

WEST DUNBARTONSHIRE COUNCIL

At the Meeting of West Dunbartonshire Council held in the Council Chambers, on Wednesday 19 December 2007 at 7.00 p.m.

Present: Provost Denis Agnew and Councillors George Black, James Bollan, Margaret Bootland, Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, William Hendrie, Douglas McAllister, David McBride, Jonathan McColl, Ronnie McColl, Jim McElhill, Patrick McGlinchey, Craig McLaughlin, Willie McLaughlin, Marie McNair, Iain Robertson, Martin Rooney and May Smillie.

Attending: David McMillan, Chief Executive; Bill Clark, Executive Director of Social Work and Health; Irving Hodgson, Acting Executive Director of Housing, Environmental and Economic Development (Housing and Regeneration Services); Ronnie Dinnie, Acting Executive Director of Housing, Environmental and Economic Development (Land and Environment); Terry Lanagan, Executive Director of Educational Services; David Connell, Head of Finance; Tricia O'Neill, Head of Personnel Services; Paul McGowan, Project Manager, Pay Modernisation Unit; Jim Pow, Manager of Finance, Housing, Environmental and Economic Development; Ken Graham, Manager of Lifelong Learning; Gill Graham, Section Head, Cultural Services; Stephen Brown, Head of Legal, Administrative and Regulatory Services and George Hawthorn, Senior Administrative Officer.

Apology: An apology for absence was submitted on behalf of Councillor John Millar.

Provost Denis Agnew in the Chair

URGENT ITEMS

In terms of Standing Order No. 7, as a matter of urgency, Provost Agnew agreed to accept motions from Councillors Bollan and Robertson in connection with the Vale of Leven Hospital. It was noted that these motions would be considered after the Open Forum.

OPEN FORUM

The following questions were submitted to the Council for consideration:-

(a) Mrs Irene McLean, Dumbarton – Condition of Cycle Path

The underpass at Greenhead Road, despite being cleaned on a regular basis, continues to have graffiti. Why can't anti-graffiti paint be used? This has been used in Edinburgh. The walkway/cycle path runs at the back of my house, as far as the East End pavilion. No repairs have been carried out. Whose responsibility is it?

Councillor Hendrie responded in the following terms:-

West Dunbartonshire Council is aware of, and currently utilises, anti-graffiti coating in its battle against graffiti vandalism across the authority. However the coating is not suitable for every surface and does not prevent graffiti; it merely makes it easier to remove. There is presently no such coating on the Greenhead underpass. However, officers will be instructed to consider whether it would be of benefit at this location and, if so, obtain a quotation for application.

I can advise that the cycle path/walkway falls within the Council's responsibility. Arrangements will be made to undertake an inspection of the area to identify any defects and these will be repaired as necessary.

Mrs McLean asked the following supplementary question:-

The cycle path is really in a bad condition but parts of the path beyond the football pavilion were repaired a few years ago. Why was the part of path behind Dumbuck Crescent not repaired at the same time?

Councillor Hendrie responded in the following terms:-

I will ask the appropriate officer to provide you with a response to your question as soon as possible.

Note: The undernoted response was sent to Mrs McLean:-

I can advise than an officer from Grounds Maintenance recently called at your home to discuss the matters raised however unfortunately you were not at home.

The officer walked the pathway/cycle track behind Dumbuck Crescent and, although it is not in pristine condition, the surface was found to be in a safe condition which does not present any trip hazards to pedestrians or danger to cyclists. Grounds Maintenance officers will monitor the surface of the pathway/cycle track for deterioration and instruct repairs if 'and when' they become necessary.

It is assumed that the section of pathway/cycle track which you refer to being resurfaced a few years ago would have been repaired as it was deemed to be in an unsafe condition at that time however the section at Dumbuck Crescent must have been considered to be of an acceptable standard.

In relation to graffiti at the underpass I can confirm that officers have established that the surface is suitable to be treated with anti-graffiti coating and a quote for this work has been sought from our contractor. Final approval for such work will be considered following receipt of the aforementioned quotation.

