

WEST DUNBARTONSHIRE COUNCIL

At a Special Meeting of West Dunbartonshire Council held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank, on Wednesday, 11 April 2007 at 10.00 a.m.

Present: Provost Alistair Macdonald, Councillors Denis Agnew, George Black, Margaret Bootland, Geoff Calvert, Gail Casey, Tony Devine, James Flynn, Jackie Maceira, James McCallum, Linda McColl, Duncan McDonald, Margaret McGregor, Craig McLaughlin, Marie McNair, Connie O'Sullivan, Iain Robertson, Martin Rooney and Andy White.

Attending: David McMillan, Chief Executive; Liz McGinlay, Director of Education and Cultural Services; David Connell, Head of Finance; Stephen Brown, Head of Legal and Administrative Services; Terry Lanagan, Head of Service – Schools' Estate; Dave Clarke, Manager, Schools' Estate; Alan Douglas, Manager of Best Value and Special Projects; Crawford Howat, Ian Carmichael and Stephen Ross (Schools PPP Project Team); Gillian Jump, Manager of Accounting and George Hawthorn, Senior Administrative Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Dennis Brogan and Douglas McAllister.

Provost Alistair Macdonald in the Chair

EXCLUSION OF PRESS AND PUBLIC

12150 The Council was asked to consider the undernoted Resolution:-

“In terms of Section 50 (A) of the Local Government (Scotland) Act, 1973 that the press and public be excluded from the meeting as consideration of the following item of business could involve the likely disclosure of exempt information as defined in Paragraphs 6 and 9 of Part 1 of Schedule 7A to the Act.”

12151 It was noted that the above exclusion would only apply to Appendices 2 and 3 of the report referred to in the item below.

12152 The Head of Legal and Administrative Services informed the Council that there was no longer a requirement for the information contained within Appendices 2 and 3 of the report to be withheld from the public and press and therefore there was no need for them to be excluded from the meeting.

12153 Having heard the Head of Legal and Administrative Services and the Manager of Best Value and Special Projects in answer to Members' questions, the Council agreed to proceed with the undernoted business with members of public in attendance.

**APPOINTMENT OF PREFERRED BIDDER FOR THE
WEST DUNBARTONSHIRE SCHOOLS' PPP PROJECT**

12154 A report was submitted by the Chief Executive providing the Council with information and making recommendations with particular reference to:-

- the Best and Final Offer submissions made by the three short-listed bidders for the project;
- the evaluation of three bids;
- the submission of a Pre-Preferred Bidder Key Stage Review to the Scottish Executive;
- the nomination of a Preferred Bidder; and
- the project programme following nomination of a Preferred Bidder.

12155 The Head of Service - Schools' Estate was heard in further explanation of the report.

12156 Councillor Rooney, seconded by Councillor Calvert, moved:-

12157 This Council welcomes the report on Labour's £100m Schools PPP Project.

12158 Council congratulates all staff involved in the project. I can confirm that the Labour Group will be supporting the officers' recommendations on page 9 and I will formally move the recommendations as follows:-

- (a) the Council approves the appointment of Bidder B as the Preferred Bidder;
- (b) the Council approves the appointment of Bidder C as the Reserve Bidder; and
- (c) the Council agrees to the establishment of a sinking fund using the remaining insurance receipts from the Vale of Leven fire and receipts from the sale of sites following completion of the construction and that the sinking fund be released to revenue over the life of the project, thereby reducing the impact of the annual budget.

12159 Council is delighted that the key stage review has been completed.

12160 However we recognise that the decision that we take today is not legally binding and financial closure will be in September 2007 at the earliest.

