

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton, on Wednesday, 30 March 2011 at 6.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, Jim Bolland, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, Douglas McAllister*, David McBride, Jonathan McColl, Ronnie McColl, Jim McElhill, Patrick McGlinchey, Craig McLaughlin, Willie McLaughlin, Marie McNair, John Millar, Lawrence O'Neill, Iain Robertson, Martin Rooney and May Smillie.

* Arrived later in the meeting.

Attending: David McMillan, Chief Executive; Joyce White, Executive Director of Corporate Services; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Terry Lanagan, Executive Director of Educational Services; Keith Redpath, Director of West Dunbartonshire Community Health and Care Partnership; Lorraine Coyne, Head of Audit, Performance & Strategic Planning; David Connell, Head of Finance and ICT; Helen Turley, Head of Housing and Community Safety; Gillian McNeilly, Manager of Accounting; Colin McDougall, Manager of Risk & Performance; Andrew Fraser, Head of Legal, Administrative and Regulatory Services and Craig Stewart, Committee Officer.

Provost Denis Agnew in the Chair**PROVOST'S REMARKS**

At the commencement of the meeting, Provost Agnew informed Council that there would be one minute of silence in respect of those who perished in the recent catastrophic earthquake and tsunami in Japan. In this regard, the Provost would be writing to pass on condolences, on behalf of the Council, to the Japanese Consul General.

URGENT ITEM OF BUSINESS

Provost Agnew informed the Council that he had received a request for an Emergency Notice of Motion and asked the mover of the Motion, Councillor McNair, to state its terms. Having heard Councillor McNair inform the Council of the nature of the Emergency Motion and the urgency and having heard from the Legal Officer, the Provost agreed in light of special circumstances and urgency that it would be dealt with at an appropriate point later in the meeting.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of West Dunbartonshire Council held on 23 February 2011 were submitted and approved as a correct record.

With reference to the item under the heading ' (d) Emergency Motion by Councillor R. McColl – Driving Test Centre' (Page 3497 refers), the Council noted the current position concerning this matter and that Councillor R. McColl would be sending a further letter to the Driving Standards Agency in this regard.

With reference to the item under the heading 'Motion by Councillor George Black – Decision taken by Housing, Environment and Economic Development (HEED) Committee to close Community Learning & Development Cafes', it was noted having heard from the Head of Legal, Administrative and Regulatory Services that he would arrange for a process for the handling of petitions to be drafted.

OPEN FORUM

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

MINUTES OF THE COMMUNITY PARTICIPATION COMMITTEE HELD ON 19 JANUARY 2011

The Minutes of the Meeting of the Community Participation Committee held on 19 January 2011 were submitted and approved as a correct record, subject to the following change:-

In relation to the item under the heading 'Dates of Future Meetings' (Page 3398 refers) it was agreed that the December meeting of the Community Participation Committee should be brought forward to 14 December 2011, with the meeting taking place at 2.00 p.m. in Meeting Room 3, Council Offices, Garshake Road, Dumbarton.

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND – CONSULTATION PAPER ON DETERMINING COUNCILLOR NUMBERS

With reference to the Minutes of Meeting of Council held on 23 February 2011 (Pages 3491/92 refers), a report was submitted by the Executive Director of Corporate Services on the Local Government Boundary Commission for Scotland – Consultation Paper on Determining Councillor Numbers.

After discussion, the Council agreed that individual Members and/or groups would put in their own submissions in regard to this matter.

VACANCIES ON OUTSIDE BODIES AND THE LICENSING BOARD

A report was submitted by the Executive Director of Corporate Services requesting the Council to make nominations in respect of vacancies arising in the list of outside bodies and the Licensing Board.

The Council agreed:-

- (1) that Councillor Martin Rooney be nominated as the Council's representative on the Highland Reserve Forces and Cadets Association;
- (2) that Councillor Gail Casey be nominated to serve on the West Dunbartonshire Licensing Board; and
- (3) that the matter of appointing a Member to serve on the Dunbritton Housing Association be deferred until the next Ordinary Meeting of the Council.

KEY CORPORATE PERFORMANCE INDICATORS FOR 2011/12

A report was submitted by the Chief Executive presenting proposals to changes to Key Performance Indicators for 2011/12.

After discussion and having heard the relevant officers in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note the proposed amendments in 2011/12 to the full list of measures developed for 2010/11, so that there are now 107 measures; and
- (2) to note the number and balance of key corporate performance indicators across Council departments and services for 2011/12 and beyond.

