

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Garshake Road, Dumbarton on Wednesday, 27 May 2009 at 6.00 p.m.

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

Attending: David McMillan, Chief Executive; Bill Clark, Executive Director of Social Work and Health; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Terry Lanagan, Executive Director of Educational Services; Joyce White, Executive Director of Corporate Services; Liz Cochrane, Head of Service, Policy & Performance; Dave Clark, Head of Service (Resources); Patricia Marshall, Manager of ICT; Tom Jackson, Joint Manager, Addiction Services; Andrew Fraser, Head of Legal, Administrative and Regulatory Services; and Craig Stewart, Committee Officer.

Also

Attending: Lesley Bloomer, Associate of SOLACE Enterprises.

Apologies: Apologies for absence were received from Councillors James Bollan and Jim Finn.

Provost Denis Agnew in the Chair

PROVOST'S REMARKS

After discussion and having heard advice from the Head of Legal, Administrative and Regulatory Services, Provost Agnew advised Council that he had received two Emergency Notices of Motion which would be dealt with at the appropriate point later in the meeting.

In this regard and in terms of Standing Orders, Provost Agnew indicated that the two movers of Emergency Motions would be required to state why, in their opinion, the motions were considered sufficiently urgent to be worthy of discussion at this meeting, prior to the Council taking a view on said motions.

DECLARATIONS OF INTEREST

Councillors Brown and J. McColl declared a non-financial interest in Item 11 'Drug & Alcohol Rehabilitation Initiatives: HEAR (Help, Empathy, Advice and Reassurance) Out of Hours Telephone Support Service and the Clydebank CAT Early Intervention Project (both being members on the Alcohol & Drugs Forum), and remained within the Chamber.

After hearing advice from the Head of Legal, Administrative and Regulatory Services, Councillor Robertson declared a non-financial interest in Item 13 'Promoting the Involvement of SMEs in Public Contracts – Six Simple Steps' (being an owner of a small business), and remained within the Chamber.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of West Dunbartonshire Council held on Wednesday, 29 April 2009 were submitted and approved as a correct record, subject to the undernoted correction:-

With reference to the item under the heading "Development of a Robust Financial Framework" (Pages 1932/1933 refer#), the Council noted that the third paragraph contained a typographical error in respect of Councillor Millar.

SOLACE 'GOLDEN THREAD' STUDY – PRESENTATION

Lesley Bloomer, Associate of SOLACE Enterprises, gave a presentation on the SOLACE 'Golden Thread' Study and in particular the links that the Council wanted to achieve with the actions and targets set at departmental and service levels.

In this respect, a report was submitted by the Chief Executive providing an update on the progress of corporate and departmental planning and the SOLACE 'Golden Thread' study.

After hearing Ms Bloomer and the Chief Executive in response to Members' questions and comments, the Council agreed:-

- (1) to thank Ms Bloomer for her interesting and informative presentation;
- (2) to note that the 'Golden Thread' study had complemented the Council's corporate approach to planning and performance management but had suggested improvements at departmental and service level;
- (3) otherwise to note the contents of the report.

OPEN FORUM

The Council noted that no open forum questions have been received from members of the public.

MINUTES OF THE JOINT CONSULTATIVE FORUM ON 26 MARCH 2009

The Minutes of Meeting of the Joint Consultative Forum held on 26 March 2009 were submitted and all decisions contained therein were approved.

**MINUTES OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE
ON 13 MAY 2009**

The Minutes of Meeting of the Audit & Performance Review Committee held on 13 May 2009 were submitted and all decisions contained therein were approved.

**REMIT FROM EDUCATION AND LIFELONG LEARNING COMMITTEE –
BRAIDFIELD CAMPUS**

With reference to the Minutes of Meeting of the Education and Lifelong Learning Committee held on 22 April 2009 (Pages 1912/13 refer), there was submitted the relevant excerpt from the Minutes together with a report on Braidfield Football Pitch by the Executive Director of Educational Services.

