

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank, on Wednesday 27 August 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, 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; 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 Connell, Head of Finance; Jim Nesbit, Head of Service, Older People's Team; Jim McAloon, Head of Housing and Regeneration; Gillian McNeilly, Manager of Accounting; Liz Cochrane, Head of Service, Policy and Performance; David Webster, Section Head, Performance Management; Andrew Fraser, Head of Legal, Administrative and Regulatory Services and George Hawthorn, Senior Administrative Officer.

Also

Attending: Mark McAteer and Sarah Gadsen, Improvement Service.

Provost Denis Agnew in the Chair

PROVOST'S REMARKS

Provost Agnew welcomed Andrew Fraser, Head of Legal, Administrative and Regulatory Services, to his first ordinary meeting of the Council and welcomed back Councillor McAllister who had been absent due to illness.

In response to a question by Councillor Rooney, the Provost informed the Council that he had received a request for the Council to consider an urgent item of business concerning the Special Meeting of Council on 19 August 2008 and that this matter would be dealt with at the appropriate point later in the meeting.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of West Dunbartonshire Council held on 25 June 2008 were submitted and approved as a correct record.

At this point in the meeting, officers and Members of the Administration were heard in response to Members' questions.

With reference to the item under the sub-heading "Motion by Councillor Millar – Geared Up Club" (Page 1264 refers), the Council noted that the Chief Executive would investigate the issue concerning the use of personal computers and games at the Community Education Centre and inform Members of the outcome.

CONTINUOUS PROFESSIONAL DEVELOPMENT FRAMEWORK FOR ELECTED MEMBERS

Mark McAteer and Sarah Gadsen from the Improvement Service gave a presentation on the Continuous Professional Development (CPD) Framework for elected members. Mr McAteer explained the background and key elements of the Framework and urged all Members to participate in the pilot project with which West Dunbartonshire Council, along with six other Scottish local authorities, had agreed to be involved. Ms Gadsen provided more detail on the self assessment element of the project and some of the sample behaviours used in the analysis.

Having heard Mr. McAteer in answer to Members' questions, Provost Agnew thanked both Mr McAteer and Ms Gadsen for the presentation and thereafter they left the meeting.

ADJOURNMENT

After hearing Provost Agnew, the Council agreed to adjourn for a short period of time.

The meeting reconvened at 7.55 p.m. with all those Members shown on the sederunt in attendance.

OPEN FORUM

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

MINUTES OF THE COMMUNITY PARTICIPATION COMMITTEE

The Minutes of Meeting of the Community Participation Committee held on 18 June 2008 were submitted and all decisions contained therein were approved.

MINUTES OF THE JOINT CONSULTATIVE FORUM

The Minutes of Meeting of the Joint Consultative Forum held on 26 June 2008 were submitted and all decisions contained therein were approved.

The Chief Executive and the Head of Human Resources and Organisational Development were heard in answer to Members' questions.

- (a) With reference to the item under the heading 'Minutes of Previous Meeting' (Page 1265 refers), the Council noted that the Corporate Management Team had considered the issue of Compromise Agreements and that a report would be submitted to the next meeting of the Corporate and Efficient Governance Committee.
- (b) With reference to the item under the heading 'St. Andrew's Day Public Holiday' (Page 1267 refers), the Council noted that the report on the proposals to have an additional public holiday to celebrate St Andrew's Day would be submitted to the next meeting of Council in September for consideration.

VOLUNTARY MENTORING SCHEME FOR SECONDARY SCHOOL PUPILS

A report was submitted by the Executive Director of Educational Services providing information on the viability of developing a voluntary mentoring scheme employing S6 pupils who have left school for a positive destination, mentoring S4 or S2 pupils currently in education.

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

That the recommendations of the report be approved, as follows:-

The Council notes the terms of the report and agrees that the Executive Director of Educational Services should support secondary schools to share good practice in relation to the use of successful former pupils to motivate and inform existing pupils and to encourage schools to explore further opportunities to use positive role models to improve the outcomes for young people in West Dunbartonshire.

After hearing Councillor McGlinchey, Councillor Smillie agreed to accept the undernoted addendum to her motion:-

That Officers look at how we can use the St Columba's "S2 Options Conference" as a model to build on, and rolling it out authority wide.

Thereafter, the Council approved the above motion as amended to include the addendum.

HOUSING REVENUE ACCOUNT 2008/2009 BUDGETARY CONTROL STATEMENT TO 15 JULY 2008 (PERIOD 3)

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) to the period ended 15 July 2008.

