

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, Council Offices, Garshake Road on Wednesday 27 February 2008 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.

*Arrived later in the meeting.

Attending: David McMillan, Chief Executive; Bill Clark, Executive Director of Social Work and Health; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Terry Lanagan, Executive Director of Educational Services; Joyce White, Executive Director of Corporate Services; David Connell, Head of Finance and ICT; Jim Pow, Manager of Finance, Housing, Environment and Economic Development; Liz Cochrane, Principal Policy Officer; David Webster, Section Head (Performance Management); Stephen Brown, Head of Legal, Administrative and Regulatory Services; Anne Laird, Manager of Administrative Services and Craig Stewart, Committee Officer.

Also

Attending: Phil White, Manager, Community Planning Partnership.

Provost Denis Agnew in the Chair

VALE OF LEVEN HOSPITAL – DEPUTATION

In accordance with the terms of Standing Order No 14, the Council agreed to hear a deputation from representatives of the Vale Hospital Watch in connection with the future of the Vale of Leven Hospital.

Mr Jim Moohan and Ms Elizabeth McEarlane spoke on behalf of the Vale Hospital Watch and urged Members of West Dunbartonshire Council to be united and lend support to their request to speak with the Health Minister in relation to concerns concerning the future provision of health services at the Vale of Leven. In this respect, Mr Moohan and Ms McEarlane were heard in elaboration of the Vale Hospital Watch concerns for the loss of services delivered locally and to the loss of current jobs and future opportunities to the local community. In summing up, Ms McEarlane implored that all they are asking for is the same rights as those given to people south of the river, the right to local health services and the right to work

locally. She also pointed out that people want to work here and to keep their jobs and asked for support from the Council to help the Joint Trade Unions at the Vale of Leven Hospital to save lives and save jobs.

Provost Agnew thanked Mr Moohan and Ms Earlane for their contributions.

After discussion, the Council unanimously backed the Vale Hospital Watch in their efforts to campaign for the retention of health services at the Vale of Leven Hospital and agreed that a letter of support would be sent to the Cabinet Secretary of Health and Wellbeing from West Dunbartonshire Council.

OPEN FORUM

The following question was submitted to the Council for consideration:-

Mr Edward Gray, 38 Abbott Crescent, Whitecrook, Clydebank
Issues relating to laminate flooring in Council housing

As I have raised the issue of laminated flooring at a previous question time meeting and as yet am waiting on a response I will repeat the question to councillors and officers with a small Add on regarding safety and insurance for anyone, staff or otherwise who injure themselves due to slippages or trips.

- (a) Will this Council show some real responsibility as a landlord and employer and take action about this very serious issue and its impact regarding anti-social behaviour and a possible risk to workers?
- (b) Will this Council look at the probabilities of insurance claims in relation to this possible hazard via loss of workforce due to slippages, accidents or injuries on wet or unchecked laminate flooring (no control over how this material is installed)?

Considering that the Council as a landlord has no obvious insurance data to ensure that tenants have to be held accountable for the wages or sick pay for workforce who may sustain injury and would quite possibly be entitled to seek compensation from their employer i.e. (the Council) in an era where injury claims are part of every day life.

Councillor Hendrie responded in the following terms:-

I would like to start by apologising unreservedly to Mr Gray on behalf of the department, myself and the former Convener Councillor J. McColl.

A response to your original question was written, but for some reason was not posted to you and I can give you a copy now (a copy was passed to Mr Gray).

I would suggest that where there are specific complaints regarding noise levels, that the Council can deal with these through the anti-social behaviour legislation. I would recommend that Mr Gray forwards any complaints to the Anti Social Behaviour team.

With reference to the new points you have raised regarding risk and possible legal implications I would say the following:

It is the department's professional opinion that the risk of injury caused by laminated flooring is minimal, given that all laminate products sold in the UK must meet the EU Safety standards. I would suggest that it is no more hazardous than a badly fitted or worn carpet.

In terms of insurance claims, the department's legal advisors tell us that while there is always a risk of claims, the risk here is miniscule and it would be unlikely that any claims of this kind against the Council would be successful.

I understand your concerns and I will raise these issues for discussion at the Housing Committee meeting next Wednesday.

Mr Gray responded in the following terms:-

Thank you for clarifying the position.

MINUTES OF PREVIOUS MEETINGS

(a) Ordinary Meeting held on 30 January 2008

After hearing Councillor Rooney and the Head of Legal, Administrative and Regulatory Services in response, the Minutes of the Ordinary Meeting of West Dunbartonshire Council held on 30 January 2008 were submitted and approved as a correct record, subject to the undernoted corrections:-

- (i) With reference to the item under the heading 'Declarations of Interest' (Page 759 refers) in respect of 'Motion by Councillor Black – Single Status', it was noted that Provost Agnew should be added to the list of Members declaring a non-financial interest in this item;
- (ii) With reference to the item under the heading 'Adjournment' (Page 759 refers), the Council agreed that Councillor Hendrie's name be removed from the sentence "The meeting reconvened at 8.57 p.m. with all Members shown on the sederunt in attendance, with the exception of Councillors J. McColl, R. McColl, Hendrie and Millar"; and
- (iii) With reference to the item under the heading 'Post Office Network Change Area Plan Decision' (Page 764 refers), it was noted that the mover of the Motion was Councillor J. McColl and not Councillor R. McColl.

