

WEST DUNBARTONSHIRE COUNCIL

At a meeting of West Dunbartonshire Council held within the Council Chambers, Municipal Buildings, Dumbarton Road, Clydebank on Wednesday, 30 August 2000 at 7.00 p.m.

Present: Councillors James McElhill (SNP), Daniel McCafferty (LAB), John Syme (LAB), Andrew White (LAB), Anthony Devine (LAB), Mary Collins (LAB), Ian McDonald (SNP), Duncan McDonald (LAB), John McCutcheon (SNP), Linda McColl (LAB), Iain Robertson (SNP), Geoffrey Calvert (LAB & CO-OP), James McCallum (LAB & CO-OP), John Trainer (LAB), James Bollan (SSP), Craig McLaughlin (SNP), Ronald McColl (SNP), Margaret McGregor (SNP), James Flynn (LAB) and Connie O'Sullivan (LAB).

Attending: Tim Huntingford, Chief Executive; Ian McMurdo, Director of Education and Cultural Services; Dan Henderson, Director of Economic, Planning and Environmental Services; Alexis Jay, Director of Social Work and Housing; David McMillan, Director of Commercial and Technical Services; Gerry McNerney, Head of Personnel; Stephen Brown, Head of Legal and Administrative Services and Vincent Gardiner, Manager of Exchequer.

Apologies: Apologies for absence from the meeting were intimated on behalf of Provost Alistair Macdonald (LAB) and Councillor Mary Campbell (LAB).

Depute Provost Calvert in the Chair

MINUTES OF PREVIOUS MEETINGS

West Dunbartonshire Council - 31 May reconvened on 28 June 2000

The minutes of meeting of West Dunbartonshire Council adjourned from 31 May 2000 and reconvened on 28 June 2000 were submitted for approval.

The Council agreed to approve the minutes subject to an adjustment to the item on the motion by Councillor McLaughlin regarding 'Police Driving Training and Protocols' (**Volume page 5965 refers**) to show that the motion was seconded by Councillor McCutcheon and not Councillor McElhill.

West Dunbartonshire Council - 28 June 2000

The minutes of meeting of West Dunbartonshire Council held on 28 June 2000 were submitted and approved.

MINUTES OF MEETINGS OF COMMITTEES ETC

Public Processions Sub-Committee - 21 June 2000

The minutes of meeting of the Public Processions Sub-Committee held on 21 June 2000 were submitted and approved.

Special Social Work Committee - 28 June 2000

The minutes of meeting of the Special Social Work Committee held on 28 June 2000 were submitted and approved.

Tendering Committee - 28 June 2000

The minutes of meeting of the Tendering Committee held on 28 June 2000 were submitted and approved.

Special Environmental Protection and Leisure Services Committee - 28 June 2000

The minutes of meeting of the Special Environmental Protection and Leisure Services Committee held on 28 June 2000 were submitted and approved.

Environmental Protection and Leisure Services Committee - 17 May 2000 reconvened on 28 June 2000

The minutes of meeting of the Environmental Protection and Leisure Services Committee adjourned from 17 May 2000 and reconvened on 28 June 2000 were submitted and approved.

Special Planning and Economic Development Committee - 28 June 2000

The minutes of meeting of the Special Planning and Economic Development Committee held on 28 June 2000 were submitted and approved.

Housing Committee - 3 May 2000 reconvened on 2 August 2000

The minutes of meeting of the Housing Committee adjourned from 3 May 2000 and reconvened on 2 August 2000 were submitted and approved.

Social Work Committee - 2 August 2000

The minutes of meeting of the Social Work Committee held on 2 August 2000 were submitted and approved.

Special Planning and Economic Development Committee - 2 August 2000

The minutes of meeting of the Special Planning and Economic Development Committee held on 2 August 2000 were submitted and approved.

Community Initiatives Committee - 11 August 2000

The minutes of meeting of the Community Initiatives Committee held on 11 August 2000 were submitted and approved.

Roads and Technical Services Committee - 16 August 2000

The minutes of meeting of the Roads and Technical Services Committee held on 16 August 2000 were submitted and approved.

Environmental Protection and Leisure Services Committee - 16 August 2000

The minutes of meeting of the Environmental Protection and Leisure Services Committee held on 16 August 2000 were submitted and approved.

The following minutes were submitted for information:-

Appeals Committee adjourned from 15 June 2000 and reconvened on 17 August 2000.

MATTERS ARISING OUTWITH DELEGATED POWERS FOR RATIFICATION BY COUNCIL

HRA Capital Programme 2000/2001 - August Update

In terms of remit from the meeting of the Housing Committee held on 2 August 2000 there was submitted excerpt minute seeking approval to amend the HRA Budget in the light of the changes detailed within the report by the Director of Social Work and Housing Services.

