

## **HOUSING, ENVIRONMENT AND ECONOMIC DEVELOPMENT COMMITTEE**

At a Special Meeting of the Housing, Environment & Economic Development Committee held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Monday, 19 December 2011 at 10.00 a.m.

**Present:** Councillors Jim Bollan, Jim Brown, Geoff Calvert, William Hendrie, David McBride, Jonathan McColl, Jim McElhill and Craig McLaughlin.

**Attending:** Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Ronald Dinnie, Head of Neighbourhood Services; Alan Douglas, Manager of Legal Services; Allan Moyes, Project Officer; Sally Michael, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

**Councillor William Hendrie in the Chair**

### **DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest in any of the items of business on the agenda.

### **LEISURE SERVICES - PROPOSED TRANSFER TO A NEW TRUST**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval to implement the setting up of the New Charitable Trust and to conclude the transfer of the Council's Leisure Services to the Trust.

After discussion and having heard officers in further explanation of the report and in answer to Members' questions, Councillor Hendrie, seconded by Councillor McElhill, moved:-

That the Committee agrees:-

- (i) to form West Dunbartonshire Leisure Trust as a company limited by guarantee;
- (ii) to note that an application would be lodged with the Office of the Scottish Charities Regulator (OSCR) seeking charitable status for the company;

- (iii) that authority be delegated to the Executive Director of Housing, Environmental and Economic Development, in consultation with the Head of Legal, Democratic and Regulatory Services, to enter into a business transfer agreement on behalf of the Council, with the Trust, transferring any contracts, equipment, motor vehicles, stock and distinct intellectual property rights which relate to Leisure Services and providing for the lease to the Trust of 21 leisure and community facilities owned by the Council;
- (iv) that the Executive Director of Housing, Environmental and Economic Development be authorised, in consultation with the Head of Legal, Democratic and Regulatory Services, to grant to the Trust on behalf of the Council a lease of each of (or, where appropriate a license to occupy) those facilities for no more than 20 years and licences to occupy, for an annual payment of £1;
- (v) that the Executive Director of Housing, Environmental and Economic Development be authorised, in consultation with the relevant Executive Directors and Head of Legal, Democratic and Regulatory Services to enter into, on behalf of the Council, a Services Agreement to ensure the continuing provision of leisure services by the Trust;
- (vi) that the Executive Director of Housing, Environmental and Economic Development be authorised, in consultation with the relevant Executive Directors and Head of Legal, Democratic and Regulatory Services to enter into on behalf of the Council, a Transitional Services Agreement for the provision of a number of centralised services to the Trust for a transitional period;.
- (vii) that the Executive Director of Corporate Services be authorised to make application to Strathclyde Pension Fund for the Trust to gain admitted body status;
- (viii) to recommend to Council that as part of the revenue budget setting process for financial year 2012-13 the Trust receives subsidy of £4.356M from the Council and thereafter the funding allocated to the Trust is determined as part of the agreement of the Trust's annual business plan for the next year;
- (ix) to recommend to Council that as part of the capital budget setting process for financial years 2012-14 the Council commits £350,000 per annum for capital investment in Trust assets;
- (x) to commit £130,000 from the Modernisation Fund to convert the upper floor of Alexandria Community Learning & Development Centre; and
- (xi) to note the appointment of the four external Directors of the Trust.

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

That the Committee agrees to continue the report to the meeting of full Council being held on 21 December to enable further consideration and scrutiny of the report to take place.

Councillor Bollan, having failed to obtain a seconder for a proposed second amendment, asked that his dissent be recorded in respect of this item.

On a vote being taken, 3 Members voted for the amendment and 5 for the motion which was accordingly declared carried.

The meeting closed at 11.20 a.m.