

WEST DUNBARTONSHIRE COUNCIL

At a Hybrid Meeting of West Dunbartonshire Council held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 20 December 2023 at 4.08 p.m.

Present: Provost Douglas McAllister and Councillors Jim Bollan, Ian Dickson, Diane Docherty, Craig Edward, Gurpreet Singh Johal, Daniel Lennie, David McBride, Jonathan McColl, James McElhill, Michelle McGinty, June McKay, John Millar, Karen Murray Conaghan, Lawrence O'Neill, Lauren Oxley, Chris Pollock, Martin Rooney, Gordon Scanlan, Hazel Sorrell, Clare Steel and Sophie Traynor.

Attending: Peter Hessett, Chief Executive; Alan Douglas, Chief Officer – Regulatory and Regeneration (Legal Officer); Laurence Slavin, Chief Officer – Resources and Section 95 Officer; Peter Barry, Chief Officer – Housing and Employability; Amanda Graham, Chief Officer – Citizen, Culture and Facilities; Gail Macfarlane, Chief Officer – Roads and Neighbourhood; Laura Mason, Chief Officer – Education; Beth Culshaw, Chief Officer – Health & Social Care Partnership; Lesley James, Head of Children's Health, Care and Justice Services; Michelle Lynn, Assets Co-ordinator; Gillian McNamara, Economic Development Manager; Allison McBride, Strategic People & Change Manager; George Hawthorn, Manager of Democratic and Registration Services; and Carol-Ann Burns, Senior Democratic Services Officer.

Also attending: Tom Reid, Audit Director, Mazars

Provost Douglas McAllister in the Chair

STATEMENT BY CHAIR

Provost McAllister advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

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

RECORDING OF VOTES

The Council agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

MINUTES OF PREVIOUS MEETINGS

The Minutes of Meetings of West Dunbartonshire Council held on 25 October 2023 (Ordinary, 8 November 2023 (Requisitioned), and 29 November 2023 (Requisitioned) were submitted and approved as correct records.

INVERCLYDE COUNCIL AND WEST DUNBARTONSHIRE COUNCIL SHARED SERVICES JOINT COMMITTEE

(a) Report by Chief Officer – Regulatory and Regeneration

A report was submitted by the Chief Officer – Regulatory and Regeneration in relation to the future of shared services arrangements between Inverclyde Council and West Dunbartonshire Council and seeking endorsement of the decision of the Shared Services Joint Committee taken on 23 November 2023 to wind up the joint committee and to pursue a different model of joint working.

Having heard the Chief Officer in answer to Members' questions, the Council agreed:-

- (1) to endorse the decision of the Shared Services Committee held on 23 November 2023 to:-
 - (a) to approve the winding up of the Joint Committee;
 - (b) to note the continuation of shared Internal Audit services between West Dunbartonshire and Inverclyde Councils in the short to medium term, subject to a service level agreement; and
 - (c) to note that wider discussions would continue with neighbouring Councils on possible options to create a more sustainable delivery model for Internal Audit services over the longer term.

(b) Minutes of Meeting

The Minutes of Meeting of the Shared Services Joint Committee held on 23 November 2023 were submitted and all decisions contained therein were approved.

OPEN FORUM

The Provost advised that the undernoted Open Forum questions had been received from Mr Drew McEoghainn, Mr David Smith, UNISON, and Ms Cara Thom and invited each to put their question to Council.

(a) Question from Drew McEoghainn

On WDC's recent cuts consultation, why wasn't there an option for people to tick that they wanted a needs based budget?

Councillor Lennie provided the following response:-

The Council is committed to making West Dunbartonshire a better place to live, work, learn and visit for all despite facing a significant and ongoing financial challenge.

As part of the development of the Council's Strategic Plan - a key document which guides the Council's direction over the 2022-2027 period - an extensive Strategic Needs Assessment was undertaken to understand community need.

The Strategic Needs Assessment, which is available publicly, was derived from data and evidence on our communities and residents. It identified the key priority areas for focus and formed the basis for the development of the Strategic Plan's aims and objectives.

As the Budget Conversation questions were based around the key priority needs as identified in the Strategic Plan, they too reflect the outcome of the Strategic Needs Assessment.

The online budget conversation asked residents to rate activities of services based on their importance to the individual under headings which aligned with the priority areas of Our Communities; Our Environment; Our Economy; and Our Council.

In addition, participants were also given an opportunity to submit further feedback through the use of free text boxes throughout the questionnaire and at the conclusion.

On the Budget Conversation's dedicated webpage and within the survey itself, participants were provided with links to the Strategic Plan which detailed the outcome of the Strategic Needs Assessment, and the Council's key priorities and commitments.

A total of 771 people participated in the Budget Conversation over a six week period, with 507 additional comments made in the free text boxes on the four priorities. In the main, these comments focused on a desire for the Council to cease making service cuts.