The Council agreed to approve the amendments to the HRA Capital Programme 2000/2001 - August Update as shown in the Appendix to the minutes of the aforesaid meeting of the Housing Committee (**Volume page 6103 refers**). Councillor Bollan requested that his dissent be recorded.

CONSULTATION ON THE PROPOSALS TO REVIEW THE COUNCIL'S DECISION MAKING STRUCTURE

There was submitted report by the Chief Executive advising of the results of the consultation on the review of the Council's decision making structures and showing a breakdown of the responses received. Copies of the tables of results, together with copies of the original written comments received and the full notes of meetings had been made available for perusal by members.

The Council, following discussion, agreed:-

- (a) to note the response to the consultation process;
- (b) to express the Council's thanks to all who participated in the consultation process; and

- (c) that officers investigate ways in which community groups who had responded under the consultation exercise could be particularly involved in the proposed review of the new system in 6 months time.

REVIEWING THE COUNCIL'S DECISION MAKING PROCESSES

With reference to the minutes of meeting of the Council held on 26 April 2000 (**Volume page 5738 refers**) there was submitted report by the Chief Executive proposing a general structure for a new decision making process for West Dunbartonshire Council.

Councillor White, seconded by Councillor Trainer, moved that:

This Council agrees that the current Committee System in operation in West Dunbartonshire is bureaucratic, time consuming and not the most effective way to make the many important decisions required to ensure the best possible services are delivered to the people of West Dunbartonshire.

This Council believes that an Executive/Scrutiny system for decision making will provide a quicker, less bureaucratic and more modern structure.

The Council therefore welcomes the Chief Executive's report "Reviewing the Council's Decision Making Process", and agrees to implement the new structure as detailed in Appendix 1 to these minutes.

Furthermore, Council agrees the following regarding the Chief Executive's report. (Should be cross-referenced with Appendix 1 to the report shown as pages 25 to 48 of the Council agenda).

4.1 Agreed.

4.3 Agree Option 2.

4.4 Agreed.

4.5 Agree that the membership of the Education Executive should be seven Administration, three Opposition with votes, three religious reps with votes, two teachers reps without votes.

4.6 Agreed.

4.7 Agree that an Opposition member should be invited to chair the Scrutiny Committee and the membership should reflect the overall political composition of the Council.

4.8 Agreed. In addition the Scrutiny Committee and Panels should also meet in public.

4.9 Agree that the political parties should be requested to review and reduce the use of whipping.

- 4.10 Agreed.
- 4.11 Agreed.
- 4.12 Agreed.
- 4.13 Agreed.
- 4.14 Agreed.
- 4.15 Agree that the new system is kept under regular review with a first report back after six months. Agree that the scheme of Administration should come to the October Council meeting, with a start date for the new structure of 1 November 2000.

In addition, Council requests that the Chief Executive brings a report to a future meeting of the Council regarding the decision making structure for appeals and appointments.

As an amendment, Councillor Ronald McColl, seconded by Councillor McLaughlin, moved that the Council agree as follows:-

- 4.1
 - Bullet point 1, Agree that Council decides issues such as policies and budgets.
 - Bullet point 2, Council meetings every fortnight.
 - Bullet point 3, To monitor the Executive and homologate decisions.
 - Bullet point 4, Agree.
 - Bullet point 5, Agree.
- 4.2
 - Bullet point 1, Agree.
 - Bullet point 2, Responsibilities such as implementation of policy and expenditure decisions within budget with the exception of Housing Revenue Account and Capital Programme Budget, both to go to full Council.
 - Bullet point 3, The executive to have 9 members. Leader, 5 portfolio holders, 3 opposition without portfolio.
 - Bullet point 4, Agree.
 - Bullet point 5, Council to agree a geographical balance when appointing members.
- 4.3 Delete options 1 and 2. Replace with option 3, Executive Committee should reflect the political balance of the Council in line with Cosla's recommendations.