PRUDENTIAL INDICATORS 2010/11 TO 2013/14 AND TREASURY MANAGEMENT STRATEGY 2011/12 TO 2013/14

A report was submitted by the Executive Director of Corporate Services seeking approval of:-

- (1) Prudential Indicators for 2010/11 to 2013/14; and
- (2) Treasury Management Strategy for 2011/12 to 2013/14.

Councillor C. McLaughlin, seconded by Councillor R. McColl, moved:-

That the Council agrees:-

- (1) to adopt the Prudential Indicators and Limits set out within Appendix I to the report:
 - Capital Expenditure and Capital Financing Requirements (Tables A and B)
 - Actual and estimates of the ratio of financing costs to Net Revenue Stream (Table C)
 - Incremental impact of capital investment decisions on the Band D Council Tax (Table D)
 - Incremental impact of capital investment decisions Housing Rent levels (Table E)
- (2) to approve the Treasury Management Strategy 2011/12 (including the Investment Strategy 2011/12) contained within Appendix II to the report;
- (3) to adopt the Treasury Prudential Indicators and Limits set out in Appendix II to the report;
 - Operational Boundaries (Table F)
 - Authorised Limits (Table H)
 - Counterparty Limits (Table K)
 - Treasury Management Limits on Activity (Table M);
- (4) to approve the statement by the Executive Director of Corporate Services regarding the external borrowing level in comparison to the Capital Financing Requirement (Appendix II - Point 3.3); and
- (5) that a copy of this report would be submitted to Members of the Audit and Performance Review Committee in order to ensure further scrutiny takes place.

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

That the report be continued to enable further scrutiny to take place and, thereafter, be brought back to a future Council meeting.

On a vote being taken, 2 Members voted for the amendment and 18 for the motion which was accordingly declared carried.

GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT: PERIOD 10 (2010/11)

A report was submitted by the Executive Director of Corporate Services informing the Council of the performance of the General Services Revenue budget for the period ending 31 January 2011.

After discussion and having heard the relevant officers in further explanation and in answer to Members' questions, the Council agreed to note the contents of the report.

**GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT: PERIOD 10
(2010/11)**

A report was submitted by the Executive Director of Corporate Services providing the Council with an update on the Capital Plan for 2010/2011.

After discussion and having heard the relevant officers in further explanation and in answer to Members' questions, the Council agreed to note the position to date as outlined in Appendices I and II of the report.

Note: Councillor Douglas McAllister entered the meeting at this point in the proceedings.

**HOUSING REVENUE ACCOUNT 2010/11 - BUDGETARY CONTROL
STATEMENT (PERIOD 10)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing the Council with an update on the financial performance of the Housing Revenue Account (HRA) for the period ending 31 January 2011.

The Council agreed to note the contents of the report.

**HRA CAPITAL PROGRAMME 2010/11 BUDGETARY CONTROL REPORT
(PERIOD 10)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising the Council of the progress made on the HRA Capital Programme 2010/11.

After discussion the Council agreed to note the contents of the report.

HRA CAPITAL PROGRAMME 2011/12

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval of the 2011/12 HRA Capital Programme of £20,561m, which is based on investment requirements set out in the Standard Delivery Plan agreed by Council in October 2008.

After discussion and having heard the Executive Director of Housing, Environmental and Economic Development in answer to Members' questions, the Council agreed:-

- (1) to approve the proposed recommended capital project budgets for 2011/12 as indicated in the report;
- (2) that the Director of Housing, Environment and Economic Development be authorised to extend existing contracts using rates that have recently been tendered to carry out additional work where that was possible and desirable; and
- (3) that the Director of Housing, Environment and Economic Development be authorised to utilise the existing Housing Maintenance and Repairs Measured Term Contract (MTC) where possible for additional work subject to best value criteria being satisfied.

HOUSING PROPERTY MAINTENANCE TRADING ACCOUNT

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing information on available options for budgeting for surplus generated by the Housing Property Maintenance Trading Account.

Councillor Calvert moved:-

That this Council thanks the Executive Director of HEED for her comprehensive report. This Council notes that the report at para. 4.3 (ii) confirms that it is perfectly possible for this Council to direct the Housing Maintenance DLO to lower its prices and that, whilst too late for the 2010/11 budget process, by so doing, this is likely to generate revenue benefit to the HRA for future years.