A total of 953 responses were received to questions about services that should be protected and services where participants would target spending reductions.

To supplement the online consultation, five focus group sessions were held with a range of representatives from local community organisations within Dumbarton/Alexandria and Clydebank as well as with the West Dunbartonshire Equality Forum and the Trade Unions.

The Council has a statutory duty to set a balanced budget each year and with a current expected budget gap of around £17m, the aim of the Budget Conversation process was to identify what services are most important to residents.

This feedback, along with evidence of need, knowledge of services and analysis of service performance will allow Elected Members and Chief Officers to make informed decisions.

Mr McEoghainn asked the following supplementary question:-

- We have had over £35m of cuts and we expect a further £50m over the next 5 years.
- You have considered going to a four-day week in education, reducing transport for our kids going to school.
- You have asked the Chief Education Officer to find yet more cuts three years after the same Director of Education said “education had been cut to the bone”!
- You’ve closed community centres.
- Increased the charges for the care of garden scheme and changed its eligibility criteria.
- Reduced bin collections.
- Reduced the hours of our recycling centres.
- Cut advice services to our most vulnerable.
- This isn’t even mentioning the dangerous and ludicrous decision to move Balloch library into a glorified cupboard in the premises of three schools.

So with West Dunbartonshire being in the bottom 20 % of most deprived areas over 48 data zones in accordance to Scottish indices of multiple deprivation when will this labour administration tell the governments in Edinburgh and London that the tory, SNP and soon to be Starmer’s austerity programme will not be inflicted upon the people of West Dunbartonshire follow their “comrades” from the labour party in Glasgow who stated “they will simply have no part in a budget process which will wreak havoc on our city and damage those most in need” action backed with gusto by their leader Anas Sarwar!

My question is: when will this Labour administration say “enough is enough”!

Councillor Lennie thanked Mr McEoghainn for his supplementary question and advised a response would be provided in writing.

(b) Question from David Smith, UNISON

Should West Dunbartonshire elected councillors set a NO CUTS budget, what would happen?

Councillor Lennie provided the following response:-

West Dunbartonshire Council, under the Local Government Finance Act 1992, is required to set a balanced budget. In particular Section 70 of the Act requires councils to impose a council tax that meets expenses not otherwise met through other means.

For West Dunbartonshire Council to set a 'no cuts' budget would require them to generate £287.6m of income, that being the total estimated 2024/25 expenditure budget if no reductions in service were agreed.

Based on the Council's S95 Officer current estimate the Council will receive £265.2m of funding in 2024/25 through a combination of Scottish government funding and Council tax income. That leaves a shortfall of £22.4m prior to any measures to balance the budget that have already been agreed by Council in December 2022 and March 2023.

These measures include application of the Service Concessionary Financial Flexibility and saving options agreed in December 2022 and March 2023 which have a further financial effect in 2024/25.

Once these are factored in the Council has an estimated budget gap of £16.97m. This is before any decision is taken on the use of the financial benefit generated by the reduction in the employer's pension contribution rates.

Therefore, to be compliant with the Local Government Finance Act 1992, if the Council agrees a no cuts budget, they would need to generate £16.97m through Council tax increases. This would require a Council Tax increase of 42%. The Scottish Government has announced a Scotland wide Council Tax freeze which removes any scope for the Council to determine the required council tax increase.

If the Council do not agree a balanced budget the Council's S95 Officer is required to notify the Chief Executive and consider consultation with the Council's external auditors. There would then need to be a report submitted by the S95 Officer to full Council for consideration within 21 days. In that time period the Council is prevented from entering into any agreements incurring expenditure until the full council has considered the report.

After considering the report, the full council is required to prepare a report which specifies what action it proposes to take in response and the planned timescales.

Where a council does not take the appropriate action in response to the S95 officer's report or such a report is not prepared, where external audit consider it appropriate, they would advise Audit Scotland so that the Controller of Audit can take the appropriate action. This may include the Controller of Audit making a report to the Accounts Commission under section 102 of the Local Government (Scotland) Act 1973 which may lead to a hearing and ultimately could lead to suspension or disqualification of members of the Council.

Mr Smith asked the following supplementary question:-

You told us in previous forums and other meetings that the Scottish Government administrators would come in and make the cuts if we set no cuts budget, what evidence can you present to the Council tonight to substantiate your view that Scottish Government administrators would come in here and make the cuts and can you tell us where this has happened before in Scotland?

Councillor Lennie thanked Mr Smith for his supplementary question and advised a response would be provided in writing.

(c) Questions from Cara Thom

- (i) Scottish Library and Information Council (SLIC) - have published information on Data Poverty and Digital exclusion. They state that reliance on digital increased exponentially during significant national lockdowns and libraries are at the centre of the collaborative effort to ensure no one is left behind in the new digital landscape as envisioned in A Changing Nation: How Scotland will Thrive in a Digital World (2021).