After discussion and having heard the Executive Director of Educational Services in further explanation and the Head of Legal, Administrative and Regulatory Services in clarification of certain matters, Councillor McGlinchey, seconded by Councillor McAllister, moved:-

That the Council agrees Option 1 in the report, as follows:-

Provide temporary changing/toilet/shower facilities to allow full use of the facilities: also provide floodlighting to allow use in evenings (for training purposes only).

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

That the Council agrees Option 3(b) in the report, as follows until the end of the season or until the new facilities become available:-

Provide use of pitches with no changing/toilet/shower facilities – Annual Recurring Costs: Maintenance costs (janitorial and grounds maintenance only).

As a second amendment, Councillor J. McColl, seconded by Councillor Robertson, moved:-

That the Council agrees Option 3(a) and (b) in the report, as follows:-

Provide use of pitches with no changing/toilet/shower facilities – (a) Capital Cost: Upgrade car park and (b) Annual Recurring Costs: Maintenance costs (janitorial and grounds maintenance only).

On a vote being taken between the second amendment (Councillor J. McColl) and first amendment (Councillor Smillie), 6 Members voted for the second amendment and 4 for the first amendment.

On a second vote being taken between the amendment (Councillor J. McColl) and motion (Councillor McGlinchey), the Council agreed to proceed by way of a Roll Call Vote.

On a vote being taken, 10 Members voted for the amendment (namely Provost Agnew, Councillors Brown, Hendrie, J. McColl, R. McColl, McElhill, C. McLaughlin, W. McLaughlin, Robertson and Smillie) and 10 for the motion (namely Councillors Black, Bootland, Calvert, Casey, McAllister, McBride, McGlinchey, McNair, Millar and Rooney).

There being an equality of votes, Provost Agnew exercised his casting vote in favour of the amendment which was accordingly declared carried.

CORPORATE PLAN 2009/13

With reference to the Minutes of Meeting of the Council held on 29 April 2009 (Page 1934 refers), a report was submitted by the Chief Executive seeking agreement on:-

- (a) the performance indicators that have been identified to monitor progress towards the 2009/13 corporate objectives; and
- (b) the targets that have been set for these indicators for each of the four years covered by the Plan.

After discussion, the Council agreed to approve the Corporate Plan performance indicators and targets for 2009/13.

REVIEW OF SCOTTISH PARLIAMENT BOUNDARIES

A report was submitted by the Chief Executive confirming the publication, on 21 May 2009, of the Boundary Commission for Scotland's provisional proposals for regions and revised recommendations for Scottish Parliament Constituencies and inviting the Council to make representations thereon. It was noted that a copy of a further report by the Chief Executive containing details of the revised boundary proposals for the area had been issued as a supplementary paper.

After discussion, the Council agreed:-

- (1) to note the success of the Boundary Commission's Public Hearing in Clydebank Town Hall and that the changes to the proposals reflect the fact that the Boundary Commission has listened to the representations from the Council, community representatives and individuals;
- (2) that in relation to the proposals for List MSPs, officers should respond to the consultation reflecting the following:-
 - (a) There are no natural linkages between West Dunbartonshire Council and Highland Council;
 - (b) The inclusion of parts of West Dunbartonshire Council in the Highland List would result in 14 List MSP's and 2 local MSP's; and
 - (c) Natural linkages exist between West Dunbartonshire Council and Glasgow/East Central Scotland;
- (3) that the whole of West Dunbartonshire Council should be included in either East Central Scotland list or Glasgow list.

DRUG & ALCOHOL REHABILITATION INITIATIVES: HEAR (HELP, EMPATHY, ADVICE AND REASSURANCE) OUT OF HOURS TELEPHONE SUPPORT SERVICE AND THE CLYDEBANK CAT EARLY INTERVENTION PROJECT

A report was submitted by the Executive Director of Social Work and Health providing updated information regarding the establishment of two initiatives which have increased access to addiction supports for those living with either their own or someone else's drug and/or alcohol problems.

