

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Main Hall, Abbotsford Church Hall, Abbotsford Road, Clydebank, on Wednesday, 23 February 2011 at 6.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, Jim Bollan, 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; Colin McDougall, Manager of Risk & Performance; Andrew Fraser, Head of Legal, Administrative and Regulatory Services and Craig Stewart, Committee Officer.

Provost Denis Agnew in the Chair

CHAIR'S REMARKS

Provost Agnew, Chair, thanked Abbotsford Church for providing the accommodation for the meeting.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

VARIATION IN ORDER OF BUSINESS

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

NOTICE OF MOTION

Motion by Councillor George Black – Decision taken by Housing, Environment and Economic Development (HEED) Committee to close Community Learning & Development Cafés

This Council, with the Joint Trade Unions Committee, agrees wholeheartedly with the local UNITE Union Branch in their opposition to the decision reached by the HEED Committee on 8th December 2010 where it was agreed to close the Community Learning & Development Cafés by 31st March 2011.

This proposal was presented by HEED Management without any form of consultation with the JTUC.

We call upon Council to suspend the decision taken pending formal consultation with Trade Unions, Community Groups and Service Users.

Further we instruct an equality impact assessment. This should be appended to a report to the next Council meeting outlining the impact on staff and service delivery.

After hearing Provost Agnew, the Council noted that the above motion would require the suspension of Standing Order 19 (a) prior to consideration by the Council as a period of six months had not passed since a decision was made on this matter.

On a vote being taken, 11 Members voted in favour of the suspension of Standing Orders and 9 against. Having failed to obtain the support of two thirds of those Members present and voting, Standing Orders were not suspended and the motion could not be considered.

At this point in the proceedings, Councillor Black passed a copy of a petition on this issue to Councillor R. McColl, Leader of the Council.

URGENT ITEM OF BUSINESS

Provost Agnew informed the Council that he had received an Emergency Notice of Motion and asked the mover of the Motion, Councillor R. McColl, to state its terms. Having heard Councillor R. McColl inform the Council of the nature of the Emergency Motion, it was agreed that in light of urgency that it would be dealt with at an appropriate point later in the meeting.

MINUTES OF PREVIOUS MEETINGS

(a) Special Meeting held on 26 January 2011

The Minutes of the Special Meeting of West Dunbartonshire Council held on 26 January 2011 were submitted and approved as a correct record.

(b) Ordinary Meeting held on 26 January 2011

The Minutes of the Ordinary Meeting of West Dunbartonshire Council held on 26 January 2011 were submitted and approved as a correct record.

(c) Special Meeting held on 27 January 2011

The Minutes of the Special Meeting of West Dunbartonshire Council held on 27 January 2011 were submitted and approved as a correct record.

(d) Adjourned Special Meeting on 9 February 2011

The Minutes of the Adjourned Special Meeting held on 9 February 2011 were submitted and approved as a correct record subject to the undernoted correction.

With reference to the item under the heading "Housing Revenue Account (HRA) Estimates 2010/2011", it was noted that the dissent of Councillor Rooney and the Labour Group should have been recorded in the Minutes in relation to the decision which was taken on this matter.

OPEN FORUM

The following question was submitted to the Council for consideration:-

Neil Etherington on behalf of the Clydebank Indoor Bowling Club (CIBC) – Request to consider the possibility of providing a full size indoor bowling green in Clydebank

The new Clydebank Leisure Centre will not include provision for a full size indoor bowling green. The Head of Neighbourhood Services has told the CIBC that consideration could be given to offer a *short carpet* facility in an existing Community Hall. The CIBC regard this as a totally inadequate alternative, and asks that the elected members request WDC Officers to explore the acceptable option of providing a full size indoor bowling green, in Clydebank, before the existing Play Drome closes.

Councillor Hendrie responded in the following terms:-

As you will be aware, the Council does not plan to include a full size indoor bowling facility within the proposed new Leisure Centre.

The main reason for this decision relates to the cost of providing a new facility. I cannot justify spending public money on a purpose built setup when the current facility is only operated 7 months of the year and is used by an extremely small group of people.

Most bowlers use indoor facilities provided by their own or other clubs during the off season and this is probably why there is no great demand for the current facility within the Play Drome.

There is however a motion from Councillor Willie McLaughlin later on the agenda, which the SNP plan to support, which will ask officers to look at other solutions to accommodate bowlers when the Play Drome is replaced.

