

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road, Dumbarton, on Wednesday, 31 August 2011 at 6.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, Jim Bollan, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, 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.

Attending: Terry Lanagan, Executive Director of Educational Services; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Keith Redpath, Director of West Dunbartonshire Community Health and Care Partnership; Joyce White, Executive Director of Corporate Services; Ronnie Dinnie, Head of Neighbourhood Services; Helen Turley, Head of Housing and Community Safety; Gillian McNeilly, Finance Manager; Anne Ritchie, Chief Social Work Officer; Colin McDougall, Manager of Risk & Performance; Peter Barry, Manager of Community Planning and Policy; Craig Jardine, Acting Service Manager, Corporate Asset Management; Keith Bathgate, Team Leader (Development Manager); Andrew Fraser, Head of Legal, Democratic and Regulatory Services; John Mitchell, Solicitor and Craig Stewart, Committee Officer.

Apology: An apology for absence was submitted on behalf of Councillor Douglas McAllister.

Provost Denis Agnew in the Chair**NORWAY SHOOTING – JULY 2011**

At the commencement of the meeting Provost Agnew informed Council that there would be two minutes of silence in remembrance of the innocent victims of the Norway Shooting and bombing which occurred in late July.

In this regard, Provost Agnew had written to the Norwegian Prime Minister and his people on behalf of the community of West Dunbartonshire to express deepest sympathy and sorrow for their loss.

CHAIR'S REMARKS

Provost Agnew, on behalf of Council, passed on condolences to Councillor Douglas McAllister following the recent bereavement of a family member.

Provost Agnew also advised that Terry Lanagan, Executive Director of Educational Services, would be standing in for David McMillan, Chief Executive, as Mr McMillan was currently unwell. The Council passed on their best wishes to him for a speedy recovery.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

MINUTES OF PREVIOUS MEETINGS

The Minutes of the Meeting of West Dunbartonshire Council held on 29 June 2011 were submitted and approved as a correct record.

OPEN FORUM

Before Council considered the following two Open Forum questions, it was noted that the movers of Questions A & B on the agenda, had expressed a wish for their questions to be taken as read and not read out at the meeting. The Council agreed to this request.

(A) Sheila Cowan on behalf of the Good Companions' Club – Elderly People's Welfare Grant

Without any meaningful or sensible consultation, West Dunbartonshire Council has imposed a new and flawed method of distribution of the Elderly People's Welfare Grant. What protection will the Council provide to individual volunteers who are being expected to obtain personal and private information such as bank details and National Insurance numbers, on behalf of the Council, should this information somehow become public knowledge?

Councillor Craig McLaughlin responded in the following terms:-

The form used for collection of details is a standard form that can be used for individual or group submitted applications.

If the individual wishes their payment to go to their group, the Council does not require any banking details or other sensitive information.

If the individual wishes the money to be paid to them, they can submit the form directly to us themselves with no need for the group to be involved in collecting any sensitive data.

(B) Elizabeth Hartley on behalf of the Good Companions' Club – Elderly People's Welfare Grant

Without any meaningful or sensible consultation, West Dunbartonshire Council has imposed a new and flawed method of distribution of the Elderly People's Welfare Grant. We are told that the proposed new system of grants is supposed to prevent an individual from enjoying the benefits of more than one club/group. How does the Council expect clubs run by volunteers to know who is a member of more than one club/group?

Councillor Craig McLaughlin responded in the following terms:-

The Council does not expect groups to know if someone is a member of more than one group and we have not asked groups for this information.

When the Council receives the names and addresses of group members they will be entered into the new database and we will be able to see who is a member of more than one group. We will contact those individuals to confirm whether they wish one of their groups to receive payment or if they would prefer to be paid directly themselves.

(C) Wendy Hutchinson on behalf of Age Concern 'Dumbarton' – Elderly People's Welfare Grant

We condemn the decision by West Dunbartonshire Council to change the Elderly People's Welfare Grant without constructive consultation with groups from Dumbarton.

The groups provide throughout the year but especially at Christmas companionship and support to vulnerable elderly people. Although this is mostly done with money we fundraise we need the help of Council (as has been given in previous years) to provide some form of financial security to facilitate Christmas events. We realise that this new policy was intended to benefit more elderly people throughout the area, however it will have the opposite effect.

