

## **WEST DUNBARTONSHIRE COUNCIL**

At a meeting of West Dunbartonshire Council held within the Council Chambers, Municipal Buildings, Dumbarton Road, Clydebank on Wednesday 24 November 1999.

**Present:** Provost Alistair Macdonald (LAB) and Councillors James McElhill (SNP), Mary Campbell (LAB), Daniel McCafferty (LAB), John Syme (LAB), Andrew White (LAB), Anthony Devine (LAB), Ian McDonald (SNP), Duncan McDonald (LAB), John McCutcheon (SNP), Linda McColl (LAB), Iain Robertson (SNP), Geoffrey Calvert (LAB & CO-OP), James McCallum (LAB & CO-OP), John Trainer (LAB), James Bollan (IND), Craig McLaughlin (SNP), Ronald McColl (SNP), Margaret McGregor (SNP), James Flynn (LAB) and Connie O'Sullivan (LAB).

**Attending:** Tim Huntingford, Chief Executive; Stephen B Brown, Manager - Legal and Administrative Services; Eric Walker, Director of Corporate Services; Pat Cleary, Director of Roads and Technical Services; Allan Findlay, Director of Contract Services; Irving Hodgson, Economic Development Manager and Mary Cullen, Head of Corporate Policy and Public Relations.

**Apology for Absence:** An apology for absence from the meeting was intimated on behalf of Councillor Mary Collins (LAB).

### **Provost Alistair Macdonald in the Chair**

## **URGENT ITEM OF BUSINESS**

Provost Macdonald, in terms of Section 50B(4) of the Local Government (Scotland) Act, 1973 as inserted by the Local Government (Access to Information) Act, 1985, ruled that an item of business relating to the HRA Capital Programme 1999/2000 and 2000/2001 which had been considered at the meeting of the Housing Committee earlier in the day be considered as a matter of urgency on the grounds that the amendments recommended to the HRA Capital Programme to take account of slippage would prevent any delay to the implementation of the programme and that this was outwith the delegated powers of the Housing Committee.

## **MINUTES OF PREVIOUS MEETING**

The minutes of meeting of West Dunbartonshire Council held on 27 October 1999 were submitted for approval.

The Council, on the motion of Provost Macdonald, seconded by Councillor White, approved the minutes.

## **MINUTES OF MEETINGS OF COMMITTEES**

### **Performance Review Committee - 27 October 1999**

The minutes of meeting of the Performance Review Committee held on 27 October 1999 were submitted and approved on the motion of Councillor White, seconded by Councillor Trainer.

### **Community Initiatives Committee - 29 October 1999**

The minutes of meeting of the Community Initiatives Committee held on 29 October 1999 were submitted and approved on the motion of Councillor Linda McColl, seconded by Councillor Trainer.

### **Finance Committee - 10 November 1999**

The minutes of meeting of the Finance Committee held on 10 November 1999 were submitted and approved on the motion of Councillor Devine, seconded by Councillor White.

### **Policy and Resources Committee - 10 November 1999**

The minutes of meeting of the Policy and Resources Committee held on 10 November 1999 were submitted and approved on the motion of Councillor White, seconded by Councillor Ronald McColl.

**The following committee minutes were submitted for information:-**

**Recruitment Committee held on 20, 21 and 22 October 1999**

**Education Committee held on 27 October 1999**

**Planning and Economic Development Committee held on 27 October 1999**

**Recruitment Committee held on 8 November 1999**

**Tendering Committee held on 10 November 1999**

**Information Services Committee held on 10 November 1999**

**Appeals Committee held on 11 November 1999**

## **MATTERS ARISING OUTWITH DELEGATED POWERS FOR RATIFICATION BY COUNCIL**

### **Housing Committee - 24 November 1999**

#### **HRA Capital Programme 1999/2000 and 2000/2001**

As an urgent item, there was submitted excerpt from the minutes of meeting of the Housing Committee held on 24 November 1999 (**Volume pages 5282/5283 refer**), recommending amendments to the HRA Capital Programme 1999/2000 in the light of savings and slippage in the programme and seeking approval to commit resources into the financial year 2000/2001.

The Council agreed to approve the recommendation of the Housing Committee relating to the amendments to the HRA Capital Programme as detailed in the Appendix to the minutes of the Housing Committee.

### **CUSTOMER SERVICES STANDARDS - COUNCIL TAX**

With reference to the minutes of meeting of Council held on 27 October 1999 (**Volume page 5170 refers**) there was submitted report by the Director of Corporate Services providing an update on the resources required for the Council Tax service delivery in order to meet the Council's Customer Service Standards.