1 in 7 people across Scotland experience data poverty, rising to 1 in 4 in lower income households. 1 in 5 of those experiencing data poverty depended on libraries for access pre-pandemic.

Public libraries will continue to offer vital access and ongoing digital support that embrace both the challenges and the opportunities that the digital world presents. Balloch Library was heralded as the best equipped computer suite offering free Wi-Fi outside Glasgow following the £100,000 investment made to the library in 2017.

My question is: - Please explain to the community why, in this area of high deprivation, the Council has made the decision to increase Data Poverty and Digital Exclusion by reducing the number of computers available at Balloch Library, once heralded as the best equipped Computer suite outside Glasgow, from 8 to 3?

Councillor Lennie provided the following response:-

In the current financial year, the Council faced a £21million budget gap and in the coming year we anticipate a deficit of around £17million between the money we need to run our services and the income we receive.

We therefore have to consider ways of saving money while still delivering the vital services our residents rely on.

The decision to co-locate the library into another building was taken as part of the Council budget setting in March 2023 with the co-location preserving local library provision for residents in Balloch, Haldane and surrounding areas and protecting jobs.

We recognise and value the contribution of our libraries to our communities, literacy and learning and in particular to digital learning and that is why we have maintained local provision with eight branch libraries in West Dunbartonshire in addition to our school and mobile library service.

The service collates data on computer usage and the PCs at Balloch Library are on average used for just over 20% of their available time. We are therefore confident that we can continue to meet demand with a reduced number of PCs and will also supplement this by providing mobile devices for public use.

(ii) At present, Balloch Library has a footprint of 270 square metres, but the plans for Balloch School Campus show that the new library will be roughly 50 square metres (not including toilets) formed from the head teacher's office, part of the nursery teachers' staffroom and the printer room, all of which are necessary to the running of the school/nursery.

With a reduction of around 80%, this is a tiny amount of space, totally inadequate for a library. We refer to your public service provision policy and say that the council need to demonstrate that such a percentage decrease is justifiable.

We believe that there will be a limit to the number of people who can be in the new library space at the same time, which will affect critical community services, like Bookbug, which is not just for a child's early year's development, but social interaction for children and caregivers.

My question is:-Regarding Policy PS 1 - Public Service Provision Section 11.4, do you have data on the number of library users and when they attend?

Councillor Lennie provided the following response:-

The current Balloch library has a floor space of 192 m² and the new co-located library space is 55m². The head teacher's office, staff area and printer room are being provided in other available space within the building which

does not affect any teaching space or occupancy of the building or impact on any other provision within the building.

We are committed to the continued local provision of Bookbug and other community activities.

Policy PS1 of the adopted West Dunbartonshire Local Plan seeks to protect public utility, social and community facilities identified on the Proposal Map.

The policy requires in advance of the disposal of any Council building, the disposal strategy would first explore options for alternative community use.

This justification would be required with any future development proposal for the building, therefore Policy PS1 is not relevant in the context of the decision to relocate the service.

The adopted local plan (2010) is 13 years old and more weight is likely to be given to the more up to date National Planning Framework 4 (2023) which forms part of the development plan and proposed Local Development Plan (2020 as modified) when assessing any future development proposals for the building.

I can confirm that in line with policy PS1 community use of the library building will be explored when considering future disposal options

Ms Thom asked the following supplementary question:-

I agree that the policy doesn't apply directly to Balloch Library, however, the policy does state "Prior to the closure of any community facility" so this part would apply, can you revisit the original question about numbers of library users and when they attend. (The section of the policy document I'm referring to is detailed below).

11.4 Policy PS 1 - Public Service Provision - The Council will seek to protect established public utility, social and community facilities as identified on the Proposals Map.

'Prior to closure of any community facility, the Council will need to demonstrate that the community facility is no longer needed'

Once no longer needed, the Local Plan should provide for reuse of surplus community facilities. In considering any proposed change of use, the Council will have regard to the character and amenity of the surrounding area, other Local Plan policies and whether the loss of the facility would have a significant adverse impact on the community.

Councillor Lennie thanked Ms Thom for her supplementary question and advised a response would be provided in writing.

- (iii) The letter from the Council in October told parents that all renovations would be completed by the beginning of 2024. They were told the library will open early that year.

We the community are very worried about the risk to both children and library users. Our concerns include the following: Scottish Government policy gives guidance on the purpose of Spare Capacity within a School.

It is there NOT for the purpose of establishing a public facility like a library within a school estate. It is there to ensure that a school has the capacity to fulfil future rises in population, e.g., new housing like the flats being built on the grounds of The Stables Restaurant.

The Chief Officer: Citizen, Culture and Facilities quoted Balloch Primary school at the council meeting on the 8 November as operating at 69% capacity. The current number of pupils in Balloch Primary is 301. This equates to an 81% capacity.

