

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday 28 November 2007 at 7.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, James Bollan, Margaret Bootland, 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, Iain Robertson, Martin Rooney and May Smillie.

Attending: David McMillan, Chief Executive; Liz McGinlay, Executive Director of Educational Services; Bill Clark, Executive Director of Social Work and Health; Irving Hodgson, Acting Executive Director of Housing, Environment and Economic Development (Housing and Regeneration Services); David Connell, Head of Finance; Terry Lanagan, Head of Service, Educational Services; Alan Douglas, Manager of Best Value and Special Projects; David Clarke, Manager of Schools' Estate; Crawford Howat, School's Estate Unit; Liz Cochrane, Principal Policy Officer; Valerie McIlhatton, Policy officer; Stephen Brown, Head of Legal, Administrative and Regulatory Services and George Hawthorn, Senior Administrative Officer.

Also

Attending: Joyce White, Executive Director of Corporate Services (Designate).

Provost Denis Agnew in the Chair

At this point in the meeting Councillor Bollan, seconded by Councillor Black, moved that the meeting be adjourned and moved to the Lesser Town Hall due to the large number of people gathered outside the building who wanted to attend the meeting. On a vote being taken 10 Members voted for the adjournment and 7 against.

After hearing the Provost, the Council agreed that the adjournment would take place after the presentation to Mr Moran.

PRESENTATION TO FRANCIS MORAN

Depute Provost McColl informed the Council that Mr Francis Moran and his family had been invited to the meeting to receive a presentation from the Council in recognition of Mr Moran's achievement on winning a silver medal in the individual kayaking event at the Shanghai Special Olympics.

Depute Provost McColl also informed the Council that Mr Moran had also represented Great Britain in the kayaking team event and had achieved fourth place in that competition. Thereafter, on behalf of the Council, Depute Provost McColl presented Mr Moran with a watch and congratulated him on all of his achievements.

Mr Moran took the opportunity to thank the Council for the presentation and its support in helping him to raise sufficient funds to travel to Shanghai. He also thanked others who had helped him, including his family, staff at the Adult Training Centre, John McFall, MP and Jackie Baillie, MSP.

Provost Agnew congratulated Mr Moran on his achievements and thereafter Mr Moran and his family left the meeting.

ADJOURNMENT

In accordance with the earlier decision, the meeting was adjourned to allow all those present to move to the Lesser Town Hall.

The meeting reconvened in the Lesser Town Hall at 7.20 p.m. with all those Members shown on the sederunt in attendance.

OPEN FORUM

The following questions were submitted to Council for consideration:-

(a) Mr Brian Cairns, Clydebank

Is the current Administration aware of the serious flaws that exist in the report presented by the Director of Education to the Children's Services Committee on 15 June 2005, in relation to the regeneration of the schools' estate?

Councillor Smillie responded in the following terms:-

Council should be aware that Mr Cairns has clarified that the report he is referring to was the report concerning the consultation on the proposed amalgamation of St Andrew's High School and St Columba's High School.

The current administration is now aware that the Chair of St Andrew's High School Board at the time made a complaint about the report to the Ombudsman, having received a circular from the Chief Executive dated 23 November 2007.

We also note that after an investigation into this matter, the Ombudsman partially upheld one of the eight complaints against the previous Council, largely to do with providing misleading information.

Mr Cairns asked the following supplementary question:-

A major factor in estimating how many secondary pupils will need to be taught in future, used by most if not all authorities in Scotland, is to count the number of new houses which have been given planning consent by the Council.

A section of the report to the Children's Services Committee in June 2005 (concerning St Andrew's/St. Columba's High Schools) contained an estimate of future pupil numbers even though this had been done as part of the official consultation 5 months before in February.

The June estimate counted roughly 1000 more new houses than the one in February which meant an increase in their predictions in schools. However the way they did this was a shock. This can be seen if you look at the numbers predicted for the year 2014.

The June document said that in 2014 there will be 265 more secondary pupils than predicted in February. However instead of these pupils being distributed roughly equally between the denominational and non denominational sectors as normal, they showed 257 extra pupils for the non denominational sector with only 8 new pupils in the Catholic school sector. Parents presumed that such a dramatic difference would have been commented on by the person presenting the report that day, but none was made.

