

## WEST DUNBARTONSHIRE COUNCIL

At the meeting of West Dunbartonshire Council held in the Council Chambers, Municipal Buildings, College Street (off Station Road), Dumbarton on Wednesday, 28 January 2004 at 7.00 p.m.

**Present:** Provost Alistair Macdonald and Councillors Denis Agnew, Margaret Bootland, Dennis Brogan, Geoff Calvert, Gail Casey, Tony Devine, Jack Duffy, James Flynn, Jackie Maceira, Douglas McAllister, James McCallum, Linda McColl, Duncan McDonald, Craig McLaughlin, Marie McNair, Connie O'Sullivan, Martin Rooney, Andy White and Raymond Young.

**Attending:** Tim Huntingford, Chief Executive; Eric Walker, Director of Corporate Services; Dan Henderson, Director of Economic, Planning and Environmental Services; Ian McMurdo, Director of Education and Cultural Services; David McMillan, Director of Commercial and Technical Services; Alexis Jay, Director of Social Work and Housing Services; Frank Newall, Head of Service, Education and Cultural Services; Lynn Bradley, Head of Finance, Corporate Services; Bill Clark, Head of Strategy, Social Work and Housing Services; Stephen Brown, Head of Legal and Administrative Services and George Hawthorn, Senior Administrative Officer.

**Apologies:** Apologies for absence were intimated on behalf Councillors Jim Bollan and Margaret McGregor.

### Provost Macdonald in the Chair

### PROVOST'S REMARKS

Provost Macdonald, on behalf of the Council, congratulated former Councillor Mary Collins and Mr Phillip McCusker, both residents of West Dunbartonshire, on their recent MBE award in the Queen's New Year Honours List.

### OPEN FORUM

The following question was submitted to Council for consideration:-

**Mr Graeme Anderson, Chairman of Milton Primary School Board, 12/4 Crannog Road, Milton, Dumbarton – Consultation on proposed closure of Milton Primary School**

Given the fact that this administration purports to consultation as described in the parent's charter, why was the alleged consultation on the closure of Milton Primary School briefed out to staff members in advance of the Children's Services Committee meeting to which this paper was presented?

Was this at the request of Members or did the officers presume upon the Members' position on the matter? Is this a delegated matter or do Members require to make a decision on this subject? If it was presumptive of Officers has appropriate action being taken? In conclusion surely the document should have been aired after the proper Committee had considered it.

**Councillor McCallum was heard in answer to this question as follows:-**

All Council and Committee papers require to be sent out to Committee Members in the week prior to the date on which the particular Committee is taking place. For the Children's Services Committee Meeting of 21 January 2004 the papers would be sent out towards the end of the previous week. At that point, given the wide circulation, they are in effect in the public domain.

In these circumstances it was considered to be common courtesy to the Acting Head Teacher of the school, the Local Member (who is not a member of the Children's Services Committee) and, indeed the Chairperson of the School Board, that they be given advance notice of the intention to take the Consultative Document to the Children's Services Committee.

This decision was taken after discussion of the matter between Senior Members of the Administration and the relevant Senior Officers.

I am pleased to be able to report that the Acting Head Teacher was very appreciative of this courtesy which was afforded to her.

**Mr Anderson asked the following supplementary question:-**

There are a number of inaccuracies in the report and no terms of reference. Why was the report released at this stage?

**Councillor McCallum responded in the following terms:-**

The report was released on the recommendation of the Director of Education and Cultural Services. If, indeed, there are any inaccuracies within the report I would expect that they would be dealt with in the report on the consultation exercise which will be submitted to the Children's Services Committee on 17 March 2004.

## **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of West Dunbartonshire Council held on 17 December 2003 were submitted and approved as a correct record.

## **MINUTES OF COMMUNITY PARTICIPATION COMMITTEE**

The Minutes of Meeting of the Community Participation Committee held on 10 December 2003 were submitted and all decisions contained therein were approved.

### **REVIEW OF COUNCIL FUNDED COMMUNITY INFORMATION & ADVICE SERVICES**

With reference to the Minutes of Meeting of Council held on 27 August 2003 (page 234, paragraph 574 (3) refers), a report was submitted by the Chief Executive providing information on the stocktake and review of community information and advice services and making recommendations on the future funding and monitoring of these services in West Dunbartonshire.

Having heard Councillor Devine, Spokesperson for Corporate Services, the Council agreed:-

- (1) to continue consideration of the report to the next full meeting of Council; and
- (2) to note that the issue of the shortfall in the grants budget would probably be dealt with at the Special Meeting of Council on 12 February 2004, when the Revenue Estimates for 2004/2005 would be considered and the level of Council Tax set.