The Council, following consideration, noted the work undertaken to date and that the Director of Corporate Services would submit a final report to the meeting of Council to be held on 22 December 1999.

### **ADOPTION OF SCHEME OF DECENTRALISATION 1999/2002**

With reference to the minutes of meeting of the Community Initiatives Committee held on 29 October 1999 (**Volume page 5220 refers**) there was submitted report by the Head of Corporate Policy and Public Relations recommending the Scheme of Decentralisation 1999/2002 to the Council for adoption.

The Council agreed:-

- (a) to adopt the Scheme of Decentralisation 1999/2002;
- (b) that a copy of the Scheme in its adopted form be sent to the Scottish Executive; and
- (c) that public notice of the Scheme be given.

### **NOTICE OF MOTION - COUNCILLOR BOLLAN**

There was submitted motion received from Councillor Bollan in the following terms:-

“This Council supports the Bill currently being presented to the Parliamentary Justice Committee of the Scottish Parliament which if approved will abolish warrant sales in Scotland.

We further resolve to send a letter of support for the Bill to Roseanna Cunningham MSP, Convenor of the Justice Committee at the Scottish Parliament”.

Councillor Bollan moved and was heard in support of his motion, which was seconded by Councillor Ronald McColl.

As an amendment, Councillor White, seconded by Councillor McCallum, moved:-

“This Council welcomes the debate engendered by Scottish Office CRU “Evaluation of the Debtors (Scotland) Act, 1987”, which has shown the ineffectiveness of warrant sales and poindings.

This Council reaffirms the decision to ban the use of warrant sales and poindings in West Dunbartonshire for personal debts, put forward by the Labour Administration to the Finance Committee on 15 September 1999.

The Council welcomes this innovative decision which places the Council at the forefront of public policy on this issue, and therefore instructs the Chief Executive to write to all UK Local Authorities, and other relevant bodies, requesting that they adopt the positive model in place in West Dunbartonshire.

Furthermore, the Council looks forward to the current public debate on this matter, resulting in the introduction of a comprehensive, free, quality money advice service throughout Scotland.”

On a vote being taken, 8 members voted for the motion and 14 for the amendment which was accordingly declared carried.

### **STATUTORY APPOINTMENTS**

There was submitted report by the Chief Executive intimating the requirement to make appointments to the statutory posts of Monitoring Officer, Clerk to the Licensing Board, Clerk to the District Court and Clerk of the Peace and suggesting that in order to regulate matters, any reference in Standing Orders to the Deputy Chief Executive and Solicitor to the Council be replaced by reference to the Chief Executive or the Director of Corporate Services, as appropriate.

In response to a request for clarification as to whether suspension of Standing Orders would be required prior to consideration of this item, in view of the Council’s decision at its previous meeting to approve the adoption of the existing Standing Orders for a further period of up to 6 months (**Volume page 5169 refers**), the Manager - Legal and Administrative Services advised that as the changes proposed to the Standing Orders arose from a change in the Council’s circumstances it would be legally competent to approve the recommendations within the report without Standing Orders being suspended.

Provost Macdonald, on the basis of the legal advice received, ruled that it was competent for the Council to consider the report without the suspension of Standing Orders.

Councillor Trainer, seconded by Councillor White, moved that the Council agree:-

(a) to make the following appointments:-

<b>Monitoring Officer -</b>	Director of Education and Cultural Services
<b>Clerk to the Licensing Board -</b>	Manager - Legal and Administrative Services

**Clerk to the District Court -**  
**Clerk of the Peace -**

Manager - Legal and Administrative Services  
Manager - Legal and Administrative Services;

and

- (b) to note the interim alterations to the Standing Orders with the deletion of reference to the Depute Chief Executive and Solicitor to the Council and that this be replaced by a reference to the Chief Executive or the Director of Corporate Services, as appropriate.

As an amendment, Councillor Ronald McColl, seconded by Councillor McLaughlin, moved that the Council continue the matter to its December meeting in order that independent legal advice might be obtained as to whether the report could be dealt with without the suspension of Standing Orders and that the Head of Paid Service be requested to show where in the minutes the role of Solicitor to the Council was deleted.

Councillor McElhill left the meeting at this point.

On a roll call vote being taken, 7 members (namely Councillors Ian McDonald, McCutcheon, Robertson, Bolland, McLaughlin, Ronald McColl and McGregor) voted for the amendment and 13 members (namely Provost Macdonald and Councillors Campbell, McCafferty, Syme, White, Devine, Duncan McDonald, Linda McColl, Calvert, McCallum, Trainer, Flynn and O'Sullivan) voted for the motion which was accordingly declared carried.