How can this policy work given that it was poorly advertised; many elderly residents as well as being disabled, have memory loss, are confused and do not understand how to claim this money and at the same time ensure there will be no negative impact on the groups who focus on providing social wellbeing and support for vulnerable elderly people within the community?

Councillor Craig McLaughlin responded in the following terms:-

The new policy has been communicated through 9 open day information events spread throughout West Dunbartonshire, posters in various Council premises, the Council website, the Council Contact Centre, home helps and home carers and the local press.

Undoubtedly there has been confusion, which has been exacerbated by misinformation put in the public domain that has reduced the impact of our advertising campaign, but the fact remains that it was and is well publicised.

The new system will now ensure that every person aged 60 or over will have access to the Christmas payments, including those who are unable to be part of a group. Families and Council Care staff can help individuals who need assistance to apply for the payment.

When the SNP agreed the new system, we indicated that we would work with groups to ensure they are not disadvantaged by this new system; furthermore, an indication was also given that if the budget was insufficient, then this would be revised as needed.

I understand that the Leader's answers to Councillor Calvert and Councillor McAllister's questions will cover the whole spectrum of concerns that groups and individuals have and I will make sure that all groups, including those present today, will get a written copy of his responses.

As a supplementary question, Wendy Hutchinson asked:-

We truly believe the Council wants to do right by older people of West Dunbartonshire but the policy is fundamentally flawed and cannot achieve this goal. It does not have the support of all voluntary groups in Alexandria and Dumbarton who work with the frail and disabled. A £10 note cannot give a smile and a cuddle. Can Council assure us it will provide sufficient funding to us from grants before Christmas to enable socially inclusive programmes to go ahead?

In response Councillor Craig McLaughlin said yes.

VARIATION OF ORDER OF BUSINESS

After hearing Provost Agnew, and with the agreement of Council, the order of business was varied as hereinafter recorded.

QUESTIONS

(A) Question by Councillor Geoff Calvert to Leader of the Council

This Council notes with great concern the distress being caused to members and office bearers of Elderly groups within Duntocher, Dumbarton and the Vale of Leven following the imposition of a new mechanism for distribution of the Elderly People's Welfare Grant. This Council is aware of the considerable amount of confusing information being distributed to groups and the considerable administrative burden being placed upon them. This Council is aware that the new policy has determined that unless groups obtain signatures of members who wish to have the grant paid to the groups, then no money will be paid out to the groups.

Therefore,

- (1) Will the Leader of the Council explain why Age Concern Dumbarton has been told by Councillor Craig McLaughlin in an email dated 27th June 11 that, 'The new system will involve the Council creating a list of all the pensioners within the West Dunbartonshire area. Membership lists of existing groups such as yours will help form the basis of that global list of pensioners. All the members' names that you provide to the Council will *automatically* (my italics) have their grant payment routed to the respective Group.'?
- (2) Will the Leader of the Council confirm whether a simple list of members supplied by groups as stated by Councillor McLaughlin is an accurate explanation of the new policy or not?
- (3) Given that there is likely to be over 19,000 people over the age of 60 living in West Dunbartonshire (2001 census), will the Leader of the Council confirm whether or not those over the age of 60, as outlined in the correspondence being distributed by the Council as being eligible for a grant, are required to be 'pensioners' as stated in Councillor McLaughlin's email?
- (4) If so, who is required to provide the information on an individual's financial status?

Councillor Ronnie McColl replied as follows:-

The Corporate and Efficient Governance Committee on 22 June 2011 agreed to implement a new Elderly People's Welfare Grant process for 2011. This decision was taken after a lengthy period of consultation which culminated in unanimous agreement of the process by many of the groups that Labour have now wound up with their disgraceful campaign of fear.

The Deputy Leader and I have recently attended meetings of Central Alexandria Tenants and Residents Association and the Vale of Leven Community Forum. Individuals there have been fed misinformation by Labour Councillors who told them groups would fold and payments would reduce.

Having now been told the truth, these organisations and others are supportive of what the SNP are trying to do. Indeed Jonathan was told at CATRA that Alexandria pensioners have been complaining to the Council for a long time about the inequality created by the Labour Party.