(b) Mr Iain Ellis, Knoxland Primary Parent Council, Dumbarton – Proposed Budget cuts in Education

The current proposals being considered for further budget cuts in education, which include a drastic reduction to a number of staff in the network support team and possible decentralisation of that service, are incredulous especially in light of the recent decisions made significantly and deliberately affecting the learning and teaching in Dumbarton.

How do you propose to deliver an inclusive, accessible education to all of our children and young people in West Dunbartonshire that will enable them to achieve their full potential, given the number of staff cuts proposed at the specialist support centre and more importantly what will this devised model of delivery look like?

Councillor Smillie responded in the following terms:-

West Dunbartonshire Council, in common with many Councils, is facing a very difficult financial situation over the coming year. All departments have been asked to prepare a list of savings options and Educational Services, as the largest Department, has to make a significant contribution to the savings required.

At the present time, the specific saving mentioned in Mr Ellis's question – a reduction in the Network Support Team – is merely one of many options. Elected Members will examine all options before arriving at a decision as to which savings options to accept. In coming to their decision, Members will make their judgement by taking into account a range of factors. However, one of the main factors will be the potential effect of any savings on the Department's ability to deliver a high quality education service for the young people in our schools.

URGENT ITEM – VALE OF LEVEN HOSPITAL

Councillor Bollan, seconded by Councillor Black, moved:-

This Council is deeply concerned that the Greater Glasgow & Clyde NHS Board has advised on 18/12/2007 the following services will be axed from the Vale of Leven Hospital as soon as possible.

- Medical Assessment Unit
- Coronary Care Unit
- Ward 6 Medical

- High Dependency Unit
- Ward 3 Medical

This Council calls on the Health Secretary Nicola Sturgeon to immediately intervene to halt the closure of these further services at the Vale Hospital.

We further call on Ms Sturgeon to make an urgent public statement which will not only secure the future of the Vale Hospital with all current services intact but will also give favourable consideration to returning key vital services already lost, Accident & Emergency, Maternity etc as soon as practicable.

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

This Council thanks the Health Minister Nicola Sturgeon for instigating the independent review of services at the Vale of Leven Hospital.

Council also thanks Professor Mackay and his panel for the open and fair way that the review was conducted and reported.

However, Council notes with extreme concern and disappointment the decision taken by Greater Glasgow and Clyde Health Board at its meeting yesterday (18 December 2007), to ignore the report and proceed with its plans to downgrade the Vale of Leven Hospital.

This Council instructs the Chief Executive to demand that the Chair and Chief Executive of the Greater Glasgow and Clyde NHS Board attend a meeting of the Council in January to explain the Board's decision to ignore the conclusions of the scrutiny panel and the views of the people of this community.

Following discussion and having heard Councillor Robertson, the Council agreed unanimously to approve both the motion and the amendment as a composite motion.

MINUTES OF PREVIOUS MEETINGS

(a) Ordinary Meeting held on 28 November 2007

The Minutes of the Ordinary Meeting of Council held on 28 November 2007 were submitted and approved as a correct record. It was noted that the response to Mr Coultas' supplementary question (Page XXX refers) would be included in the minutes prior to the production of the volume.

(b) Special Meeting held on 11 December 2007

The Minutes of the Special Meeting of Council held on 11 December 2007 were submitted and approved as a correct record.

MINUTES OF RECRUITMENT AND INDIVIDUAL PERFORMANCE MANAGEMENT COMMITTEE

(a) Meeting held on 29 October 2007

The Minutes of the Meeting of the Recruitment and Individual Performance Management Committee held on 29 October 2007 were submitted and noted.

(b) Meeting held on 30 October 2007

The Minutes of the Meeting of the Recruitment and Individual Performance Management Committee held on 30 October 2007 were submitted and noted.

(c) Meeting held on 31 October 2007

The Minutes of the Meeting of the Recruitment and Individual Performance Management Committee held on 31 October 2007 were submitted and noted.