Mr Etherington asked the following supplementary question:-

The Bowlers who use the current Clydebank facility under the concessionary scheme have indicated that they would be willing to consider proposals to introduce a season membership fee and/or an individual session entrance fee for Indoor Bowling from now on, in the Play Drome, and to continue as such in the new venue. Would the elected Members now acknowledge that this may make Indoor Bowling more 'income viable' – and reconsider the answer to the initial question.

Councillor Hendrie responded in the following terms:-

I would reiterate that there is a motion from Councillor Willie McLaughlin later on the agenda, which the SNP plan to support, which will ask officers to look at other solutions to accommodate bowlers when the Play Drome is replaced.

MINUTES OF THE AUDIT & PERFORMANCE REVIEW COMMITTEE ON 12 JANUARY 2011

The Meeting of the Audit & Performance Review Committee held on 12 January 2011 were submitted and approved as a correct record.

MINUTES OF THE WEST DUNBARTONSHIRE COMMUNITY HEALTH AND CARE PARTNERSHIP ON 2 FEBRUARY 2011

The Minutes of the Meeting of the West Dunbartonshire Community Health and Care Partnership held on 2 February 2011 were submitted and noted.

ELIGIBILITY CRITERIA FOR THE INDEPENDENT LIVING FUND (ILF)

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 26 January 2011 (Page xxx refers), a report was submitted by the Partnership Director providing an update on the recent changes made by the Independent Living Fund and the possible impact on West Dunbartonshire Council.

After discussion and having heard the Legal Officer advise that the strategy referred to in the motion would firstly go to the Community Health & Care Partnership, the Council agreed:-

- (1) to note the terms of the report that had been agreed by the West Dunbartonshire Community Health and Care Partnership at its meeting on 2 February 2011;

- (2) that this Council charges the Director of West Dunbartonshire Community Health and Care Partnership (CHCP) to bring forward a strategy that would guarantee the future of individuals at present funded through the Independent Living Fund and also those individuals who would need to be supported. This would be facilitated by the formation of a short term working group reporting back to Council; and
- (3) that the Director of West Dunbartonshire CHCP be authorised to write to the appropriate Minister in order to seek additional monies to cover the shortfall in funding involved.

HOUSING REVENUE ACCOUNT 2010/11 - BUDGETARY CONTROL STATEMENT TO 31 DECEMBER 2010 (PERIOD 9)

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 31 December 2010.

The Council agreed to note the contents of the report.

HRA CAPITAL PROGRAMME 2010/2011 BUDGETARY CONTROL REPORT TO 31 DECEMBER 2010 (PERIOD 9)

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising the Council of progress of the HRA Capital Programme for the period to 31 December 2010.

After discussion and having heard the Executive Director of Housing, Environmental and Economic Development in answer to Members' questions, the Council agreed to note the contents of the report.

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND – CONSULTATION PAPER ON DETERMINING COUNCILLOR NUMBERS

A report was submitted by the Executive Director of Corporate Services seeking the Council's views on the questions posed in the Boundary Commission's Consultation Paper on determining Councillor numbers in order to allow a response to be made to the Commission prior to 31 March 2011.

After hearing the Head of Legal, Administrative and Regulatory Services, it was noted that the appendix had been inadvertently omitted from the report but that the main points had been covered within the body of the report.

After discussion, the Council agreed:-

- (1) that individual Members would provide views on the terms of a response to the seven questions asked by the Commission, as detailed in paragraph 3.3 of this report; and

- (2) thereafter the response would be finalised by the Head of Legal, Administrative and Regulatory Services, the draft response approved by the Council Leader and Leader of the Opposition. In the event there is no agreement on the terms of a response a report would be brought back to Council in March 2011.

APPROVAL FOR ESTABLISHMENT OF A SHORT-LIFE MEMBER/OFFICER ABSENCE WORKING GROUP

With reference to the Minutes of Meeting of the Audit & Performance Review Committee held on 12 January 2011 (Page xxx refers), a report was submitted by the Chief Executive seeking approval for the establishment of a short-life Member/Officer Working Group on absence.

After discussion, the Council agreed:-

- (1) that a short-life Member/Officer Absence Working Group be established to support a robust and joined up focus across the Council in facilitating improved performance in the management of absence;
- (2) to approve a draft Terms of Reference, attached as an Appendix to this report;
- (3) that Councillor Rooney would chair the Member/Officer Absence Working Group and 2 nominations be made from the Administration (SNP) Group and Independent or SSP Group;
- (4) that a future report would be presented to Council on the recommendations of the Working Group; and
- (5) otherwise to note the terms of the report.

GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT – PERIOD 9 (2010/11)

A report was submitted by the Executive Director of Corporate Services advising the Council of the performance of the General Services Revenue Budget for the period to 31 December 2010.

After discussion and having heard the Executive Director of Educational Services in answer to a Member's question, the Council agreed to note the contents of the report.

GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT – PERIOD 9 (2010/11)

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

The Council agreed to note the position to date as outlined in Appendices I and II of the report.

BEST VALUE IMPROVEMENT PLAN 2010/11

A report was submitted by the Chief Executive providing an update on the Best Value Improvement Plan (BVIP) for 2010/11.

The Council agreed:-

- (1) to note the progress of the Best Value Improvement Plan for 2010/11;
- (2) to note that for 2011/12 the actions for the Best Value Improvement Plan would be merged into the Assurance and Improvement Plan; and
- (3) to note that the BV2 audit of West Dunbartonshire Council, previously scheduled for 2011/12, would not now take place until 2012/13.

ASSURANCE AND IMPROVEMENT PLAN

A report was submitted by the Chief Executive presenting an updated Assurance and Improvement Plan (AIP) scorecard report.

After discussion and having heard the Executive Director of Corporate Services in answer to Members' questions, the Council agreed:-

- (1) to note the progress that had been made across the Council during 2010/11, outlined in Appendix 1 to the report, in relation to the areas of concern as identified in the first Shared Risk Assessment, issued in June 2010;
- (2) to note the progress of the Assurance and Improvement Plan; and
- (3) to note that for 2011/12 the actions for the Best Value Improvement Plan would be merged into the Assurance and Improvement Plan.

QUESTION

Question by Councillor John Millar to Spokesperson for Housing, Environment and Economic Development

Council notes that following the recent extreme winter weather the Council purchased gravel from Glasgow City Council.

I understand that Glasgow City Council had decided no longer to use gravel for winter gritting as the effectiveness is not as good as salt and clean up costs can be significant especially when drains become blocked.

Can the Convener inform Council what action is being taken to clear the gravel from roads and pathways and advise us what the expected clean up will cost?

Councillor Hendrie replied as follows:-

Firstly, I would like to congratulate our work force on the excellent work they did during the recent extreme weather. The worst conditions in forty years in fact and the coldest December on record. West Dunbartonshire was quite rightly widely praised for its efforts in comparison to other neighbouring local authorities and particularly Glasgow.

As in a previous question concerning winter gritting when Councillor Millar was shown to be ignorant of the facts, the assumptions he makes in this question are ludicrous and quite simply wrong.

West Dunbartonshire Council did not procure "gravel" or any other material from Glasgow City Council and Councillor Miller should apologise to officers and our hardworking winter maintenance staff and workforce for making such a spurious and inaccurate claim.

West Dunbartonshire had a stock of 2,100 tonnes of salt at the onset of the winter compared to 1,300 tonnes in previous years. The Council currently has sufficient stock for a 14 day period of extreme winter conditions and has had no need to procure more from any authority.

It is also wrong to say that Glasgow has stopped using a mixture of blaes and salt. Glasgow, and other local authorities, continue to use this mix as and when required. They do so in compliance with a nationally agreed resilience measure to conserve stocks at a national level.

The removal of the residue blaes will be undertaken over the oncoming weeks through the cyclic cleaning/brushing of footways throughout West Dunbartonshire and the cost will be contained within the existing budgets as will be the case in other authorities.

It is unfortunate that Councillor Millar and the Labour Group continue to make criticisms of our winter maintenance teams. It would be of more benefit to our communities were he and the Labour Group to be honest, deal in fact and work together with the rest of the Council.

NOTICES OF MOTION

(a) Motion by Councillor William McLaughlin – Feasibility of locating an Indoor Bowls facility within the Clydebank (Bruce Street) Pool Building

Council requests that officers examine the suitability and feasibility of accommodating an Indoor Bowls facility within the Clydebank (Bruce Street) Pool Building. Options to include Multi-purpose venue, costs, funding and implications of leaving building unused.

Councillor McAlister asked Councillor W. McLaughlin whether he would be willing to accept as an addendum, that the feasibility study also explores the option of entering into a partnership with the Antonine Sports Centre to provide an indoor bowls facility.

Councillor W. McLaughlin indicated he was willing to accept the addendum and, thereafter, the Council agreed unanimously to approve the above motion and addendum.

