

**WEST DUNBARTONSHIRE COUNCIL**

**Council Offices, Garshake Road, Dumbarton G82 3PU**

24 January 2008

**MEETING: WEST DUNBARTONSHIRE COUNCIL**

**WEDNESDAY 30 JANUARY 2008  
COUNCIL CHAMBERS  
CLYDEBANK TOWN HALL  
DUMBARTON ROAD  
CLYDEBANK**

Dear Member,

Please attend a Meeting of **West Dunbartonshire Council** to be held in the **Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank, on Wednesday, 30 January 2008 at 7.00 p.m.**

The business is as shown on the attached agenda.

Yours faithfully

**DAVID MCMILLAN**

Chief Executive

Distribution:-

All Members of West Dunbartonshire Council.

Chief Executive

Executive Director of Corporate Services

Executive Director of Educational Services

Executive Director of Social Work and Health

Executive Director of Housing, Environmental & Economic Development

For information on the following agenda please contact George Hawthorn, Legal, Administrative and Regulatory Services, Council Offices, Garshake Road, Dumbarton, G82 3PU on Tel: (01389) 737204 or e-mail: [george.hawthorn@west-dunbarton.gov.uk](mailto:george.hawthorn@west-dunbarton.gov.uk)

**WEST DUNBARTONSHIRE COUNCIL**

**WEDNESDAY, 30 JANUARY 2008**

**AGENDA**

**1. APOLOGIES**

**2. POLICING IN WEST DUNBARTONSHIRE – PRESENTATION BY CHIEF SUPERINTENDENT MITCH ROGER**

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 31 October 2007, Chief Superintendent Mitch Roger will give a presentation on policing in West Dunbartonshire.

**3. OPEN FORUM**

**(a) Future of Denny Civic Theatre, Mr R. Black, on behalf the Dumbarton People's Theatre**

The Members of Dumbarton People's Theatre have noted the proposed regeneration of Dumbarton Town Centre and while this is welcome in general we have serious concerns that the new Plans appear to indicate that the Denny Civic Theatre is to be demolished.

The Denny Civic Theatre is one of Dumbarton's prime assets and there is no similar facility within West Dunbartonshire. Dumbarton People's Theatre together with several other local groups make regular use of the Theatre and the annual Pantomime (which has attracted a regular audience in the region of 2,500 each year for 30 years) is one of the largest regular community events in the area.

DPT has around 450 Members, and along with the other local groups and dance schools who make regular use of this splendid facility, covers a wide range of the local population. Without a Theatre these activities could not continue and there is nowhere else locally which could be used as an alternative.

Dumbarton is very fortunate to possess a proper Theatre and the removal of such a splendid focal point for the community would be a major loss for West Dunbartonshire.

We ask therefore if the Council can give an assurance that the Denny Civic Theatre will be maintained at its present standard for at least the next ten years.

**(b) Overtoun Estate – Mrs R. Harvie, on behalf of Silverton and Overtoun Community Council.**

Overtoun Estate forms part of Dumbarton Common Good, and as such, West Dunbartonshire Council has an obligation to maintain the estate in good order. Overtoun Estate lies within our community council ward, and several of our members, as well as many other local people, and visitors to the area, walk through it.

It is a fact that almost no routine or emergency maintenance work has been done in the Estate for many years. (An occasional dangerous tree or diseased tree has been removed). In particular, the pedestrian path leading up from Campbell Avenue through the woods to the house is noted to be in a very poor state of repair. The paths are slippery and eroded, wooden steps are rotten and broken, bridges have horizontal and vertical slats missing, and there have been at least two small landslips. Fencing to prevent access to the most dangerous area has been removed, and there are no notices at the bottom of the path to warn people.

Will West Dunbartonshire Council take urgent steps to address the poor state of the woodland path through Overtoun Estate to the house, by repairing the path, steps and bridges?

**(c) Hardgate Cross Roundabout - Ms Karen Bacchetti, Clydebank Resident.**

I am extremely concerned with regards to the volume of traffic at Hardgate cross roundabout, coming from the west A82 onto the A810 Dumbarton Road, and from the east A810 from Milngavie/Bearsden, and from Faifley Road.

At peak times, you can have up to three lanes of traffic trying to merge and compete for a place onto the A8014 Kilbowie Road, from this roundabout.

