied by elderly vulnerable people.

With this in mind, Council pays tribute to the Officers and Staff who worked through the night and into the morning to ensure that every single tenant was housed in appropriate accommodation and had their care files and medication with them.

Council also thanks the emergency services for their fast, effective response. The co-operation that took place between the emergency services and our own Council teams was vital to ensure that the specific needs of the tenants of Lomond Court were met.

Council further notes the efforts of staff who continued to work with the authorities to make the building safe and allow people to return to their homes.

Every department has been involved either during or after the event and the dedication and team work exhibited by staff at all levels is a credit to this Council.

Council asks for a report to be brought to the June Council meeting outlining how the emergency plan was enacted and what lessons we have learned from this event.

Thereafter Councillor Calvert asked Councillor Robertson if he would accept the undernoted addendum to his motion:-

Insert the following wording after paragraph 1:-

Thereafter an equipment failure in the building necessitated the most unusual decision to be taken to evacuate the residents. This decision, in turn prompted the Council's Emergency Planning Team to activate the contingency plans to deal with the situation with little notice and late at night.

Insert the following wording after paragraph 6:-

In order to ensure that all staff are aware of the pride, gratitude and confidence this Council has in them, this Council requests the Chief Executive to ensure that every member of staff receives a copy of this motion of appreciation.

Councillor Robertson accepted the above addendum to his motion, which was then seconded by Councillor Calvert.

After discussion, the Council unanimously approved the above motion (as amended to include the addendum).

MINUTES OF PREVIOUS MEETING

(a) Ordinary Meeting on 30 April 2008

The Minutes of the Meeting of West Dunbartonshire Council held on 30 April 2008 were submitted and approved as correct record subject to it being noted that Councillor Marie McNair had declared an interest in the item on St. Margaret of Scotland Hospice (Page 1092 refers) and therefore the relevant paragraph in the Minutes should have appeared prior to that item of business.

(b) Special Meeting on 14 May 2008

The Minutes of the Special Meeting of West Dunbartonshire Council held on 14 May 2008 were submitted and approved as a correct record subject to the wording of the fourth paragraph of Page 1155 being amended to read as follows:-

The meeting reconvened at 8.18 p.m. with all those persons on the sederunt in attendance, with the exception of Councillor Millar.

With reference to Councillor Bootland's amendment, which was subsequently approved by the Council, and in particular the reference to "highest rate" (Page 1152 refers) under the sub-heading "Terms and Conditions of Service", Councillor Bootland and the Chief Executive were heard in answer to Members' questions. The Council noted that clarification on the meaning of "highest rate" had been sought from Councillor Bootland and thereafter the Trades Unions. The Chief Executive informed the Council that based on the clarification provided, it was estimated that the cost of implementing this decision would be an additional £5 million per annum (approximately) for which there was no budget provision.

The Council also noted that Councillors Jonathan McColl and Ronnie McColl were not present at the meeting held on 14 May 2008 as they both had a pecuniary interest in the item on the Single Status Agreement and therefore would not have been able to participate in the Meeting had they been in attendance.

OPEN FORUM

The Council noted that that no open forum questions had been submitted for consideration at this meeting.

**MINUTES OF THE COMMUNITY PARTICIPATION COMMITTEE
ON 24 APRIL 2008**

The Minutes of Meeting of the Community Participation Committee held on 24 April 2008 were submitted and all decisions contained therein were approved.

After discussion, it was noted that Councillor McGlinchey would fill the Labour Group vacancy on the Community Participation Committee and that the Labour Group intended to fill other committee vacancies following its Annual General Meeting.

LAY MEMBERSHIP OF THE AUDIT & PERFORMANCE REVIEW COMMITTEE

With reference to the Minutes of Meeting of the Audit & Performance Review Committee held on 16 April 2008 (Page 1064 refers), a report was submitted by the Chief Executive seeking clarification on the issue of voting rights for lay members serving on the Audit & Performance Review Committee.

After discussion and having heard Councillor Calvert, the Council agreed:-

- (1) to approve the recommendations set out in paragraphs 3.1 – 3.3 and 3.5 – 3.7 of the report; and
- (2) that the term of the appointment of lay members of the Committee should be a minimum of 2 years.

DUMBARTON TOWN CENTRE MASTERPLAN

With reference to the Minutes of Meeting of the Housing, Environment and Economic Development Committee held on 7 May 2008 (Page 1119 refers), a report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval of and adoption of the Dumbarton Town Centre Masterplan as Supplementary Planning Guidance as a strategy for the regeneration of the town centre.