After hearing the Executive Director of Housing, Environmental and Economic Development in answer to Members' questions, the Council agreed to note the terms of the report.

**HRA CAPITAL PROGRAMME 2008/2009 BUDGETARY CONTROL REPORT TO
15 JULY 2008 (PERIOD 3)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing the Council with an update on the progress of the HRA Capital Programme 2008/2009.

After hearing the Executive Director of Director of Housing, Environmental and Economic Development in answer to Members' questions, the Council agreed to note the terms of the report.

COMMITTEE TIMETABLE – JANUARY TO DECEMBER 2009

A report was submitted by the Executive Director of Corporate Services asking the Council to approve the timetable of main Committee meetings from January 2009 to December 2009.

After hearing Councillor Black and following discussion, the Council agreed to continue this item to the next meeting of the Council to allow officers to consult with Councillors on the proposed timetable.

DRAFT ANNUAL ACCOUNTS 2007/2008

A report was submitted by the Executive Director of Corporate Services providing the Council with a copy of the draft Annual Accounts for 2007/2008 and highlighting matters of interest.

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

The Council agrees to note the terms of the report and the draft accounts for 2007/08.

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

Council welcomes the report and draft accounts.

It is clear that Labour's 2007/08 budget has led to improvements in the Council's financial position, as follows:-

- A General Fund balance of £3.308m as at 31 March 2008.
- An un-earmarked balance of £2.227m.
- £1.031m earmarked for ring fencing grant funding.

Council also notes that the two statutory trading accounts return a collective surplus in the year of £1.356m.

Furthermore Council notes that the in-year Council Tax collection rate increased to 92.8%.

Given the above, the Council commends the Labour budget of 2007/08.

On a vote being taken, 10 Members voted for the amendment, 10 for the motion and 2 abstained.

There being an equality of the votes, Provost Agnew used his casting vote in favour of the motion which was accordingly declared carried.

INDICATIVE FINANCIAL POSITION 2009/10 AND 2010/11

A report was submitted by the Executive Director of Corporate Services providing the Council with information on an indicative revenue position for the Council in 2009/10 and 2010/11.

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

That the Council agrees to note the contents of the report and refers the position to the Budget Working Group for further consideration.

After hearing Councillor McBride, Councillor McLaughlin agreed to accept the undernoted wording as an addendum to his motion:-

This Council notes the report from the Executive Director of Corporate Services which shows that:-

- In 2009/2010, the Scottish Government will under fund West Dunbartonshire Council by £6.266m.
- In 2010/11, the Scottish Government will under fund West Dunbartonshire Council by £7.770m.

Council notes the reluctance of the SNP Administration to challenge the Scottish Government over their consistent under funding of West Dunbartonshire. As demonstrated by the Leader of the Council's failure to meet with Scottish Ministers as directed by the Council.

Given the above, Council agrees that the Leader of the Council writes to the Scottish Government and invites the Cabinet Secretary of Finance & Sustainable Growth to attend a meeting of West Dunbartonshire Council to allow all Members to lobby West Dunbartonshire's case for fair funding.

Thereafter, the Council agreed to approve the above motion as amended to include the addendum by Councillor McBride.

**GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT
TO 15 JULY 2008 (PERIOD 3)**

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 to 15 July 2008.

After hearing the Executive Director of Educational Services and the Executive Director of Housing, Environmental and Economic Development in answer to Members' questions, the Council agreed to note the terms of the report.

**GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT
TO 15 JULY 2008 (PERIOD 3)**

A report was submitted by the Executive Director of Corporate Services providing the Council with an update on the General Services Capital Plan for 2008/2009.

After hearing the Head of Finance in answer to Members' questions, the Council approved the updated capital plan and noted the position to date as outlined in Appendices I and II of the report.

BUDGET 2008/2009 – 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.

The Council agreed to note the terms of the report.

DEVELOPMENT OF THE 2009 – 2013 CORPORATE PLAN

A report was submitted by the Chief Executive seeking agreement on the themes, priorities and objectives for the 2009 – 2013 Corporate Plan.

The Council agreed:-

- (1) to the proposals for modifying the Corporate Plan in light of the Single Outcome Agreement;
- (2) to note that Members should provide any feedback by 1 September 2008; and
- (3) to note that Officer-facilitated discussion sessions would be arranged, if requested.