This Council is mindful of the need to comply with statutory targets for Trading Accounts by generating revenues not less than the break-even point over a three-year rolling period. This Council notes that from the 'profits' currently being generated by the Housing Maintenance Trading Account of £3.204million over the period 2007 – 2010, it believes that there is scope for lower prices without jeopardising statutory targets.

Therefore, this Council requests the Chief Executive to examine current charges being raised by the Housing Maintenance DLO and with a revised profit target of 1.5% - 2% per annum over the whole account, to bring forward recommendations to this Council by the August Council meeting as to where the current contract prices can be adjusted in order to produce financial benefits for the HRA for future years.

Councillor Hendrie asked if Councillor Calvert would accept an addendum to the motion to bring forward recommendations to the August Council meeting. Councillor Calvert having agreed to change his motion to this effect, it was then seconded by Councillor Hendrie.

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

That the Chief Executive be requested to bring a report to Council examining the feasibility of removing the Housing DLO element from the General Services account.

On a vote being taken, 2 Members voted for the amendment and 19 for the motion which was accordingly declared carried.

NOTICES OF MOTION

(a) Motion by Councillor David McBride – Community Planning Partnership Budget

Council notes that the SNP budget made cuts in excess of £12 million this year in order to close an £8 million budget gap.

The Community Planning Partnership in particular has had its budget significantly reduced as a result of the budget. The SNP cuts and the transfer of liabilities to the Community Planning Partnership on 14th October 2010 meant that the Community Planning Partnership budget included £1,397,190 of ***‘Efficiencies – to be identified’***

Council has yet to be notified of how the Community Planning Partnership will achieve the £1,397,190 of efficiencies. However, it is certain that there will be reductions to a number of valued projects and services which could include:

- Strategic Partners – West Dunbartonshire Citizen Advice Bureau; The Independent Resource Centre; Alexandria Ontowork Service;
- Projects – Pupil & Family Support Project; More Choices More Chances Project; and Changing Children’s Services Project

Council agrees that a Report outlining the full details of the £1,397,190 of cuts is to be presented to the April Council meeting.

The budget includes the Community Planning Partnership core funding and the £2,197,570 of transferred liabilities. The Community Planning Partnership budget is still to achieve the SNP £1,397,190 worth of efficiencies in 2011/2012 in order to balance the books. A breakdown of the existing 2011/12 CPP Budget is outlined below.

COMMUNITY PLANNING PARTNERSHIP 2011/2012 BUDGET WITHOUT THE £1,397,190 OF CUTS APPLIED

Chief Executive Projects: £237,380

- St. Michaels Family Support Group - £14,630
- Tackling Poverty and Income Equality - £177,750
- Tackling Fuel Poverty - £45,000 (Payments to other agencies)

Education: £826,580

- More Choices More Chances - £342,000
- National Entitlement Card - £5,620
- Club Coach & Volunteer Sports (Sports Development) - £18,760
- Sports Development - £60,000
- Pupil & Family Support £228,000
- Youth Outreach & Detached - £46,500
- Youth Learning – Duke of Edinburgh (CL&D) - £15,000
- Youth Consultation & Representation (CL&D) - £67,500
- Youth Learning – SPARC (CL&D) - £43,200

Social Work: £675,000

- Pupil & Family Support - £262,000
- Children affected by disability - £80,000
- Changing Children's Services - £123,000
- Reducing Drug & Alcohol Misuse - £210,000

HEED: £495,610

- Waste Fires – Environmental Programme - £111,680
- Access to Facilities - £26,730
- Tourism & Hospitality Action Plan - £30,000
- Homeless Prevention - £55,600
- Neighbourhood Services Pilot - £100,000
- Safe Drive/Pass Plus - £15,000
- The Pulse - £86,600
- Public Reassurance Initiative - £25,000
- Mobile CCTV - £45,000

Corporate Services: £72,400

- Financial Monitoring Charge - £72,400

Chief Executive CPP Staff: £252,150

- Staffing; Admin; and Property Costs - £251,800
- Volunteers/Training Expenses - £350

Miscellaneous: £207,500

- Community Planning Partnership – Admin Recharge to WDC: £87,500
- WDC Direct Partner Contribution: £120,000

Payments to Other Organisations and Services Transferred to CPP: £2,197,570

- Contribution towards Policing: £300,000
- Payments to External Organisations: £1,897,570

Breakdown of Community Planning Charges by Council Department

DEPARTMENT	EMPLOYEES	TRANSPORT	PROPERTY	SUPPLIES & SERVICES
Chief Executive	Employee Costs £111,520 £229,040 £191,810	Transport £600 £1,200 £570	Property Costs £620 £11,160	Supplies & Services £1,820 £10,400
Corporate Services	Employee Costs £70,250	Transport £500	Property Costs £250	Supplies & Services £1,400
Educational Services	Employee Costs £475,930	Transport £400	Property Costs £11,710	Supplies & Services £177,000
Social Work	Employee Costs £433,730	Transport £12,500	Property Costs Nil	Supplies & Services £13,770
HEED	Employee Costs £162,200	Transport £3,450	Property Costs £960	Supplies & Services £82,250
TOTALS	£1,574,480.	£19,220	£24,700	£286,640

Councillor McBride was heard in support of his motion.