In response to a question by Councillor Rooney, the Chief Executive informed the Council that the Executive Director of Corporate Services and Executive Director of Housing, Environmental and Economic Development would commence their respective appointments on 28 January 2008.

Provost Agnew took the opportunity to welcome Mr Lanagan to his first meeting of the Council as Executive Director of Educational Services.

AFFILIATIONS

With reference to the Minutes of the Meeting of the Council held on 29 August 2007, a report was submitted by the Chief Executive providing the Council with the additional information requested in respect of the work of the organisations to which this Council is affiliate and seeking a decision as to the renewal of those affiliations on an annual basis.

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

That the Council agrees:-

- (1) to continue its affiliation to all of the organisations shown in the Appendix to the report and to authorise officers to renew the annual membership fees as and when required;
- (2) to nominate Councillor Jonathan McColl to serve on the Scottish National Federation for the Welfare of the Blind and Councillor Jim Finn to serve on the Nuclear Free Local Authorities (Scotland); and
- (3) that, all future affiliation requests be referred to the Corporate and Efficient Governance Committee for consideration.

Having heard Councillor Black, Councillor J. McColl, agreed to accept the undernoted wording as an addendum to his motion:-

That, in addition to the above, this Council's delegates to COSLA should produce periodical reports on the business discussed at meetings of COSLA that they attend.

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

This Council agrees that we should affiliate with all the organisations outlined in the report.

Council also agrees that: (i) an appropriate officer represents Council on the Scottish National Federation for the Welfare of the Blind; and (ii) that Councillor Patrick McGlinchey is nominated as the Council representative in the Nuclear Free Local Authorities (Scotland).

Furthermore Council agrees that all requests to affiliate are brought to full Council meetings for consideration by all elected members.

On a vote being taken, 9 Members voted for the amendment and 12 for the motion (as amended) which was accordingly declared carried.

FORMATION OF CULTURE COMMITTEE/SUB-COMMITTEE

With reference to the Minutes of Meeting of the Housing, Environment and Economic Development Committee held on 7 November 2007 (Page XXX refers), a report was submitted by the Acting Executive Director of Housing, Environmental and Economic Development (Land and Environment) on the proposed formation of a Culture Committee/Sub-Committee, to be chaired by Provost Agnew, the Council's Ambassador for Culture.

The Council approved the undernoted motion by Councillor Robertson:-

Council agrees to the formation of a Corporate Cultural Sub-Committee of the Corporate & Efficient Governance Committee.

Council agrees that its membership will be 2 SNP Administration, 2 Opposition (Lab), 1 Opposition (Other) and the Council's Ambassador for Cultural Development, Provost Agnew, in the Chair. (The SNP nominations are Iain Robertson and Ronnie McColl).

Council instructs officers to provide a report to January Council detailing the remit of the Cultural Sub-Committee and noting any changes which will be required to Standing Orders.

PROPOSED UTILISATION OF CAPITAL PROCEEDS OF THOMAS HILL PAINTING

A report was submitted by the Chief Executive:-

- (a) informing the Council of the background to the sale from the Council's Fine Art Collection of 'Sir Donald Peak and Selkirk Glacier' by artist Thomas Hill; and
- (b) presenting a proposal to Council of four spending themes to enhance the Council's fine art assets and museum collections, utilising the residue of the capital proceeds from the sale of the Thomas Hill Painting.

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

That the Council takes no action and refers the report to the new Corporate Cultural Sub-Committee for consideration.

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

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

The Council agrees:-

- (1) to note the contents of the report and its aim to meet the aims of the Council's Cultural Strategy within a Best Value Framework and to promote public access to the Council's Fine Art and Museum Collection; conserving its fine art assets, and proposed bid for National Recognition;
- (2) to approve the proposals outlined in the report for the use of the residue from the sale of the Thomas Hill painting, namely:-
 - (i) to allocate £50,000 to enable a three year conservation programme for the Council's Fine Art works;
 - (ii) to allocate £15,000 to support the strategic purchasing of acquisitions and potential expertise, and to support a bid for National Significance for the WDC Singer collection;
 - (iii) to allocate £10,000 to facilitate the strategic acquisition of fine art works augmenting and enhancing the existing collection, thereby promoting improved and extended collections to public; and

- (iv) to ring fence £50,000 toward the development of a new gallery facility within West Dunbartonshire, to host the Council's fine art collection and touring exhibitions; any development being subject to an options appraisal carried out by appropriate WDC officers being agreed by the Council.