CORPORATE PLAN 2005 - 2009 – ANNUAL PROGRESS REPORT

A report was submitted by the Chief Executive setting out the annual progress of the Corporate Plan 2005/2009.

After hearing the Head of Service, Older People's Team, in answer to Members' questions, the Council agreed:-

- (1) to approve the Annual Progress Report 2007/2008 for printing and distribution; and
- (2) that the Executive Director of Social Work and Health would provide Councillor Miller with information on the number of community alarms which had been returned to the department.

EVIDENCE TO THE COMMISSION ON SCOTTISH DEVOLUTION

A report was submitted by the Executive Director of Corporate Services inviting the Council to make a formal submission to the Commission on Scottish Devolution.

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

Notwithstanding each group and individual Members' right to send their own response, Council instructs officers to respond to each question in the following terms:-

1. The rule and regulations relating to the conduct of members in Scotland are far more stringent than those for Central Government. These controls are a good thing and help to give the public confidence in their elected representative.
2. Under devolution, Scottish parliamentarians have the opportunity to prioritise spending to suit the people of Scotland. This can best be seen with policies such as free personal care and the scrapping of the student endowment.
3. It is this Council's view that the current number of MSPs serves the people of Scotland well and that no change is necessary.

The lack of a second chamber allows the political process to be simpler and easy for the public to understand.

The current provision allowing the Scottish Parliament to vary taxes up or down by 3p in the pound does not allow the Government enough scope to respond to Scotland's economic needs. We would support greater taxation powers for the Scottish Parliament.

The independence of the Lord Advocate, Solicitor General and Advocate General and their respective roles are important to Scotland.

It is important that these positions remain and that the independence of law officers is preserved.

As with tax varying powers, we feel that Scottish Ministers should be given more scope to raise finance by borrowing.

4. It is this Council's view that the people of Scotland would be best served by becoming independent from the United Kingdom.

While we are part of the United Kingdom, it makes sense for the following areas to be reserved:

- Foreign Affairs
- Defence
- Data Protection
- Betting Gaming & Lotteries
- Competition
- Consumer Protection
- Telecommunications
- Research Councils & the Funding of Scientific Research
- Regulation of the Professions
- Health & Safety
- Abortion, Xenotransplantation & Embryology
- Equal Opportunities
- Time Zones & Summer Time

Officers should indicate that Council agrees that it would be beneficial to Scotland if all the other areas in Note B on page 204 of the report were under the control of the Scottish Parliament.

In particular, we feel that the Scottish Parliament should have full powers relating to:

- Taxation
- Scottish Parliament and Local Elections
- Firearms
- Regulation of Sea Fishing
- Post Office Operations in Scotland
- Control of Weapons of Mass Destruction
- The right of people to choose their constitutional future in a referendum

5. No.

6. Council reiterates its support for a fully independent Scottish Parliament, however, within the current constitutional arrangement; it would be helpful if some areas, such as international development, were partially devolved in some manner.
7. Council supports full fiscal autonomy for Scotland. All monies raised in Scotland should be spent in Scotland. With this in place, there would be no need for a block grant.
8. Yes. (See answer 7)
9. Reports that Scottish Ministers have been excluded from talks directly related to Scotland (such as sea fishing rights) are concerning.

This Council believes that Scottish Ministers should sit at the top table alongside their Westminster counterparts when issues directly affecting Scotland are discussed, even when those issues relate to reserved matters.

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

That all political groups should submit their own responses to the consultation.

On a vote being taken, 10 Members voted for the amendment, 10 for the motion and 2 abstained.

There being an equality of the votes, Provost Agnew used his casting vote in favour of the motion which was accordingly declared carried.

LOCAL INQUIRIES INTO THE SCOTTISH PARLIAMENT BOUNDARY REVIEW

A report was submitted by the Chief Executive on the Local Inquiries into the proposals of the Boundary Commission for Scotland for the review of Scottish Parliamentary Constituencies.

The Council agreed:-

- (1) to note the dates of the local inquiries;
- (2) to delegate authority to the Chief Executive, in consultation with the Leader of the Council, the Leader of the Opposition, SSP and Independent Members to prepare the Council's case for presentation at the Clydebanks Local Inquiry;
- (3) to note that the Leader of the Council was not able to attend the hearings on Monday 1 and Tuesday, 2 September 2008, but that the Leader of the Opposition would be able to attend on behalf of the Council; and
- (4) to encourage all local members in the Clydebanks Wards affected by the proposals to attend the hearing.