(b) Motion by Councillor Martin Rooney – Street Lighting Programme

Council notes that Labour's additional investment Street Lighting Improvement Programme ensured that the dilapidated street lighting in some of our communities was replaced. In Lomond Ward the street lighting was replaced in Mollanbowie, Levenvale, Carrochan Road and parts of Tullichewan.

However, since 2008 the Council's investment programme in street lighting has been limited and Carrochan Estate, parts of Dalvair Estate and Tullichewan Estate are still waiting for replacement.

Council notes that there is a criteria for prioritising street lighting replacement.

Council agrees that as part of the 2011/2012 Capital Programme consideration be given to replacing street lighting in the following areas:-

- Carrochan Estate – Smith Crescent and Granger Road
- Dalvair Estate - McDonald Walk, Lynn Walk and Old Mill Walk
- Tullichewan Estate – Cameron Drive and Russell Drive

Council notes that there will be other areas which will require new street lighting and calls on the Chief Executive to bring forward a report detailing the street lighting that needs to be replaced. The report is to include the financial implications and options for a phased programme of street lighting improvements.

Councillor Rooney was heard in support of his motion which was seconded by Councillor McGlinchey.

As an amendment, Councillor McElhill, seconded by Councillor R. McColl, moved:-

Following an astonishing and laughable display of incompetence by the Labour Party last week, when they took a number of attempts over two items to come up with one budget proposal, Council agreed the SNP budget for 2011/12.

In doing so, Council rejected Labour's plan to borrow £1 million to be repaid over a number of decades in order to improve a limited number of street lights.

Council notes that the motion tonight from the Labour Party focuses on addressing issues within the Labour Leader's own ward and is completely set apart from the agreed Asset Management Strategy.

Council notes that officers expect a report covering street lighting issues across the whole of West Dunbartonshire to be ready by September. This report is part of the Council's previously agreed Strategic Approach to Asset Management.

Council agrees that this authority wide strategic approach is better practice than agreeing motions from elected members cherry picking areas within their own wards in which to spend money.

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

(c) Motion by Councillor Geoff Calvert – Award of contract by the Scottish Government to CACI Limited for provision of various services for the 2011 Census

This Council notes that the Scottish Government has awarded the £18.5 million pound contract for key IT work and other services for the 2011 census to CACI Ltd.

This Council notes that the Scotland Against Criminalising Communities (SACC) website, www.sacc.org.uk/index.php cites CACI Ltd as a wholly owned subsidiary of CACI International and states the following:

- (1) That CACI International is beyond the reach of Scottish and British law.
- (2) That CACI International is a US-based defence contractor which was contracted to provide "interrogation services" for the US army at Abu Graib prison in Iraq.
- (3) CACI denies any wrongdoing but has tried to block lawsuits brought by former Abu Graib prisoners by claiming "official immunity."

This Council notes that in response to objections against the awarding of the Census contract to CACI Ltd, the Scottish Government has stated it "understands the views" of people who have written to it about the contract but "refuses to cancel it".

This Council notes that it has no power of itself to intervene in contracts awarded by the Scottish Government.

Therefore, this Council requests the Chief Executive to write to all West Dunbartonshire MSPs and request that they table questions to the Parliament in order to assure themselves that this organisation is one with which the people of Scotland would wish to carry out the business of the Scottish Government.

The Council agreed unanimously to approve the above motion.

(d) Emergency Motion by Councillor R. McColl – Driving Test Centre, Dumbarton

This Council is concerned that the Driving Standards Agency (DSA) are considering moving their test centre out of Dumbarton or reducing the service to a part time operation.

Council instructs officers to continue to work with the DSA to find a suitable location where a full time service can be provided, by 31 March 2011, when the current office will close.

Council further instructs the Leader of the Council to write to the DSA to make them aware of Council's concern for the potential loss of a full time service.

The Council agreed unanimously to approve the above motion.

PROVISION OF CYCLE LOCKERS AT RAILWAY STATIONS

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 26 January 2011 (Page xxx refers), a report was submitted by the Executive Director of Housing, Environmental and Economic Development providing an update on the response from Strathclyde Passenger Transport (SPT) to the Council's request for a moratorium on the removal of covered cycle lockers at Railway Stations.

After discussion, the Council agreed:-

- (1) to note the contents of the response from the SPT and attached report;
- (2) to request that the SPT continues to seek assurances from First ScotRail to provide covered cycle racks which comply with Transec requirements; and
- (3) to request that the Director of Housing, Environmental and Economic Development liaises directly with First ScotRail to seek assurances that provision of covered cycle racks within West Dunbartonshire's stations are placed high in their priority list.

The meeting closed at 7.25 p.m.