Is the Council aware that this is one of the many examples of the flaws that took place in the decision making undertaken by the Children's Services Committee on the 15th June 2005?

Councillor Smillie responded in the following terms:-

I will ask the appropriate officer to respond to your question in writing.

Provost Agnew informed Mr Cairns that officers would investigate his claims and confirmed that he would receive a response to his supplementary question in writing.

In response to a question by Mr Cairns, The Head of Legal and Administrative Services confirmed that it was in order for detailed responses to be made outwith the meeting, especially when details of the supplementary questions had not been provided in advance of the meeting.

Note: The undernoted response was sent to Mr Cairns:-

The matter of the accuracy of the Council's roll projections was fully investigated following earlier complaints from Mr Doherty. Firstly, an independent expert, Mr Bill Coyle, was commissioned by the Council (following a request from the Archdiocese of Glasgow) to examine the figures. Mr Coyle indicated that he believed the Council's figures to be robust.

Secondly, following a complaint by Mr Doherty to the Ombudsman about this and other matters, the Ombudsman re-examined the Council's roll projections (including its use of the Housing Land Supply information) and found that Mr Doherty's complaint was not upheld and that the Council's projections were justified. It is worth noting that the Ombudsman also rejected Mr Doherty's complaints about the Council's consultation and decision making process and about the information presented to the Children's Services Committee on 15 June 2005.

(b) Mr Robert Doherty, Clydebank

Is the Administration aware that there is no public support for the proposals on regenerating the schools' estate under consideration by this Council?

Councillor Smillie responded in the following terms:-

The Administration is aware that there are a wide range of views among members of the public about the proposals for regenerating the schools estate under consideration by this Council.

We are also aware that the strength of feeling both for and against varies across West Dunbartonshire.

However, this Council is charged with making difficult and complex decisions on the regeneration of our schools. In making decisions, the most significant of which will be made at special Council meeting scheduled for the 11 December 2007, elected members must take all relevant factors into account and make their judgements based on what is best for the Council as a whole and for future generations, and most importantly the education of West Dunbartonshire Council's children and young people.

Mr Doherty asked the following supplementary question:-

Following the legally required consultation procedure, when the previous Labour administration asked the people of West Dunbartonshire for their views on the proposals for the schools' estate to be brought forward to the Children's Services Committee there were 1308 responses. A staggering 1,299 against and 9 submissions for. Over 99% rejected the PPP proposals.

If over 99% of the people of West Dunbartonshire rejected the proposals does the Administration agree that there is no mandate whatsoever for the current proposals?

Councillor Smillie responded in the following terms:-

I will ask the appropriate officer to respond to you in writing.

Note: Mr Doherty was sent the undernoted response.

It is undeniable that the majority of St Andrew's parents rejected the proposals for the amalgamation of St Andrew's and St Columba's High Schools. However, other school communities, including the St Columba's parents, were in favour of the proposals. It is the responsibility of the Council, while listening to the views of stakeholders, to take a strategic view of schools' regeneration in the interests of all West Dunbartonshire residents. It is also worth noting that the school communities of Vale of Leven Academy, Clydebank High School and St Eunan's Primary School are not merely supportive of the proposals but are enthusiastic and impatient to see the new schools built, and that the Dumbarton Academy school community is very disappointed to see the school removed from the PPP project. In addition, responses from the public to BAM PPP's designs for the new schools has been overwhelmingly positive.

(c) Mr Tony Coultas, Clydebank

Is the Council aware that there are very many in West Dunbartonshire who would agree that PPP is an inefficient and wasteful approach to funding new schools?

Councillor Smillie responded in the following terms:-

As indicated in my earlier answer to Mr Docherty's question, the Administration is aware that there are a wide range of views among members of the public about the regeneration of the schools estate under PPP.

The SNP believes that PPP does not represent good value for money for the public purse and the tax payer and we are committed not to bring forward new PPP projects but to use alternative methods of funding for schools, hospitals and other publicly funded projects.

However, again, as indicated earlier, this Council is charged with making difficult and complex decisions on schools regeneration. In making such decisions, the most significant of which will be made at the next Council meeting on the 11 December 2007, elected members must take all relevant factors into account and make their own judgements accordingly.