### **FREEDOM OF INFORMATION (SCOTLAND) ACT 2002: PUBLICATION SCHEME**

A report was submitted by the Director of Corporate Services providing an update on progress towards the implementation of the Freedom of Information (Scotland) Act 2002 in West Dunbartonshire Council and seeking to finalise the Council's Publication Scheme for submission to the Scottish Information Commissioner.

Having heard the Head of Legal and Administrative Services in answer to Members' questions, the Council agreed:-

- (1) to note the terms of the report and authorise the Director of Corporate Services to adopt the Publication Scheme and submit it to the Scottish Information Commissioner by the deadline date at the end of February 2004;
- (2) to note that costs of at least £10,000 were likely to be incurred in the implementation of the Act; and

- (3) that a further report be submitted to Council in due course on the implementation of Freedom of Information within West Dunbartonshire.

### **Declaration of Interest**

Councillor Bootland declared a non-financial interest in the following item of business and took no part in the deliberation thereon.

### **SKYPOINT**

A report was submitted by the Director of Corporate Services providing an update on the financial administration problems at Skypoint, Faifley. A further report providing more up-to-date information on Skypoint was circulated for Members' consideration.

Having heard the Chief Executive in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note the additional information provided in the updated report together with the recommendations of the previous report;
- (2) that officers should not advance further funding to Skypoint in light of the circumstances detailed within the updated report;
- (3) to delegate authority to the Chief Executive to take whatever reasonable decisions/actions were required to ensure continuation of the Council's services within the Centre and safeguard the Council's property and other assets; and
- (4) to delegate authority to the Chief Executive to review all services provided by others within the Centre, such details to be reported to a future meeting of Council.

It was noted that a further update on developments with Skypoint would be submitted to the next full meeting of Council in February.

### **TRADING ACCOUNTS**

A report was submitted by the Director of Corporate Services seeking approval of the areas of the Council's activities which should be treated as trading accounts.

Having heard the Director of Commercial and Technical Services and the Head of Finance in answer to Members' questions, the Council agreed:-

- (1) to note that a review of services, using the model detailed in Appendix 1 of the Director's report, had identified 4 activities for which statutory trading accounts should be produced; and
- (2) to approve the trading account services as referred to in Table 3.1 of the Director's report, namely Catering, Leisure, Housing Repairs and Maintenance, and Estate Management.

### **OPEN SPACE MAINTENANCE**

A report was submitted by the Chief Executive advising of the outcome of discussions between Corporate Services and Social Work and Housing Services Departments about the charging of Open Space Maintenance to the Housing Revenue Account (HRA).

Councillor Flynn, seconded Councillor Calvert, moved as follows:-

That Council agrees to the transfer of £250,000 (open space maintenance costs) from the HRA to the General Fund in the current year 2003/04 and that the remaining balance of £138,000 be transferred from the HRA to the General Fund in 2004/05.

As an amendment, Councillor McLaughlin, seconded by Councillor Young, moved as follows:-

Council welcomes the transfer of the open space maintenance costs from the Housing Revenue Account (HRA) to the General Fund but the land should remain within the HRA and should not be transferred to the General Fund as stated in paragraph 3.1 of the report.

On a vote being taken, 2 Members voted for the amendment and 18 for the motion, which was accordingly declared carried.

### **SUPPORTING PEOPLE**

A report was submitted by the Director of Social Work and Housing Services identifying the level of Supporting People Grant allocated to the Council, the main services provided and highlighting the financial complexity of managing Supporting People funding.

Having heard the Head of Strategy in answer to Members' questions, the Council agreed:-

- (1) to note the award of the Supporting People Grant to West Dunbartonshire; and
- (2) to agree the spending proposals outlined in paragraph 5.4 of the report as follows:-

- Over 1000 units for Community Alarms need to be replaced (£150,000).
- The West End Centre for disabled and older people needs to be re-provided from Brucehill to Leven Valley complex (£50,000 plus recurring rental costs).
- Head Injuries Service (£100,000 - 2004/05) (Approved by Partnership on 12<sup>th</sup> November 2003).
- 4 Addiction posts to match NHS investment in Community Addiction Teams (£80,000 plus on costs – started in 2003).
- Support for Argyll and Clyde to fund specialist Learning Disability Posts (£130,000 – recurring costs started in 2003).
- Mental Health – combined SP resource release plus Scottish Executive monies to produce a service development plan (£400,000 in 2004/05 and recurring costs).
- Older People's Services – Integrated Teams across WDC (£200,000 – next financial year; but £60,000 this year for Lomond Area).

