

**WEST DUNBARTONSHIRE COUNCIL**

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton on Wednesday, 25 May 2011 at 6.00 p.m.

**Present:** Provost Denis Agnew and Councillors George Black, Jim Bolland, 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, Lawrence O'Neill, Iain Robertson, Martin Rooney and May Smillie.

**Attending:** David McMillan, Chief Executive; Joyce White, Executive Director of Corporate Services; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Keith Redpath, Director of West Dunbartonshire Community Health and Care Partnership; Tricia O'Neill, Head of Human Resources and Organisational Development; Stephen West, Head of Service – Resources and Performance; Angela Terry, Manager of Organisational Development; Alan Williamson, Team Leader (Forward Planning); Andrew Fraser, Head of Legal, Administrative and Regulatory Services and Craig Stewart, Committee Officer.

**Provost Denis Agnew in the Chair****DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest.

**MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting of West Dunbartonshire Council held on 27 April 2011 were submitted and approved as a correct record, subject to Councillor Lawrence O'Neill's name being included in the list of apologies for the meeting.

**PROVOST'S REMARKS**

Provost Agnew, Chair, advised Council that he had received three Emergency Notices of Motion and asked the movers of the Motions to state their terms. Having heard Councillors Gail Casey, George Black and Jonathan McColl inform the Council of the nature of their Emergency Motions, it was agreed that in light of urgency, that the motions by Councillors Casey and Black would be dealt with at the appropriate point later in the meeting.

In regard to the motion by Councillor J. McColl, it was noted, having heard the Legal Officer and the Chief Executive in elaboration and in answer to Members' questions, that the matter had been satisfactorily resolved to Councillor J. McColl's satisfaction and there would now no longer be any requirement for it to be moved as an emergency motion in these circumstances.

### **OPEN FORUM**

The Council noted that no open forum questions had been submitted by members of the public.

### **MINUTES OF THE JOINT CONSULTATIVE FORUM HELD ON 24 MARCH 2011**

It was agreed that the item "Minutes of Previous Meeting" would be considered later on the agenda together with the report on "Joint Consultative Forum Minute – Decisions on Competency of Grievances". Otherwise, the Minutes of the Meeting of the Joint Consultative Forum held on 24 March 2011 were submitted and approved as a correct record, subject to the following clarification:-

That in respect of the item under the heading "Sickness Absence Reporting – Quarter 3 (2010/2011)", and having heard the Chief Executive, to note that the new targets should be for 2011/12 and not 2010/11 and that officers would be willing to review the new targets and make any adjustments to them, as were considered necessary.

### **MINUTES OF THE WEST DUNBARTONSHIRE COMMUNITY HEALTH AND CARE PARTNERSHIP HELD ON 6 APRIL 2011**

The Minutes of the Meeting of the West Dunbartonshire Community Health and Care Partnership held on 6 April 2011 were submitted and approved as a correct record.

### **EXCERPT MINUTE AND REPORT REMITTED FROM PLANNING COMMITTEE – GLASGOW AIRPORT DRAFT MASTER PLAN 2011**

An Excerpt Minute and report was submitted by the Executive Director of Housing, Environmental and Economic Development informing on the publication of the Glasgow Airport Draft Master Plan 2011 and requesting that Council gives further consideration to this matter.

After discussion and having heard the Team Leader (Forward Planning) in further explanation and in answer to Members' questions, the Council agreed that officers should make representations to BAA Glasgow expressing the concerns of Members in relation to noise pollution arising from night-time flights and requesting consideration for the adoption of a limit on flights between 11.00 p.m. and 7.00 a.m. similar to the position of BAA airports in London.

### VACANCIES ON OUTSIDE BODIES – MAY 2011

A report was submitted by the Executive Director of Corporate Services requesting the Council to make nominations in respect of vacancies which have arisen in the list of outside bodies following the Labour Group's Annual General Meeting (AGM) on 9 May 2011 and to consider proposed changes to memberships.

The Council agreed:-

- (1) to take no action in respect of the 2 vacancies on Clydebank Housing Association and 1 vacancy on Clydebank Independent Resource Centre; and
- (2) to approve the changes to the membership on outside bodies by the Labour Group as follows:-
  - (a) Dunbartonshire Educational Trust – Councillor Douglas McAllister;
  - (b) Glasgow and Clyde Valley Structure Plan Joint Committee – Councillor Lawrence O'Neill;
  - (c) Strathleven Regeneration Company – Councillor Geoff Calvert (substitute); and
  - (d) Strathclyde Police Authority – Councillor Lawrence O'Neill.

