

WEST DUNBARTONSHIRE COUNCIL

At a meeting of West Dunbartonshire Council held within the Council Chambers, Municipal Buildings, Dumbarton Road, Clydebank on Wednesday, 24th September, 1997.

Present: Councillors James McElhill (SNP), Daniel McCafferty (LAB), John Syme (LAB), Andrew White (LAB), Anthony Devine (LAB), Alistair Macdonald (LAB), James Doherty (LAB), Patricia Rice (LAB), George Cairney (LAB), John McCutcheon (SNP), Geoffrey Calvert (LAB & CO-OP), John Wailles (SNP), William Mackechnie (SNP), Duncan Mills (LAB), Craig McLaughlin (SNP), Ronald McColl (SNP), Margaret McGregor (SNP), James Flynn (LAB) and James Chirrey (SNP).

Attending: Michael J Watters, Chief Executive; Ian Leitch, Depute Chief Executive and Solicitor to the Council; Eric Walker, Director of Finance; Ian McMurdo, Director of Education and Leisure Services; Tim Huntingford, Director of Social Work and Housing; Ian Fernie, Director of Economic; Planning and Environmental Services; Allan Findlay, Director of Contract Services; Patrick Cleary, Director of Roads and Technical Services; John Bak, Head of Personnel and Training; Mary Cullen, Head of Corporate Policy and Public Relations and Angela Clements, Head of Information Services.

Apologies for Apologies for absence were intimated on behalf of Provost Patrick O'Neill (LAB) and Councillors Mary Campbell (LAB) and James McCallum (LAB & CO-OP).

Absence:

Councillor Cairney, Depute Provost, in the Chair

ORDER OF BUSINESS

Councillor Cairney advised that in terms of Standing Order 6 he intended to take agenda item entitled "Scottish Water and Sewerage - Customers' Council" at this point in the meeting.

SCOTTISH WATER AND SEWERAGE - CUSTOMERS' COUNCIL

Professor Tom Anderson, Chairman of the West Area Committee and Mr Tom Young, Head of Customer Services, Scottish Water and Sewerage Customers' Council were introduced to the meeting. They explained that their presentation on this matter would be followed by an opportunity for members to discuss the presentation with them and ask questions.

Professor Tom Anderson advised that the Customers' Council had been established as a watchdog for domestic and non-domestic customers of Scottish Water Authorities. Thereafter Mr Young proceeded to advise of the three main functions i.e. to approve charges, to approve and develop codes of practice and to investigate complaints. Although the Customers' Council was appointed by the Secretary of State the membership covered a wide range of background and experience. Mr Young was heard further in respect of the workings of the Customers Council and thereafter answered various questions from elected members.

Councillor Cairney, on behalf of the Council, thanked Professor Anderson and Mr Young for their presentation and thereafter they left the meeting.

MINUTES OF PREVIOUS MEETINGS

(a) Minutes of Meeting of West Dunbartonshire Council of 27th August, 1997

The minutes of meeting of West Dunbartonshire Council held on 27th August, 1997 were submitted for approval.

Councillor Cairney, seconded by Councillor White, moved that the minutes be approved subject to a correction to insert **volume page 2478** in relation to item entitled "**Timetable of Council and Committee Meetings 1997/98**" showing the timetable for the period from 6th May, 1998 to 16th December 1998 and a correction to **volume page 2457** in relation to item entitled "**The Third Statutory Review of Electoral Arrangements for West Dunbartonshire**" by deleting paragraph 1 and sub paragraphs 1, 2 and 3.

(b) Minutes of Requisitioned Meeting of West Dunbartonshire Council of 4th September, 1997

The minutes of the requisitioned meeting of West Dunbartonshire Council held on 4th September, 1997 were submitted and approved on the motion of Councillor Cairney, seconded by Councillor White, subject to a correction to **volume page 2480** in relation to item entitled "**Letter from H.M. Lord Lieutenant of Dunbartonshire - Death of Diana, Princess of Wales**" by deleting the words "he had written to H.M. Lord Lieutenant of Dunbartonshire expressing the Council's sadness" and substituting the words "condolences had been passed to H.M. Lord Lieutenant of Dunbartonshire by Provost O'Neill on behalf of the people of West Dunbartonshire".