Councillor J. McColl, seconded by Councillor R. McColl, moved:-

Council thanks officers, congratulates staff on their success, and agrees the recommendations at 7.14 of the report.

With regards to 7.14.6 of the report, Council agrees that the options in the report that facilitate expansion are desirable, in particular, a hybrid of options 4 & 5 would allow expansion while maintaining our ethos of client centred planning and development.

With this in mind, Council agrees to use the secured Government funding to continue these worthwhile services and asks officers to investigate the possibility of securing other outside funding streams to use in the expansion of services.

Council agrees that the Executive Director of Social Work & Health has authority to use money from within his current allocation if he feels it will aid

the securing of match funding, however, current Social Work service provision must not be affected.

Further to this, Council instructs officers to prepare a briefing note, to be circulated to all members in December. This briefing note will provide members with details of any viable external funding sources and any resources that would be required from Council to expand the current services.

The briefing note should advise members of a range of expansion options and will allow members to consider these and make an informed decision at the 2010/2011 budget meeting.

As an amendment, Councillor Casey, seconded by Councillor McGlinchey, moved:-

Council thanks the Executive Director and his staff for a very comprehensive report on (i) the future of addiction services team (FAST) out of hours telephone service; and (ii) the Clydebanks Community Addiction Team Early Intervention Project.

The value of these services is evidenced by the number of referrals made, the significant reductions in waiting times and importantly the two critical incidents where two callers were stopped from their attempts to complete suicide.

Council notes the positive evaluation of the current level of service and welcomes the additional funding commitment from the Scottish Government which guarantees the current level of service and provides a real opportunity to expand the services.

Given the successes outlined in the report, this Council agrees to support the further expansion of the services to ensure that these vital services are available throughout West Dunbartonshire in order to ensure that clients receive access to treatment and support at the earliest juncture and that out of hours support is available to clients vulnerable to relapse.

Council notes that the Executive Director of Social Work and Health has identified Option 5 as having the clearest lines of accountability. However Option 6 allows the possibility of seeking external match funding for these vital services.

Council therefore agrees to expand the early intervention project and the HEAR (help, empathy, advice and reassurance) telephone service as outlined in Option 6. In the event that match funding is not forthcoming, this Council agrees that the services will be expanded and that the cost of the new expanded services will be met from Council resources in the next financial year.

Council also requests that the Executive Director conveys the strength of support and our sincere thanks to our partners and those staff members and volunteers for providing a life saving service to people suffering from drug and alcohol misuse.

On a vote being taken, 10 Members voted for the amendment and 10 for the motion. There being an equality of votes, Provost Agnew exercised his casting vote in favour of the motion which was accordingly declared carried.

ADJOURNMENT

After hearing Provost Agnew, the Council agreed to adjourn for a short period at 8.17 p.m.

The meeting reconvened at 8.25 p.m. with all those Members shown on the sederunt in attendance, with the exception of Councillor Millar.

PARTNERSHIP WORKING BETWEEN “BREATHING SPACE” (NHS 24), COMMUNITY PLANNING PARTNERSHIP, COMMUNITY HEALTH PARTNERSHIP, MACMILLAN CANCER SUPPORT AND WEST DUNBARTONSHIRE COUNCIL

A report was submitted by the Executive Director of Social Work and Health:-

- (a) setting out the latest service development emerging from the Council's unique partnership with Macmillan Cancer Support;
- (b) requesting support for the implementation of a 12 month pilot project to support people affected by cancer through a unique listening, advice and signposting service throughout West Dunbartonshire to promote greater public awareness of these issues and encouraging local people to seek help earlier; and
- (c) seeking approval for a formal recognition of the Service's launch and role of NHS 24.

After discussion, the Council agreed:-

- (1) to support ongoing partnership working to achieve the aims set out within this report and other improvements for people affected by cancer within the West Dunbartonshire local authority area; and
- (2) that the Provost be invited to play a lead role in welcoming the service's launch in West Dunbartonshire.