Mr Coultas asked the following supplementary question:-

Mr Coultas pointed out that the Council had said that PPP "was the only game in town" and that this had been shown to be wrong by, for instance, the SNP manifesto commitment on the Scottish Futures Trust, that recent events had driven a coach and horses through the Council's assertion that their PPP proposals were "strategic" or "planned" and that the fiasco of the Dumbarton Academy campus failing to achieve planning permission after two years of work by officers and expensive consultants demonstrated that the Council could not proceed with PPP. He concluded with the question:-

On what basis can the Council take forward this proposal?

Councillor Smillie responded in the following terms:-

I will ask the appropriate officer to respond to you in writing.

Note: Mr Coultas was sent the undernoted response.

You are correct in stating that the SNP gave a manifesto commitment to develop a Scottish Futures Trust scheme for the funding of major capital projects. However, the exact nature and shape of their proposals remain unclear at present.

The Scottish Executive's award of Revenue Support Grant funding of £7.15 million per annum for 30 years to support West Dunbartonshire Council's plans to regenerate the schools' estate was made on the basis that the procurement method used would be Public Private Partnership. It was on this basis that we launched our project in the European Journal and it was also on this basis that 3 short-listed contractors bid for the project and BAM PPP was selected as Preferred Bidder. Under procurement law, PPP is therefore "the only game in town" **for this project**. We simply would not be permitted to alter the funding method having tendered the project on the understanding that PPP would be the method of funding.

The basis on which the Council is able to proceed with the project is detailed in the lengthy Report presented to Council at its Special Meeting on Tuesday 11 December. All the recommendations in the Report were approved by Council by a large majority. The Report and its appendices are available for perusal on the Council's website.

Provost Agnew thanked Mr Cairns, Mr Doherty and Mr Coultas for their questions and confirmed that they would receive a written copy of the responses in due course.

MINUTES OF PREVIOUS MEETING**(a) Ceremonial Meeting on 19 October 2007**

The Minutes of the Ceremonial Meeting of Council held on 19 October 2007 were submitted and approved as a correct record.

(b) Ordinary Meeting on 31 October 2007

The Minutes of the Ordinary Meeting of Council held on 31 October 2007 were submitted and approved as a correct record, subject to the undernoted correction on Page 20:-

(i) Motion by Councillor William Hendrie – St. Margaret's Hospice

Insert the following wording after the above heading "Councillor Marie McNair declared an interest in this item and left the meeting during deliberation thereon".

(c) Ceremonial Meeting on 9 November 2007

The Minutes of the Ceremonial Meeting of Council held on 9 November 2007 were submitted and approved as a correct record, subject to the inclusion of Councillors Rooney and McBride on the list of apologies.

(d) Requisitioned Meeting on 13 November 2007.

The Minutes of the Ceremonial Meeting of Council held on 13 November 2007 were submitted and approved as a correct record.

**MINUTES OF THE RECRUITMENT AND INDIVIDUAL PERFORMANCE
MANAGEMENT COMMITTEE**

The Minutes of Meeting of the Recruitment and Individual Performance Management Committee held on 22 October 2007 were submitted and noted.

MINUTES OF THE COMMUNITY PARTICIPATION COMMITTEE

The Minutes of Meeting of the Community Participation Committee held on 24 October 2007 were submitted and all decisions contained therein were approved.

DECLARATION OF INTEREST

Councillor Bootland indicated that she was employed by Clydebank College and therefore declared an interest in the following item of business and left the meeting during deliberation thereon.

REPRESENTATION ON OUTSIDE BODIES

A report was submitted by the Chief Executive asking the Council to consider making nominations to outside bodies.

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

That Councillors Ronnie McColl and John Millar be nominated to serve on the Millburn Trust and that Councillor May Smillie, Chair of the Education and Lifelong Learning Committee be nominated to serve on the Board of Clydebank College.

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

That Councillors Ronnie McColl and John Millar be nominated to serve on the Millburn Trust and that Councillor Gail Casey be nominated to serve on the Board of Clydebank College.

On a vote being taken, 9 Members voted for the amendment and 10 for the motion which was accordingly declared carried.