- 12161 The SNP national policy is to cancel all PPP projects that have not reached financial closure. That means 82 schools across Scotland would be cancelled overnight.
- 12162 That means no new schools in West Dunbartonshire:-
- No new Dumbarton Academy
 - No new Vale of Leven Academy
 - No new Non-Denominational School in Clydebank
 - No new Saint Peter the Apostle in Clydebank
 - No new Saint Eunan's Primary School
 - No new primary school in Dumbarton
- 12163 Labour does not want buildings that are falling down. We want the best for our pupils; we want the best for our teachers; and we will be supporting the recommendations in full.
- 12164 At this point, the Head of Service - Schools' Estate; Manager of Best Value and Special Projects, the Head of Finance and other members of the Schools PPP Project Team, were heard in answer to Members' questions.

ADJOURNMENT

- 12165 Having heard Provost Macdonald, the Council agreed to adjourn the meeting for a period of 10 minutes.
- 12166 The meeting reconvened at 11.20 a.m. with all of those members listed on the sederunt in attendance.
- 12167 As an amendment, Councillor McLaughlin, seconded by Councillor Robertson, moved:-
- 12168 This Council notes with concern that the true costs of rebuilding 6 schools, under PPP, will cost the taxpayer over £500million for thirty years. This equates to £84million per school.
- 12169 The Council also notes the prospect of potential job losses if the Council fails to win any of the service contracts.
- 12170 The Council also expresses concern that the PPP project in its current form will effectively create a two tier educational system in West Dunbartonshire, where some schools will be regenerated and others won't.
- 12171 However, it is important that the schools that are identified in the PPP project are not delayed and that other schools not included need to be rebuilt and refurbished and the funding identified.

- 12172 Therefore the Council agrees to:-
- approve the appointment of Bidder B as the Preferred bidder;
 - approve the appointment of Bidder C as the Reserve bidder;
and
 - the principle of the establishment of a sinking fund using the remaining insurance receipts from the Vale of Leven fire and receipts from the sale of sites following completion of the construction and that the sinking fund be released to revenue over the life of the project.
- 12173 The Council also instructs officers to conduct a full review of funding options and prepare a report for the June Council meeting on the following:-
1. Creation of a Not for Profit Trust or Non Profit Distributing Organisation, similar to the NPDO currently being established by Falkirk Council.
 2. Prepare a full detailed, up to date, report on the total repairs and refurbish requirements of all the schools not currently covered by the PPP contract.
- 12174 As a second amendment, Councillor White, seconded by Councillor Maceira, moved:-
- 12175 This Council agrees the recommendations.
- 12176 In addition a report comes to next meeting of Council that allows the Council to consider the option for retaining the Braidfield all weather pitches for community use.
- 12177 Council recognises that this will have an effect on the sinking fund but agrees that some of this gap may be met from a full or part receipt from the Dalreoch site and/or land previously identified for a new build primary school on the Vale of Leven site.
- 12178 Council agrees this approach has some justification given the lack of sports facilities in Clydebank and that the lions share of capital receipts, property cost savings and operational and administration savings are coming from Clydebank sites.
- 12179 Finally, reports should also come to Council providing more detail and likely options regarding road safety and local employment opportunities.

- 12180 As a third amendment, Councillor Black, seconded by Councillor McGregor, moved:-
- 12181 That Councillor McLaughlin's and Councillor White's amendments both had merit and therefore both amendments should be approved as one, subject to the deletion of the following wording from the last paragraph of Councillor McLaughlin's amendment: "of a not for Profit Trust or".
- 12182 On a vote being taken between the third amendment (by Councillor Black) and the second amendment (by Councillor White), 4 Members voted for the third amendment and 14 for the second amendment.
- 12183 On a further vote being taken between the second amendment (by Councillor White) and the first amendment (by Councillor McLaughlin), 14 Members voted for the second amendment and 4 for the first amendment.
- 12184 On a further vote being taken between the second amendment (by Councillor White) and the motion (by Councillor Rooney), 8 Members voted for the second amendment and 8 for the motion. There being an equality of votes, Provost Macdonald used his casting vote in support of the motion and accordingly, the motion was declared carried.
- 12185 At this point, the Head of Service - Schools' Estate informed the Council that the Preferred Bidder was BAM and the Reserve Preferred Bidder was the West Dunbartonshire Schools Partnership.

The meeting closed at 12.15 p.m.