### JOINT CONSULTATIVE FORUM MINUTE DECISIONS ON COMPETENCY OF GRIEVANCES

A report was submitted by the Executive Director of Corporate Services providing further information and background to the recommendation and the issues involved in respect of the above.

After discussion and having heard the Head of Legal, Administrative and Regulatory services in further explanation and in answer to Members' questions, Councillor Black, seconded by Councillor Bollan, moved:-

That the Council approves the terms of the motion agreed at the meeting of the Joint Consultative Forum held on 24 March 2011, this being "This JCF refers the principle point of view that officers cannot arbitrarily decide on what is a grievance to Council."

Councillor Calvert asked Councillor Black to confirm if his motion incorporated the recommendations at Paragraphs 8.3(i), (iii) and (iv) of the report and Councillor Black confirmed it did.

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

That the Council agrees the recommendations in the report, as follows:-

- (1) to note that Officers cannot arbitrarily decide on what is a grievance;
- (2) that decisions on whether a grievance is within the remit of the Appeals Committee should only be taken by the Monitoring Officer in consultation with the Legal Clerk to the Appeals Committee. It should only be in exceptional circumstances where a grievance is clearly outwith the remit of the committee that the Stage 3 grievance should not go to the Appeals Committee. In these cases advice should be given to the Appellant as to the issues which render their grievance incompetent, enabling them to re-draft as a competent grievance;
- (3) that management meet with the Trade Unions to clarify, in terms of Standing Orders and committee remits, the processes available to the unions to enable them to voice their concerns. This matter has already been discussed within the Employee Liaison Group and the Trade Unions are supportive of identifying processes and mechanisms to enable early resolution of workplace disputes which may not be fully covered by the grievance policy; and
- (4) that the facility for external mediation is offered to the relevant Trade Union in relation to any outstanding matters relating to the particular grievance which has given rise to the issues addressed in this report.

As a second amendment, Councillor McBride, seconded by Councillor Millar, moved:-

That the Council agrees to continue consideration of the report to the next meeting of the Council, in order to obtain further information and clarification in respect of the recommendations contained within the report.

On a vote being taken between the second amendment (Councillor McBride) and first amendment (Councillor J. McColl), 12 Members voted for the second amendment and 10 for the first amendment.

On a second vote being taken between the amendment (Councillor McBride) and motion (Councillor Black), 20 Members voted for the amendment and 2 for the motion. The amendment was accordingly declared carried.

### **SCOTTISH FUTURES TRUST – DEVELOPMENT OF THE HUB INITIATIVE – IDENTIFICATION OF PROJECTS FOR INCLUSION IN WEST TERRITORY HUB DEVELOPMENT PROGRAMME**

A report was submitted by the Chief Executive providing an update on progress in the development of the West Scotland Territory *hubco* and seeking Council's view as to whether to include the proposed project to develop the co-located St. Peter's Primary, Aitkenbar Primary and an Early Education & Childcare Centre within the list of "Identified" Projects of the West Scotland Territory *hub*.

After discussion, the Council agreed that:-

- (1) that the co-located St. Peter's Primary, Aitkenbar Primary and an Early Education & Childcare Centre be identified to prospective development partners by being included within the list of "Identified" Projects for the West Scotland *hub* Territory;
- (2) that officers be given authority to identify some other projects that should be considered as "Identified" Projects to be taken forward as necessary; and
- (3) once funding had been identified, a report would be submitted to a future meeting of the Education and Lifelong Learning Committee seeking approval to proceed to statutory consultation on the co-location of St. Peter's Primary, Aitkenbar Primary and an Early Education & Childcare Centre.

### **PROGRESS REPORT ON THE RE-PROVISION OF AUCHENTOSHAN DAY CENTRE**

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 30 March 2011, a report was submitted by the Chief Executive providing Council with an update on the re-provision of Auchentoshan Day Services.