The fact is that Labour's flawed system discriminated against individuals in the Vale of Leven, Dumbarton and Duntocher. While everyone who met the age criteria could apply for funding if they lived in Clydebank, people from the Vale of Leven, Dumbarton and Duntocher were excluded unless they were able to join a group.

The SNP's new system is much fairer and will allow every person aged 60 or over to access funding, not just those who are able to attend groups. There are currently in excess of 23,000 people who will now potentially benefit under the SNP's new system.

As well as those who find themselves housebound, I have this week been made aware of people being turned away from a group in Balloch because they have an exclusive membership. Now these people will be able to benefit at Christmas as well.

The new system also addresses the very real concerns of the police regarding safety of staff and pensioners in Clydebank. The old distribution system put people at considerable risk and the SNP were not willing to allow that to continue on our watch.

In order that the necessary information is gathered, the Council has made a number of options available to the public to contact the Council – including 9 open days covering all areas of the Council, numerous pick up and drop off points for the forms, use of the internet, the contact centre and assistance from home helps and home carers. This has been well advertised through the Council's web site, posters in a wide range of Council premises and coverage in the press.

It is extremely unfortunate that the press coverage has been detracted from by the misinformation being pedalled by the Labour Party. You have caused a great deal of distress to many people all in the name of party political point scoring.

Groups have been asked to supply the Council with membership lists. These lists will assist in creating the database but will not be the sole source of information. Where an individual does not specifically ask for their payment to be provided directly to themselves, the payment will automatically be routed to the group.

I understand there has been some confusion and concern regarding groups collecting banking information from group members. Only where an individual wishes the payment to be made directly to themselves do we require this information and the individual can submit the form themselves if they wish.

Any lists provided by the groups will be used as a starting point for the allocation. If an individual is a member of a number of groups, they will be asked to nominate one group to receive their payment. It is up to the individual to decide which group will benefit, or whether they themselves will benefit.

The plan had been that nominations would be collated and reported to the Corporate and Efficient Governance Committee in September, with an officer recommendation for allocation of the funds. This was to ensure that groups had their funding confirmed in plenty of time to allow them to plan their Christmas events.

Unfortunately, Labour have succeeded in their plan to cause panic and confusion and the SNP does not believe that the original timescale is fit for purpose. With that in mind, I have asked officers to extend the timescale for collection of information from groups to Friday 30th September 2011 to give groups the time they need.

When the information has been received and collated, the Convener will call a special meeting of the Corporate and Efficient Governance Committee to confirm funding allocation to groups.

As was originally stated by the Convener at the time the Council may require to increase the allocation of funds in the event of a considerable increased demand.

In addition there is also a commitment that where a group finds itself with funding difficulties because its members have chosen not to invest their money with them, the Council will assist the group in finding alternative funding sources. The SNP will ensure that no group will fold or have to cancel their planned Christmas event due to the change in policy.

(B) Question by Councillor Lawrence O'Neill to Leader of the Council

Can the SNP Administration confirm that the Christmas cash payout to the elderly citizens of Clydebank will remain at the current amount of £15.00, if not, how much does the Administration anticipate the payment will be?

Councillor Ronnie McColl replied as follows:-

Yes.

And furthermore, the SNP have increased the eligibility by reducing the qualifying age from 65 to 60, thus allowing even more people to benefit from this fund.

**NOTICE OF MOTION – MOTION BY COUNCILLOR MARTIN ROONEY –
ELDERLY WELFARE GRANTS**

This Council notes with great concern the distress being caused to members and office bearers of Elderly groups within Duntocher, Dumbarton and the Vale of Leven following the imposition of a new mechanism for distribution of the Elderly people's Welfare Grant.

This Council is aware of the considerable amount of confusing information being distributed to groups and the considerable administrative burden being placed upon them.

This Council is aware that the new policy has determined that unless groups obtain signatures of members who wish to have the grant paid to the groups, then no money will be paid out to the groups.

This Council accepts that proceeding further with these flawed proposals will cause undue and unnecessary hardship to our vulnerable and elderly residents in West Dunbartonshire to no practical advantage.