In relation to a point raised by Councillor R. McColl concerning 'Post Office Network Change Area Plan Decision' (Page 764 refers) and if a letter had been sent to John McFall MP from the Leader of the Council, Councillor Robertson confirmed that this had been done.

In relation to a point raised by Councillor R. McColl concerning 'Motion by Councillor Ronnie McColl – Councillor Martin Rooney' (Page 770 refers) and if a formal apology had been made by Councillor Rooney to both Community Councillors and the Balloch & Haldane Community Council, Councillor Rooney advised that he had spoken to both Community Councillors and they had not requested an apology.

In relation to a point raised by Councillor R. McColl concerning 'Motion by Councillor Ronnie McColl – December Council Meeting' (Page 771 refers) and if Councillor McBride had apologised in writing to the Leader of the Council, Councillor McBride advised that he had since spoken to Councillor Robertson and that the matter was considered to be closed.

(b) Special Meeting held on 14 February 2008

After hearing Councillors Calvert and Rooney, the Chief Executive and the Head of Legal, Administrative and Regulatory Services in clarification of Standing Orders, etc., the Minutes of the Special Meeting of West Dunbartonshire Council held on 14 February 2008 were approved as a correct record.

**MINUTES OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE ON
13 FEBRUARY 2008**

The Minutes of Meeting of the Audit and Performance Review Committee meeting held on 13 February 2008 were submitted and all decisions contained therein were approved.

**AUDIT OF BEST VALUE AND COMMUNITY PLANNING –
PROGRESS REPORT JANUARY 2008**

A report was submitted by the Chief Executive updating Council on the Progress Report on the Audit of Best Value and Community Planning in West Dunbartonshire.

After discussion, it was agreed:-

- (1) to note the progress report from Audit Scotland dated January 2008, covering the period up to 31 July 2007;
- (2) to note that progress had been made in the following areas:-
 - (a) that Schools Fund spending had been reviewed on 20 December 2006;
 - (b) the Council had reviewed significant decision regarding Renton Community Education Centre, Renton Library and Leven Cottage in January 2007;

- (c) to ensure robust and effective scrutiny arrangements, the Chair of the Audit & Performance Review Committee was offered to the Opposition in January – This was subsequently agreed in June 2007 as part of the review of Political Structures;
 - (d) the Council had agreed a Best Value Improvement Plan and the setting up of a Working Group in January;
 - (e) the Council had agreed a programmed management approach to implement the Best Value Improvement Plan;
 - (f) a review of political and managerial structures was approved in January and agreed in June 2007;
 - (g) that in order to demonstrate openness and transparency, openness and accountability in strategic decision making, all officer reports would have an options appraisal where appropriate and reasoned officers recommendations;
 - (h) that the Solace consultant study had been initiated in January 2007 and had reported in September 2007;
 - (i) the Council had increased Corporate Capacity by investing in 12 posts at over £1m cost including recruitment of three new Executive Directors; and
- (3) although much progress had been made, Council accepts that there was much to do and a more focussed approach with clear priorities was required in order to address the concerns raised by Audit Scotland.

**RESPONSE TO AUDIT SCOTLAND PROGRESS REPORT – JANUARY 2008:
PROPOSED STRUCTURE FOR MANAGEMENT OF BEST VALUE
IMPROVEMENT ACTIVITY**

A report was submitted by the Chief Executive proposing a revised method for the project management of the Best Value Improvement Plan.

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

That Council agrees to the proposals for a revised management structure on the basis detailed in the report.

The Head of Legal, Administrative and Regulatory Services advised Council that, following consideration of an amendment proposed to be moved by Councillor Black, he was of the opinion that the amendment may expose the Council to legal challenge because it could interfere with approved Council terms and conditions of service. Thereafter, Provost Agnew accepted the advice given and did not allow Councillor Black's proposed amendment to be so moved.

At this point in the proceedings, the Chief Executive was heard in response to certain comments that had been made by Members. This was to the effect that elected members were reminded of the need to conduct themselves in accordance with the guidance contained within the Councillors' Code of Conduct.

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

That the Council notes the report from the Chief Executive.

The diagram at Appendix 1 suggests that the status of the working group was higher than the Council. However we confirm that the sovereign body of the Council is the full Council comprising all democratically elected members.

Council agrees that the Leader of the Council should chair the new Improvement & Efficiency Executive Working Group.

However the membership of the Working Group should reflect the political balance of the Council.