Councillor Robertson, seconded by Councillor Calvert, moved:-

This Council agrees:-

- (a) to note the results from the public consultation, and further communication from Business for Dumbarton and Dumbarton People's Theatre and agrees that the Denny Civic Theatre is not demolished until a new theatre is open for business;
- (b) to delegate authority to the Executive Director of Housing, Environmental and Economic Development to finalise the draft Masterplan, taking into account any minor editorial matters;
- (c) to approve and adopt the Masterplan as supplementary planning guidance, as a plan for the regeneration of the town centre; and
- (d) that the impact of all proposals relating to the future plans for a new Dumbarton Academy should be taken into account as part of the Dumbarton Town Centre's Masterplan Developments.

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

That the following wording be added to recommendation (b) of the report (as shown above):-

“and the expressed wishes of Business for Dumbarton.”

On a vote being taken, 2 Members voted for the amendment and 19 for the motion which was accordingly declared carried.

EMPLOYEE SURVEY ACTIONS GROUP

A report was submitted by the Chief Executive providing the Council with an update on the progress of the Employee Survey Actions Group (ESAG).

Having heard Councillor Robertson, the Council agreed:-

- (1) to thank officers for their work and approve the contents of the appendices to the report; and
- (2) that, where possible, Council should seek to use in-house resources and share resources with other authorities.

BUDGET 2008/09 – ADDITIONAL DEPARTMENTAL SAVINGS

A report was submitted by the Chief Executive providing an update on developments to address the budget decision to identify a further 1% efficiency savings by April 2009.

Having heard the Head of Finance and ICT and Councillor C. McLaughlin in answer to Members' questions, the Council agreed to note the terms of the report.

CLYDEBANK LEISURE CENTRE DEVELOPMENT – SALE OF PLAY DROME SITE

With reference to the Minutes of Meeting of the Council held on 30 April 2008 (Page 1088 refers), a report was submitted by the Chief Executive addressing issues raised by Members following a report by the Chief Executive concerning the Clydebank Leisure Centre Development - Sale of Play Drome Site and seeking approval of recommendations on the way forward.

Councillor Hendrie, seconded by Councillor Finn, moved:-

Council agrees that the current Play Drome site is the best possible location for the sustainable future development of the town centre.

To that end the Council agrees that it is imperative that the Play Drome site continues to be actively marketed.

In addition the Council agrees that we must work in partnership with the current shopping centre selling agents AXA regarding the sale of the site and that officers must continue discussions with the agent.

Officers are asked to explore potential partnership development options for the relocation of the Play Drome site with any potential buyer of the site.

Lastly, Council agrees that officers discuss the extension of the ownership agreement of the Queens Quay site.

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

This Council reaffirms that the regeneration of the Clydebank Waterfront and town centre is one of our key economic development priorities.

Council and our partners have secured considerable regeneration already in this area, notably, public realm projects, a new Clydebank College and the £21m investment in Clydebank Shopping Centre.

In recognition of the need to protect and enhance this investment and further improve Clydebank for our constituents, the Council agrees the Chief Executive's recommendations in section 8 of his report, as follows:-

- (1) that the Council agrees to enter into a revised agreement with Clydeside Regeneration under the terms set out in paragraph 2.6 of the report concerning the transfer of a site of 4.25 acres or thereby from Clydeside Regeneration to the Council for the purposes of leisure/heritage development; and
- (2) that the Council agrees to pursue Option 2 above and delay marketing of the Play Drome site pending further negotiation with AXA/CIS concerning the disposal of the CIS interest in the shopping centre and the potential identification of a new investor.

While the Council regrets the issues that have arisen, due to the apparent late identification of access rights to the Play Drome site, it is noted that the Chief Executive makes his recommendation after a detailed option appraisal and risk analysis.

Finally, Council notes the support from stakeholders for the strategy of focusing retail in our town centre and looks forward to further development of this approach, ensuring the protection of our shopping centre and the provision of modern leisure and heritage facilities.

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

That the Council approves Option 3 of the report, withdraws from the negotiations and cuts its losses.

On a vote being taken between the second amendment (Councillor Bollan) and first amendment (Councillor Casey), 2 Members voted for the second amendment and 9 for the first amendment.

On a second vote being taken between the amendment (Councillor Casey) and motion (Councillor Hendrie), 9 Members voted for the amendment and 10 for the motion which was accordingly declared carried.

ADJOURNMENT

Having heard Provost Agnew, the Council agreed to adjourn for a short period of time.