Therefore,

This Council agrees to suspend Standing Orders and to cancel any arrangements to change the current system of distribution of the Elderly People's Welfare Grant. This Council agrees that any decision on possible changes in future ought to fall to the new Council Administration after the Council elections in 2012.

The Head of Legal, Democratic and Regulatory Services informed the Council that it would need to suspend Standing Order 19 (a) before it could consider the motion by Councillor Rooney as a period of six months had not passed since the Corporate and Efficient Governance Committee had made a decision in respect of this matter.

At this point, Councillor McBride requested that a roll call vote be used to record the vote on the proposed suspension of standing orders.

On a roll call vote being taken, 11 Members voted for the suspension of standing orders (namely Councillors George Black, Jim Bolland, Geoff Calvert, Gail Casey, David McBride, Patrick McGlinchey, Willie McLaughlin, Marie McNair, John Millar, Lawrence O'Neill and Martin Rooney) and 10 Members voted against (namely Provost Agnew, Councillors Jim Brown, Jim Finn, William Hendrie, Jonathan McColl, Ronnie McColl, Jim McElhill, Craig McLaughlin, Iain Robertson and May Smillie).

As a majority of two-thirds of those present and voting had not been achieved Standing Orders were not suspended and the motion could not be considered.

ADJOURNMENT

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

The meeting reconvened at 6.35 p.m. with all those Members shown on the Sederunt in attendance.

MINUTES OF THE WEST DUNBARTONSHIRE COMMUNITY HEALTH AND CARE PARTNERSHIP HELD ON 22 JUNE 2011

The Minutes of the Meeting of the West Dunbartonshire Community Health and Care Partnership held on 22 June 2011 were submitted and approved as a correct record.

MINUTES OF THE JOINT CONSULTATIVE FORUM HELD ON 23 JUNE 2011

The Minutes of the Meeting of the Joint Consultative Forum held on 23 June 2011 were submitted for information, and where necessary ratification.

After hearing the Executive Director of Corporate Services and the Legal Officer, Councillor Rooney moved the suspension of Standing Order 19 (a) prior to consideration of his amendment by the Council as a period of six months had not passed since a decision was made on this matter.

After discussion and having heard the Legal Officer and relevant officers in clarification of certain matters, Councillor Rooney, seconded by Councillor McBride, moved as an amendment:-

That in respect of the item under the heading 'Retirement Process and the Removal of the Default Retirement Age (DRA)', in noting the terms of the Minute, Council should agree that the Default Retirement Age be not rigidly adhered to in respect of the removal date of 1 October 2011 and that employees leaving the Council before this date should not be disadvantaged.

Councillor Black, seconded by Councillor C. McLaughlin, moved:-

That the minutes be approved as a correct record.

On a vote being taken, 10 Members voted in favour of the suspension of Standing Orders and 11 against. Having failed to obtain the support of two thirds of those Members present and voting, Standing Orders were not suspended.

The minutes were thereafter approved as a correct record.

MINUTES OF THE AUDIT & PERFORMANCE REVIEW COMMITTEE ON 10 AUGUST 2011

The Minutes of the Meeting of the Audit & Performance Review Committee held on 10 August 2011 were submitted and approved as a correct record.

PROGRESS REPORT ON THE RE-PROVISION OF AUCHENTOSHAN DAY CENTRE

A report was submitted by the Chief Executive providing an update on the re-provision of Auchentoshan Day Services.

After discussion and having heard the Director of West Dunbartonshire Community Health and Care Partnership in further explanation and in answer to Members' questions, the Council agreed to note the contents of the report.

CHIEF SOCIAL WORK OFFICER ANNUAL REPORT

A report was submitted by the Director of West Dunbartonshire Community Health and Care Partnership providing information on the statutory work undertaken on the Council's behalf by the Chief Social Work Officer during the period 1 October 2010 to 31 July 2011.

Having heard the Chief Social Work Officer in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note the contents of the report;
- (2) to request that a further report be made available by September 2012, to coincide with the annual review of the Community Health and Care Partnership (CHCP); and
- (3) to the continuation of the CHCP structure for the next 12 months.