Therefore membership of the Working Group should be four Labour Members namely Councillors Martin Rooney, Margaret Bootland, David McBride and Marie McNair.

The other four spaces are to be filled by the SNP/other Councillors.

At this point, the Chief Executive clarified the position with regard to the status of the proposed Improvement and Efficiency Executive Working Group and confirmed that it would report to Council.

After hearing Councillor Black, Councillor Rooney agreed to accept the undernoted addendum to his amendment:-

With reference to membership of the Working Group, two of the vacancies be filled by Councillors Black and Bollan.

On a vote being taken, 11 Members voted for the amendment and 10 for the motion. The amendment was accordingly declared carried.

WEST DUNBARTONSHIRE COMMUNITY PLANNING PARTNERSHIP – KEY DEVELOPMENTS

A report was submitted by the Chief Executive providing an update on key developments within West Dunbartonshire Community Planning Partnership (CPP).

After discussion and having heard Mr. Phil White, Manager of the CPP, in answer to Members' questions, the Council agreed to note the terms of the report.

COMMITTEE VACANCIES

Following discussion, the Council agreed to nominate Councillor J. McColl to the Licensing Committee and Councillor Black to the Schools Procurement Sub-Committee.

REVIEW OF STANDING ORDERS

A report was submitted by the Chief Executive requesting approval of a revised set of Standing Orders.

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

Council thanks officers for the report and agrees the revised Standing Orders as detailed in the appendices with the following exceptions:

- The Education and Life Long Learning Committee will be renamed Education, Children and Life Long Learning Committee (The department names remain unchanged).
- Standing Order 2(a) will read:-

“The Ordinary Meetings of the Council will be held on the last Wednesday of every month from 6pm until 10pm unless otherwise determined by Council. At 10pm, the item currently being discussed will be the last item of business discussed at that meeting before it is adjourned. Any items on an agenda that have not been discussed will be continued to an adjourned meeting to be convened the following morning at 10am in the same venue.”
- Standing Order 2(c) shall be deleted.
- With regards to Standing Order 2(d), Open Forum Questions will be heard at every Ordinary Council meeting.
- With regards to Standing Order 6(a), items (ii) and (iii) will be taken before item (i).
- With regards to Standing Order 8(b), written notices of motion will be heard at every Ordinary Council meeting.
- With regards to Standing Order 9(a), a question session will be held at every Ordinary Council meeting.
- When completed, then new scheme of administration of grants should be included in the Standing Orders.

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

This Council does not agree to the changes to Standing Orders recommended by the Chief Executive in his report to Council contained between pages 153 – 155.

On a vote being taken, 11 Members voted for the amendment and 10 for the motion. The amendment was accordingly declared carried, with the effect being that existing standing orders would continue to regulate the proceedings of Council.

DEVELOPMENT OF A SPORTS STRATEGY AND A SPORTS PITCH STRATEGY FOR WEST DUNBARTONSHIRE COUNCIL

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing an update to Council on the development of a Sports Strategy and Sports Pitch Strategy for West Dunbartonshire Council.

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

That the Council notes this report and considers the draft strategies when available.

As an amendment, Councillor Millar, seconded by Councillor W. McLaughlin, moved:-

This Council notes the responses from Councillor William Hendrie and Councillor May Smillie in response to questions from Mr William Gibbons and Councillor John Millar regarding the Council's Sports Strategy.

Council also notes that the Labour Opposition has been calling for a report on the Council's Sports Strategy for months therefore we welcome the promise of a Sports Strategy in the near future.

Council acknowledges the significant investment of around £2.5m in sports facilities that will arise out of the Council's flagship policy of Schools Regeneration Phase 1.

Council also acknowledges the additional investment of £1m from the previous Labour led Council and the capital receipt/planning gain of £150,000 from the sale of Keil School, which is also part of this investment.

Council further acknowledges the additional £250,000 which had been agreed by the previous Labour Administration for new sports facilities at Our Lady & St. Patrick's High School in Dumbarton.

This Council instructs officers to consider the possibility of retaining the high quality sports facilities at the former Braidfield High Secondary School which are currently available to the wider community of Clydebank.

Council agrees that the purchase of these fields from the Education Department portfolio could meet the joint needs of the local community for sports facilities and still ensure that funds are available to be placed into the PPP 'sinking fund'.

After discussion and having heard the Chief Executive, the Executive Director of Educational Services and the Head of Legal, Administrative and Regulatory Services provide guidance in relation to the last two paragraphs of Councillor Millar's motion being contrary to a previous decision of Council and, therefore, requiring the Suspension of Standing Orders, Councillor Millar accepted the advice given and agreed to the removal of the last two paragraphs of his amendment.

As a further amendment, Councillor W. McLaughlin, seconded by Councillor McGlinchey, moved:-

This Council notes the responses from Councillor William Hendrie and Councillor May Smillie in response to questions from Mr William Gibbons and Councillor John Millar regarding the Council's Sports Strategy.