My question is: - Can you please investigate, and re-assess, the Chief Officer: Citizen, Culture and Facilities' figure of 69% which we believe is based on data from the previous school year and is now out-of-date.

Councillor Lennie provided the following response:-

Work has commenced on the site and, following engagement with education, is being undertaken outwith school hours to minimise disruption to school activities.

The works are being carried out in two phases, to the upper floor creating the new head teacher's office, meeting and storage space and to the lower floor to develop the new library space.

Parents/carers were advised the new library would open early in 2024 and It is currently anticipated work will be completed in March 2024.

In relation to occupancy figures, all Local Authorities are required to report on this annually to the Scottish Government.

The figures provided by the Chief Officer previously were the most recent figures reported to Scottish Government and were on the basis of a school roll of 298 which is calculated at a 69.626% occupation.

The current school roll is 301, an increase of 3 pupils from previous and this equates to an occupation of 70.69%.

School capacity measures how many pupils can be taught in a school based on the number and size of teaching spaces available. As the new Balloch Library will be located in an area that has never been considered or used as a teaching space, it will have no impact on school capacity.

I have been further advised that when the school was built the roll capacity was calculated taking into account any future development which may occur in the catchment area

Ms Thom asked the following supplementary question:-

Can you please make public the risk assessments that were carried out in the school campus to ensure the existing safety measures can apply whilst incorporating a viable public library.

Councillor Lennie thanked Ms Thom for her supplementary question and advised a response would be provided in writing.

CHIEF SOCIAL WORK OFFICER ANNUAL REPORT

A report was submitted by the Head of Children's Health, Care and Justice Services, (Chief Social Work Officer) providing the Chief Social Work Officer (CSWO) Annual Report for 2022-23 which provided information on the statutory work undertaken on the Council's behalf, including a summary of governance arrangements, service delivery, resources and workforce.

After discussion and having heard the Head of Children's Health, Care and Justice Services Chief Social Work Officer in further explanation and in answer to Members' questions, the Council agreed to approve the content of the Chief Social Work Officer Annual Report 2022-23 and approve its submission to the Office of the Chief Social Work Advisor to the Scottish Government.

REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2023

A report was submitted by the Chief Officer – Regulatory and Regeneration advising of the response to the consultation on the review of polling districts and polling places and seeking approval of the final polling scheme.

After discussion and having heard the Manager of Democratic and Registration Services in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to adopt the scheme of polling districts and polling places as detailed in Appendix 1 to the report;
- (2) to authorise the Returning Officer to identify suitable alternative polling places in advance of any given election should that polling place no longer be available to the Council, as outlined in Appendix 1 to the report; and
- (3) to authorise the Returning Officer to determine a suitable polling place for those voters in the Glasgow City Council area, who will form part of the new UK Parliamentary Constituency of West Dunbartonshire.

GLASGOW CITY REGION CITY DEAL UPDATE AND EXXON SITE PROJECT

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval for the construction agreements with Balfour Beatty Civil Engineering Ltd and Network Rail for the Exxon site infrastructure project, and advising of the progress being made on delivering the projects, and the implementation of the Glasgow City Region programme.

After discussion and having heard the Chief Officer – Regulatory and Regeneration in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to delegate authority to the Chief Officer – Regulatory and Regeneration to agree the construction agreements with Balfour Beatty Civil Engineering Ltd and Network Rail and such ancillary agreements as may be required to deliver the works, all in line with the approved budget;
- (2) to note the progress made on site remediation made by ExxonMobil, and the new target completion date of the end of February 2024;
- (3) to note the progress made with Network Rail on possession of the site for construction of the western underpass;
- (4) to note that the outcome of the Council's additional funding request to Glasgow City Region was not yet known; and
- (5) to note the progress of the Glasgow City Region programme.

FINANCIAL UPDATE

(a) Deputation – Cuts to Services

Having heard Provost McAllister, the Council noted that a request had been received from UNISON and EIS to address the Council in relation to 'Cuts to Services'.

The Council agreed to hear the deputations and the Provost then invited the delegation, namely David Smith, UNISON, and Jim Halfpenny, EIS, to come forward and address the Council, and Mr Smith and Mr Halfpenny were heard in relation to their concerns regarding cuts to services.

The Provost thanked the Representatives for their contributions.

(b) Report by Chief Officer – Resources

A report was submitted by the Chief Officer – Resources providing an update on the financial challenges facing the Council, the estimated 2024/25 – 2028/29 revenue budget gaps and presenting the first tranche of saving

options for Members' consideration to help the Council deliver a balanced 2024/25 budget.

After discussion and having heard the Chief Executive and the Chief Officer – Resources in further explanation and in answer to Members' questions, Councillor Rooney, seconded by Councillor McGinty, moved:-

Council thanks the Chief Officer for the Financial Update and for taking the time to go through the report and for responding to questions and comments from Elected Members.