MINUTES OF MEETINGS OF COMMITTEES

Tendering Committee

The minutes of meeting of the Tendering Committee held on 20th August, 1997 were submitted and noted for information.

Environmental Protection and Leisure Services Committee

The minutes of meeting of the Environmental Protection and Leisure Services Committee held on 20th August, 1997 were submitted and noted for information.

Roads and Technical Services Committee

The minutes of meeting of the Roads and Technical Services Committee held on 20th August, 1997 were submitted and noted for information.

Appeals Committee

The minutes of meeting of the Appeals Committee held on 28th August, 1997 were submitted and noted for information.

Contract Services Policy Board

The minutes of meeting of the Contract Services Policy Board held on 3rd September, 1997 were submitted and approved on the motion of Councillor Rice, seconded by Councillor White.

Education Committee

The minutes of meeting of the Education Committee held on 3rd September 1997 were submitted and noted for information.

Planning and Economic Development Committee

The minutes of meeting of the Planning and Economic Development Committee held on 3rd September, 1997 were submitted and noted for information.

Appeals Committee

The minutes of meeting of the Appeals Committee held on 4th September, 1997 were submitted and noted for information.

Community Initiatives Committee

The minutes of meeting of the Community Initiatives Committee held on 5th September, 1997 were submitted and approved on the motion of Councillor Devine, seconded by Councillor White.

INFORMATION SERVICES COMMITTEE

There was submitted excerpt minute from the proceedings of the meeting of the Information Services Committee of 17th September, 1997 in relation to item entitled “**Update of Year 2000 Compliance Project**”.

That Committee had agreed:-

- “(a) to note the progress of the Millennium Compliance Project; and
- (b) to endorse a submission to the full Council requesting capital funding as per previous Capital bid submission (**volume pages 2207/2208 refer**) at the earliest opportunity to enable the Millennium Compliance Project to be realised, and with this funding:-
- (1) To authorise the Head of Information Services to begin the upgrade or replacement of Business Critical systems and Corporate servers, in consultation with the Chief Executive and Director of Finance.
 - (2) To authorise a contract for three programmers (from the Millennium Capital Funding) for a fixed term, in consultation with Personnel and Training, to tackle in-house systems within the scope of the Project.
 - (3) To authorise the procurement of an inventory tool to expedite the necessary investigatory work required for this Critical Project”.

On the motion of Councillor White, seconded by Councillor Devine, the Council approved the recommendation from the Information Services Committee whilst noting that a further report would require to be produced providing options on deletions/delays from the General Services Capital Programme to accommodate the Information Services expenditure agreed.

COMMUNITY GROUPS

(a) Membership of Community Groups Funded by Council

With reference to previous decision (**volume page 2463 refers**) there was submitted and noted report by the Chief Executive detailing the current and past members of the West Dumbarton Activity Centre Management Committee and advising of those individuals involved with other organisations which received funding from West Dunbartonshire Council.

(b) West Dumbarton Activity Centre

With reference to previous decision (**volume page 2463 refers**) there was submitted report by the Chief Executive advising of the up-to-date position on the on-going investigations into the operation of the West Dumbarton Activity Centre.

On the motion of Councillor White, seconded by Councillor Devine, the Council agreed:-

- (a) to establish a Working Group (comprising the Directors of Economic; Planning and Environmental Services, Education and Leisure Services, Social Work and Housing and

the Manger of Audit) to review monitoring arrangements inherited from the former authorities and to report with recommendations to the next meeting of Council;

- (b) that having regard to past recruitment problems the Chief Executive be instructed to advertise for the appointment of one additional qualified auditor at an early stage and that consideration be given to the salary grading if this should be necessary;
- (c) that the Chief Executive be instructed to fill the unbudgeted post of audit assistant, the costs to be met from the General Services Budget Savings for 1997/98; and
- (d) that details of any further allegations made be passed to the Chief Executive for investigation.