Council also notes that the Labour Opposition has been calling for a report on the Council's Sports Strategy for months therefore we welcome the promise of a Sports Strategy in the near future.

Council acknowledges the significant investment of around £2.5m in sports facilities that will arise out of the Council's flagship policy of Schools Regeneration Phase 1.

Council also acknowledges the additional investment of £1m from the previous Labour led Council and the capital receipt/planning gain of £150,000 from the sale of Keil School, which is also part of this investment.

Council further acknowledges the additional £250,000 which had been agreed by the previous Labour Administration for new sports facilities at Our Lady & St. Patrick's High School in Dumbarton.

Can West Dunbartonshire Council seek additional sports strategy funding to secure the retention of the Braidfield sports pitches?

With the agreement of Councillor Millar and Council, the first amendment was withdrawn and the second amendment became the substantive amendment.

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

ADJOURNMENT

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

The meeting reconvened at 9.20 p.m. with all those Members on the Sederunt in attendance including Councillor McAllister.

REVIEW OF CONSTITUENCY BOUNDARIES FOR THE SCOTTISH PARLIAMENT

A report was submitted by the Chief Executive advising of the Boundary Commission for Scotland's provisional proposals for the review of Scottish Parliament Constituencies and recommending the making of representations to these proposals.

After discussion and having heard the Head of Legal, Administrative and Regulatory Services, the Council agreed:-

- (1) to submit objections on the proposals for the North Renfrewshire and Clydebank Constituency, on the grounds that creation of a constituency spanning the River Clyde and incorporating the greater part of Clydebank with North Renfrewshire was anomalous and unacceptable; and
- (2) to submit representations on the proposals for the Dumbarton and Helensburgh Constituency to the effect that Clydebank should not be split between two constituencies.

ARCHITECTURAL LIGHTING OF DUMBARTON CASTLE AND ROCK

A report was submitted by the Executive Director of Housing, Environmental and Economic Development:-

- (a) providing an update of the work undertaken to identify an improved scheme of architectural lighting of Dumbarton Castle and Rock; and
- (b) seeking agreement to the allocation of funds to commission a feasibility study to determine the most appropriate lighting design and costs associated with the project.

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

That the Council takes no action with regard to the feasibility study to determine the most appropriate lighting design and costs associated with the project, as it was considered that this money would be better spent on a feasibility study into the regeneration of Dumbarton Town Centre and the opening up of Dumbarton High Street.

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

That the Council:-

- (1) note the progress with works to identify an improved scheme of floodlighting of Dumbarton Castle and Rock; and

- (2) agrees to the proposed allocation of £10,000 from the Rediscovering Dumbarton General Services Capital Budget (2007/08) to allow a feasibility study to be undertaken.

On a vote being taken, 10 Members voted for the amendment and 12 for the motion which was accordingly declared carried.

RENTON COMMUNITY EDUCATION CENTRE

A report was submitted by the Chief Executive providing a further update in relation to progress with the disposal of Renton Community Education Centre.

After discussion, it was agreed:-

- (1) that a report giving an update on the position with regard to disposal be considered at the next meeting of Council; and
- (2) that once a response had been received from the Renton Community Development Trust's legal representatives in regard to a proposed way forward, this would be circulated to all Elected Members.

HOUSING REVENUE ACCOUNT 2007/2008 BUDGETARY CONTROL STATEMENT TO 15 JANUARY 2008 (PERIOD 9)

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing an update on the financial performance of the Housing Revenue Account (HRA) to the period ended 15 January 2008.

The Council agreed to note the contents of the report.

HRA CAPITAL PROGRAMME 2007/2008 BUDGETARY COUNTRONL REPORT TO 15 JANUARY 2009 (PERIOD 9)

A report was submitted by the Executive Director of Housing, Environmental and Economic Development on the progress of the HRA Capital Programme 2007/2008.

The Council agreed to note the contents of the report.

GENERAL SERVICES BUDGETARY CONTROL REPORT: PERIOD 9 (2007/2008)

A report was submitted by the Executive Director of Corporate Services providing an update on the General Services Capital Plan for 2007/2008.

After discussion and having heard the Head of Finance and ICT in answer to Members' questions, the Council agreed to note the contents of the report.

**GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT:
PERIOD 9 (2007/2008)**

A report was submitted by the Executive Director of Corporate Services providing an update on the General Services Capital Plan for 2007/2008.

After discussion and having heard the Head of Finance and ICT in answer to Members' questions, the Council agreed to approve the updated capital plan as outlined in Appendices I, II and III to the report.

**PRUDENTIAL INDICATORS 2007/08 TO 2010/11 AND TREASURY
MANAGEMENT STRATEGY 2007/08 TO 2010/11**

A report was submitted by the Executive Director of Corporate Services advising of the proposed:-

- (a) Prudential Indicators for 2007/08 to 2010/11; and
- (b) the Treasury Management Strategy for 2007/08 to 2010/11.