Council agrees the following:-

- (1) to note the Council's estimated 2024/25 revenue gap had decreased from £17.274m down to £16.970m.
- (2) to approve the smoothing of the financial benefit from the reduction in the Councils employer contribution rate to the Strathclyde Pension Fund over a four year period.
- (3) to note the £973,000 of management adjustments which will contribute to agreeing a balanced 2024/25 budget and assist with future projected budget gaps.
- (4) to approve the following savings proposals totalling £1.356 million.
 - **CCF01** – WDLT Management fee reduction of 20% (£940,000)
 - **EDU08** – Additional Management Time in Schools (£304,000 saving year 1)
 - **EDU11** – Option 1 DMR Reduction of 10% (£80,000)
 - **RES07** – Option 2 Two Week Christmas Closedown (£7,000)
 - **RR03** – Option 1 Retain Hybrid Meetings (£20,500)

The combined savings from Political Savings of £1,351,500, Management Adjustments of £973,000 means a total saving of £2,324,500 and, when you factor in the £5.332m from the 4 year smoothing of the financial benefit from the reduction in the Councils employer pension contribution rate this reduces the forecast budget gap to £9.313m.

The above is subject to confirmation of the Council's final settlement from the Scottish Government.

As an amendment, Councillor Dickson seconded by Councillor McColl, moved:-

Council notes the management adjustments and officers' reassurance that there will be no compulsory redundancies and no impact on services as a result of the Chief Executive's decision to make these budget adjustments.

Council further agrees that given the scale of the current financial challenge, the savings options in the report will be considered in concert with all of the

savings options being presented to Council at the budget setting meeting in March 2024.

On a roll call vote being taken, 9 Members voted for the amendment, namely Dickson, Docherty, McColl, McElhill, Councillors Murray Conaghan, Oxley, Pollock, Scanlan and Traynor, and 12 Members voted for the motion, namely Provost McAllister and Councillors Edward, Johal, Lennie, McBride, McGinty, McKay, Millar, O'Neill, Rooney, Sorrell and Steel. One Member abstained from voting, namely Councillor Bollan. The motion was declared carried.

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

GENERAL SERVICES BUDGETARY CONTROL REPORT TO 31 OCTOBER 2023 (PERIOD 7)

A report was submitted by the Chief Officer – Resources providing an update on the General Services revenue budget and the approved capital programme to 31 October 2023.

After discussion and having heard the Chief Officer – Resources in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note a current projected annual adverse variance on the revenue account of £2.785m (1.0% of total budget); and
- (2) to note that projected expenditure on the capital account was lower than the 2023/24 budget by £36.365m (39.85% of budget), made up of £35.988m (39.43% of budget) of project re-profiling, and an in-year underspend of £0.377m (0.41% of budget).

HOUSING REVENUE ACCOUNT BUDGETARY CONTROL REPORT TO 31 OCTOBER 2023 (PERIOD 7)

A report was submitted by the Chief Officer – Resources providing members with an update on the financial performance to 31 October 2023 (Period 7) of the HRA revenue and capital budgets for 2023/24.

After discussion and having heard the Chief Officer – Resources in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note the revenue analysis showed projected adverse variances of £3.371m. However this would be offset by removing the £1.729m budgeted contribution from revenue to capital (CFCR) and using £1.642m of the HRA reserves resulting in a net revenue break even position; and
- (2) to note the net projected annual position in relation to the capital plan was highlighting an in-year adverse variance of £61.826m (49.5%) which was

made up of re-profiling of £66.481m (53.2%) and overspend of £4.656m (0.4%) as appended to the report.

LONG TERM FINANCIAL STRATEGY

A report was submitted by the Chief Officer – Resources updating the Council’s long term financial strategy which was last updated in October 2021.

After discussion and having heard the Chief Officer – Resources in further explanation and in answer to Members’ questions, the Council agreed to endorse the medium to long term financial strategy for the Council and approve the Council’s reserves and balances policy detailed in Appendix 1 to the report.

VARIATION IN ORDER OF BUSINESS

After hearing Provost McAllister, the Council agreed to vary the order of business as hereinafter minuted.

TREASURY MANAGEMENT ANNUAL REPORT 2022/23

A report was submitted by the Chief Officer – Resources providing an update on Treasury Management during 2022/23.

After discussion and having heard the Chief Officer – Resources in further explanation and in answer to Members’ questions, the Council agreed:-

- (1) to note the Treasury Management Annual Report which formed Appendix 1 to the report; and
- (2) to note that the Treasury Management Annual Report had been presented to the Audit Committee on 13 December 2023.

TREASURY MANAGEMENT MID-YEAR REPORT 2023/24

A report was submitted by the Chief Officer – Resources providing an update on Treasury Management to 30 September 2023.

