

WEST DUNBARTONSHIRE COUNCIL

At a Hybrid Meeting of West Dunbartonshire Council held in the Civic Space,
16 Church Street, Dumbarton on Wednesday, 27 October 2021 at 10.00 a.m.

Present: Bailie Denis Agnew and Councillors Jim Bollan, Jim Brown, Ian Dickson, Diane Docherty, Jim Finn*, Daniel Lennie, Caroline McAllister, Douglas McAllister, David McBride, Jonathan McColl, Iain McLaren, Marie McNair, John Millar, John Mooney, Lawrence O'Neill, Sally Page, Martin Rooney and Brian Walker.

* arrived later in the meeting

Attending: Joyce White, Chief Executive; Peter Hessett, Chief Officer – Regulatory and Regeneration (Legal Officer); Stephen West, Chief Officer – Resources and Section 95 Officer; Angela Wilson, Chief Officer – Supply, Distribution & Property; Victoria Rogers, Chief Officer – People & Technology; Peter Barry, Chief Officer – Housing and Employability; Malcolm Bennie, Chief Officer – Citizen, Culture and Facilities; Richard Cairns, Strategic Adviser; Laura Mason, Chief Officer – Education; Beth Culshaw, Chief Officer, Health and Social Care Partnership; Sylvia Chatfield, Interim Chief Social Work Officer and Head of Mental Health, Learning Disability and Addictions; Gail MacFarlane, Chief Officer – Shared Services Roads and Neighbourhood; Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Nigel Ettles, Principal Solicitor; James Hall, Policy Planning Officer; Barry Sheridan, ADP Strategy Officer; Adam Armour-Florence, Sustainability Officer; George Hawthorn, Manager – Democratic and Registration Services and Christine McCaffary, Senior Democratic Services Officer.

Also attending: Christopher Gardner, Senior Audit Manager, Audit Scotland.

Apologies: Apologies for absence were intimated on behalf of Provost William Hendrie and Councillors Gail Casey and Karen Conaghan.

ELECTION OF CHAIR

The Legal Officer advised that in the absence of the Provost and Depute Provost and in terms of Standing Order 2b the Council required to elect a Chair.

Councillor McColl, seconded by Councillor Dickson moved that Bailie Agnew chair the meeting and Councillor Douglas McAllister, seconded by Councillor McBride moved that Councillor Rooney chair the meeting.

On a roll call vote being taken, 8 members voted for Bailie Agnew, namely Bailie Agnew and Councillors Brown, Dickson, Docherty, Caroline McAllister, McColl, McLaren and McNair and 10 members voted for Councillor Rooney, namely Councillors Bolland, Lennie, Douglas McAllister, McBride, Millar, Mooney, O'Neill, Page, Rooney and Walker.

Councillor Martin Rooney in the Chair

STATEMENT BY CHAIR

Councillor Rooney thanked Members for their support, and advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

MINUTE OF SILENCE

At the request of Councillor McColl, the Council observed a minute's silence as a mark of respect for Sir David Amess MP who had recently been murdered while carrying out his constituency surgery in Essex.

DECLARATIONS OF INTEREST

Councillor John Mooney declared a non-financial interest in Item 11 – Mental Health Services in West Dunbartonshire, being chair of Stepping Stones stating that he would take part in the discussion thereon.

Councillor Lawrence O'Neill declared a non-financial interest in Item 17 – Duntiglenan Fields, Duntocher, being convener of the Clyde & Loch Lomond Plan Joint Committee and advised that he would take part in the discussion thereon.

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 MEETING

The Minutes of Meeting of West Dunbartonshire Council held on 29 September 2021 were submitted and approved as a correct record.

OPEN FORUM

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

GLASGOW CITY REGION CITY DEAL UPDATE

A report was submitted by the Chief Officer – Regulatory and Regeneration providing an update on the implementation of the Glasgow City Region City Deal.

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

- (1) to note the progress of the Glasgow City Region, and
- (2) to note the progress of the Council's City Deal project for the Exxon site.

Note: Councillor Jim Finn joined the meeting during consideration of the above item.

COVID-19 UPDATE

A report was submitted by the Chief Executive providing an update in relation to COVID-19 in West Dunbartonshire.

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

- (1) to note the information provided on COVID-19 in West Dunbartonshire since the update provided to the September 2021 Council meeting;
- (2) to note the information provided in relation to the additional support and advice that the Council was providing to communities and businesses across West Dunbartonshire to help alleviate the impact of COVID-19; and
- (3) to note the exercise of the Chief Executive's delegation to allow procurement of the carbon dioxide monitors as detailed at paragraph 4.2.2 of the report.