After discussion and having heard the Head of Finance and ICT in answer to Members' questions, the Council agreed:-

- (1) to adopt the Prudential Indicators and Limits set out within Appendix I to the report:
 - Capital Expenditure and Capital Financing Requirements (Tables A and B);
 - Authorised Limits and Operational Boundaries (Table D);
 - Actual and estimates for the ratio of financing costs to New Revenue Stream (Table E);
 - Incremental impact of capital investment decisions on the Band D Council Tax (Table F);
 - Incremental impact of capital investment decisions Housing Rent levels (Table G);
- (2) to approve the statement by the Executive Director of Corporate Services regarding the external borrowing level in comparison to the Capital Financing Requirement (Appendix I – Point 3.4);
- (3) to approve the Treasury Management Strategy 2008/09, within Appendix II to the report; and
- (4) to adopt the Treasury Prudential Indicators and Limits set out in Appendix II to the report (Table K).

GENERAL SERVICES CAPITAL PLAN 2008/2009

A report was submitted by the Executive Director of Corporate Services providing the General Services Capital Plan for 2008/09 as recommended by the Corporate Management Team (CMT).

After discussion and having heard the Chief Executive and the Head of Finance and ICT in further explanation and in answer to Members' questions, the Council agreed:-

- (1) to note the committed bids as shown in Appendix II to the report;
- (2) to note that the funds available for uncommitted capital bids total £3.939m;
- (3) to note that projects recommended for approval totalling £3.939m are detailed in Appendix III to the report;
- (4) to approve the capital plan for 2008/09 as detailed in Appendix I of the report (shown as Appendix I to these minutes), including the prudential borrowing requirement and recommended projects as outlined above; and
- (5) to note that the draft capital plans for 2009/2010 and 2010/2011 would be presented to Council in August 2008.

HRA CAPITAL PROGRAMME 2008/2009, 2009/2010, 2010/2011

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval for the 2008/2009 HRA Capital Programme together with in principle approval for draft 2009/2010 and 2010/2011 proposals.

After discussion and having heard Councillor C. McLaughlin, the Council agreed:-

- (1) to approve the recommended capital budgets for 2008/2009 as detailed in Appendix I to the report (shown as Appendix II to these minutes);
- (2) to approve, in principle, the draft capital budgets for 2009/2010 and 2010/2011 as outlined in the report; and
- (3) that a report would be submitted to a future Meeting of Council in regard to the feasibility of upgrading security lighting, etc. to multi-tenanted properties in West Dunbartonshire, through possible slippage.

QUESTION

Question to Councillor William Hendrie from Councillor David McBride

What guarantees will the Convener give to the residents affected by the Knowle Burn Flood Prevention scheme that the change in funding mechanisms imposed by the SNP Government will not delay implementation of the Project and that the total amount of money available under the previous financial scheme will not be cut?

Councillor William Hendrie responded in the following terms:-

The Scottish Government has provided, as part of the overall financial settlement, funding from their previous flooding grant scheme for all projects in Scotland which were in the Flood Prevention Order process at the end of last year. Knowle Burn was included in this, and funding commensurate with the Government's anticipated 80% share of the £3m project estimate has been provided. The Council will require to fund the remainder of the costs.

The Flood Prevention Order produced by the Council has a number of objections which make it very likely that a Public Inquiry will be called for later this year by the Government. The outcome of this Inquiry cannot be guaranteed.

In addition, Planning Consent for the works has still to be sought and again the result of this statutory process cannot be predicted.

Provision has been made in the Council's proposed Capital Plan for the next three years to allow the flood measures to be implemented over that period, assuming that the Inquiry and planning processes are successful.

NOTICES OF MOTION

The Council considered the undernoted motions which had been submitted in accordance with Standing Order No 8:-

(a) Motion by Councillor George Black – Motorcycles

This Council calls upon the Scottish Government to examine the results of the survey carried out by Traffic for London on the effects of permitting motor cycles to use bus lanes.

Although we do not have Bus lanes within our local Authority area at the present time as strategies continue to develop to improve traffic management we feel that we should have a view on this subject.

Given the traffic problems experienced in and around cities in Scotland at the present time this survey should be utilised within any strategic report or review of transport policy locally and nationally.

Councillor Hendrie gave the following additional information in response to Councillor Black's motion:-

It is understood that the Department for Transport (DfT) have two trials ongoing in England at the moment allowing motor cycles to use defined lengths of bus lane. The results of these will be made available to the Scottish Government/Transport Scotland to consider, although the timescale is not known.

Bus lanes have been used to date to allocate specific road space to public transport and vulnerable road users (i.e. cyclists). Extending this to motor cycles has been debated nationally with differing views and a range of pros and cons.