PROMOTING THE INVOLVEMENT OF SMEs IN PUBLIC CONTRACTS – SIX SIMPLE STEPS

A report was submitted by the Executive Director of Corporate Services advising Members of a commitment that has been made by the Scottish Government to ensure fair access to public sector contracts in Scotland for SMEs (small and medium sized enterprises) and the action that was being taken locally to facilitate this.

The Council agreed:-

- (1) that the Scottish Government's guidance on involving SMEs in public contracts would be incorporated into the local procurement guidance that was currently being drafted; and
- (2) to note the letter attached to the report from John Swinney, Cabinet Secretary for Finance and Sustainable Growth, and the action that was being taken locally to provide procurement guidance for the local business community.

INFRASTRUCTURE HUB

A report was submitted by the Executive Director of Corporate Services providing Members with updated information on the progress of the Scottish Government scheme to develop local infrastructure hub companies.

The Council agreed:-

- (1) to note that the two pilot pathfinder projects within the Northern and South East hubs were about to commence a procurement exercise to appoint a development partner in each territory within the next six months; and
- (2) that, prior to holding a community conference, a Members' briefing session be held, which would include attendance from a representative of the Scottish Future Trust, and that this session should take place following completion of the procurement phase of the two pathfinder projects.

LABOUR GROUP AGM – NOMINATIONS TO COMMITTEES AND OUTSIDE BODIES

A report was submitted by the Executive Director of Corporate Services advising Council that the Labour Group AGM on 25 May 2009 may result in resignations from membership of certain committees and outside bodies and to advise as to how Council should deal with this.

The Council agreed to note that there had been no changes of memberships arising from the Labour Group AGM.

REVIEW OF CURRENT T-MOBILE PHONE CONTRACT

A report was submitted by the Executive Director of Corporate Services outlining actions to be considered regarding the Council's current T-Mobile phone contract should T-Mobile persist with its plan to close their offices in Scotland.

Councillor Calvert, seconded by Councillor Bootland, moved:-

This Council notes that the current T-Mobile Phone Contract is due for expiry within this financial year and therefore that budgetary provision has already been made for this process to take place.

In addition, this Council is aware that, following on from the procurement evaluation exercise outlined in Paragraph 3.10 of the report, there is an Office of Government Commerce (OGC) agreement in place for telephone contracts. The effect of this OGC agreement being in place means that it is not a necessary requirement for the Council to engage in a full-blown tendering exercise as outlined in Paragraph 3.15 of the report.

Knowing that the current contract will expire with effect from 30th November 2009, Council is aware that it is the current intention to carry out an evaluation exercise in line with the OGC list in October 2009.

However, given the circumstances surrounding T-Mobile's decision to export Scottish jobs to the Far East to the detriment of the Scottish economy, this Council agrees to bring forward the OGC evaluation of the current Council T-Mobile contract to begin on 1st June 09. Council wishes that a report on progress of the evaluation be brought forward to the June meeting of the Council with a view to taking a decision on a new contract shortly thereafter.

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

That Council agrees the recommendation at 7.4 of the report but will only take this action if T-Mobile continues with its plans to remove jobs from Scotland.

Following debate, Councillor R. McColl, with the consent of the Council withdrew his amendment.

The motion was accordingly declared carried.

SINGLE OUTCOME AGREEMENT

A report was submitted by the Chief Executive providing an update on the process used to develop the Single Outcome Agreement (SOA), and presenting the 2009 Community Planning Partnership (CPP) SOA for West Dunbartonshire.

After discussion, the Council agreed to endorse this version of the West Dunbartonshire CPP SOA.