RISK MANAGEMENT PROGRESS REPORT

A report was submitted by the Chief Executive:-

- (a) advising of the progress made in revitalising the risk management process;
- (b) advising of the Strategic Risk identification session at a recent meeting of the Strategic Leadership Group (SLG) meeting; and
- (c) advising of the next phase of work needed to complete the Strategic Risk identification process and progress the risk revitalisation process across the Council.

After discussion and having heard the Manager of Risk & Performance and the Executive Director of Educational Services in elaboration and in answer to a Member's question, the Council agreed to note the contents of the report.

CORPORATE PLAN 2012/17

A report was submitted by the Chief Executive seeking agreement on the priorities and objectives for the 2012/17 Corporate Plan.

After discussion, the Council agreed to note and approve the terms of the corporate objectives for 2012/17.

KEY CORPORATE PERFORMANCE INDICATORS FOR THE YEAR 2010/11

A report was submitted by the Chief Executive reviewing the performance of the Key Corporate Performance Indicators for 2010/11.

After discussion and having heard the Executive Director of Corporate Services and the Executive Director of Educational Services in further explanation and in answer to Members' questions, the Council agreed to approve the use of the SPI 1 and SPI 2 measures as the basis for a 2010/11 Public Performance Report – which was due to be published by the end of September 2011.

DRAFT FINANCIAL STRATEGY 2011/12 TO 2020/21

A report was submitted by the Executive Director of Corporate Services seeking approval of the Council's draft Financial Strategy 2011/12 to 2020/21.

After discussion and having heard the Executive Director of Corporate Services in elaboration and in answer to a Member's question the Council agreed to approve the draft financial strategy 2011/12 to 2020/21.

SPEND TO SAVE BIDS

A report was submitted by the Executive Director of Corporate Services advising of the Spend to Save project bids received from departments, which are recommended by the Corporate Management Team to be funded through the remaining additional Supporting People funds received in 2010/11.

After discussion, the Council agreed:-

- (1) to approve the recommended bids noted within Appendix 1 to the report, totalling £0.141m; and
- (2) that the remaining balance for this fund should be held for future spend to save projects.

**HRA CAPITAL PROGRAMME 2011/2012 BUDGETARY CONTROL REPORT TO
30 JUNE 2011 (PERIOD 3)**

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 2011/12.

After discussion and having heard the Executive Director of Housing, Environmental and Economic Development in answer to Members' questions, the Council agreed to note the contents of the report.

**HOUSING REVENUE ACCOUNT 2011/12 - BUDGETARY CONTROL
STATEMENT TO 30 JUNE 2011 (PERIOD 3)**

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 30 June 2011.

The Council agreed to note the contents of the report.

**GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT TO 30 JUNE
2011 (PERIOD 3)**

A report was submitted by the Executive Director of Corporate Services providing the Council with an update on the General Services Capital Plan for 2011/12.

The Council agreed to note the position to date as outlined in Appendices A and B of the report.

**GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT: PERIOD 3
(2011/12)**

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 to 30 June 2011.

The Council agreed to note the contents of the report.

STANDING ORDERS - AMENDMENT

A report was submitted by the Executive Director of Corporate Services recommending certain changes to the Council's Standing Orders in relation to Contracts, following on from the issues raised at the Council meeting on 24 March 2010, and the publication of the Scottish Government's guidance on the Procurement of Care and Support Services, in September 2010.

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

That the Council agrees the recommendations contained in the report, as follows:-

- (1) to approve the recommended changes to Standing Orders as detailed in paragraph 3.5 of the report; and
- (2) that the new Standing Orders would take effect from the August 2011 Council Meeting.

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

That no action be taken with regard to this matter and that the status quo should apply.

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

REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2011

A report was submitted by the Chief Executive advising of the requirement on the Council to conduct a review of polling districts and places within its area and outlining the timetable and processes for carrying out this review.

The Council agreed:-

- (1) to note the statutory requirement to conduct a review of polling districts and places within its area;
- (2) to approve the Notice of Review and timetable as shown in the Appendix to the report; and
- (3) to note that a report containing the final proposals and representations will be submitted for approval to the meeting of the Council in October 2011.

WEST DUNBARTONSHIRE LOCAL LICENSING FORUM

A report was submitted by the Executive Director of Corporate Services recommending the nomination of two appointments to the West Dunbartonshire Local Licensing Forum.