WEST DUNBARTONSHIRE COUNCIL ANNUAL PERFORMANCE REPORT 2020/21

With reference to the Minutes of Meeting of West Dunbartonshire Council held on 29 September 2021 re-submit report by the Chief Officer – Citizen, Culture and Facilities presenting West Dunbartonshire Council's Annual Report 2020/21 and supporting performance information.

Councillor Rooney moved:-

Council is disappointed with the 2020/21 Annual Performance Report.

Of forty performance indicators only 21 were met or exceeded the target.

The other 19 performance indicators failed to achieve the council target.

This low level of achievement cannot be masked by infographics showing we purchased 9 additional electric cars or by suggesting that the introduction of remote council meetings during the pandemic is anything to do with the Council Annual Performance Report.

The report shows that:

- Only 89.66% of pupils moved into positive destinations
- The procurement spend target of 12% was missed achieving just 8.23%
- The percentage of lost rent due to voids was 1.2% against a target of 0.88%
- The percentage of houses meeting the SHQS fell from 95.7% to 82.84% (the target was 96.37%)
- The percentage of children living in poverty in West Dunbartonshire increased from 25% to 26.8%
- The percentage of citizens who agree the council listens to community views when designing and delivering services was 67% against a target of 85%
- The percentage of street cleanliness index fell from 89.7 to 84.9 against a target of 92.8%
- Recycling of household waste fell from 44.78% to just 34.2% against a target of 58%.

This is an illustration of West Dunbartonshire Council's performance against its own targets.

We can argue about the reasons for the failure to achieve our targets but it's a matter of public record that we simply did not achieve the level of performance that we set for ourselves.

Councillor McBride asked Councillor Rooney if he would accept the following addendum:-

Council continues to support the staff of West Dunbartonshire Council who have worked tirelessly during the pandemic and note that this Council moved a motion that their pay should be increased and funding should be met by the Scottish Government.

Councillor Rooney confirmed his acceptance of the addendum, and Councillor McBride then seconded the motion.

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

Council thanks staff for the work done during the pandemic and is pleased with the positive report we have which reflects improved performance in many areas despite the difficulties we have faced over the past year. With 33 of the 39 targets being met and most of the 6 targets significantly missed being due to the pandemic we could not have asked more from our staff. Council commends the report for publication.

On a roll call vote being taken 9 members voted for the amendment, namely Bailie Agnew and Councillors Brown, Dickson, Docherty, Finn, Caroline McAllister, McColl, McLaren and McNair and 10 members voted for the motion, namely Councillors Bollan, Lennie, Douglas McAllister, McBride, Millar, Mooney, O'Neill, Page, Rooney and Walker. The motion was accordingly declared carried.

AVOIDABLE DRUG DEATHS IN WEST DUNBARTONSHIRE

A report was submitted by the Head of Mental Health, Learning Disabilities and Addictions advising of the work that the Alcohol and Drug Partnership was undertaking to reduce drug harms and drug related mortality within West Dunbartonshire.

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

ADJOURNMENT

The Council agreed to adjourn the meeting for a period of 10 minutes.

The meeting reconvened at 12.36 p.m. with those listed in the sederunt present.

MENTAL HEALTH SERVICES IN WEST DUNBARTONSHIRE

A report was submitted by the Head of Mental Health, Learning Disabilities and Addictions providing an update on the mental health services within West Dunbartonshire and the impact of the COVID-19 pandemic on the service response.

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

Note:- Councillor McNair left the meeting at this point.

ESTATE MANAGEMENT

A report was submitted by the Chief Officer – Housing and Employability providing an update on the current condition of the Council's housing estates throughout West Dunbartonshire, and outlining the commitment to work with communities and key partner services to deliver sustained improvements.

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

- (1) to note that Housing Operations would lead on further community consultation and engagement work with the West Dunbartonshire Tenants & Residents Organisation (WDTRO), local residents and community groups, in partnership with relevant Council service areas;
- (2) to note the wider ongoing delivery model for estate management through the Your Community initiative in collaboration with Greenspace, Environment Services, Communities Team, Housing Services and WDRTO; and
- (3) to note the potential costs for additional work set out in paragraph 7 of the report.

CLIMATE CHANGE ACTION PLAN

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval of a new Climate Change Action Plan, which detailed Climate Change actions required to achieve net zero emissions by 2045.