- 4.4 Bullet point 1, Agree.
- Bullet point 2, Agree.
- Bullet point 3, Agree.
- Bullet point 4, Executive members taking collective responsibility if they have a portfolio.
- Bullet point 5, Executive chaired by Leader or Depute with a quorum of 5.
- Bullet point 6, Agree.
- Bullet point 7, Agree.
- Bullet point 8, Executive decisions made on the basis of officer or Working Group reports and subject to a “call in” period of 10 working days.
- 4.5 Delete all options. Replace with 7 administration, 2 opposition, 3 religious reps, 1 teachers’ rep. All with votes.
- 4.6 Bullet point 1, Agree.
- Bullet point 2, Agree.
- Bullet point 3, Agree.
- 4.7 Bullet point 1, Agree if political balance is reflected in Executive.
- Bullet point 2, Agree if political balance is not reflected in Executive.
- Bullet point 3, Disagree.
- Bullet point 4, Disagree.
- Bullet point 5, Disagree.
- 4.8 Bullet point 1, All non-executive Committee members excluding Provost and Depute Provost to be the membership of the Scrutiny Committee. This totals 13 members.
- Bullet point 2, Scrutiny panels to consist of an appropriate membership for the subject under scrutiny plus external co-options as and when required.
- Bullet point 3, Council and Scrutiny Committee consideration of geographical balance and particular expertise when making appointments.
- Bullet point 4, Agree.

Bullet point 5, Agree.

Bullet point 6, Agree.

Bullet point 7, Scrutiny Committee meetings to be held fortnightly to mirror the Executive Committee with a quorum of 5.

Bullet point 8, Agree.

Bullet point 9, Agree.

4.9 Bullet point 1, Agree.

Bullet point 2, All political parties to declare at the beginning of any committee, working group or council meeting, on which items they intend to use the party whip.

4.10 Bullet point 1, Executive powers to establish Policy Development forums with an appropriate membership.

Bullet point 2, Agree.

Bullet point 3, Agree.

Bullet point 4, Agree. Subject to clarification of political composition in relation to legal guidelines.

Bullet point 5, Disagree.

Bullet point 6, A Standards Committee of 9 members. 3 administration, 3 opposition and 3 non-elected one of whom would be chair.

4.11 Bullet point 1, The Chief Executive will be accountable to the Council as a whole for the implementation of policy and will be responsible to the Council on an operational basis.

Bullet point 2, Agree.

Bullet point 3, Schemes of delegation to be the subject of a future report to Council.

4.12 Bullet point 1, Agree.

Bullet point 2 & 3, Delete. Replace with: Geographically based community forums to be created. 1 Vale of Leven, 1 Dumbarton, 2 Clydebank. Membership to include local members and local community groups.

Bullet point 4, Agree.

Bullet point 5, Disagree.

4.13 Agree.

4.14 Agree.

4.15 Agree.

4.16 Agree.

ADJOURNMENT

The Council unanimously agreed to adjourn at this point in the meeting and reconvened a short time thereafter those present being as shown in the sederunt.

On a vote being taken, 7 members voted for the amendment and 12 for the motion which was accordingly declared carried.

STANDING ORDERS, REMIT OF AND DELEGATION TO COMMITTEES AND OFFICERS

There was submitted report by the Director of Corporate Services seeking authority to continue with the existing standing orders, remit of and delegation to the committees and officers for a further month and recommending a timetable of meetings until the end of that period.

The Council agreed:-

- (a) that the current standing orders and the remit of and delegation to committees and officers continue in force until the end of October; and
- (b) to approve the programme of council and committee meetings for the interim period as shown in Appendix II to these minutes.

THE REPORT OF THE RENEWING LOCAL DEMOCRACY WORKING GROUP (THE KERLEY REPORT)

There was submitted report by the Chief Executive advising of the proposals contained in the Kerley Report and highlighting recommendations which could be considered for action now.

The Council, following discussion, agreed:-

- (a) to note the Kerley Report and its recommendations;
- (b) that action be taken at this stage on the recommendations shown in paragraph 3.2 of the report with the exception of clause 2; that in relation to clauses 13 and 15 assurances be obtained from the Scottish Executive that additional funding will be available prior to action being taken and that action be taken on clause 20 but that it should apply to community councils and all community groups;

- (c) that members and appropriate officers be encouraged to attend the seminars in September planned by COSLA to consider the issues contained in the Kerley and McIntosh Reports; and
- (d) that a meeting of the Member/Officer Working Group on the McIntosh Report be convened, with an invitation being extended to the SNP Group and Councillor Bolla to participate, in order that detailed consideration be given to the Kerley Report, and that a report on the outcome of that meeting be submitted to the meeting of Council to be held on 27 September 2000.

MEMBERS' SERVICES

With reference to the minutes of meeting of the Council held on 28 June 2000 (**Volume page 5961 refers**) there was submitted report by the Director of Corporate Services recommending the establishment of two posts of Research and Information Advisers within the Members' Services Unit and pointing out the requirement for a reference library for use by all members.