Due to the Erskine Bridge toll being abolished, the construction of new Housing Developments within the area and the pending introduction of the Quality Bus Corridor, the volume of traffic has/will certainly increase.

Are there any proposals for a road traffic management system for this area?

**(d)/**

**(d) Sporting Facilities – Mr William Gibbons, Clydebank Community Sports Trust**

With almost 15% of the local community participating in organised sport, what are the Council's plans for the future development and enhancement of its sporting facilities?

**(e) Resurfacing of Woodyard Road – Sheila Urquhart, Dumbarton East & Central Community Council**

It is understood that Woodyard Road is to be resurfaced in the near future.

On 8 April, 1997 Planning Consent was granted for extensive infill and upfill works at Sandpoint Marina under Ref WP06/116. Two of the conditions imposed were:

- (1) that the total number of heavy vehicles depositing material to this site shall be limited to 60 per day, and
- (2) a joint inspection by the applicant and an official of the Roads Dept of Woodyard Road, from its junction at Westbridgend, shall be undertaken and filmed and the road condition noted and agreed. An agreed schedule of rates will be available to enable the Council to carry out any remedial works it considers necessary.

Subsequent to that, planning consents were granted for extension to the upfill area, formation of pitched slope, reclamation of foreshore, formation of armour slope, reclamation of more foreshore and upfill work, and formation of recycling works. (Ref: WP97/189, WP98/289, WP99/069 and DC05-103).

While this road, wholly or in part, is also used by persons going to Marinecraft gymnasium and to the park, and by the very few residents of Woodyard Road, it has, for the past 10 years, been predominantly used by 60 heavy lorries per day, 6 days a week, carrying deposits to Sandpoint Marina.

What Part of the cost of this resurfacing work will be borne by the owner of Sandpoint Marina?

If the answer to the question is that NO part of the resurfacing cost is being borne by Sandpoint marina, can the Council explain why not? What remedial work, if any, has been carried out on this road in the past 10 years, as a result of damage caused by the heavy lorries visiting Sandpoint Marina, and at what cost to the owner and what cost to the tax-payer? If the condition mentioned at (2) above has been cancelled or changed, can the Council explain when and why?

**4. MINUTES OF PREVIOUS MEETING**

Submit, for approval as a correct record, the Minutes of Meeting of West Dunbartonshire Council held on 19 December 2007.

**5. MINUTES OF THE JOINT CONSULTATIVE FORUM ON 29 NOVEMBER 2007**

Submit for information, and where necessary ratification, the Minutes of Meeting of the Joint Consultative Forum held on 29 November 2007.

**6. MINUTES OF COMMUNITY PARTICIPATION COMMITTEE ON 12 DECEMBER 2007**

Submit for information, and where necessary ratification, the Minutes of Meeting of the Community Participation Committee held on 12 December 2007.

**7. MINUTES OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE ON 12 DECEMBER 2007**

Submit for information, and where necessary ratification, the Minutes of Meeting of the Audit and Performance Review Committee held on 12 December 2007.

**8. REMIT OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE**

With reference to the Minutes of Meeting of the Council held on 29 August 2007, submit report by the Chief Executive providing an update on the review of the Audit and Performance Review Committee and requesting the Council's agreement on the revised remit.

**9. FORMATION OF CORPORATE CULTURAL SUB-COMMITTEE**

With reference to the Minutes of Meeting of the Council held on 19 December 2007, submit report by the Chief Executive seeking approval of the membership, remit, delegated powers and arrangements for meetings for the Corporate Cultural Sub-Committee.

**10. FIRM FOUNDATIONS - THE FUTURE OF HOUSING IN SCOTLAND WEST DUNBARTONSHIRE COUNCIL'S RESPONSE – REMIT FROM THE HOUSING, ENVIRONMENT AND ECONOMIC DEVELOPMENT COMMITTEE**

With reference to the Minutes of Meeting of the Housing, Environment and Economic Development Committee held on 9 January 2008, submit relevant excerpt from the minutes together with a report by the Acting Executive Director of Housing, Environmental and Economic Development (Housing and Regeneration Services) seeking approval of a proposed response to the recently published discussion document "Firm Foundations: The Future of Housing in Scotland".

**11. FINANCIAL CLOSE OF SCHOOLS' PPP PROJECT**

With reference to the Minutes of the Special Meeting of the Council on 11 December 2007, submit report by the Chief Executive providing the Council with details of the financial close of West Dunbartonshire Council's schools' PPP project.