MATTERS ARISING OUTWITH DELEGATED POWERS FOR RATIFICATION BY COUNCIL

(a) Environmental Protection and Leisure Services Committee

The following matter arising from the minutes of meeting of the Environmental Protection and Leisure Services Committee of 20th August, 1997 (**volume page 2495 refers**) was submitted for approval as it was outwith the delegated powers of that Committee:-

Instructors' Fees

On the motion of Councillor White, seconded by Councillor Devine, the Council endorsed the recommendation by the Environmental Protection and Leisure Services Committee that the proposed introduction of a range of Instructors' fees within the Leisure DSO in line with market trends be approved as detailed in Appendix III to that minute and that powers be delegated to the Director of Education and Leisure Services to negotiate amendments to the fees in the future.

(b) Contract Services Policy Board

The following matter arising from the minutes of meeting of the Contract Services Policy Board of 3rd September, 1997 (**volume page 2523 refers**) was submitted for consideration:-

Capital Plan 1997/98

The Board had considered the proposal that Standing Orders be suspended and authority delegated to the Director of Contract Services, in consultation with the Convener of the Contract Services Policy Board, to accept the relevant tenders from those invited, for the supply of (i) Grasscutting equipment; and (ii) a 1000 Kg Dumper and referred the matter to this meeting.

Councillor Rice, seconded by Councillor White, moved that Standing Orders be suspended to allow the Director of Contract Services, in consultation with the Convener of the Board to accept the relevant tenders.

On a vote being taken, 8 members voted against the suspension of Standing Orders and 10 in favour of suspension of Standing Orders but as suspension of Standing Orders required a majority of two thirds and this had not been achieved, the matter fell.

SANDPOINT MARINA, WOODYARD ROAD, DUMBARTON

In terms of remit from the meeting of the Planning and Economic Development Committee of 3rd September, 1997 there was submitted report by the Director of Economic; Planning and Environmental Services on the unauthorised infilling of the River Leven at Sandpoint Marina, Dumbarton. An inspection of the site had been carried out earlier in the day.

On the motion of Councillor Macdonald, seconded by Councillor Mackechnie, the Council approved of the service of an Enforcement Notice and the service of a Stop Notice in conjunction therewith.

DECLARATION OF INTEREST

Councillor McCutcheon declared a non pecuniary interest in the following item of business and accordingly withdrew from the Chamber during discussion thereof.

PROPOSED DISPOSAL OF LAND AT KILBOWIE PARK

In terms of remit from the meeting of the Planning and Economic Development Committee of 3rd September, 1997 there was submitted report by the Director of Economic; Planning and Environmental Services seeking approval of the terms and conditions for a proposed disposal of land at Arran Place and Argyll Road, Clydebank. An inspection of the site had been carried out earlier in the day.

On the motion of Councillor Macdonald, seconded by Councillor Mackechnie, the Council approved the terms and conditions outlined in the report for the sale of the areas of land specified to Messrs VICO Property Group and agreed that the relevant officials be instructed to proceed accordingly.

Councillor McCutcheon re-entered the meeting at this point.

COUNCIL TAX AND BENEFITS SYSTEM REPLACEMENT

In terms of remit from the meeting of the Finance Committee of 17th September, 1997 there was submitted report by the Director of Finance in respect of the procurement of Council Tax Benefits software, hardware and associated services.

On the motion of Councillor White, seconded by Councillor Devine, the Council agreed:-

- (a) that subject to satisfactory terms and conditions of supply being negotiated by the Depute Chief Executive and Solicitor to the Council, the First Software Revenues tender for Council Tax, Unified Benefits, hardware and associated services be accepted; and

- (b) that the implementation of appropriate technologies to facilitate a single application form and single door approach to handling all Council Benefit Applications be the subject of a report to the next meeting of Council with the aim of achieving this one door approach as soon as possible.