Councillor White, seconded by Councillor McCallum, moved that the Council approve the recommendation to establish one full-time post and one part-time post (20 hours) of Research and Information Adviser graded at AP4 (£17,322/£19,224) inclusive of irregular working hours and that the Chief Executive arrange to implement this decision at the earliest opportunity.

As an amendment, Councillor Ronald McColl, seconded by Councillor McLaughlin, moved that the report be continued pending the implementation of the new proposals for Council.

On a vote being taken, 8 members voted for the amendment and 12 for the motion which was accordingly declared carried.

DUNBARTONSHIRE AND ARGYLL & BUTE VALUATION JOINT BOARD - CAPITAL PLAN 2000/01

There was submitted report by the Director of Corporate Services inviting members to consider the question of the Council's 2000/2001 capital contribution to the Valuation Joint Board.

The Council agreed that a capital contribution of £10,655 be made to the Dunbartonshire and Argyll & Bute Joint Board, which sum would be taken into account in the mid-year revision of the Capital Plan.

60TH ANNIVERSARY OF CLYDEBANK BLITZ

There was submitted report by the Director of Corporate Services advising of the intention to mark the 60th Anniversary of the Clydebank Blitz and seeking approval to put in place various arrangements to facilitate the planning and delivery of the event.

The Council agreed that:-

- (a) a short term Member/Officer Working Group be established, comprising 4 Labour and 2 Opposition members;
- (b) the Working Group be granted the necessary powers to progress the arrangements, subject to members being provided with updates as appropriate;
- (c) that the Working Group be authorised to incur reasonable costs in relation to the event subject to the necessary funding being identified in liaison with the Chief Executive and the Director of Corporate Services; and
- (d) that the Working Group be empowered to co-opt assistance from the wider community if this was considered appropriate.

COMMUNITY SCHOOLS: PHASE 2

There was submitted report by the Director of Education and Cultural Services advising of the grant awarded under Phase 2 of the Government's New Community Schools Initiative involving the award of a further £200,000 per annum to West Dunbartonshire for the period from 1 October 2000 to 30 September 2004, the extension of the role of Integration Manager across the authority and the broadening of the Steering Group.

The Council agreed to note the contents of the report confirming the Scottish Executive's approach and support of the Council developing as a New Community Authority.

THE ENGAGEMENT OF RETIRED TEACHERS TO PROVIDE SUPPLY COVER

With reference to the minutes of meeting of Council held on 22 December 1999 (**Volume page 5410 refers**) there was submitted report by the Director of Education and Cultural Services advising of the difficulties being experienced in engaging teacher supply cover and recommending a course of action to alleviate those difficulties.

The Council agreed that the provision of supply cover for all sectors be exempted in advance from the requirement to seek individual exemption from the Council's policy on the engagement of teachers who had been granted voluntary severance terms.

MODERNISING GOVERNMENT FUND

With reference to the minutes of meeting of Council held on 31 May 2000 (**Volume page 5961 refers**) there was submitted report by the Director of Economic, Planning and Environmental Services on the progress of bids to the Modernising Government Fund and seeking approval, in principle, to joint funding of any successful bid.

The Council agreed:-

- (a) to note the progress of the bids to the Modernising Government Fund;

- (b) to note the work being done to progress the contact centre bid; and
- (c) to approve, in principle, the allocation of capital and revenue expenditure subject to a detailed report of costings being submitted to Council and subject also to the bid being successful through the second round.

POLICE DRIVER TRAINING AND PROTOCOLS

With reference to the minutes of meeting of Council held on 31 May 2000 (**Volume page 5965 refers**) there was submitted response from Strathclyde Police in connection with representation made by the Council to Strathclyde Police on police driver training and protocols.

Depute Provost Calvert, seconded by Councillor White, moved that the Council thank the Chief Constable for his response and the offer to give a presentation on the issues concerned at a future meeting of Council but that it was not considered necessary so to do.

As an amendment, Councillor McLaughlin, seconded by Councillor Ronald McColl, moved that the Council invite the Chief Constable to address the Council on the issues raised at the previous meeting.

Councillor Ian McDonald left the meeting at this point.

On a vote being taken, 7 members voted for the amendment and 12 for the motion which was accordingly declared carried.

JOINT CONSULTATIVE FORUM

With reference to the minutes of meeting of Council held on 28 June 2000 (**Volume page 5962 refers**) the Council was requested to appoint 4 members to the Joint Consultative Forum.

The Council agreed that the Forum comprise 3 Labour members (namely Councillors White (or substitute), Devine and Flynn) and one SNP Member (namely Councillor Ronald McColl (or substitute)).