After discussion and having heard the Sustainability Officer in answer to Members' questions, the Council agreed:-

- (1) to note the content of the report;
- (2) to approve the Climate Change Action Plan and its long term aspirations (as shown as Appendices 1 and 2 to the report) subject to typographical errors being corrected and updates to the Foreword being carried out in consultation with Councillor McLaren; and
- (3) the importance of support from all service areas to deliver actions in light of the global Climate Emergency.

LONG TERM FINANCE STRATEGY

A report was submitted by the Chief Officer – Resources providing an update of the Council's Long Term Finance Strategy, together with information on the estimates process for the General Fund and the Housing Revenue Account (HRA).

The report also provided an update on the position regarding reserves, including projections in relation to funds held for provisions, earmarked balances and free reserves.

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 typographical error at paragraph 4.17 of the report and that the figure shown should be 0.5%;
- (2) to note that the updated strategy had developed estimates of the Council's funding position to 2024/25 and identified cumulative anticipated revenue funding gaps within General Services of £5.612m for 2022/23; £12.414m for 2023/24; and £14.355m for 2024/25;
- (3) to note the position regarding the HRA projections to 2024/25;
- (4) to note the projection for the General Fund of a 10 year position to 2030/31;
- (5) to approve the long term financial strategy, as attached as Appendix 1 to the report;
- (6) to note the current assumed position regarding the impact of COVID-19 in 2021/22 and onwards;
- (7) to note the update and projected year-end position regarding reserves and provisions;
- (8) to note that the Corporate Management Team was in the process of generating efficiencies for consideration at a future Council meeting; and
- (9) to note the various issues and assumptions at this stage as advised in the Strategy document and the report;
- (10) to note the position regarding the Scottish Government planned budget announcement; and
- (11) to note that the projected position was subject to amendment as assumptions continued to be clarified and revised between now and the Council meeting in March 2022.

GENERAL SERVICES BUDGETARY CONTROL REPORT TO 30 SEPTEMBER 2021 (PERIOD 6)

A report was submitted by the Chief Officer – Resources advising on both the General Services revenue budget and the approved capital programme to 30 September 2021.

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

- (1) to note that the revenue account currently showed a projected annual adverse variance of £0.281m (0.12% of the total budget), excluding any variance projected for COVID-19 which was expected to be fully funded by Scottish Government funding carried forward from 2020/21 and that to be received in-year 2021/22; and
- (2) to note that the capital account showed that expenditure and resource use for 2021/22 was lower than budget by £9.643m (17.86% of budget), made up of £9.532m (17.65% of budget) relating to project slippage, and an in-year underspend of £0.111m.

HOUSING REVENUE ACCOUNT (HRA) BUDGETARY CONTROL REPORT TO 30 SEPTEMBER 2021 (PERIOD 6)

A report was submitted by the Chief Officer – Resources providing an update on the financial performance to 30 September 2021 (Period 6) of the HRA revenue and capital budgets for 2021/22.

The Council agreed:-

- (1) to note that the revenue analysis showed a projected annual favourable variance of £0.006m;
- (2) to note the net projected annual position in relation to the capital plan was highlighting an in-year variance of £1.649m which is made up of slippage of £1.999m (4.14%) and overspend of £0.350m (0.72%) as detailed in Appendix 4 of the report; and
- (3) to approve the capital virement as detailed in Appendix 9 of the report relating to MSF Fire Risk Assessment Works.

DUNTIGLENNAN FIELDS, DUNTOCHER - APPEAL DECISION OF COURT OF SESSION

A report was submitted by the Chief Officer – Regulatory and Regeneration relating to the recent decision of the Court of Session to reject the Council's challenge to the Scottish Government Reporter's decision to allow an appeal by the developer and grant planning permission for application DC19/203: Erection of residential

development at Farm Road (Duntiglennan Fields), Duntocher, Clydebank and outlining potential options open to the Council following the decision.

Following discussion and having heard the Legal Officer and Principal Solicitor in answer to Members' questions, the Council agreed:-

To continue with the appeal and that we lodge our application seeking leave to appeal to the Supreme Court, and that the funding come from reserves, being the same source that has funded the appeal to this stage.

VARIATION IN ORDER OF BUSINESS

Having heard Councillor Rooney, Chair, the order of business was varied as hereinafter minuted.

ENHANCED LIVING STANDARD FOR HIGH-RISE HOMES

A report was submitted by the Chief Officer - Housing and Employability providing an update on the work to develop the enhanced living standard for high-rise homes in West Dunbartonshire including the development of a new high-rise home strategy.