The Council agreed:-

- (1) to approve the appointment of Dr Kevin Fellows to represent persons having functions relating to health education or social work; and

- (2) to note that the representative of young people would be nominated by Y-sort-it and approved by the Local Licensing Forum.

CATERING MANAGERS - RESTRUCTURE

A report was submitted by the Chief Executive outlining the decision making process and providing full details of the proposed changes to Catering Managers as requested by Council on 29 June 2011.

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

- (1) to note the procedures which have been undertaken to date in relation to the restructure of Facilities Management including Catering Managers, to note that these are still subject to consultation and to note that the restructure will continue to be progressed in terms of the Council's Organisational Change Policy and Job Evaluation Scheme;
- (2) to note that comments from affected employees or trade unions on equalities impacts are welcomed as part of the consultation process on the restructure and to note that following such consultation an equalities impact assessment will be undertaken of the proposals relating to the Facilities Management Service, including Catering Managers;
- (3) that the Organisational Change Policy should be updated to make it clear that restructure proposals and consultation should have due regard to the elimination of discrimination, the advancement of equality of opportunity and the fostering of good relations on the grounds of age, disability, gender re-assignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation. Due regard will also need to be shown to the elimination of discrimination on the grounds of marriage and civil partnership. Council procedures relating to equalities and equality impact assessment should be followed in dealing with organisational change or restructures in terms of the Organisational Change Policy; and
- (4) A further report should be submitted to Council following the consultation process referred to in the report.

CLYDE VALLEY COMMUNITY PLANNING PARTNERSHIP – OPTIONS FOR SHARED SERVICES

A report was submitted by the Chief Executive:-

- (a) providing information on progress made by the Clyde Valley Community Planning Partnership (CVCPP) approach to generating options for sharing services; and

- (b) seeking Members' views as to the position of West Dunbartonshire Council in relation to future participation of the Council in the options being generated.

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

Council thanks officers for the detailed work they have undertaken to ensure that we have the best possible information and advice regarding the Clyde Valley Community Planning Partnership Shared Services Agenda.

Council agrees that there would be little or no benefit to West Dunbartonshire were we to progress with any of the current shared service proposals, and that the potential risk of detriment to our staff and the local economy far outweighs any positive arguments for taking part.

Council notes that were we to take part, it would inevitably mean the creation of more unemployment in West Dunbartonshire. Council further notes that the quality of services would be at great risk based on the current proposals. Council agrees that there is far more potential in seeking local, bespoke partnership solutions for service delivery that can protect the quality of service while providing better value for money for the tax payers of West Dunbartonshire.

With this in mind, Council instructs the Chief Executive to withdraw West Dunbartonshire Council from the Clyde Valley Shared Services group following whatever process is necessary to facilitate a speedy resolution.

Council instructs officers to look at the services we provide and develop proposals for joint working with suitable willing partners that best suit the needs of West Dunbartonshire and its residents.

Furthermore, Council endorses Cllr Rooney's motion at 26A and agrees that it be appended to and become part of this decision, as follows:-

This Council notes that in the best interests of its residents and staff South Lanarkshire Council has already withdrawn from the Clyde Valley Shared Services Community Planning Project.

Council notes that there will be limited benefit in progressing with the Waste Management Workstream, the Fleet Management Workstream, or the Health and Social Care Workstream.

Council also notes that the Support Services Workstream will require Two Million Six Hundred Thousand Pounds worth of investment and is unlikely to achieve a significant return until 2015.

Also the involvement in the Support Services Workstream would result in the transfer of around 280 staff members out of a workforce of approximately 430.

Council further notes that the transferred services staffing levels would be reduced by 25 percent and a similar reduction could be applied to the residual 150 council staff members.

This Council is not convinced that the Support Services Workstream will represent best value for West Dunbartonshire residents.

Council therefore instructs the Chief Executive to initiate the process to withdraw West Dunbartonshire Council from the Shared Services project and to develop alternative proposals which best suit the needs of West Dunbartonshire and its residents.

The Council agreed unanimously to approve the above motion.