We have a short length of bus lane proposed between Hardgate roundabout and Kilbowie roundabout. The Order for this does not include motor cycles. This matches the Orders promoted by Glasgow on the adjacent and much more extensive lengths of Quality Bus Corridor on the Faifley to Baillieston Route.

There is insufficient information available to this Council at this time to make an informed decision on this matter and it is proposed to examine the results of the DfT study in conjunction with other Scottish local authorities and the Scottish Government, once available.

The Council agreed to approve the above motion, noting the further information provided by Councillor Hendrie.

(b) Motion by Councillor Patrick McGlinchey – Unfunded Burdens in Education

This Council notes with satisfaction that, following elected member scrutiny, the Education & Lifelong Learning budget has been brought under control by the Department and it now looks like the 2007/2008 estimated outturn of £85.2m shall not be exceeded.

However Council notes that the 2008/2009 Education budget contains a number of unfunded burdens as follows:

- An increase is required in the Pre 5 budget for staff absence cover **£118,637**
- An increase is required in the Primary budget for travel costs for the network team **£7,000**
- The balance of the increase in SQA fees is required in Secondary Education of **£3,000**
- An increase is required in the travel budget for Sports Development due to re-location **£4,000**

This Council requests the Executive Director of Educational Services to bring forward a report to the next meeting of the Education and Lifelong Learning Committee detailing how he will incorporate these additional and unfunded burdens within his Department's Budget.

Councillor McGlinchey was heard in support of his motion which was seconded by Councillor McBride.

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

Council notes the following key points from the budget:

Pre-5 staff absence cover budget £118,637

Absence is strategically managed by all departments. A level of absences in one year does not necessarily mean the same level of absences the next year. The introduction of the corporate absence management working group will re developing, implementing a strategy to reduce corporate absence levels, whilst monitoring levels of absence also.

This sum was also requested to help meet expected demands on the service. The pre-5 budget has growth within its 2008/09 budget of £370,000 added to implement and develop the service to continue to provide a service beyond legislative needs.

It is anticipated that there will be no burden for the department to fund.

Primary travel budget – network team £7,000

The request for the establishment of a travel budget from the service was £22,000 in total. However, in reviewing costs and projecting annual costs in 2007/08, the anticipated annual outturn was £15,000.

This sum has been added to the budget for 2008/09 and it is anticipated that there will be no burden for the department to fund.

SQA fees – secondary education £3,000

The request for an increase to the SQA fees from the service was £17,118 in total due to inflation and the introduction of Balloch Castle as a presenting centre. However, in reviewing costs and projecting annual costs in 2007/08, an increase of £14,118 was approved and included in the 2008/09 budget and it is anticipated that there will be no burden for the department to fund.

Sports development – travel budget £4,000

The request for the establishment of a travel budget from the service was £14,000 in total. However, in reviewing costs and projecting annual costs in 2007/08, the anticipated annual outturn was £10,000.

This sum has been added to the budget for 2008/09 and it is anticipated that there will be no burden for the department to fund.

Council notes that the proposed Labour budget contained all the same assumptions.

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

(c) Motion by Councillor Geoff Calvert – ‘Fairer’ Scotland Fund being NOT FAIR to West Dunbartonshire!

This Council notes that the new ‘Un-Fairer’ Scotland Fund, replacing as it does the existing ring fenced funds of:-

- i) The Community Regeneration Fund;
- ii) The Working for Families Fund;
- iii) The Not in Education; Employment or Training Fund;
- iv) The Financial Inclusion Fund;
- v) The Workforce Plus Fund; and
- vi) The Community Voices Fund

has resulted in a totally unjustified CUT in funding for West Dunbartonshire of £1.29m over the next three years.

This means an immediate cut from the Council’s 2008/9 allocation by £250,000, an even greater cut of £439,000 in 2009/10 and then topped off by an even bigger cut of £440,000 in 2010/11.

This Council believes that these unjustified, unnecessary and unfair CUTS imposed on the poorest residents of West Dunbartonshire by the SNP Government at Holyrood must be challenged.

The SNP claims that there is now in Scotland a new, open and transparent relationship, based on mutual respect, between Councils and the Scottish Government. In such an atmosphere of mutual respect, this Council believes that it would be unthinkable for the SNP Government not to rectify this glaring mistake.

Therefore, this Council instructs the Leader of the Council to meet with relevant Scottish Ministers, not excluding the First Minister himself. The Leader is encouraged and expected to argue and win the case to have these cuts reversed in the first instance. Having done so, it is logical that a modest inflationary increase that will ensure that services to the most vulnerable will not be cut, would be granted.

Given the urgency of the situation, and that these cuts will take effect from 1st April, the Leader of the Council is asked to report his success back to the March meeting of the Council.

Councillor Calvert was heard in support of his motion which was seconded by Councillor Bootland.

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

This Council notes the commitment of the SNP Government to fund West Dunbartonshire Community Planning Partnership over the next 3 year period with the allocation of £16.52m.