Note: Councillor Bootland returned to the meeting.

ACQUIRED BRAIN INJURY SERVICES

With reference to the Minutes of Meeting of Council on 31 October 2007 (Page 531 refers), a report was submitted by the Executive Director of Social Work and Health advising Council of progress towards securing the provision of Clinical Psychology Services for service users and families affected by Acquired Brain Injury (ABI) of Alcohol Related Brain Damage (ARBD).

Having heard the Executive Director of Social Work and Health provide the Council with an update on the situation and following discussion, the Council agreed:-

- (1) to note the progress made towards the provision of Clinical Psychology Services for service users affected by Acquired Brain Injury (ABI) or Alcohol Related Brain Damage (ARBD) and their families;
- (2) to note the unique and extensive service delivery work undertaken by the Joint ABI team;
- (3) to note the range of innovative projects planned over the next 12 months; and
- (4) to request the Executive Director of Social Work and Health to submit a progress report to the meeting of Council to be held in April 2008.

REGENERATION OF THE SCHOOLS ESTATE – DUMBARTON ACADEMY CAMPUS

(a) Request for Deputation – Brock Bowling Club

In terms of Standing Order No 14, the Council agreed to hear a deputation from the Brock Bowling Club in connection with the PPP school plans for Dumbarton Academy.

Mr. Ian Campbell spoke on behalf of the Brock Bowling Club and informed the Council that despite what had been printed in the local press and had allegedly been said at the last Council Meeting (13 November 2007), the Brock Bowling Club supported the building of the new Dumbarton Academy Campus and was prepared to move to an alternative site, if a suitable location could be identified. He spoke about the long history of the Bowling Club and pointed out that the Club had never been in trouble with the Licensing Board therefore he could not understand why one of the reasons given by the Planning Committee when refusing the application was that it was not appropriate to have a licensed premises on the school campus. He also pointed out that the majority of club matches took place during the weekends, outwith school hours and therefore the operation of the Bowling Club had very little impact on the school's activities.

Provost Agnew thanked Mr Campbell for his contribution.

(b) Request for Deputation – Dumbarton Academy Parent Council

In terms of Standing Order No 14, the Council agreed to hear a deputation from Mr. Iain Ellis and Ms. Anne McKinley, Dumbarton Academy Parent Council, in connection with the PPP school plans for Dumbarton Academy.

Mr. Ellis, Chair of the Dumbarton Academy Parent Council, criticised the decision of the Planning Committee on 22 October 2007 to refuse planning permission for the Dumbarton Academy Campus and detailed his reasons for doing so.

In conclusion he asked the Council to guarantee that a new Dumbarton Academy would be built by 2009 as part of Phase 1 of the project and reminded the Council that the previous Administration had promised the children of Dumbarton a new school building that would be fit for the 21st Century and therefore this Council should honour that promise.

Ms McKinley, a parent member of the Dumbarton Academy Parent Council, spoke in support of a new building for Dumbarton Academy and described the poor condition of the existing buildings. She questioned the options within the Director's report and asked if a risk assessment had been carried out on the implications of the parents of children in Dumbarton Academy taking legal action against the Council? She warned the Council that failure to include the Dumbarton Academy Campus in the first phase of the PPP project could result in a dramatic fall in the school's roll and consequently the school could close with children being bussed to the new schools in Alexandria and Clydebank.

Provost Agnew thanked Mr Ellis and Ms McKinley for their contributions.

(c) Report by Chief Executive

With reference to the Minutes of the Requisitioned Meeting of Council held on 13 November 2007 (Page 577 refers), a report was submitted by the Chief Executive:-

- (a) informing the Council of the consequences of the decision of the Planning Committee of 22 October 2007 to reject BAM PPP's application for detailed planning permission for the Dumbarton Academy Campus; and
- (b) seeking the Council's approval for the removal of the Dumbarton Academy Campus from the PPP project.

Councillor Robertson, seconded by Councillor Rooney, moved:-

This Council notes that BAM/HGB will not now bring forward a new planning application for the Dumbarton Academy campus.

Council recognises however that the key policy of the 'regeneration of the Secondary Schools Estate' largely remains intact. Therefore, in order to protect the new-build campuses in Clydebank and the Vale of Leven, this

Council reluctantly agrees to approve to the removal of the Dumbarton Academy Campus from the Schools' Regeneration project.