The meeting reconvened at 9.10 p.m. with all those Members shown on the sederunt in attendance.

SCOTTISH GOVERNMENT RESPONSE TO THE INDEPENDENT REVIEW OF THE SCOTTISH PARLIAMENT AND LOCAL GOVERNMENT ELECTIONS 2007

A report was submitted by the Chief Executive on the Scottish Government Response to the Independent Review of the Scottish Parliament and Local Government Elections 2007 and seeking the Council's view on the timing of future local elections.

After discussion, the Council agreed:-

- (1) that the Council should respond to the consultation prior to the closing date on 12 June 2008;
- (2) to recommend that the elections be decoupled and the next local poll held in 2012;
- (3) to recommend that this should be achieved by moving to 'mid-term' elections involving two 5 year terms i.e. local elections held in 2012 and 2017;
- (4) that the Scottish Government should organise a high profile campaign to improve voter recognition and increase voter turn out at local elections; and
- (5) that the Scottish Government should fully fund the cost of organising separate elections.

FREE SCHOOL TRANSPORT PROVISION FOR ELIGIBLE PRIMARY 1 PUPILS DURING THE INITIAL SIX WEEKS OF THE SCHOOL SESSION

With reference to the Minutes of Meeting of the Council held on 30 April 2008 (Page 1090 refers), a report was submitted by the Executive Director of Educational Services on cost implications of extending school to home transport for Primary 1 Pupils during the initial six weeks of the School Session.

Having heard Councillor Black and after discussion, the Council agreed:-

- (1) to note the estimated additional costs of providing lunch time school to home transport for the small number of children entitled to free transport by Internal Transport; and
- (2) to approve a change to policy to provide for lunch time school to home transport for Primary 1 pupils for the first six weeks of the school session for 2008/2009 and in future years.

CLASS SIZE REDUCTION

With reference to the Minutes of Meeting of the Council held on 27 February 2008 (Pages 906/907 refer), a report was submitted by the Executive Director of Educational Services providing an update on progress being made to provide the Council with costs to reduce class sizes.

After discussion and having heard the Executive Director of Educational Services in answer to Members' questions, the Council agreed to note the contents of the report and that a further report on this matter would be submitted to the Council meeting on 25 June 2008.

WEST DUNBARTONSHIRE COMMUNITY PLANNING PARTNERSHIP - KEY DEVELOPMENTS

A report was submitted by the Chief Executive providing an update on key developments within West Dunbartonshire Community Planning Partnership.

Councillor Robertson, seconded by Councillor Smillie, moved that the Council agrees to note the terms of the report.

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

Council notes the information in the report and is concerned that funding for the Youth Trust and other Youth Services are under threat as a consequence of the savage cuts in the Fairer Scotland Fund. Council recommends to the CPP Board that funding for the Youth Trust should be sustained.

Declarations of Interest

Having heard the Head of Legal, Administrative and Regulatory Services, Councillors Robertson, McElhill, Smillie and Casey declared a non-financial interest in this item and remained within the meeting. It was noted that they were all Members of the West Dunbartonshire Community Planning Partnership Board.

Following discussion, Councillor Robertson agreed to accept the wording of the amendment as an addendum to his motion.

It was noted that Councillor McGlinchey was not prepared to accept Councillor Bollan's proposed addendum to his amendment.

Thereafter, as an amendment, Councillor Bollan, seconded by Councillor Black, moved:-

That the undernoted wording be added to the end of the addendum to the above motion:-

“as should all other services reduced by the Board in May 2008.”

On a vote being taken, 2 Members voted for the amendment and 19 for the motion (as amended to include Councillor McGlinchey's addendum) was accordingly declared carried.

CITIES GROWTH FUND 2008/2009

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing information on a proposal from Glasgow City Council to allocate £400,000 from their Scottish Government Capital Grant towards the implementation of the main priorities within the revised Metropolitan City Vision for area regeneration projects within the canal corridor and riverside regeneration, and making recommendations thereon.

Having heard the Executive Director of Housing, Environmental and Economic Development in answer to Members' questions, the Council agreed:-

- (1) to note the allocation of £400,000 from the Cities Growth Fund 2008/09 for West Dunbartonshire;
- (2) to agree £200,000 be allocated under the Riverside Regeneration theme for the following projects:-
 - (a) Cycle Path Improvements, Dumbarton;
 - (b) Lighting Dumbarton Bridge;
 - (c) Improvements to Station Road Car Park, Dumbarton; and
 - (d) Demolition of the former toilet block at Quay Street, Dumbarton and subsequent marketing of the development site.
- (3) that, any remaining funds, after the above projects have been implemented, be used to improve Woodyard Road, as an entrance to Levensgrove Park; and
- (4) to delegate authority to the Executive Director of Housing, Environmental and Economic Development to enter into contractual arrangements with Glasgow City Council to ensure appropriate audit trail and performance reporting.