ADJOURNMENT

After hearing Provost Agnew, the Council agreed to adjourn for a short period of time.

The meeting reconvened at 8.55 p.m. with all those Members shown on the sederunt in attendance.

URGENT ITEM OF BUSINESS

Before commencing with the next item of business, Provost Agnew invited the Head of Legal, Administrative and Regulatory Services to give advice on the Standing Orders concerning the submission of emergency motions to Council.

The Head of Legal, Administrative and Regulatory Services informed the Council that in terms of Standing Order No 7, the Council could only consider an item which did not appear on the agenda providing there were special circumstances and the Convener (Provost Agnew) was of the opinion that the item should be considered as a matter of urgency. The special circumstances suggested in the motion were doubts regarding the reason for the calling the special meeting on 19 August, which required investigation. In his opinion, there were no legal doubts concerning the arrangements for calling the Special Meeting of Council and the meeting had been called in accordance with the terms of Standing Order 3 (a) i.e. on a date, time and venue as determined by the Convener. Thus, he could not envisage what the special circumstances would be which would mean that the item had to be considered at this meeting of the Council as a matter of urgency.

Thereafter, Provost Agnew ruled that there were no special circumstances and therefore the matter would not be discussed at this meeting.

At this point, several Members of the Council attempted to raise points of order. After hearing the Head of Legal, Administrative and Regulatory Services, Provost Agnew ruled that as the Council was in between items of business there could be no relevant points of order.

NOTICES OF MOTION

(a) Motion by Councillor Geoff Calvert - Single Outcome Agreement

This Council is pleased to note that, in spite of the SNP Administration's assertions that the inclusion of requirements for specific actions for the Scottish Government such as – providing £25m for a new Dumbarton Academy, road improvements on the A82 at the bottleneck at Milton, more money for housing investment and a fairer distribution formula that addresses identified need in West Dunbartonshire be included West Dunbartonshire's Single Outcome Agreement as per the Labour Amendment, would result in West Dunbartonshire Council becoming a 'laughing stock, the Finance

Secretary, John Swinney signed this historic document on Wednesday 30 August 2008 on behalf of the Scottish Government.

This Council notes that the Labour Opposition's determination to ensure that the Scottish Government has its own part to play in delivering for West Dunbartonshire was endorsed, without laughter, by Mr Swinney on behalf of the Scottish Government. This Council trusts that the SNP Administration has now learned that its role is to fight for West Dunbartonshire and not to protect its own Ministers from perceived embarrassment. If you don't ask, you don't get!

Given that this historic document is between the Scottish Government and the Council, the Council is disappointed that the Council Leader Iain Robertson did not arrange for the signing ceremony to take place with all elected members present as witnesses. This Council believes that this was a missed opportunity to show solidarity to a Government that, as yet, has delivered nothing but financial cuts to West Dunbartonshire.

Note: The Single Outcome Agreement was signed by John Swinney on 30 July 2008 and not 30 August 2008 as stated in the above motion.

Councillor Calvert was heard in support of this motion which was seconded by Councillor Miller.

As an amendment, Councillor Robertson, seconded by Councillor J. McColl, moved:-

Council notes the signing of its first Single Outcome agreement.

Council thanks Cabinet Secretary John Swinney for coming in person to West Dunbartonshire to sign our Single Outcome Agreement which publicly acknowledges the new and historic relationship between local and national government.

Council accepts the comments in Councillor's Calvert's motion that, "if you don't ask, you don't get". However it acknowledges that the Single Outcome agreement is not the most appropriate vehicle to make specific funding requests given that there are other mechanisms for the allocation of funding.

Council also acknowledges that the historic concordat devolves funding decisions to local authorities within their total budget and that the Single Outcome Agreement will inform future funding decisions.

Council can be reassured that out with the Single Outcome Agreement that this SNP administration is addressing the long standing funding issues through COSLA and the Scottish Government.

On a vote being taken, 10 Members voted for the amendment and 11 for the motion which was accordingly declared carried.

(b) Motion by Councillor Marie McNair - Learning Disabilities Charges

Council notes that the 2008 budget introduced charges to housing support and day care services for people with a learning disability.

Furthermore, the General Manager for Learning Disability wrote to service users in June 2008 advising them that due to the financial situation facing Councils, the service could no longer be provided without levying a charge. Council also notes the letter stated: -“It is our clear aim to ensure that you will continue to have sufficient means to lead a fulfilling and meaningful life” .