Council recognises that it is important not to delay or threaten the entire project. Therefore, the Council instructs officers, as a matter of urgency, to bring forward a report to Council detailing the processes required to arrive at Financial Close on a Schools' Regeneration Project comprising the remaining three campuses.

In addition, this Council instructs officers to prepare a further Report to a future meeting of Council, within three months, detailing the strategic plans for the regeneration of the remainder of the schools' estate, with Dumbarton Academy as the highest priority. The report is to include, in particular, options for Aitkenbar Primary School; Braehead Primary School; and Dalreoch Primary School.

This report is to examine also all options for building the new Dumbarton Academy either on the current site or on a newly-sourced site within Dumbarton.

This Council agrees without equivocation that this commitment to the Dumbarton Academy school community will be our number one priority in terms of large-scale capital projects. In addition, the Council will examine all funding opportunities including prudential borrowing, the use of capital receipts across the whole of the Council estate of the proposed new Scottish Futures Trust and will include all options in the new report.

This Council reassures all the parents, pupils, teachers and wider community affected by the loss of the Dumbarton Academy Campus from the Schools' Regeneration Project, that this Council will commit to building a new Dumbarton Academy.

The Chief Executive and the Head of Service, Department of Educational Services were heard in answer to Members' questions.

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

That the recommendations of the report be approved as follows:-

- (1) to approve the removal of the Dumbarton Academy Campus from the PPP project;
- (2) to instruct officers as a matter of urgency to prepare a report to Council detailing the processes required to arrive at Financial Close on a schools' PPP project comprising the remaining three campuses; and

- (3) to instruct officers to prepare a further Report to a future meeting of Council detailing the strategic plans for the regeneration of the remainder of the schools' estate, including Dumbarton Academy and Aitkenbar, Braehead and Dalreoch Primary Schools.

This Council notes the report and thanks officers for their in-depth assessments of the options available on the above matter.

The Council further accepts that the present situation is borne from circumstances outwith its control and that BAM PPP has indicated that they will not resubmit a new planning application for the Dumbarton Academy.

Regeneration of the schools estate is still a priority of this Council and the requirement to address the secondary schools still remains the first priority of the Council.

This Council accepts that current PPP bid from BAM is the best available option to deliver new schools within the next 4 years for the children of West Dunbartonshire.

The Council accepts that all other funding options have been explored and exhausted and none can deliver an alternative to PPP within a reasonable timescale.

While PPP is not the preferred way to fund any public works – at the present time it is the only viable option open to West Dunbartonshire Council.

Delaying the current regeneration project would mean the loss of over £1m of public money, risk of legal action and years of unacceptable delays to the education of the children of West Dunbartonshire.

Given that to do nothing is not an option and that even a few years delay could make the cost of any project prohibitive the Council agrees that early financial closure is crucial.

The Council accepts the view from the Scottish Government that given the planning decision that the project can be re-scoped without detriment to the remaining schools.

To that end the Council reluctantly agrees that Dumbarton Academy cannot be included as part of the current proposals – given the planning decision and complications that have arisen from it.

However it is crucial for the children of Dumbarton that a new build Academy remains the top priority for this Council.

To ensure this, the Council also agrees to instruct officers to finalise the second phase of the schools estate programme as soon as practical being no later than 3 months and bring these options to Council.

The officers should look at all viable options for a new Dumbarton Academy including the feasibility of finding a new location as well as all funding mechanisms.

This Council reassures all the parents, pupils' teachers and wider community affected by the loss of the Dumbarton Academy Campus from the PPP project that this Council will commit to building a new Dumbarton Academy.

As a second amendment, Councillor McElhill, seconded by Councillor Hendrie, moved:-

This Council is extremely concerned by the manner in which the entire PPP project and consultation "process" has been conducted by the last Labour Administration and condemns that last Labour Administration for its lack of transparency, in accordance with an Audit Scotland report at that time.

This Council recognises that significant and majority opposition exists in Clydebank against PPP and its accompanying amalgamation of schools and accepts that PPP and its amalgamation of schools is neither in the best interest of the education of our young people nor in the best interests of the local tax payer.