NOTICES OF MOTION

(A) Motion by Councillor Willie McLaughlin – To congratulate Clydebank Football Club on their achievement in reaching the Final of the Scottish Junior Cup

West Dunbartonshire Council congratulates Clydebank Football Club for their achievement in reaching the final of the Scottish Junior Cup. The game is being played on Sunday May 31st at Rugby Park, Kilmarnock against Auchinleck Talbot and I would ask my fellow Councillors to join me in wishing the team, coaching staff, club organisers and supporters the very best of luck for the game.

After hearing Councillor W. McLaughlin, the Council agreed to approve the above motion with the undernoted addendum by Councillor R. McColl:-

Council also congratulates Dumbarton Football Club for winning the Third Division of the Scottish Football league and wishes them all the best for the following season in the Second Division.

Provost Agnew informed the Council that Dumbarton Football Club had received and gratefully accepted the offer of a civic reception to be held in their honour.

(B) Motion by Councillor Jim Bolla – Unite Motion calling for support in providing 100 apprenticeships across Council Departments

I would urge the Council to support the UNITE union's call to provide 100 apprenticeships across the Council Departments, with a starting salary of £130.00 per week and an appropriate incremental rise each year.

This Council agrees with the UNITE union that there is an opportunity to create jobs in the area for young people of West Dunbartonshire & also create a better social environment for all the citizens of West Dunbartonshire.

UNITE seeks the support of all Councillors on WDC for this attempt to create some employment and attack poverty amongst some of our young people.

It was noted that in Councillor Bolla's absence, this motion would be moved by Councillor W. McLaughlin. Accordingly, Councillor W. McLaughlin was heard in support of the above motion which was seconded by Councillor Calvert.

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

This Council instructs officers to prepare a report for the June Council meeting, exploring all options, including the future jobs fund, and any costs and ramifications in future years, if Council provides 100 new apprenticeships as requested by the Unite Union.

As a second amendment, Councillor Black, seconded by Councillor C. McLaughlin, moved:-

Council supports the aspirational aims of Unite and UNISON and instructs officers to prepare a report for the June Council meeting, exploring all options, including the future jobs fund, and any costs and ramifications in future years, if Council provides 100 new apprenticeships as requested by the Unite Union.

On a vote being taken between the second amendment (Councillor Black) and first amendment (Councillor R. McColl), 16 Members voted for the second amendment and 2 for the first amendment.

On a second vote being taken between the amendment (Councillor Black) and motion (Councillor Bollan), 18 Members voted for the amendment and 1 for the motion which was accordingly declared carried.

(C) Motion by Councillor David McBride – To explore how the Future Jobs Fund can be used to satisfy the Council’s aspiration to provide 100 apprenticeships across the Council

It was noted that this motion was actually in the name of Councillor Margaret Bootland and not Councillor David McBride.

The Council also agreed to note that the motion had already been dealt with during debate on the immediately preceding motion (B).

(D) Motion by Councillor Ronnie McColl – Scottish Housing Quality Standard (SHQS)

This Council notes:

That the pressures of regenerating our communities and the challenges of meeting the Scottish Housing Quality Standard through the standard delivery plan by 2015, which has now been approved, will require to be approached with vigour, vision and focus, both by officers and elected members.

To assist Council in this regard Council agrees to appoint two spokespersons for HEEDS.

Namely Cllr William Hendrie will deal with housing issues and Cllr Jim McElhill with all other departmental areas.

Committee will continue as is with Cllr Hendrie in the Chair and Cllr McElhill as Vice-Chair. Both Spokesperson roles will be deemed as senior councillors with the additional allowance being transferred from the Depute Leader of the Council.

Councillor R. McColl was heard in support of the above motion which was seconded by Councillor J. McColl.

As an amendment, Councillor Calvert, seconded by Councillor Bootland, moved:-

This Council regrets that the reasons for Councillor McElhill's resignation as Depute Leader of the Council as reported to Council on 29th April 09 by Councillor McElhill have been so transitory. However, Council recalls that both the management and political decision making structures of this Council were only agreed following intense study by Brodies Consultants and in line with their recommendations following the scathing Audit Scotland Report of Best Value within West Dunbartonshire Council

It is patently obvious that the Motion before Council to appoint two Senior Councillor positions to one Council Directorate has nothing to do with Best Value and all to do with 'jobs for the boys.'