**12. REGENERATION OF THE WEST DUNBARTONSHIRE SCHOOLS' ESTATE – PHASE 2**

With reference to the Minutes of Meeting of the Council held on 28 November 2007, submit report by the Executive Director of Educational Services:-

- (a) presenting options for Phase 2 of the Regeneration of the Schools' Estate;
- (b) seeking approval for the adoption of a strategic approach to Phase 2 of the Regeneration of the Schools' Estate;
- (c) seeking approval for the development of an action plan which will allow officers to progress the regeneration strategy; and
- (d) seeking approval for officers to embark on a process of statutory consultation on the school closures, amalgamations, co-locations and relocations which will be required to deliver the regeneration strategy.

**13. POST OFFICE NETWORK CHANGE AREA PLAN DECISION**

Submit report by the Chief Executive informing the Council of the final decision of the Post Office Network Change Programme for this area.

#### **14. GRANTS VIREMENT**

Submit report by the Chief Executive updating the Council on the voluntary grants budget position and requesting virement to supplement the 2007/2008 grants budget.

#### **15. SINGLE OUTCOME AGREEMENTS**

Submit report by the Chief Executive summarising the current status of the new Single Outcome Agreements (SOA) and the next steps required to implement them.

#### **16. QUESTION**

##### **(a) Question to Councillor May Smillie from Councillor John Millar**

In 2005 the then Labour Administration agreed to a £1m capital spend to improve sports facilities throughout West Dunbartonshire.

In 2006 it was agreed that this additional investment should be spent as part of the Council's Sports Strategy.

Despite a request for a progress reports in June 2007, no reports have been presented to elected members.

Given that Labour's flagship PPP project has achieved a satisfactory conclusion with the support of SNP colleagues; in the interest of openness and transparency, what assurances can Councillor Smillie give to ensure that a progress report is presented to elected members early in the New Year?

##### **(b) Question to Councillor Martin Rooney from Councillor Ronnie McColl**

Does the Leader of the Opposition agree with Wendy Alexander MSP that Councils cannot be trusted with services unless ring-fencing is maintained or does he agree with his Labour colleagues at North Ayrshire, Dundee, North & South Lanarkshire Councils and COSLA's Labour President, Councillor Pat Watters that the removal of ring-fencing is welcomed by Local Government and allows local elected members to be fully accountable for locally funded services?



## 17. NOTICES OF MOTION

The Council is requested to consider the undernoted motions which have been submitted in accordance with Standing Order No. 8:-

### (a) **Motion by Councillor Patrick McGlinchey – Education Savings Options**

This Council notes with concern that West Dunbartonshire Council will receive a lower than the Scottish average grant increase from the Scottish Government over the next three years.

Due to this insufficient grant we are concerned the effect this will have on the services delivered, particularly in relation to the Education savings options published last year.

Therefore we agree to safeguard the following services within the 2008/09 budget:-

All Nurseries  
All Primary Schools  
Early Intervention  
Special Needs

We further agree that any changes to these services must be a result of a Best Value or other service review and be supported by a robust Options Appraisal.

### (b) **Motion by Councillor Calvert – Time of Council Meeting**

This Council agrees that the present timing of meetings of the full Council is incompatible with effective decision making and places an unsustainable and unacceptable strain on Members and officers alike. The finish time of 1.30am following the December Council meeting is proof of the unacceptability of the present arrangements.

In order to safeguard the democratic rights and duties of elected Members to question and scrutinise, Council believes that a predetermined finish time being imposed upon Council meetings without regard to the business before the Council is not an acceptable solution.

Therefore, this Council agrees that Council meetings will normally commence at 2pm or as decided by the Council from time to time.

### (c) **Motion by Councillor Black – Community Facility, Milton**

Since the decision to close the primary school in Milton, the local community has been without any central community facility for local groups.

Despite numerous attempts to look at other public buildings and multiple funding sources to build a new facility the problem remains unresolved.

Council accepts the importance of a community facility to ensuring the sustainability of local groups and the village as a whole.

The Council recognises that the possibility may exist for a potential private developer to design and build a new community hall for the village as part of a wider planning development.