This Council notes the continuous changes that have been made to the PPP project and considers these departures to have made the project piecemeal and untenable.

This Council therefore now decides to withdraw from this PPP project and end all negotiations with the preferred bidder.

This Council awaits the report from the Chief Executive on alternative sources of funding, due in December, with a view to this Council accessing our allocation of RSG for a feasible and acceptable schools regeneration programme.

This Council notes that the Vale of Leven Academy should be given the utmost priority in this programme, given that the pupils there have been educated in portacabins for the past six years.

As a third amendment, Councillor Black, seconded by Councillor Bollan, moved:-

This Council agrees to suspend the current PPP programme given that there is no clear financial information available.

This position is arrived at as a result of information received from our financial advisors who state that it would be "misleading to present an update as discussions on provisional sums, specification changes and abortive costs are in the process of being finalised together with the movement in interest rates which is being monitored on a daily basis." *

It would therefore be imprudent if not in fact negligent to proceed at this time.

This Council should also consider our position in relation to the representations being made about the proposed new build which would merge schools to the detriment of local communities in Clydebank.

* quoted from WDC financial advisor.

The Chief Executive, the Head of Service, Department of Educational Services and the Manager of Special Projects and Best Value were heard in answer to Members' questions.

On the request on Councillor Bollan, the Council agreed to proceed by way of a roll call vote.

Vote 1 – Third amendment by Councillor Black versus second amendment by Councillor McElhill.

On a vote being taken, 4 Members voted for the third amendment by Councillor Black (namely Provost Agnew, Councillors Black, Bollan and C. McLaughlin), 4 Members voted for the second amendment by Councillor McElhill (namely Councillors Brown, Finn, Hendrie and McElhill) and 14 Members abstained (namely Councillors Bootland, Calvert, Casey, McAllister, McBride, J. McColl, R. McColl, McGlinchey, W. McLaughlin, McNair, Millar, Robertson, Rooney and Smillie).

There being an equality of votes, Provost Agnew used his casting vote in favour of the third amendment by Councillor Black.

Vote 2 - Third amendment by Councillor Black versus amendment by Councillor R. McColl

On a second vote being taken, 7 Members voted for the third amendment by Councillor Black (namely Provost Agnew, Councillors Black, Bollan, Brown, Finn, Hendrie and McElhill), 4 voted for the amendment by Councillor R. McColl (namely Councillors J. McColl, R. McColl, C. McLaughlin and Smillie) and 11 Members abstained (namely Bootland, Calvert, Casey, McAllister, McBride, McGlinchey, W. McLaughlin, McNair, Millar, Robertson and Rooney).

Vote 3 - Third amendment by Councillor Black versus motion by Councillor Robertson

On a third vote being taken, 6 Members voted for the third amendment by Councillor Black (Councillors Black, Bollan, Brown, Finn, Hendrie and McElhill), 14 Members for the motion by Councillor Robertson (namely Provost Agnew, Councillors Bootland, Calvert, Casey, McAllister, McBride, J. McColl, McGlinchey, W. McLaughlin, McNair, Millar, Robertson, Rooney and Smillie) and 2 Members abstained (namely Councillors R. McColl and C. McLaughlin).

The motion was accordingly declared carried.

ADJOURNMENT

After hearing Provost Agnew, the Council agreed to adjourn for a short period.

The meeting reconvened at 9.55 p.m. with all those Members shown on the sederunt in attendance.

POST OFFICE CLOSURES

With reference to the Minutes of Meeting of Council held on 26 September 2007 (Page 466 refers), a report was submitted by the Chief Executive informing the Council of the proposed programme of post office closures in West Dunbartonshire, and setting out the likely impact in each area.

After hearing Councillor Robertson, the Council agreed that it would not prioritise the post offices listed in the appendix to the report, as recommended by officers, but that the appendix with the priorities removed (see the appendix to these minutes) should be sent to the Post Office as this Council's submission, with the view that all post offices should be saved for the reasons detailed therein.

Following discussion, the Council also agreed:-

- (1) to support local groups and communities in their fight against these invidious closures; and
- (2) that any Member who had received petitions/correspondence concerning this issue should pass them to the Chief Executive to be sent with the Council's response to the proposed closures.