MEMBER/OFFICER WORKING GROUP: REGENERATION OF THE SCHOOLS' ESTATE – PHASE 2: PROGRESS REPORT

A report was submitted by the Executive Director of Educational Services providing the Council with an update on progress made by the Member/Officer Working Group: Regeneration of the Schools' Estate – Phase 2.

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

That the Council approves the recommendations of the report, as follows:-

- (a) to note the contents of the report and the progress made thus far by the Working Group; and
- (b) to request a further progress report at the Council meeting to be held on 24 September 2008.

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

As an amendment, Councillor McGlinchey, seconded by Councillor Millar, moved:-

This Council notes the report and believes that the 'progress' described lacks cohesion and structure and that the Working Group is exceeding its remit.

At para. 2.1, second paragraph, the report quotes an extract from the Motion approved on 30 January 2008 but fails to refer to the addendum that forms part of the description of the short term working group. The addendum wording to be inserted after the word 'applicable' states: 'which would include at least one public meeting, chaired by the Convenor of Education, in every school or establishment affected.'

The report makes no reference to the subsequent Council decision of 30 April 2008 which states:

"The Council has set up a working group to look at Phase 2 schools.

It will be for the Working Group to recommend a consultation strategy to Council.

Council reaffirms its decision to consult with and in all affected schools and Communities and it will be for the Council to decide how to resource the consultation process when it receives proposals from the Phase 2 Schools Working Group."

It is clear from the decision of 30 April that the remit of the Working Group, in the first instance, is to bring forward a Consultation Strategy for approval before resources are put in place and consultations begin.

In the Executive Director of Educational Service's report to the Working Group of 20 May 2008, he concludes: "In order to commence with the consultation process at an early stage, an order of priority should be given to each school and every education and childcare centre (EECC) in the Authority. A programme of consultation meetings can then be drawn up and stakeholders advised accordingly." Council notes that no such priority list has been agreed and that no programme of consultation meetings has been drawn up.

In the light of the Council decision of 30 April, and the Directors conclusions, the Working Group does not have the authority of Council to instigate consultation meetings.

In exceeding its remit, Council notes the proposals for consultation as described in para. 3.3.3 of the report and would pass comment.

This Council wishes to remind the Working Group of the terms of the original Motion of 30 January, as quoted in para. 2.1 of the report states:-

"The working group will start with a blank sheet looking at all options to include size, site and services to be provided."

On this basis, Council would not support the proposals for the working group to meet schools as listed in para. 3.3.3 for the purposes of consulting on only options for shared-campus schools.

In addition, Council notes with concern that assurances given that Dumbarton North Community Council would be consultees – see Minutes of Community Participation Committee 23 April 2008, have been reneged upon.

Therefore, this Council restates its instructions to the Working Group to bring forward a Consultation Strategy for the approval of Council before any meetings are arranged.

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

NOTICE OF MOTION

The Council considered the undernoted motion which had been submitted in accordance with the terms of Standing Order No 8:-

Motion by Councillor Patrick McGlinchey – Mentoring Scheme

This Council believes that all young people need positive role models *they can relate to*; including positive role models within the education system.

This Council notes that West Dunbartonshire has an above average rate of young people who leave school and do not move on to Education, Employment or Training.

Council recognises and praises current practices in mentoring for 1st-year pupils deployed in secondary education throughout the local authority.

This Council wishes to build on this.

This Council therefore requests that the Executive Director explores the viability of developing a voluntary mentoring scheme whereby S6 pupils leaving the school for positive leaver destinations – *training, employment, higher, and further education* – are recruited, through an application process, as mentors for S2 pupils preparing to choose their Standard Grade subjects, and/or S4 pupils preparing to sit formal exams for the first time.

This will be a mutually beneficial scheme, whereby the recently graduated pupil gains community-based work experience and something positive for their CV, while the S2/S4 pupil gains a positive role model from another young person, and additional source of support and advice.

Having heard Councillor McGlinchey and Councillor Smillie, the Council agreed to approve the above motion and agreed that the Executive Director of Educational Services should prepare a report on the viability of the proposal for consideration at a future meeting of the Council.

The meeting closed at 10.35 p.m.