HOUSING MAINTENANCE TRADING ACCOUNT - TREATMENT OF SURPLUS

A report by the Chief Executive advising of the options for current contract prices provided by Housing Maintenance Trading Operation (HMTO) to undertake repair and maintenance work to be adjusted, the consequences of this action and the financial implications for the Housing Revenue Account (HRA) and General Services Accounts.

Councillor Hendrie, seconded by Councillor McElhill, moved:-

That the Council agrees:-

- (1) to note that any adjustments to current arrangements must be made in the context of current financial regulations applying to both HMTO and the HRA respectively;
- (2) that an operating surplus target for the HMTO should be established at 5% of turnover with effect from 1 April 2012;
- (3) that to facilitate this, the HMTO are required to review the percentage discount on the national schedule in this context;
- (4) that the benefit generated to the Housing Revenue Account be utilised over the next 3 years to increase repair activity and support accelerated capital investment in consultation with the West Dunbartonshire Tenants and Residents Organisation (WDTRO);
- (5) that appropriate adjustments are made to the assumptions contained within the Financial Strategy and 2012/13 budget assumptions to reflect this position;
- (6) that the Executive Director would bring an annual report to Council to allow monitoring of the new policy; and

- (7) that authority be delegated to the Executive Director of Housing, Environmental and Economic Development and Executive Director of Corporate Services to ensure the effective implementation of these respective changes by 1 April 2012.

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

This Council notes that Local Authorities have a statutory target of generating revenues not less than expenditure (break-even) over a rolling three-year period for each significant trading operation. This Council notes also that over the financial three-year period from 2007-2010, the Housing Property Maintenance Account has generated a 'profit' of £3.204million for the General Services Account. Furthermore, in the financial five-year period from 2002-2007, a total of £5.795million was transferred.

As previously stated within Council, this Council has recognised that the West Dunbartonshire Tenants and Residents Organisation (WDTRO) has made a strong case to retain all or part of the Housing Property Maintenance Trading Account surplus within the Housing Revenue/Capital Accounts (HRA) in order to speed up work required to bring Council housing stock up to the Scottish Housing Quality Standard (SHQS) 2015.

Following the successful Motion proposed by the Labour Group in March 2011 regarding future treatment of the Housing Property Maintenance Trading Account surplus, this Council thanks the Chief Executive and the Director of Housing, Environmental and Economic Development for their comprehensive report and recommendations.

This Council now fully accepts the principle that, whilst surpluses generated by the Trading Account significantly contribute to supporting the General Services account, the Council has a priority responsibility to tenants to manage the Trading Account in a way that aims to ensure at least the statutory requirement to break-even over a three-year rolling programme without generating excessive surpluses.

Therefore, this Council agrees the following recommendations as outlined in the report;

- 9.4 (i)
- 9.4 (ii) although Council believes that there will be scope to reduce the 5% further with time and experience
- 9.4 (iii)
- 9.4 (iv) in consultation with the WDTRO
- 9.4 (v) and
- 9.4 (vii)

This Council does not accept a 9.4 (vi) – a 3-year review and believes that the position requires to be reviewed on an annual basis as recommended by the financial advisor of the independent Tenants Information Service. It is suggested that this review process should take place annually at the end of financial year period 3 to allow time for any proposed adjustments for the following financial year to be discussed fully with WDTRO.

Furthermore, this Council understands that there may be financial and other risks should the tenants vote against partial stock transfer and the transfers do not take place as outlined in paragraph 6.2 of the report. Therefore this Council agrees that it is important to have a plan in place to fully identify and mitigate such risks. The extra money available to the Housing Revenue Account through lowering the Housing Maintenance Trading Account surplus is a key factor in mitigating such risks.

Therefore this Council requests the Chief Executive to bring a report to the November 2011 meeting of the Council which fully addresses the risks and benefits of the stock transfer not proceeding and stock being retained by the Council. This report will take into account the extra monies available to the HRA as a result of the increased level of Housing Maintenance Trading Account surplus being retained by the HRA.

On a vote being taken, 9 Members voted for the amendment and 12 for the motion. The motion was accordingly declared carried.

NOTICES OF MOTION

Motion by Councillor John Millar – Christmas Lights, Alexandria

Councillor Millar withdrew his motion.

The meeting closed at 8.55 p.m.