After discussion and having heard the Director, West Dunbartonshire Community Health and Care Partnership in further explanation and in answer to Members' questions, the Council agreed that should the proposals, set out in the report, be supported by the Steering Group a report should be submitted to the June Council meeting including recommendations in respect of both the required Capital Funding and information on the recurring revenue budget that would be required for the redeveloped service.

### **KEY STRATEGIC PRIORITIES 2011/12**

A report was submitted by the Chief Executive seeking agreement from Council on the proposed Strategic Priorities for 2011/12.

After discussion and having heard the Head of Legal, Administrative and Regulatory Services in clarification of certain matters, Councillor R. McColl, seconded by Councillor Rooney, moved:-

That the Council agrees:-

- (1) the strategic priorities for 2011/12 as outlined in the report, these being (a) Social and Economic Regeneration, (b) Financial Planning and Strategy, (c) Asset Management Strategy and (d) Fit for purpose services; and
- (2) the development of a decision making framework outlined within paragraph 3.5 of the report.

As an amendment, Councillor Bolla, seconded by Councillor Black, moved:-

That the Council agrees the Strategic Priorities for 2011/12 as outlined in the report, with the exception of 'Partial Housing Stock Transfer' and 'Securitisation'.

On a vote being taken, 2 Members voted for the amendment and 20 for the motion which was accordingly declared carried.

## QUESTION

### **Question by Councillor Willie McLaughlin to Spokesperson for Housing, Environment and Economic Development**

Could the Housing, Environment and Economic Development (HEED) Convener provide an update and explanation on the recently proposed downgrading of School Catering Managers? How did this proposal comply with the Job Evaluation status of the job?

### **Councillor Hendrie replied as follows:-**

Over the past 6-12 months given the financial pressures facing this Council and every other Council in Scotland officers have been considering how we can reduce costs of service delivery whilst maintaining the highest possible service to our customers.

For Facilities Management, which includes Catering this has involved speaking with colleagues in Education and other services to understand more clearly the demands for the facilities management service in the future and looking at how we can use the resources we have in a better way to meet those demands as cost effectively as possible. The proposals for structural change within the service has been shared with all staff and is designed to help achieve this aim.

Discussion are ongoing with staff and the trade unions regarding new job roles that better reflect the future demands of the service.

In terms of grades for each of the posts the new roles will be subject to job evaluation. The job evaluation system which will be used to evaluate the new roles is the same system which is used to evaluate all posts across the Council and therefore it is the case that the correct and fair grade for each of the posts will be identified through this process.

During consideration of this item, the Legal Officer was heard in response to a supplementary question which was raised by Councillor Rooney. It was noted, having heard the Legal Officer, that Standing Orders did not allow for a supplementary question to be so raised.

## DECLARATION OF INTEREST

Councillor David McBride declared a financial interest in the following emergency notice of motion by Councillor Casey (as a civil servant employed by the Department of Work and Pensions (DWP)) and intimated that he would leave the meeting and not take part in the debate.

## EMERGENCY NOTICES OF MOTION

### **(a) Emergency Motion by Councillor Gail Casey – Closure of Clydebank Job Centre and Call Centre**

On 13 May 2011 the Department of Works and Pensions (DWP) announced that 1/5<sup>th</sup> of their call centres and benefit processing centres are to close.

Once again the Tories are ripping the heart out of working class communities.

The DWP have announced the closure of the Clydebank Job Centre Plus Call Centre with the loss of 130 jobs to the West Dunbartonshire Economy.

In a cruel 'double whammy', the TUC announced research results showing West Dunbartonshire having the highest job seeker to vacancy ratio in the United Kingdom.

With this shocking information in mind, this Council requests a delegation from West Dunbartonshire seeks an immediate meeting with the DWP, and assistance from our Scottish and UK Parliamentarians to persuade the DWP to reconsider their decision in view of the dire unemployment situation in this area.

The Council agreed unanimously to approve the above motion.

### **(b) Emergency Motion by Councillor George Black – Boycott of Israeli Goods**

This Council refutes the allegations of anti-semitism levelled against us in recent days and clearly states that we will not ban, burn or otherwise abjure any Jewish literature from our libraries.

We will not be compared with zealots of any description who have adopted this type of activity in the past and we call upon the leaders of the Council and the Opposition along with the Corporate Management Team to mount a robust defence of our position.

The Council agreed unanimously to approve the above motion.

The meeting closed at 8.45 p.m.