## **ADJOURNMENT**

The Council unanimously agreed to adjourn at this point in the meeting and resumed a short time thereafter, those present being as shown in the sederunt, with the exception of Councillor McElhill.

## **WEST DUNBARTONSHIRE COUNCIL'S COMMENTS ON THE SCOTTISH EXECUTIVE'S RESPONSE TO THE McINTOSH REPORT**

With reference to the minutes of meeting of the Council held on 27 October 1999 (**Volume page 5171 refers**) there was submitted report by the Chief Executive (i) intimating that subsequent to that meeting, a further request for comments had been received from the Local Government Committee of the Scottish Parliament and that as the deadline for responses had been set at 19 November, the Member/Officer Working Group on the McIntosh Report had recommended that a response be prepared with group leaders before submission to the Local Government Committee prior to its deadline; and (ii) suggesting a draft response for submission to the Scottish Executive on its response to the McIntosh Report prior to its deadline of 29 November.

On the motion of Councillor White, seconded by Councillor Ronald McColl, the Council approved of the draft response for submission to the Scottish Executive and noted the response previously submitted to the Local Government Committee of the Scottish Parliament.

## **TAXI FARES AT THE MILLENNIUM**

With reference to the minutes of meeting of Council held on 29 September 1999 (**Volume page 5086 refers**) there was submitted report by the Chief Executive on the outcome of the formal notification procedure with respect to the proposed increases on charges/extension of the normal period during which higher taxi tariffs would apply over the Millennium period.

On the motion of Provost Macdonald, and having been advised that no representations had been received in response to the public notices placed in the relevant publications, the Council agreed to confirm the proposals previously agreed regarding the temporary increases in the taxi charges over the Millennium period.

### **SCOTTISH EXECUTIVE “MAKE OUR COMMUNITIES SAFER” CHALLENGE COMPETITION 2000/2001**

There was submitted report by the Head of Corporate Policy and Public Relations (i) giving details of a number of outline bids for CCTV Challenge Funding and for projects aiming to tackle the wider issues of community safety; and (ii) seeking Council’s approval, in principle, to submit the bids to the Scottish Executive “Make Our Communities Safer” Challenge Competition 2000/2001 by 30 November 1999.

On the motion of Councillor Trainer, seconded by Councillor Ronald McColl, and having noted that bids would be copied to group leaders prior to submission to the Scottish Executive, the Council agreed:-

- (a) to approve all 4 outline bids identified in the report, which bids should be developed further for submission to the Scottish Executive by 30 November 1999; and
- (b) in principle, to ring fence the expenditure required in 2000/2001.

### **COUNCIL ADVERTISING CONTRACT**

There was submitted report by the Head of Corporate Policy and Public Relations referring to the current contract regarding the Council newspaper which appears every week in the Lennox Herald and the Clydebank Post and suggesting that the Council move from a weekly Council newspaper to a two page Council news feature which would appear every four weeks with weekly advertising being carried on recruitment and public notice advertising pages, as appropriate.

On the motion of Councillor Trainer, seconded by Councillor Ronald McColl, the Council agreed that:-

- (a) the Council’s current advertising contract in relation to the Council newspaper be amended as described in the report; and
- (b) the changes be put into operation from the end of December 1999 and run to the end of April 2000 and be evaluated towards the end of this period in order to inform future discussions on advertising contracts.

Councillor Bollan recorded his dissent.

### **GOVERNMENT PROPOSAL FOR A HOLOCAUST REMEMBRANCE DAY**

There was submitted report by the Head of Corporate Policy and Public Relations intimating that the Government had proposed that an annual holocaust remembrance day be held in the United Kingdom from January 2001, the purpose of which would be to ensure that acts committed during the holocaust were never forgotten and that its relevance for each generation was understood.

The Council agreed:-

- (a) to support the Government's proposal for a holocaust remembrance day; and
- (b) that the kind of activities proposed were appropriate for national commemoration and that similar local activities should be co-ordinated through existing networks such as the West of Scotland Community Relations Council and the Unitary Authorities Race Equality Forum.

### **ANNUAL COMMUNITY CONFERENCE**

There was submitted report by the Head of Corporate Policy and Public Relations presenting a report jointly prepared by the Council and their Community Planning Partners in relation to the October 1999 Community Conference which had had the Community Planning Process in West Dunbartonshire as its theme.

The Council, following consideration, agreed to note the contents of the Community Conference Report.

### **PROPOSED LEASE OF PROPERTY AT 173 SECOND AVENUE, CLYDEBANK**

There was submitted report by the Economic Development Manager advising that Dalmeir Credit Union had requested a lease of the above property at a nominal rent. It was also intimated that a request had subsequently been received from the Dalmeir Credit Union to purchase the property at 173 Second Avenue, Clydebank rather than lease it.