As an amendment, Councillor R. McColl moved:-

This Council notes that Labour's figures are based on last year's CPP budget plan when over £1.5 million was unspent and agreed outcomes were achieved.

Council notes that the 2011/12 budget is still going through the CPP processes. This investment will total £3,779,660 which will be reflected in the next draft revenue estimates book, due to be issued soon.

Council notes that the Leader of the Council has secured a further £965,000 of one off funding from the Scottish Government and notes that officers are preparing a report for Council which identifies spend to save projects.

Council agrees that £200,000 of this money will be spent creating frontline public service centres in Alexandria, Dumbarton and Clydebank, subject to consultation through the CPP to investigate opportunities for involvement of community planning partners in the development and/or running of these centres.

Council agrees that a further £290,000 will go to the CPP for projects that deliver the three priority areas of 'Work & Benefits', 'Support for Children & Families', and 'Building Safe & Strong Communities'.

From this £290,000, Council agrees to fund the following projects through the CPP:

- £75,000 for advice giving services to help support the extra workload CAB, Welfare rights and other services are experiencing as the full effect of Westminster cuts hit home.
- £40,000 to support a pilot project by Clydebank Shop Mobility.
- £30,000 for Care & Repair to support their work with the most vulnerable in our communities.
- £8,000 to give the Bellsmyre Schools Out Club the breathing space they need to restructure their services in a sustainable way.

Council notes that this extra money is non-recurring and should be allocated as such.

Councillor McBride asked Councillor R. McColl whether he would be willing to accept as an addendum, the addition of the part in his motion that "Council agrees that a Report outlining the full details of the £1,397,190 of cuts is to be presented to the April Council meeting." Councillor R. McColl indicated he was willing to accept the addendum and, thereafter, the Council agreed to approve the amendment by Councillor R. McColl, as amended.

(b) Motion by Councillor Lawrence O'Neill – Skypoint Centre

Prior to speaking on behalf of his motion, Councillor O'Neill paid tribute to the dedication and commitment of his predecessor, former Councillor Margaret Bootland.

This Council is disappointed by the SNP Administration's recent decision to close the three Branch Libraries in: Faifley; Gavinburn; and Ladyton.

Council agrees that the loss of these services will have a negative impact on the communities they have served for decades.

In addition Council is concerned that the loss of the Faifley Branch Library could undermine the long term sustainability of Skypoint in Faifley.

Council therefore agrees that the Chief Executive brings forward a report to a future Council meeting showing the plans for the long term sustainability of Skypoint.

Councillor O'Neill was heard in support of his motion which was seconded by Councillor McAllister.

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

Council notes that Skypoint in Faifley is part of the asset management strategy report, which is due to come to Council in September.

Council notes that following on from last month's Council meeting, when the Labour Leader tried to have his ward treated as a special case outwith the asset management strategy, Cllr O'Neil is now trying to do the same.

This Council will wait for the officer's report in September, at which point we will have all the information required to make an informed decision regarding use of the Council's assets as a whole.

On a vote being taken, 12 Members voted for the amendment and 10 for the motion. Accordingly the amendment was declared carried.

(c) Motion by Councillor Geoff Calvert - Supporting People Funding

This Council notes that in a response to a Parliamentary Question (PQ), the Cabinet Secretary, for Finance and Sustainable Growth, Mr John Swinney, pointed out that there was no separate Supporting People allocations for 2008 – 2012 and that the distribution of the Supporting People funding had been retained within the needs-based formula, including the updating of the indicators for 2011-12, which was agreed by Council Leaders on 19th November 2010.

This Council notes that Mr Swinney's explanation is at odds with responses from the Chief Executive, Mr David McMillan who clearly stated to Cllr David McBride that COSLA did not knowingly agree to the changes to the distribution formula on 19th November, 2010.

This Council notes the contradictory nature of these positions.