After discussion and having heard the Chief Officer – Resources in further explanation and in answer to Members’ questions, the Council agreed:-

- (1) to note the treasury management stewardship information within Appendix 1 to the report;
- (2) to approve the 2023/24 revised estimates of treasury and prudential indicators as advised within Appendix 1 to the report (Tables A, B, C, D, E, F, H, L and N); and

- (3) to note that Appendix 1 to the report had been referred to the Audit Committee for further scrutiny on 13 December 2023.

NON-DOMESTIC RATES EMPTY PROPERTY RELIEF POLICY

A report was submitted by the Chief Officer – Resources seeking approval of the amended West Dunbartonshire Council Non-Domestic Rates Empty Property Relief Policy.

After discussion and having heard the Chief Officer – Resources in further explanation and in answer to Members’ questions, the Council agreed:-

- (1) to approve the amended West Dunbartonshire Council Empty Property Relief Policy; and
- (2) that a review of the new Empty Property Relief Policy be carried out by 31 March 2025 and presented to the Council.

EXTERNAL AUDIT REPORT: ‘BEST VALUE THEMATIC WORK IN WEST DUNBARTONSHIRE COUNCIL 2022/23’

A report was submitted by the Chief Executive advising of the outcome of the External Auditor’s Best Value Thematic Review for 2022/23 and providing a summary of the key points arising.

After discussion, and having heard the Audit Director, Mazars, in explanation of the report, the Council agreed to note the contents of the report and the external audit report which formed Appendix 1 to the report.

WEST DUNBARTONSHIRE HSCP ANNUAL PERFORMANCE REPORT 2022/23

A report was submitted by the Head of Strategy and Transformation, West Dunbartonshire Health and Social Care Partnership (HSCP) providing an overview of the HSCPs performance in planning and carrying out integrated functions, including a complaints management overview for the year 2022/23.

After discussion, the Council agreed to note the West Dunbartonshire HSCP Annual Performance Report 2022/23 and the Annual Complaints Report 2022/23.

COUNCIL TAX CHARGES FOR SECOND HOMES

A report was submitted by the Chief Officer – Resources seeking approval to apply a 100% increased charge on second homes from 1 April 2024.

After discussion and having heard the Chief Officer – Resources, in further explanation and in answer to Members’ questions, the Council agreed:-

- (1) to approve the increased 100% charge to second homes from 1 April 2024 as per the Council Tax (Variation for Unoccupied Dwellings) (Scotland) Amendment Regulations 2023;
- (2) to note that a grace period had been introduced to protect new purchasers from the 100% Council Tax levy for long-empty properties. This applies where the property is undergoing repairs or renovations and the property had been purchased by the person liable to pay the Council Tax less than 6 months ago or such longer period as may be agreed by the local authority; and
- (3) to approve the criteria that the property needs to have been purchased by the person liable to pay the Council Tax less than 6 months ago is not extended to a longer period.

NOTICE OF MOTION

(a) Motion by Councillor Sophie Traynor – Adoption Leave Policy

Councillor Traynor moved:-

Council recognises the importance of the role that adoptive parents play within West Dunbartonshire.

Very few of the children and young people being placed for adoption come from uncomplicated backgrounds. Local authorities have a duty to provide adequate support to adopters to ensure the best possible outcome for both the parents and the young people involved.

As a Council we should be leading the way on this and ensuring we are doing everything possible to make this easier for them.

Council notes that aspects of the current Adoption Leave Policy for employees is not sufficient enough for prospective adopters.

Therefore, Council requests that a report be brought forward to assess the options we can take to make it easier for West Dunbartonshire Council employees during the adoption process.

As an amendment, Councillor McGinty, seconded by Councillor Sorrell, moved:-

West Dunbartonshire Council's policies, and our provisions are in line with those offered across local government.

The Council's Adoption, Fostering and Surrogacy Policy was agreed and implemented in August 2019. This was originally the Adoption Leave Policy until the introduction of fostering and surrogacy guidance.

The policy covers leave and pay entitlements, with the pay element linked to a minimum 26 weeks' continuous local government service.

Employees can access up to 52 weeks' leave, which comprises a mix of ordinary and additional adoption leave (like the maternity leave arrangements).

Employees are paid on the understanding that they will return to work for at least 3 months. If not, the period must be repaid (like the maternity arrangements).

Notification should usually be within 7 days of the employee being notified of their match, where possible. There are additional requirements where the child is coming from overseas.

There is provision for paid leave for pre-adoption meetings for the primary adopter, with unpaid leave available for the partner. As with maternity, there is provision for up to 10 keeping in touch (KIT) days at normal pay and without ending the adoption leave period.

Employees have the right to return to their job, in same capacity and in the same place as held prior to commencement of adoption leave. Employees may elect to return to work earlier than envisaged with relevant notice.

Council agrees that a briefing note with links to the associated policy and procedures should be issued to all elected members.