It also notes the SNP Government's commitment to reducing bureaucracy, monitoring and reporting as part of its streamlined funding arrangements and the moving towards Single Outcome Agreements for Community Planning.

The SNP administration in West Dunbartonshire Council welcomes these changes and the allocation of funding. It also supports the CPP board's decision to instigate a full independent review of the structure and staffing to ensure that it maximises the full potential of the new funding through a reduction of core costs and greater efficiencies for the benefit of the people of West Dunbartonshire.

Council also notes that at its meeting on 31st October, Councillor Calvert's addendum said, "The Council recognises the challenges faced by the Community Planning Partnership (CPP). This Council notes with disapproval also, that the Leader of the Council does not appear to be receiving the support he needs from other quarters in order to get the Partnership onto a strong and sustainable foundation.

This Council is clear in its support for the Leader of the Council in his efforts and expects all partners and agencies to confirm their support also.

It also recognises that under the previous Labour Administrations, the Community Planning Partnership funding was tapered which saw a £1m reduction between 05/06 to 07/08.

In addition it is accepted that previous Labour Administrations have failed to ensure efficient management of core costs over the previous 3 years resulting in a subsequent loss to the people of West Dunbartonshire.

On a vote being taken, 10 Members voted for the amendment and 11 for the motion which was accordingly declared carried.

(d) Motion by Councillor David McBride – SNP Additional 1% Cut in Departmental Budgets

This Council notes that the SNP Budget approved by Council on 14th February included the following commitment under Departmental Achievement Opportunities:- *'... I am therefore asking the council to agree that the respective departmental Executive Directors are tasked with; ... '33. To reduce departmental annual revenue expenditure by 1% by April 2009.'*

Given that this 'tasked objective' is in addition to the cuts already imposed by this SNP Administration, and on an Annual Budget of £236 million, this equates to another cut of up to £2.36 million, this Council therefore requests that the Chief Executive brings forward a report to the March Council meeting indicating what the effects of this additional SNP cut of £2.36million will have on departmental services.

Councillor McBride was heard in support of his motion which was seconded by Councillor Calvert.

The Chief Executive was heard in response to Members' questions.

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

This Council notes with increasing concern the failure of the Labour Party to grasp the simple concept of forward financial planning.

The Council notes that the departmental savings targets of 1% are an aspirational target to the newly formed Corporate Management Team (CMT).

It is not unreasonable that the new CMT will be able to bring a fresh new approach to the processes of the Departments of the Council, ultimately generating savings, through better working practices and reductions in red tape.

On a vote being taken, 10 Members voted for the amendment and 12 for the motion which was accordingly declared carried.

(e) Motion by Councillor Geoff Calvert – 'Sold Properties'

This Council notes that common repairs to owner-occupiers of 'Sold Properties' in tenemental and flatted-type accommodation that is shared by Council tenants are charged out to owner-occupiers on a pro-rata basis.

This Council also notes that there is great unease among owner-occupiers when receiving bills that there is no clarity that they are being charged the correct pro-rata amount. Bills currently include a brief description of the work done, the date, the relevant work number and the amount to be charged to the individual property. There is no breakdown of how the costs were arrived at, nor the total cost of the work for the repair and how the individual's allocation is calculated.

This Council accepts the principle that anyone being expected to pay a bill is entitled to know what the bill is for, what work was covered, how the costs are arrived at and how their own share is calculated.

Therefore, this Council is to ensure that all future bills to owner-occupiers will include the current information AND a full breakdown of how costs are calculated and the justification for the individual share.

Councillor Calvert was heard in support of his motion which was seconded by Councillor Bootland.

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

The current process in Sold Property is that on creation of a repair on saffron, notification letters are sent out to owner occupiers.

The information given on the notification letter shows the total estimate of the repair and the share estimate. It also gives a description of the work to be carried out as provided by the maintenance officer and shown on the repairs system. Contact details are provided on the letter for the maintenance officer who should be able to provide any further information if a breakdown of proposed work is required.

The letter also includes a tear off slip for customers to add any comments, request a breakdown of costs etc and return back to us for investigation.

We could include the total cost of the repair before a share cost is apportioned on the text of the invoice but we would be unable to include a breakdown of repairs on the invoice due to restrictions on the space allowed for additional text on an invoice.

We would be unable to enclose a breakdown with the invoice as Finance would not permit anyone to interfere with the billing process therefore postage would double as the breakdown would have to be sent separately by the Sold Property Section. It should be noted, however, that discussions are ongoing with regard to seeking a resolution of this difficulty in relation to the size of the text fields and it is hoped that a solution can be identified at an early date.

There would be a requirement for the maintenance officers to provide a detailed breakdown on completion of every common repair on saffron to Sold Property.

To prepare and issue a breakdown for every invoice that is issued for repairs, this would create additional pressure on already stretched resources within Sold Property.