CONVENTION OF SCOTTISH LOCAL AUTHORITIES APPOINTMENT OF COUNCIL REPRESENTATIVES

(a) Planning Members' Network

There was submitted letter from COSLA inviting the Council to nominate a member to the COSLA Planning Members' Network. It was reported that owing to the deadline for responses, Councillor White had nominated Councillor O'Sullivan (or substitute) as the Council's Representative and now sought homologation for that action.

The Council unanimously approved the action taken.

(b) Transport Members' Network

It was reported that a request had been received from COSLA inviting the Council to nominate a member to join the COSLA Transport Members' Network and as the first meeting had been held on 7 August 2000, Councillor White had nominated Councillor Syme (or substitute) as this Council's representative and sought homologation for that action.

The Council unanimously agreed to approve the action taken.

ELECTORAL REFORM FOR LOCAL GOVERNMENT

There was submitted letter from the Chief Executive of West Lothian Council inviting the Council to support the following motion passed by that authority:

“My authority welcomes the debate on electoral reform for local government.

While supporting many of the recommendations of the McIntosh Commission Report, the Council is concerned that the only real option of reform being advocated by McIntosh and the Kerley report is that of proportional representation - a system of election that will have a dramatic effect on local government.

West Lothian Council believes that PR will increase the number of hung councils, thereby causing political instability within local government and reducing the openness and accountability of Scottish local government by threatening the direct link between voters and their representatives.

As locally elected representatives of our communities, it is essential that we do all we can to retain direct accountability to communities and wards. This is an inherent strength of local politics and is valued by all constituents no matter what their political persuasion.

This Council therefore calls upon the Scottish Executive to abandon any notion of PR in local government and concentrate instead on working with councils and councillors to promote best practice, democratic participation and the retention of the direct ward/elected member link”.

Councillor White, seconded by Councillor McCallum, moved that the Council agree to support the terms of the letter received from West Lothian Council and that the Council should not endorse any move towards the politicisation of casework.

As an amendment, Councillor Ronald McColl, seconded by Councillor McLaughlin, moved that the Council should not support the terms of the letter.

The vote was taken by way of calling the roll and 8 members (namely Councillors McElhill, Ian McDonald, McCutcheon, Robertson, Bollan, McLaughlin, Ronald McColl and McGregor) voted for the amendment and 12 members (namely Councillors McCafferty, Syme, White, Devine, Collins, Duncan McDonald, Linda McColl, Calvert, McCallum, Trainer, Flynn and O'Sullivan) voted for the motion which was accordingly declared carried.

FUTURE OF DOUNREAY

There was submitted letter received from Nuclear Free Local Authorities (Scotland) (i) referring to nuclear reprocessing at Dounreay and urging the Council to support the calls made by Highland Council, Shetland Islands Council and the NFLA's for a full public inquiry to redress the inadequacies of the consultation process and (ii) requesting that a copy of any submission made be sent to NFLA (Scotland).

The Council agreed to endorse the action requested by NFLA (Scotland).

150TH ANNIVERSARY OF THE OPENING OF THE CALEDONIAN & DUNBARTONSHIRE JUNCTION RAILWAY: BOWLING TO BALLOCH PIER, 15 JULY 1850

There was submitted correspondence from Mr R. D Campbell inviting the Council to place a commemorative plaque at the old or new Balloch railway station and/or Bowling station to mark the 150th Anniversary of the opening of the Caledonian and Dunbartonshire Junction Railway.

The Council agreed that Provost Macdonald be authorised to liaise with Mr Campbell with a view to marking the anniversary by placing a commemorative plaque in a suitable location, such costs to be met from the Provost's budget.

CONFERENCES ETC

(a) Renewing Local Democracy: The Kerley Report and the Reform of Local Government.

There was submitted invitation from the Centre for Scottish Public Policy in association with the Scottish Local Government Information Unit (SLGIU) inviting the Council to be represented at a 1 day conference to be held in Edinburgh on 8 September 2000 to look at the Kerley Working Group proposals and associated matters.

The Council agreed that any member interested in attending the conference should advise the Chief Executive accordingly.

(b) Scottish Housing and Support Conference

There was submitted and noted invitation from the organisers of a conference to be held in Dunblane on 12/13 October 2000 to address the key issues of Importance for Providers and Service Users of Housing and Support in Scotland.

(c) Scrutinising the Council Executive

There was submitted invitation from the Scottish Local Government Information Unit (SLGIU) inviting the Council to be represented at a conference to be held in Glasgow 29 September 2000.

The Council agreed that any member wishing to attend the conference should advise the Chief Executive accordingly.

The meeting finished at 9.45 p.m.