This shabby attempt to reward Councillor McElhill with a Senior Councillor pay rise is nothing more than a payment for going quietly from his previous appointment as Depute Leader as a consequence of the 'night of the long knives' meeting of the SNP Group AGM.

This Council does not believe that the best interests of the residents of West Dunbartonshire are served by giving credence to this Motion and affirms the status quo.

At this point in the meeting, Provost Agnew reminded Members to be mindful of the language they were using in debate, particularly with regard to the personal nature of some remarks.

After hearing Councillor Rooney, the Council agreed to proceed by way of a roll call vote.

On a vote being taken, 7 Members voted for the amendment (namely Councillors Bootland, Calvert, Casey, McAllister, McBride, McGlinchey and Rooney); 9 for the motion (namely Provost Agnew, Councillors Brown, Hendrie, J. McColl, R. McColl, McElhill, C. McLaughlin, Robertson and Smillie) and 3 Members abstained (namely Councillors Black, W. McLaughlin and McNair).

(E) Motion by Councillor Ronnie McColl – Error in Council Minutes

Council notes that while the minute of the Council meeting of 28 November 2007 records that Cllr Ronnie McColl abstained from the third vote on the item relating to 'Regeneration of the Schools Estate – Dumbarton Academy Campus', and while the accuracy of the minute was approved by Council at its meeting on 19 December 2007, the correct position is that Cllr Ronnie McColl voted in favour of the motion by Cllr Robertson.

Councillor R. McColl was heard in support of the above motion which was seconded by Councillor J. McColl.

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

This Council thanks Councillor Ronnie McColl for his entertaining and amusing attempt to rewrite history. Council recalls that all votes taken at the meeting of 28 November 2007 concerning the regeneration of the schools estate were subject to roll call votes and three separate votes were taken. At the final vote, the choice was to approve the PPP secondary schools regeneration programme with the 'reluctant' removal of Dumbarton Academy from the process – proposed by Councillor Iain Robertson and seconded by Councillor Martin Rooney, or to suspend the PPP process for all schools – proposed by Councillor George Black and seconded by Councillor Jim Bolla.

The record shows that 6 members voted to suspend the PPP process – Councillors Black, Bolla Brown, Finn, Hendrie and McElhill; 14 members voted to proceed with the new-builds – Provost Agnew, Councillors Bootland, Calvert, Casey, McAllister, McBride, J McColl, McGlinchey, W McLaughlin, McNair, Millar, Robertson, Rooney and Smillie; There were two abstentions – Councillors R McColl and C McLaughlin.

Council notes that the papers for the Council meeting of 19 December 2007 were in Members' possession only 14 working days after the meeting of the 28 November 2007 and agreed as accurate 18 working days after the meeting of 28 November 2007 when all details were fresh in everyone's mind – including that of Councillor Ronnie McColl.

It is clear that, in attempting to rewrite history 17 MONTHS later, Cllr Ronnie McColl recognises that his lack of support for his own Leader and the secondary schools new-build programme has come back to haunt him and he now seeks to distance himself from his own decisions.

This Council affirms that its Minutes are accurate and suggests that Councillor Ronnie McColl finds some other way to ease his embarrassment without bringing the integrity of this Council into question.

On a vote being taken, 8 Members voted for the amendment and 9 for the motion which was accordingly declared carried.

EMERGENCY MOTIONS

The Head of Legal, Administrative and Regulatory Services was heard in relation to the competency of allowing the Emergency Motions to be considered, that had been indicated by Provost Agnew at the commencement of the meeting, but which no details had been given at the time.

At 10.00 p.m., details of the Motions had not been given and no decisions had been made on whether to accept them as items of business for the meeting. Accordingly there being no outstanding items of business at 10.00 p.m., the meeting closed at 10.06 p.m.