For the current financial year we have already invoiced approximately 1100 common repairs with on average 3 - 4 owners per repair. If we were to carry out this new process for every repair invoiced, this would possibly result in a further delay in invoicing leading to a reduction in income. This is something that has caused complaints in the past.

The Measured Term Contractor is employed by the Council and not the specific owner/occupier and wishes to retain commercial confidentiality where possible. The contract was won in competition and is founded on a national schedule of rates.

On a vote being taken, 9 Members voted for the amendment and 13 for the motion which was accordingly declared carried.

(f) Motion by Councillor Rooney – Supporting People Funding

Council notes that the intentional under funding of West Dunbartonshire by the SNP Government means that the Supporting People spending has been reduced from £15.535 to £13.7m. Council also notes that the previous Labour Administration had carried forward a balance of £1.475m and that £1.175m of these balances has been applied this year to meet the current contract values. Council recognises that the contract values may reduce further during this year through negotiations with providers.

This means that there is an unallocated surplus of £300,000 for next year. Given this Council's commitment to openness and transparency it is agreed that a full report detailing the spending of supporting people funds in 2007/2008 and the planned spend for 2008/2009; 2009/10; and 2010/11 is brought to the March Council meeting.

The report should highlight the expected efficiencies that will be achieved through renegotiating contracts; and the expected risks including intentional reductions in Supporting People spending from the Scottish Government. The report should also highlight the changes in service provision from 2007/8 to the service provision in 2008/9.

Councillor Rooney was heard in support of his motion which was seconded by Councillor Calvert.

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

Council agrees that it is not appropriate to use funding for care services as a means to score party political points.

Council notes that the Scottish Government is aware of the funding problem, and we have been allowed to carry over last year's under spend (£1.475 million) and as a result, supporting people services will not suffer.

As was intimated at the Social Work and Health Improvement Committee meeting on 23 January 2008, the normal forum for members to discuss options and issues around Supporting People funding is the Supporting People Task Group.

Council notes that Councillor Rooney, in fact asked at that meeting when the next Task Group meeting would be taking place and he was told that this would happen as and when required.

With this in mind, Council agrees that the proper route for detailed analysis of this funding stream in the Supporting People Task Group. Council further agrees to instruct the Executive Director of Social Work and Health to set-up a meeting of this group as a matter of urgency to discuss current and future funding issues.

The task group meeting will be the subject of a report to the next Social Work and Health Improvement Committee.

On a vote being taken, 10 Members voted for the amendment and 12 for the motion which was accordingly declared carried.

(g) Motion by Councillor McGlinchey – Class Sizes

Council notes that parents, pupils and teachers have been seriously misled by the SNP on their promise to reduce class sizes.

Council notes that the promise to reduce class sizes is undeliverable and in the words of government advisers "the scale of the commitment does not allow it to be delivered in the life time of a parliament" and "the commitment will take 8-10 years to achieve."

Council further notes the minutes of a meeting between the government and the Deans of Faculties of Education which states that SNP ministers were told their commitment would require an additional 4,000 student teachers and the doubling of places available on BEd courses neither of which have been actioned.

Council believes that this indicates that the SNP's commitment to class size reduction was nothing more than an empty promise. Council also considers that to state in the concordat that councils must '*as quickly as possible* to deliver class sizes of 18 is disingenuous, given that the SNP were explicitly told by the government own advisors that it was not deliverable within this three year spending period.

It is clear that unless West Dunbartonshire Council receives significant investment from the Scottish Government then the SNP Administration will fail to deliver the class size reductions that their SNP ministers promised in their manifesto.

The Council therefore instructs officers to cost the full implementation of the SNP promise to reduce class sizes and calls on the Convener of Education & Lifelong Learning to write to the Scottish Government requesting the full funding required for WDC.

Councillor McGlinchey was heard in support of his motion which was seconded by Councillor Calvert.

The Executive Director of Educational Services was heard in answer to Members' questions.

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

The SNP is committed to reducing class sizes in primary 1 to primary 3. It is an aspiration which, when it is achieved, will have a significant, positive impact on the quality of education for our youngest school pupils. It will give our young people the best possible start to their compulsory education and will have a knock-on effect on attainment and achievement throughout the whole school system.

There is nothing "disingenuous" to deliver class sizes of 18. Rather, it indicates clearly that the Scottish Government sees this as an important commitment for councils to address as a matter of priority.

It may take several years to train sufficient additional teachers to allow a reduction in class sizes to 18. However, the statement in the concordat asks Council to commit themselves to working with the Scottish Government to deliver reduced class sizes as soon as is practically possible. There is no reason why Councils cannot begin the process of class size reduction with immediate effect.

Class sizes will form part of the consultation process for the phase 2 schools regeneration programme.

On a vote being taken, 10 Members voted for the amendment and 12 for the motion which was accordingly declared carried.

The meeting closed at 12.20 a.m.