It was noted that recurring costs would be subject to availability of future supporting people funding.

### **Declaration of Interest**

Councillor White declared a non-financial interest in the following item of business.

### **NHS GREATER GLASGOW: REVIEW OF MATERNITY SERVICES – CONSULTATION RESPONSE**

A report was submitted by the Director of Social Work and Housing Services proposing a response to the NHS Greater Glasgow Consultation on the Review of Maternity Services and seeking Council's support against the proposed closure of the Queen Mother's Hospital (QMH). A copy of a letter from Mr T.A. Divers, Chief Executive, NHS Greater Glasgow, expressing concern on the Council's proposed response to the consultation paper was circulated for Members' consideration.

It was noted that the letter was dated 28 January 2004 (today) and had only been received by the Chief Executive earlier this afternoon.

Councillor White, seconded by Councillor Calvert, moved as follows:-

- (1) that Council should thank those officers involved in the preparation of the response for their excellent work, in particular Bill Clark, Head of Strategy and his Secretary, Jean Potter;
- (2) that Council should approve the response as detailed in Appendix 1 of the report and urge the NHS Greater Glasgow Board to abandon the closure of QMH and the disintegration and removal of these services to the Southern General Hospital and the Princess Royal Maternity Hospital;
- (3) to note the concerns expressed in Mr Diver's letter and to authorise the Director of Social Work and Housing Services, in consultation with the Leader of the Council, to prepare an appropriate response to the letter; and
- (4) to instruct the Chief Executive to publicise the NHS Greater Glasgow consultation meeting on the above proposals to be held in Clydebank Town Hall on 3 February 2004 by all means available to the Council.

As an amendment, Councillor McLaughlin, seconded by Councillor Young, moved as follows:-

That the Council supports the recommendation detailed in paragraph 5.1 of the report and fully backs the campaign to retain the Queen Mothers hospital in Glasgow.

However, the Council notes with deep concern the tragic circumstances surrounding the death of Chloe Mclvor in Inverclyde's Midwife led unit.

In light of this tragedy the Council calls again on Argyll and Clyde health board for the re-introduction of a consultant led maternity service at the Vale of Leven Hospital as soon as possible to ensure no repetition of the Chloe Mclvor tragedy.

The Council also notes with concern that vital medical equipment which could have possibly averted the tragedy. Therefore as an interim measure, all specialist equipment, which was removed from the Vale of Leven Hospital Maternity Unit, should be returned in order that a consultant from another hospital could be called on in the event of an emergency.

On a vote being taken, 2 Members voted for the amendment and 17 for the motion, which was accordingly declared carried.

**APPLICATION BY WEST DUNBARTONSHIRE DOMESTIC ABUSE  
PARTNERSHIP (WDDAP) TO THE SCOTTISH EXECUTIVE'S  
DOMESTIC ABUSE SERVICE DEVELOPMENT FUND (DASDF) FOR  
CONTINUATION FUNDING 2004-2006**

A report was submitted by the Director of Social Work and Housing Services seeking part-funding from West Dunbartonshire Council as the main partner and accounting body for WDDAP's proposal to the Scottish Executive.

The Council agreed:-

- (1) to support WDDAP's request for funding as outlined in the application (shown as an appendix to the Director's report) for 2004/05;
- (2) to contribute £12,000 to the project budget in 2004/05 and £13,000 in 2005/06; and
- (3) to continue to commit to multi-agency activities as outlined in the application and in line with Scottish Executive's National Strategy on Domestic Abuse.

**OCCUPATIONAL THERAPY SERVICES: EQUIPMENT AND  
ADAPTATIONS**

A report was submitted by the Director of Social Work and Housing Services advising of pressures on the provision of Equipment and Adaptations and seeking direction on possible courses of action.

Having heard the Director of Social Work and Housing Services in answer to Members' questions and having heard Councillor Rooney, Spokesperson for Social Work, the Council agreed to the following motion:-

This Council agrees to invest an extra £400,000 in providing much needed aids and adaptations for disabled people

This means that work can start immediately to complete the outstanding adaptations in this financial year.

In addition as a result of this significant investment the Council will be able to replace our stock of aids in order to ensure that future commitments will be met without delay.

Furthermore the Director of Social Work is requested to raise this issue at the Health Improvement and Social Justice Partnership Committee to seek similar funding from Health Partners.



## **SITE FOR DUMBARTON WOMEN'S REFUGE**

A report was submitted by the Director of Social Work and Housing Services seeking approval to dispose of a site held in the Housing Revenue Account to Dunbritton Housing Association Ltd., at nil value to provide a new Women's Refuge.