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

- (1) to note the content of the report; and
- (2) to note that a new High Rise Home Strategy would be developed and presented to the Housing and Communities Committee for approval in summer 2022 after full consultation with tenants and the West Dunbartonshire Tenants and Residents Organisation (WDTRO);
- (3) that in connection with paragraph 4.11(e) of the report, a report be brought back to Members annually regarding current safety measures and improvements in available cladding being manufactured; and
- (4) that in connection with paragraph 4.11(f) of the report, that emergency lighting and fire door faults must be actioned within emergency timescales.

NOTICE OF MOTIONS

Motion by Councillor John Mooney – Effective Ventilation in West Dunbartonshire Schools

Councillor Mooney, seconded by Councillor Millar moved:-

This Council notes that at the previous meeting in September, when discussing the COVID report, Councillors received a verbal update on ventilation in schools.

In essence, the Council received a share of Scottish government resources and purchased CO2 monitors. The monitors measure the levels of carbon dioxide in the air and when they reach a set level action would be required.

However, if the school doesn't already have an effective ventilation system then the only action that can be taken is to open the windows which is not always the best idea in the middle of winter; or to remove the pupils from classrooms or shared spaces to reduce the CO2 levels.

This Council is disappointed that there does not appear to have been a significant investment in ventilation systems in schools as the limited funding from the Scottish Government would not be adequate enough to fund this level of protection for pupils, teachers and school staff. We are also concerned that the completion of school flu vaccination programme has been delayed until December.

The UK Health & Safety Executive has published guidance on ventilation at the start of COVID-19 and this was last updated on 6th October 2021. The Scottish Government also published its own guidance on fresh air and ventilation.

Given the above, this Council calls on the Chief Executive to bring forward a report outlining the measures taken to ensure that schools remain COVID-SAFE during the coming winter. The report should identify which schools have ventilation systems and the extent of their coverage. It should also set out the number of CO2 monitors that the Council has purchased and which schools they are located in.

The report should set out any other measures that have been taken to ensure that our schools are adequately ventilated during the winter to minimise the risk of another spike of infections.

As an amendment Councillor McColl, seconded by Bailie Agnew moved:-

Council thanks our staff at all levels, pupils, parents and others for the efforts being made to follow rules and guidance and ensure that our schools are as safe as possible for those who use them.

This Council notes that at the previous meeting in September, when discussing the COVID report, Councillors received a verbal update on ventilation in schools.

Since then officers have issued a written update to members on the procurement of CO2 monitors, fully funded by the Scottish Government; this was issued after the motion was published.

It is unrealistic to expect that:

1. The Scottish Government would be able to provide funding to design, purchase and install ventilation systems in every school across Scotland.
2. 32 Councils across Scotland would be able to procure the services of qualified professionals to design and install bespoke ventilation systems in every school in the country at the same time.
3. 32 Councils would be able to procure the materials required to build such ventilation systems at the same time.

It should be pointed out that no Government in the UK is fitting out their schools with ventilation or extraction systems and instead have issued guidance to education authorities on how best to mitigate risks and what reasonable actions can be taken to protect those using school buildings.

Council notes that the Chief Executive and Leader of the Council have confirmed time and time again to Council that we have followed rules and guidance throughout this pandemic and the Council will continue to do so.

Given the next Council meeting is not until December, rather than ask officers to prepare a report, Council asks officers to prepare a briefing for elected members and the public on what measures we have and are taking in our schools to protect pupils, teachers, staff and visitors.

On a roll call vote being taken 8 members voted for the amendment, namely Bailie Agnew and Councillors Brown, Dickson, Docherty, Finn, Caroline McAllister, McColl and McLaren and 10 members voted for the motion, namely Councillors Bollan, Lennie, Douglas McAllister, McBride, Millar, Mooney, O'Neill, Page, Rooney and Walker. The motion was accordingly declared carried.

Motion by Councillor John Millar – Gillz Little Gems Out of School Care

Councillor Millar moved:-

This Council notes that local politicians gave a commitment to the security of St. Martins Primary School.

Councillors agreed that as well as attracting more children to the school it was important that the council also made best use of the available space.

Gillz Little Gems Out of School Care already caters for 78 children and there is a large waiting list for places.

They are currently using the Alexandria Community Centre but are keen to get a permanent base so that they can grow the service for the community.

Given the above, Council agrees to enter into negotiations with a view to securing a long-term rental agreement with Gillz Little Gems Out of School Care on terms acceptable to both parties.

Following Councillor Millar's confirmation that he understood that other locations might need to be considered, the Council agreed the motion.

The meeting closed at 3.07 p.m.

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