In addition, Council is aware the option appraisal within the budget papers stated: -“it was felt that this service could be delivered by a number of avenues. Charging is being used as a means to wean off the dependency of people in order that they would use the other services” (minute reference 831).

This Council believes that the Learning Disability service is a crucial and necessary service to all citizens with a learning disability regardless of their financial means.

Council wants to ensure that the budget decision does not penalise some of our most vulnerable constituents and remove services that are important to their well being.

Council therefore instructs the Chief Executive to carry out a review regarding this charge.

The review will consider the following: -

- Do service users “have sufficient means to lead a fulfilling and meaningful life”?
- What is the Council’s definition of “sufficient means to lead a fulfilling life”?
- How can the above be assessed?
- The impact the charging policy has had on the service, including take-up.
- Whether constituents are now using other services as stated in the option appraisal.
- The views of service users and their carers.

The review should include service users, carers and interest groups and report to the Council in three months time.

Note: A copy of the letter dated 13 June 2008 (referred to in the second paragraph of the above motion) was circulated for Members’ information.

After hearing Councillor McNair, the Council approved the above motion.

(c) Motion by Councillor David McBride – C-Diff

This Council supports the families of C-Diff Justice Group in their demand for a full Public Enquiry, independent of the Scottish Government and NHS Scotland.

We instruct the Council Leader to write to the Cabinet Secretary Nicola Sturgeon with the Council's full backing for the Public Enquiry.

The Council agreed to approve the above motion.

(d) Motion by Councillor Patrick McGlinchey – Curriculum for Excellence: Support for Parents

Council believes that we should do everything we can to ensure parents are in a position where they are able to help and support children with their homework.

Council notes that a new Scottish curriculum – “The Curriculum for Excellence” – will be phased in to all schools within West Dunbartonshire over the next year, and with it will bring a new approach to school education.

Council recognises that with changes to the curriculum and the implementation of modern teaching techniques, parents often feel they lack confidence in their knowledge of the curriculum and of the correct techniques to effectively support their children with their homework in the correct way.

Council recognises and praises the work schools currently do to assist parents with pupil's homework, and educate them on the curriculum, but also recognises the benefits of developing an authority-wide strategy on homework-aid to coincide with the implementation of the new 'Curriculum for Excellence'.

With this in mind, Council requests that officers organise a seminar, in partnership with the 'Parental Involvement Strategy Steering-group', for parent council members – as a focus group - in order to gauge what Council could do to enhance homework support for parents, examining ideas such as science & maths homework accompanied by working examples, curriculum seminars for primary-one parents, and teaching- techniques guide books.

Council asks for a report back on the outcomes of the seminar.

The Council agreed to approve the above motion.

(e) Motion by Councillor Martin Rooney – Vale of Leven Hospital

This Council deeply regrets the conclusions of the Vale of Leven Independent External Review of anaesthetics which recommends the removal of the anaesthetics service at the Vale of Leven Hospital and the cessation of the Medical Assessment Unit in its current form.

The Council notes that the Cabinet Secretary for Health & Wellbeing has welcomed the report which, if implemented, will see the further transfer of patients from the Vale of Leven Hospital to the Royal Alexandra Hospital in Paisley.

The Council further notes that the report also recommends that:

- * all attendances resulting from 999 calls will completely bypass the Vale of Leven Hospital;
- * all attendances resulting from NHS24 referrals will completely bypass the Vale of Leven Hospital;
- * only attendances referred by a GP and the Minor Injuries Unit will continue at the Vale of Leven Hospital.

The net effect of these changes is expected to result in as many as 64% of existing emergency patients being transferred away from the Vale of Leven to Paisley.

The Council therefore believes that the SNP Government will have failed to meet its' own policy of 'keeping services local' if more patients are unable to receive emergency medical care at the Vale of Leven Hospital.

The Council also notes that Option 2, to develop a new acute hospital north of the Clyde has not been comprehensively considered, but that, with the presence of the Golden Jubilee, the clinical quality would be "Excellent - emergency medicine, cardiac and anaesthetics on site."

The Council therefore instructs the Council Leader to write to and arrange an urgent meeting with the Cabinet Secretary for Health & Wellbeing to demand, in the strongest possible terms, the continuation of existing emergency services at the Vale of Leven Hospital and consideration of a new acute hospital to realign services away from Paisley to 'north of the river'.

Councillor Rooney was heard in support of this motion which was seconded by Councillor McBride.

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

Council thanks all those who have been part of the campaign to save services at the Vale of Leven Hospital.