The Council agreed to transfer the site at 3, 5 Peters Avenue for the provision of a Women's Refuge to Dunbritton Housing Association at a nil value, subject to the following conditions:-

- (1) that all Estates Fees and VAT be met by the purchasers;
- (2) the purchasers shall pay the Council's legal fees, expenses, outlays, VAT and any Stamp and Registration Duty;
- (3) any necessary Property Enquiry Certificate costs shall be met by the purchaser; and
- (4) the transfer to be subject to any required Scottish Ministers' consents.

## **ADDITIONAL FUNDING FROM SCOTTISH EXECUTIVE FOR WESTRANS MEMBER AUTHORITIES**

A report was submitted by the Director of Commercial and Technical Services advising of additional funding being provided by the Scottish Executive to WESTRANS for local/regional transportation schemes and studies.

The Council agreed:-

- (1) to note the contents of the report;
- (2) to the approach taken for the implementation of the various schemes, as detailed in section 3 of the Director's report; and
- (3) to the use of the MVA Consultants as detailed in paragraph 5.2 of the report.

## **CLYDE WATERFRONT STRATEGIC PARTNERSHIP BOARD**

A report was submitted by the Director of Economic, Planning and Environmental Services seeking approval to the final endorsement of the draft Heads of Agreement for the Clyde Waterfront Strategic Partnership Board.

The Council agreed:-

- (1) to formally endorse the Clyde Waterfront Heads of Agreement with the proviso that the availability of funding to support the dedicated staff team would require to be considered as part of the Council's budget process; and
- (2) to nominate Councillor White as the representative to sit on the Partnership Board and Councillor O'Sullivan as his substitute.

### **APPOINTMENTS TO COSLA'S EXECUTIVE GROUPS**

Correspondence received from COSLA was submitted inviting this Authority to make nominations to the 12 Executive Groups within COSLA.

The Council agreed to following nominations:-

<b>Executive Group:</b>	<b>Name of Council Representative:</b>
Modern Governance	Councillor Maceira
Finance	Councillor Devine
Personnel Resources	Councillor Bootland
Education	Councillor McCallum
Arts and Leisure	Councillor Agnew
Social Work and Health Improvement	Councillor Rooney
Environment, Sustainability and Community Safety	Councillor Calvert
Economic Development and Planning	Councillor O'Sullivan
Roads and Transportation	Councillor McDonald
Housing	Councillor Flynn
Rural Affairs	Provost Macdonald
Urban Affairs	Councillor Duffy

## **REQUEST FOR DONATION TO NATIONAL PENSIONERS' CONVENTION**

Correspondence received from Unison was submitted seeking a donation of £200 from this Council towards the National Pensioners' Convention.

Having heard Councillor White in further explanation, the Council agreed to donate the sum of £200 to the National Pensioners' Convention.

## **CONFERENCES**

### **(a) COUNTDOWN TO 2004: IS SCOTLAND PREPARED FOR THE NEW DISABILITY LAWS?**

The Council agreed to nominate Councillor Maceira and Councillor McNair (or substitutes) to attend the "Countdown to 2004: Is Scotland Prepared for the New Disability Laws?" Conference to be held on 16 February 2004 in the EICC, Edinburgh.

### **(b) 6<sup>TH</sup> IRISH & UK LOCAL AUTHORITIES STANDING CONFERENCE ON NUCLEAR HAZARDS**

The Council agreed to note the above Conference on Nuclear Hazards Conference to be held on 25-26 March 2004 in Glasgow.

## **NOTICE OF MOTION**

A motion was submitted by Councillor Craig McLaughlin in the following terms:-

War memorials are supposed to be a fitting tribute to the people who laid down their lives in the World Wars. Unfortunately some of the war memorials in West Dunbartonshire are less of a fitting tribute than others due to years of vandalism and neglect. The present condition of some of our memorials is a disgrace, a sad reflection on this Council.

Therefore, I call upon this Council to instruct the Chief Executive to conduct a full survey and assessment of all War memorials across West Dunbartonshire and to compile a report examining the condition, the cost to renovate and improve each of the War Memorials to a state of former glory, for the next Council meeting.

Having heard Councillor McLaughlin in further explanation, the Director of Commercial and Technical Services provided details on the work that had already taken place as part of a programme to refurbish the memorials. The Director also provided the Council with an update on proposals to refurbish the three remaining memorials which required work; this included the

memorial at Christie Park which was in the worst state of repair. It was noted that the refurbishment works would require consent from Historic Scotland prior to commencement.

Thereafter Councillor McLaughlin, with the consent of the Council, withdrew his motion.

The meeting closed at 7.55 p.m.