IMPROVING MEMBER/OFFICER RELATIONS

A report was submitted by the Chief Executive providing the Council with a copy of the independent report produced by the Improvement Service on 'Improving Member/Officer Relations', and asking the Council to consider the recommendations for further action.

Following discussion, the Council agreed:-

- (1) to consider the findings set out in the report by the Improvement Service;
- (2) to request that the Improvement Service be invited to facilitate a seminar for all elected members, which would allow further exploration of the recommendations – most particularly in relation to the most viable means of implementation; and
- (3) to receive proposals on the further development of the governance, decision making and scrutiny structures and also on mechanisms which aim to improve the culture in which the Council operates.

KPMG ANNUAL REPORT TO MEMBERS

A report was submitted by the Chief Executive advising the Council of the findings in relation to KPMG LLP's final report to Members on completion of their 2006/07 audit.

The Council agreed to note the findings of the 2006/07 audit as detailed in KPMG LLP's report to Members and refer the action plan on pages 19 - 22 to the Audit and Performance Review Committee for its consideration.

INTEGRATION OF ADULT COMMUNITY CARE AND HEALTH SERVICES

A joint report was submitted by the Executive Director of Social Work and Health and the NHS Director of West Dunbartonshire Community Health Partnership (CHP) asking the Council to approve proposals for the integration of Adult Community Care and Health Services across the NHS CHP and the Council.

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

That the Council agrees to approve the proposals (as set out in Appendix 1 to the report) to integrate Adult Community Care and Health Services across the NHS CHP and the Council.

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

The recommendation appears to devolve services to unelected parties and individuals who are not accountable to the public unlike elected members of the Council. Therefore this Council agrees to continue this matter to a future meeting and requests officers to bring a further report back with options on how to safeguard accountability for the delivery of these services.

On a vote being taken, 3 Members voted for the amendment and 19 for the motion which was accordingly declared carried.

FIRE SAFETY IN SOCIAL WORK RESIDENTIAL UNITS FOR OLDER PEOPLE

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

- (a) providing the Council with an overview of fire safety issues associated with residential care homes managed by Social Work and Health (SWH);
- (b) seeking the Council's approval to meet the costs of work required to address fire safety requirements; and
- (c) highlighting the wider implications to West Dunbartonshire Council of the enforcement of fire safety legislation by Strathclyde Fire & Rescue (SFR).

Having heard the Executive Director of Social Work and Health in further explanation of the report and in answer to Members' questions, the Council agreed:-

- (1) to note the implications of the new fire safety legislation;
- (2) to commit funding to ensure that the Council can comply with the requirements of the legislation in respect of residential units for older people (estimated at £350,000 to £400,000);
- (3) to instruct the relevant officers to complete a corporate risk assessment of the impact of implementing fire safety regulations across all services; and
- (4) thereafter, to instruct the relevant officers to produce a report to Council regarding implications and potential costs for all other Council premises in meeting the fire safety regulations.

**FIRST AND SECOND FLOOR GLENCAIRN HOUSE, 95 HIGH STREET,
DUMBARTON**

A report was submitted by the Acting Executive Director of Housing, Environmental and Economic Development (Housing and Regeneration Services) updating the Council on developments in respect of the proposed lease of the first and second floor, Glencairn House, 95 High Street, Dumbarton and seeking a decision on a way ahead.

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

That this Council agrees:-

- (1) to lease the upper two floors of Glencairn House, 95 High Street, Dumbarton to the Tulloch Trust at a rent of £5,000 per annum, based on a full repairing and ensuring lease, and that the first three months be rent free;
- (2) that this proposal be referred for approval to the Scottish Government.

As an amendment, Councillor Black, seconded by Provost Agnew, moved:-

That one floor of the premises be leased to the Tulloch Trust at a rent of £5000 per annum and the other floor leased to the Richmond Fellowship at a similar rent of £5000 per annum.

The Acting Executive Director of Housing, Environmental and Economic Development (Housing and Regeneration Services) was heard in answer to Members' questions.

On a vote being taken, 3 Members voted for the amendment and 19 for the motion which was accordingly declared carried.

The meeting closed at 10.40 p.m.