APPOINTMENT OF AN OPTIONS PROGRAMME CO-ORDINATOR

In terms of remit from the Policy and Resources Committee of 17th September, 1997 there was submitted report by the Head of Personnel and Training advising of the progress of pilot Options Programme and seeking approval for the appointment of a Programme Co-ordinator. A copy of the job outline was attached

On the motion of Councillor White, seconded by Councillor Devine, the Council approved the appointment of an Options Programme Co-ordinator (APIII) on a one year fixed term basis, the duties to be as defined in the job outline attached to the report.

CRIME AND DISORDER BILL SCOTTISH CONSULTATION PAPER ON ANTI-SOCIAL BEHAVIOUR ORDERS

There was submitted (i) letter from the Home Department, Police Division, The Scottish Office, enclosing a Scottish Consultation Paper on Anti-Social Behaviour Orders and seeking comments thereon by 9th October, 1997; and (ii) report by the Depute Chief Executive and Solicitor to the Council commenting and making recommendations on aspects of the Consultation Paper for consideration as part of any response to The Scottish Office.

On the motion of Councillor White, seconded by Councillor Devine, the Council agreed (1) that the principle of such orders was accepted and (2) to submit a copy of the report to The Scottish Office, highlighting the following points:-

- (a) that the Anti-Social Behaviour Order apply to persons under 16 years of age;
- (b) that the parent/guardian/adult in charge of a person under 16 years be accountable for the breach of an Order by the underaged person;

- (c) that a child in breach of an Order be automatically referred to the Children’s Panel;
- (d) that the Police be empowered to apply for Orders;
- (e) that there be no requirement on local authorities to consult with Police or vice versa with regard to applications for Orders;
- (f) that there be no requirement to consult with the Procurator Fiscal;
- (g) that service of an application for an Order be effected (where personal service had been unsuccessful) by affixing to the door;
- (h) that clarification be obtained on whether “fast track” procedures were in contemplation;

- (i) that the grant of Orders be admissible in, and conclusive of, evidence in interdict or eviction proceedings;
- (j) that the Government funds the costs of these new Orders in full;
- (k) that, having regard to the issues raised in paragraph 4 of the report, the provisions be not extended to the community as a whole but only to local authorities as a Landlord at this time; and
- (l) alternatively, the Crown Office via the Procurator Fiscal service should assume responsibility for these new Orders.

**DUMBARTON DISTRICT
DISTRICT WIDE LOCAL PLAN - PUBLIC INQUIRY**

With reference to previous decision (**volume page 2554 refers**) there was submitted report by the Director of Economic; Planning and Environmental Services advising of the contents of the Dumbarton District, District Wide Local Plan Report of the Public Local Inquiry and making recommendations on the proposed Council response thereto. The Director advised of an adjustment to Policy TO6/1 recommending the substitution of the word “bedrooms” for the word “apartments”.

On the motion of Councillor Macdonald, seconded by Councillor White, the Council approved the report and the recommendations contained in the Appendix thereto, as the Council’s response to the Inquiry Report and the specific additional modifications to the Dumbarton District, District Wide Local Plan, including the aforesaid alteration to the Appendix on the Policy TO6/1.

DRAFT ENVIRONMENTAL CHARTER FOR WEST DUNBARTONSHIRE

There was submitted report by the Director of Economic; Planning and Environmental Services together with a draft Environmental Charter covering the remit of West Dunbartonshire Council as a Unitary Authority and seeking authority to carry out an extensive public consultation exercise thereon.

On the motion of Councillor Macdonald, the Council approved the draft Environmental Charter for West Dunbartonshire as a consultative document on which the views of the community and other appropriate agencies would be sought and agreed that consideration be given to future provision of facilities for securing bicycles at Council Offices to encourage staff and elected members to travel by bicycle.