Therefore the Council accepts, that given the unique nature of the Village of Milton's lack of facilities, that officers examine the potential of land disposal in the local area with a view to any potential developer building a new community facility as part of any potential acquisition. The Council instructs officers to open up dialogue with any potential partners interested in developing in the Milton area with a view to securing a new community facility.

Officers should report back to the first available Council meeting on any proposals that may arise from such partnership discussions for final decision by the Council.

**(d) Motion by Councillor Ronnie McColl – Councillor Martin Rooney**

This Council is appalled at the blatant disregard for Community Councillors' non-political status by the Labour Party.

To use a photograph featuring two long standing Community Councillors without their permission or knowledge is at best an affront to these individuals and at worst a cynical use of members of the community for narrow political ends.

This Council instructs Cllr Martin Rooney to make a formal apology to both Community Councillors and the Balloch & Haldane Community Council.

Further to this Council advises Jackie Baillie MSP and John McFall MP to formally apologise and to ensure that this never happens again.

**(e) Motion by Councillor Ronnie McColl – December Council Meeting**

This Council notes with concern the aggressive verbal assault made by Councillor David McBride on Council Leader Iain Robertson at the Council meeting on 19 December 2007 as witnessed by other Councillors.

This Council has strong anti-bullying policies and is concerned that Councillor McBride acted in this aggressive manner.

This Council instructs Councillor McBride to apologise in writing to the Leader of the Council.

Council also suggests that all Members read and become aware of the Council literature on bullying in the workplace and take heed of the standards required to be an elected member.

**(f) Motion by Councillor William Hendrie – Memorial Plaque**

This Council agrees to the placing of a plaque near the site of the tragic accident involving the tug “The Flying Phantom” on the evening of the 19 December 2007.

This tragedy claimed the lives of three crew members and it is a fitting tribute to them that such a memorial should be placed by this Council, should the bereaved families of the crew men be in agreement.

Council instructs the Deputy Leader of the Council and Deputy Leader of the Opposition as Clydebank members to liaise with the Chief Executive and make arrangements in this regard.

**(g) Motion by Councillor George Black – Lennox Herald**

This Council is resolved to review the policy of excluding the Lennox Herald from publishing adverts and public notices on behalf of West Dunbartonshire Council.

As it is generally accepted that this newspaper has the largest circulation of any of the local papers it is felt that it is not in the public interest to continue the practice of not using this publication for disseminating public information.

We therefore instruct officers to report back to Council on how we can best utilise the local media as a means of information for the people of West Dunbartonshire.

**(h) Motion by Councillor Margaret Bootland – Fuel Poverty and Central Heating Programme**

This Council notes with increasing concern the recent dramatic rise in gas and electricity costs. Council is concerned about the detrimental impact that increasing energy costs will have on Scottish pensioners and other vulnerable people.

Council is also concerned by the inaction of the Communities Minister Stewart Maxwell MSP who has failed to meet energy companies to hold discussions on the negative impact of the increasing costs of energy, particularly on prepayment customers.

The Minister's inaction has left Scottish pensioners out in the cold. Council therefore calls on the Communities Minister to meet with the energy companies as a matter of urgency.

Council further notes that under the SNP the central heating waiting lists are soaring, reaching their highest level ever. This means that vulnerable Scottish pensioners will now have to wait up to a year for a new central heating system. This situation is totally unacceptable to West Dunbartonshire Council.

It is clear that the SNP Government is failing thousands of Scotland's pensioners who will be without central heating this winter. Council therefore calls on the Scottish Government to put pressure on Scottish Gas to speed up the central heating installation programme.

**(i) Motion by Councillor Patrick McGlinchey – Financial Closure Secured**

This Council notes with some satisfaction that officers have signed the deal on financial close which is very favourable to West Dunbartonshire Council being 8 basis points below the lowest swap rate reported to Council in December 2007. The swap rate at which the deal was concluded was 4.71%.

This means that there will be no "Affordability Gap". In other words, the project will be funded entirely from the revenue support grant of 7.15 million pounds per annum and from capital receipts and revenue savings generated by the project along with the insurance receipt from the Vale of Leven Academy fire.

Council is also pleased to note that work has begun as planned and the new Secondary schools will be delivered in 2009, with the new St. Eunan's Primary School and Early Education and Childcare Centre to follow in 2010.

This Council congratulates the Executive Director of Educational Services and his PPP Project Team for the successful conclusion of the Council's flagship policy for the regeneration of the secondary Schools' Estate.