On a roll call vote being taken, 12 Members voted for the amendment namely Provost McAllister and Councillors Edward, Johal, Lennie, McBride, McGinty, McKay, Millar, O'Neill, Rooney, Sorrell and Steel, and 10 Members voted for the motion, namely Councillors Bollan, Dickson, Docherty, McColl, McElhill, Murray Conaghan, Oxley, Pollock, Scanlan and Traynor. The amendment was accordingly declared carried.

(b) Motion by Councillor Ian Dickson – Substandard road A813 between Lionsgate Roundabout and Strathleven Drive

Councillor Dickson moved:-

Council recognises that the A813, between Lionsgate Roundabout, and Strathleven Drive in its current condition is second-rate. Despite regular patching and resurfacing work, the gutter area of the road is often visibly subsiding and crumbling.

In parts, the pavement is barely a couple of feet wide, such that a wheelchair user, a cyclist, or someone pushing a pram would find they hang out into the 40 mph A-road.

This section of road is unlit, and in the shadow of mature trees, intensifying the already severe risk to life should there be a collision between traffic on this narrow road and a pedestrian or a cyclist.

This pavement is the only realistic walking route to access OLSP High School in Bellsmyre from Bonhill.

Council notes there were plans until recently to widen this dangerous stretch of road and to optimally upgrade the current sliver of pavement to a full three metre wide shared footway and cycle path. Given the current dangers posed to vulnerable road users.

Council asks that this project be put back into the capital plan as close to its original delivery timescales as possible. Costs associated with this should be included in the budget report and capital plans that will be presented to elected members at the 2024/25 budget setting meeting.

As an amendment, Councillor McBride, seconded by Councillor O'Neill, moved:-

Council notes that phase 1 of the A813 project involves the section between Lionsgate Roundabout and Lomond Gate Roundabout. The remaining Phase 1 element includes the installation of a 3m wide footpath with associated lighting.

The Roads Service has undertaken the detailed design for this element and final land acquisition is underway to facilitate the works. The construction is due to commence on site in Spring 2024. The budget for Phase 1 is £1.7million with spend to date £1.2million.

Phase 2 is the section from Lionsgate Roundabout and will tie into the existing footways at the boundary of Bonhill. This section is approximately 1km in length. The works require land acquisition to construct a 3m wide footpath with lighting alongside any retention and road geometry measures to accommodate the new footway.

The anticipated budget for Phase 2, originally to be delivered in 2025/26, was £2.325 million however due to inflation in costs of materials this is likely to increase. This will not be known until design complete.

Council also notes that the current budget available to the Roads Service will facilitate the detailed design of Phase 2 and this will shape a capital bid that can be presented to Elected Members for consideration. It is anticipated design will be complete in December 2024.

Given the above, the Council agrees to continue with Phase 1 works until completion following commencement in Spring 2024. In addition, following the completion of Phase 2 design works, the A813 project Phase 2 to be assessed for inclusion in the Capital Programme for financial year 25/26 onwards.

Furthermore, the Councils Road Service In addition, should explore external funding opportunities such as Sustrans Funding and Cycling, Walking, Safer Routes Funding.

On a roll call vote being taken, 12 Members voted for the amendment, namely Provost McAllister and Councillors Edward, Johal, Lennie, McBride, McGinty, McKay, Millar, O'Neill, Rooney, Sorrell and Steel, and 10 Members voted for the motion, namely Councillors Bollan, Dickson, Docherty, McColl, McElhill, Murray Conaghan, Oxley, Pollock, Scanlan and Traynor. The amendment was accordingly declared carried.

(c) Motion by Councillor Ian Dickson – Mandatory 20 MPH speed limits near schools

Councillor Dickson moved:-

Council notes that the safety of children and young people travelling to, from and around our schools and early education centres is an issue that concerns everyone.

West Dunbartonshire Council encourages active travel options, such as cycling and walking, and so road safety in the vicinity of schools should be of utmost importance.

With this in mind, and the well-understood link between vehicle speed and the severity of injury and survivability, Council reaffirms its commitment to enact mandatory 20mph speed limits at our education campuses, in line with existing and emerging regulation and guidance, and with a particular focus on new campus locations, such as those on Howatshaws Road in Bellsmyre.

Costs associated with this should be included in the budget report and capital plans that will be presented to elected members at the 2024/25 budget setting meeting, with associated works commencing as soon as possible in the 2024/25 financial year.

As an amendment, Councillor McBride, seconded by Councillor O'Neill, moved:-

Council agrees that the safety of pedestrians including children and young people travelling to and from school is of paramount importance. Council notes that over the years there has been a significant investment in road safety in our communities and around our schools. The introduction of road safety arrangements at our schools can be a fairly involved process which requires an assessment of the current arrangements, the development of potential options, the analysis of the options, the road geometry, speed surveys, and consultation with Police Scotland.

This process helps to inform the different needs and the potential costs including the introduction of hard measures such as speed cushions, humps and chicanes to help to limit vehicle speed.