POLICY REVIEW OF SCOTTISH TOURIST BOARD INVITATION TO CONTRIBUTE

There was submitted report by the Director of Economic; Planning and Environmental Services providing suggestions for submission to The Scottish Office in respect of their discussion paper on the Policy Review of the Scottish Tourist Board.

On the motion of Councillor Macdonald, seconded by Councillor White, the Council endorsed the suggested responses to the five questions posed in respect of the Policy Review of the Scottish Tourist Board and agreed that these be sent to The Scottish Office as the Council's submission on this stage of the Scottish Tourist Board Review Procedure.

PENNINGTON EXPERT GROUP - ADDITIONAL RESOURCES

There was submitted report by the Director of Economic; Planning and Environmental Services intimating that following publication of the Pennington Interim and Final Reports, The Scottish Office had announced that an additional £5.8 million would be made available to support the implementation of increased food safety measures and making recommendations for the utilisation of the additional funding allocated for West Dunbartonshire. The Director of Economic; Planning and Environmental Services advised that subsequently The Scottish Office had advised that the allocation for this Council had been increased to £22,000 for 1997/98, £42,000 for 1998/99 and £30,000 for 1999/2000.

On the motion of Councillor White, seconded by Councillor Devine, the Council agreed to note the report.

THE CLYDEBANK TRUST

There was submitted report by the Depute Chief Executive and Solicitor to the Council to determine what assistance, if any, should be given by the Council to the Clydebank Trust in the administration of the Trust and, in particular, in the administration of application for grant assistance.

On the motion of Councillor White, seconded by Councillor Devine, the Council agreed:-

- (a) to delegate to the Director of Finance, in consultation with the Depute Chief Executive and Solicitor to the Council, such assistance as the Trustees may require and as the Director of Finance and the Depute Chief Executive and Solicitor to the Council may determine the Council can reasonably give to the Trust and that without cost on the part of the Trust; and
- (b) that when the Council was unable to award grant assistance, it could direct applicants to the Trust allowing the Trustees to determine the suitability and eligibility of any such application for grant assistance.

COUNCIL CANTEEN AND TROLLEY SERVICE

There was submitted report by the Depute Chief Executive and Solicitor to the Council in respect of a proposal to increase prices charged by the Council Canteen and Trolley Service.

The Council following consideration decided to continue consideration of the report for observations by the Director of Contract Services, to the next meeting to be held on 29th October 1997.

BEST VALUE REGIME SUBMISSION TO THE SCOTTISH OFFICE

There was submitted report by the Chief Executive referring to the submission to be made to The Scottish Office on 26th September, 1997 on Best Value covering the four areas required and enclosing a draft submission for consideration.

On the motion of Councillor White, seconded by Councillor Devine, the Council approved the submission on Best Value and agreed that this be sent to The Scottish Office.

CONFERENCES, COURSES, ETC.

- (a) **ATCM - Edinburgh Conference "Building Business Partnerships - For The Benefit of All"**

There was submitted and noted letter from the Association of Town Centre Management (ATCM) inviting the Council to be represented at the Edinburgh Conference on 6th/7th October, 1997 on the theme "Building Business Partnerships - For The Benefit Of All".

(b) COSLA - Seminar on Nolan Report into Standards of Conduct in Local Government

There was submitted letter from the Convention of Scottish Local Authorities giving details of a Seminar to be held in Edinburgh on 8th October, 1997 on the Nolan Report into Standards of Conduct in Local Government.

The Council agreed that the Leader of Council (or substitute) be authorised to attend.

(c) COSLA Seminar - Code of Guidance on Homelessness

There was submitted letter from the Convention of Scottish Local Authority giving details of a Seminar to be held in Edinburgh on 17th October, 1997 based on the Code of Guidance on Homelessness.

The Council agreed that the Convener of the Housing Committee (or substitute) be authorised to attend.