The Council, following discussion:-

- (a) agreed, in principle, to grant a long lease of the property at 173 Second Avenue, Clydebank to Dalmeir Credit Union at a nominal rental subject to the First Minister's consent; and
- (b) agreed, in addition, to instruct the Manager of Economic Development to contact the Dalmeir Credit Union with a view to taking forward their request to purchase the aforesaid property and that he prepare a report on the outcome for consideration by a future meeting of the Council.

## **COUNCIL TAX SETTING DAY**

There was submitted report by the Director of Finance advising that notification had been received from COSLA encouraging all Councils to set their Council Tax on the same day in order to facilitate co-ordination, etc. of publicity surrounding Council Tax levels.

The Council agreed to COSLA's proposal that Thursday 9 March 2000 be Council Tax setting day.

## **MILLENNIUM ISSUES**

### **(a) Millennium Events**

There was submitted report by the Contracts Manager (Client) referring to some of the Millennium Events which were planned, or being considered to be run by the Council during the Millennium Year.

The Council agreed to note the report.

### **(b) Millennium Citizens of the Year Competition**

There was submitted report by the Contracts Manager (Client) referring to the Citizens of the Year competitions previously run in the former Clydebank and Dumbarton District Council areas prior to Local Government Reorganisation and suggesting that the Annual Award of Citizens of the Year be re-introduced.

The Council agreed to approve the re-introduction of the Citizens of the Year competition for the Millennium Year and that the competition be run in partnership with the Lennox Herald and the Clydebank Post.

## **ASBESTOS IN COUNCIL PROPERTIES**

There was submitted report by the Director of Roads and Technical Services referring to the establishment of the Asbestos Working Group (AWG) as part of the Council's ongoing commitment to tackling the problems of asbestos in its properties.

The Council, following consideration, agreed:-

- (a) that in respect of an instance relating to the disposal of asbestos, the relevant officials arrange to investigate this matter and report to a future meeting of Council on how issues of this nature could happen together with recommendations to ensure that unsafe disposal of asbestos cannot happen;



- (b) that public consultation be carried out followed by the adoption of an asbestos policy;
- (c) that a procedural document be established for managing asbestos within Council property combined with re-vetting of asbestos removal Contractors presently on the approved list of Contractors;
- (d) that an asbestos register be established, based on existing electronic property database systems; and
- (e) that proposed policy and procedures be subject to independent scrutiny before full implementation.

### **VISIT TO WEST DUNBARTONSHIRE COUNCIL BY DEPUTY MINISTER FOR LOCAL GOVERNMENT**

There was submitted report by the Chief Executive intimating that the Deputy Minister for Local Government, Frank McAveety MSP, was due to visit the Council on Monday, 29 November 1999 with a view to meeting councillors, officials, employees, service providers, customers and the local press.

The Council noted the arrangements made in respect of the Deputy Minister's visit to this authority.

### **ST. ANDREW'S DAY MARCH AND RALLY 27 NOVEMBER 1999 - GLASGOW**

There were submitted details received from the Scottish Trades Union Congress in respect of the St. Andrew's Day March and Rally against racism and fascism to be held in Glasgow on Saturday 27 November 1999 and suggesting various ways in which the Council could help to support the aims of the rally.

The Council agreed that a letter of support for the march and rally be sent to the Scottish Trades Union Congress and that a donation of £50.00 be made to help cover associated costs.

### **MEETING WITH JACK McCONNELL, MSP MINISTER FOR FINANCE**

There was submitted report by the Director of Corporate Services (i) referring to the previous position taken by the Council that insufficient recognition had been allowed within the Grant Aided Expenditure (GAE) calculations for deprivation and poverty; and (ii) intimating that in

order to further the Council's arguments in this regard a meeting had been arranged with the Minister of Finance on 22 November 1999 at which members and officers had been present.

In this connection, there was submitted copy letter from the Leader of the Council to the Minister of Finance of the Scottish Parliament requesting further urgent assistance from the Scottish Executive to reverse the deprivation, unemployment and poverty in the West Dunbartonshire area and extending an invitation to the Minister to visit the Council to view the Council's successes in Council Tax collection.

The Council unanimously agreed:-

- (a) that the campaign in respect of this matter should continue;
- (b) that the Council's position be outlined to the Deputy Minister for Local Government during his visit to the authority on 29 November; and
- (c) that the Council should continue to inform local MSP's and, if appropriate, all other MSP's to ensure that the problems experienced within West Dunbartonshire were fully recognised by the Scottish Executive.