In short either:

1. John Swinney's answer is an inaccurate reflection of the COSLA position and Council Leaders did not agree the redistribution and the Supporting People cuts and that the responsibility for the resulting cut in funding to this Council lies at the door of the Scottish Government; or
2. John Swinney's answer is an accurate reflection of the COSLA position and therefore the Leader of the Council, Councillor Ronnie McColl knowingly voted for a £2.2 million cut rather than a £1m increase in our funding; or
3. John Swinney's answer is an accurate reflection of the COSLA position and the Leader of the Council, Councillor Ronnie McColl, did not understand the implications of the report but voted for a £2.2 million cut rather than a £1m increase anyway.

Whether the decision was agreed by Council Leaders or was not agreed by Council Leaders, is of vital importance since this Council received a £2.2 million cut of funding instead of the anticipated £1 million uplift in needs-based monies. The combined outcome of this decision resulted in an overall deficit of £3.2 million to this Council to what could have been reasonably predicted. This matter needs to be resolved before next year's budget round.

Given the importance of the needs-based funds for provision of vital services to vulnerable people in West Dunbartonshire, this Council requests the Chief Executive to provide a report to the April Council meeting explaining which of the three scenarios outlined above is the correct one.

Councillor Calvert was heard in support of his motion which was seconded by Councillor McBride.

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

Council notes that once again the Labour Party continue to play petty party political games rather than address the on-going financial pressures facing this Council.

The Leader of the Council appends a chronology of discussions/events regarding the cut in funding to this Council. Also appended is a series of correspondence between the Leader of the Council and the Chief Executive of COSLA.

Council notes that after further discussions in recent weeks between the Cabinet Secretary and the Council Leader, a further £965,000 has been given to West Dunbartonshire Council in recognition of the error made with the initial distribution of these funds.

Council further notes that if the COSLA Labour Group had supported the COSLA SNP Group for a re-distribution of £5,000,000 already allocated, West Dunbartonshire Council would have had a further £1,005,000 returned to us, making a total of £2,975,000 out of the £3.2 million we initially lost.

Council notes that COSLA Officers are preparing a report for the June Convention meeting on how the money will be distributed in the future.

The Leader of the Council asks all West Dunbartonshire Councillors to support him in his demand that the dampening, which was removed from the distribution formula without consent, is restored.

Council instructs the Leader to write to all COSLA Group Leaders in support of this position, and the Leader of the Opposition is instructed to write to Cllr Jim McCabe, COSLA Labour Group Leader, in the same terms.

Finally, Council thanks all those involved in the efforts to get a fairer deal for West Dunbartonshire Council, in particular, David Connell and Joyce White,

for their invaluable support given to the Leader of the Council and the Chief Executive on this issue.

Councillor Calvert asked Councillor R. McColl whether he would be willing to accept as an addendum, the deletion of paragraph one of his amendment. Councillor R. McColl indicated he was willing to accept the addendum and, thereafter, Councillor Calvert with the consent of Council withdrew his motion and the Council agreed unanimously to approve the above amendment and addendum.

(d) Emergency Motion by Councillor Marie McNair – Replacement Auchentoshan Centre

This Council expresses concern regarding the lack of progress in delivering on the commitment to provide a centre for people with special needs in Clydebank.

Council condemns the delay in taking this forward. It is extremely regrettable that three years have passed and the promise made to our community has not yet been delivered on.

Council agrees that the Chief Executive should now take the lead on this matter with the assistance of the Auchentoshan Steering Group.

Council also agrees that written progress reports are provided to every meeting of Council until the promise to provide a replacement Auchentoshan Centre located in Clydebank is fulfilled.

Councillor McNair was heard in support of the motion which was seconded by Councillor Casey.

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

This Council expresses concern regarding the lack of progress in delivering on the commitment to provide a centre for people with special needs in Clydebank.

Council notes that the delay in taking this forward is due to circumstances outwith our control and that a police investigation is ongoing in this regard. It is extremely regrettable that three years have passed and the promise made to our community has not yet been delivered on.

Council considers this to be a priority matter and agrees that the Chief Executive should now take the lead on this matter with the assistance of the Auchentoshan Steering Group.

Council also agrees that written progress reports are provided to every meeting of Council until the promise to provide a replacement Auchentoshan Centre located in Clydebank is fulfilled.

Following discussion, Councillor J. McColl, with the consent of the Council, withdrew his amendment and the Council, thereafter, agreed unanimously to approve the motion by Councillor McNair.

The meeting closed at 8.50 p.m.