The joined up campaign has led to close scrutiny of the Health Board's consultations and decision making.

After more than a decade of decline, the Health Board are being forced to develop plans for the future of the hospital, and in the meantime, we are pleased to see the continuation of unscheduled care, community maternity and mental health services.

We are disappointed with the conclusions of the review of unscheduled anaesthetics, however we welcome the continuation of scheduled anaesthetics at the Vale of Leven hospital.

While we welcome some of the recent developments and the intention to produce long term plans for the hospital, this Council does not have complete confidence in Greater Glasgow & Clyde NHS, and we believe that the best way to secure the future of the hospital and facilitate the return of lost services is to reduce the health board's control of the facility.

With this in mind, Council instructs the Executive Director of Social Work & Health to produce a report looking at the feasibility of this Council being more directly involved in the running of the Vale of Leven Hospital as part of an integrated health and care service primarily for the people of Lomond and Clyde but also available to others.

The Executive Director should seek the advice of health and care professionals both within and outwith this country.

This report will be brought before a future full Council meeting and should be the basis for a formal proposal to be presented by the Council Leader to Cabinet Secretary Nicola Sturgeon.

Should the Executive Director identify the need for resources to carry out this work, a report will be brought back to Council.

Recognising the progress that has been made in the last 18 months, Council also instructs the Leader of the Council to continue dialogue with Unions, Campaign Groups, the Health Board and Cabinet Secretary Nicola Sturgeon to ensure development of services and jobs at the Vale of Leven Hospital.

After hearing Councillor Bollan, Councillor Rooney agreed to accept the undernoted changes to his motion:-

That the second last paragraph be deleted and that all words following "Vale of Leven Hospital" (second last line of last paragraph) be deleted.

On a vote being taken, 11 Members voted for the amendment and 11 for the motion (as amended).

There being an equality of votes, Provost Agnew used his casting vote in favour of the amendment which was accordingly declared carried.

(f) Motion by Councillor George Black – Cancelled Meetings

This Council questions the commitment of the members of the SNP Administration and their flagrant disregard of Standing Orders. Standing Order's Part Two 26 (C) states "the ordinary meetings of Committees will meet at times as may be determined by the Council and will meet according to a timetable determined by the Council from time to time".

This Education and Lifelong Learning Committee meeting was scheduled for Wednesday 13 August and cancelled with no explanation it was then rescheduled for Wednesday 20 August and again cancelled, rescheduled for Friday 29th August with no explanation

There is no provision in Standing Orders for a Convenor to arbitrarily change the date of a scheduled meeting and there is certainly no power granted to a Vice Chair to cancel or reschedule a meeting.

This Council therefore condemns the cavalier attitude of this SNP administration and requires them to comply with the Standing Orders of this Council.

The Council would also wish to hear the Convenor in explanation of the reasons that these changes were deemed necessary except the 20th of August and to submit an apology to this Council.

Councillor Black was heard in support of this motion which was seconded by Councillor Bolland. In so doing, Councillor Black explained that the second paragraph of his motion was not accurate and that he accepted that the first time the date of the Education and Lifelong Learning Committee was changed, the Council had agreed to this change due to a clash with school holidays.

As an amendment, Councillor Smillie, seconded by Councillor J. McColl, moved:-

Council notes its previous decision to move the Education and Lifelong Learning Committee from the 13 August to the 20 August.

Council also notes the officer's decision, having consulted the Vice-Convenor, to cancel the Education and Life Long Learning Committee scheduled for the 20 August due to a National day of industrial action out with the Council's control.

Council thanks Cllr George Black for reminding members and officers that officers do not have the authority, with or without the convenor's agreement, to change the date of a meeting.

Council accepts that any decisions taken at a meeting out with the terms of Standing Orders would be null and void.

Given that the date of this meeting has changed three times, Council agrees that it would be impractical to change the date again and that the meeting should go ahead with the Council's agreement.

In future, cancelled meetings should be convened in accordance with Standing Orders and should there be urgent items to be discussed from the agenda of a cancelled meeting, the Convener can call a special meeting to discuss these items, as allowed by Standing Order 26(d).

Following discussion, the Council agreed that there was a gap in the Council's Standing Orders which resulted in the problems expressed within the motion and the amendment and in the circumstances agreed that the meeting of the Education and Lifelong Learning Committee should proceed on Friday 29 August 2008 at 10.00 a.m.

The meeting closed at 10.15 p.m.