In addition there would need to be appropriate consultation at a suitable times, that allows residents, businesses and others an opportunity provide comment or objections.

It should be noted that the Traffic Regulation Order (TRO) process can take in the region of 12/18 months depending on whether objections are received and maintained.

Given the above, this Council agrees that the Roads Service will undertake a review of speed limits at all schools. This will cost in the region of £10k and importantly will help to determine the capital investment budget required to deliver the planned investment.

Council also agrees that following the completion of the necessary works that project costs are presented to elected members for consideration and for inclusion in the Councils Capital Programme.

On a roll call vote being taken, 12 Members voted for the amendment, namely Provost McAllister and Councillors Edward, Johal, Lennie, McBride, McGinty, McKay, Millar, O'Neill, Rooney, Sorrell and Steel, and 10 Members voted for the motion, namely Councillors Bolland, Dickson, Docherty, McColl, McElhill, Murray Conaghan, Oxley, Pollock, Scanlan and Traynor. The amendment was accordingly declared carried.

(d) Motion by Councillor Ian Dickson – Stopping the stink in the Vale of Leven.

Councillor Dickson moved:-

Council notes that on 12th October 2022, the Planning Committee heard application DC20/253 – A request to extend the time of the approved landfilling operation by 15 years at Auchencarroch Landfill Site, in Jamestown, Balloch. The extension was only granted until June 30th 2024, not the 15 years originally requested by Barr Environmental.

With annual hikes in landfill tax and long-standing Scottish Government zero waste targets focused on waste reduction, re-use, enhanced recycling, and recovering renewable energy from what remains, this Council should be making progress towards a nearly zero-landfill option. Councils across the country were tasked with a commitment to send only 5% of waste to landfill by 2025. Regrettably, this Council appears to be well away from meeting this aspiration.

With all of our residual waste being landfilled at Auchencarroch, as well as that of neighbouring authorities, West Dunbartonshire Council urgently requires alternative options to landfill.

Given that it is currently only permitted to operate for just over 6 months, Council urgently requests a report, detailing alternative options for disposing of West Dunbartonshire's residual waste. Of particular interest are opportunities for meeting the energy reclamation element of the waste cycle for materials that cannot be reused or recycled, as we have nothing in place at present.

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

West Dunbartonshire Council notes that the Landfill Site at Auchencarroch is owned and managed by Barr Environmental Limited. At present, Waste Service has contracts for:

- (i) Residual Waste, this contract terminates on 31 December 2023 and an interim solution is in place for residual waste from 1 January to facilitate a longer term solution to be put in place.
- (ii) Bulky Waste disposal with BEL however, this contracts also terminates on 31 December 2023 - At present a tender exercise is concluding for Bulky Waste

In addition, the Council has recently received an application from Barr Environmental Limited to extend the time of landfilling operations at Auchencarroch until 30th June 2026 and until 30th June 2028 for restoration with an updated site restoration plan. The application will be presented to a future Planning Committee in 2024 for consideration.

Council notes that the under the previous SNP Administration, the Council recycling reduced and we failed to meet national targets. In fact, recycling rates decreased from 49% in 2016/17; to 37% in 2021/22. The percentage has increased slightly to 38% for 2022/23 and we anticipate a continued increase in recycling performance.

The Labour Administration has set a course to improve our management of waste. In August 2023, the Council adopted a new 5 year Waste Strategy, which sets out a clear route map, to support our transition to net zero.

The strategy aims include:

- To increase access to recycling services,
- To increase the range of materials collected for recycling; and
- To monitor and maximise participation in waste prevention, reuse and recycling through behavioural change.

The new 5 year Waste Strategy Action Plan includes a delivery programme of actions and key milestones:

- To implement a new collection regime which prioritises recycling waste collection, (2 weeks recycling 1 week residual);
- To construct a Resource, Reuse and Recycle Centre (Waste Transfer Station) in Dumbarton);
- To develop a Communications and Engagement Strategy; and

- To procure a long term waste disposal solution for residual waste.

This Council thanks the Chief Officer and her staff for all the work undertaken to identify a long term solution for the management of residual waste to ensure the Council is compliant with the December 2025 landfill ban.

The Chief Officer, is requested to bring forward a report to a future IRED meeting at the earliest opportunity.

On a roll call vote being taken, 12 Members voted for the amendment, namely Provost McAllister and Councillors Edward, Johal, Lennie, McBride, McGinty, McKay, Millar, O'Neill, Rooney, Sorrell and Steel, and 10 Members voted for the motion, namely Councillors Bollan, Dickson, Docherty, McColl, McElhill, Murray Conaghan, Oxley, Pollock, Scanlan and Traynor. The amendment was accordingly declared carried.

COMPLIMENTS OF THE SEASON

Before closing the meeting, Provost McAllister wished everyone a very Merry Christmas.

The meeting closed at 7.40 p.m.