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

PROPOSED LONG TERM LOAN OF COLOURIST WORKS FROM WDC FINE ART COLLECTION

A report was submitted by the Director of Educational Services advising the Council of a proposed long term loan of Colourist works from the WDC fine art collection to the Loch Lomond and the Trossachs National Park Authority (NPA) and seeking approval to enter into negotiations to facilitate the loan.

Councillor Ronnie McColl, seconded by Councillor Robertson, moved:-

That the Council takes no action at this time.

In response to a question by Councillor Black, Councillor R. McColl, confirmed that it was his intention that the report be referred to the new Corporate Cultural Sub-Committee for consideration.

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

That the Council approves the recommendations of the report, as follows:-

The Council agrees:-

- (1) to note the proposal for a long term loan of the Colourist works from the fine art collection to the National Park Authority;
- (2) to instruct officers to initiate dialogue with the NPA with a view to addressing the issues raised within this report; and
- (3) subject to the above issues being resolved satisfactorily, to a long term loan of the Colourist works to the National Park Authority; this loan being reviewed by annual reports to future meetings of the full Council.

The Chief Executive and the Section Head – Culture were heard in answer to Members' questions.

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

SCOTLAND EXCEL – THE CENTRE OF PROCUREMENT EXPERTISE FOR LOCAL GOVERNMENT IN SCOTLAND

A report was submitted by the Chief Executive asking the Council to approve West Dunbartonshire Council's full participation in Scotland Excel with effect from 1 April 2008.

Councillor C. McLaughlin, seconded by Councillor Robertson, moved;-

That the Council agrees:-

- (1) that West Dunbartonshire Council becomes a full member of Scotland Excel for an initial three-year period and on the basis of the funding model, governance arrangements and terms and conditions outlined in appendices 2-5 of the report;
- (2) to approve the Council's membership to Scotland Excel from 1 April 2008 at an annual cost of £66,822 (2008/2009), £68,605 (2009/2010) and £70,347 (2010/2011);
- (3) to appoint the Spokesperson for Corporate Services to serve on the Joint Committee once it is formally established;
- (4) that an annual report be put before Members detailing all savings generated by the organisation; and
- (5) that officers put in place procedures to enable voluntary organisations to access the service provided by Excel.

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

That this Council does not get involved with the organisation and in so doing saves the tax payers of West Dunbartonshire £66,822 in the first year, £68,805 in the second year and £70,347 in the third year. In addition, officers of this Council should be given the task of ensuring best value in all purchases made on behalf of the Council.

The Head of Finance was heard in response to Members' questions and confirmed that the draft revenue estimates would be issued to all Councillors in early January 2008.

On a vote being taken, 2 Members voted for the amendment and 19 for the motion which was accordingly declared carried.

GENERAL SERVICES REVENUE BUDGETARY CONTROL REPORT: PERIOD 7 (2007/2008)

A report was submitted by the Chief Executive advising of the performance of the General Services Revenue Budget for the period to 15 November 2007.

Councillor McLaughlin, seconded by Councillor Robertson, moved:-

That the content of the report be noted.

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

This Council notes the Revenue budget overspend of £396,000 as at 15 November, 2007.

Council is concerned about the fifteen areas that show an adverse variance greater than £25,000.

Council is particularly concerned about the adverse costs in the following budgets: (i) Special Schools; (ii) Residential Accommodation for Young People; (iii) Residential Accommodation for Elderly; (iv) Homeless Persons; and (v) Sundry Services.

Council therefore calls on the minority SNP Administration to bring forward to the January Council meeting a paper explaining the detail and the corrective action that they are taking to bring these areas back on budget.

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

GENERAL SERVICES CAPITAL BUDGETARY CONTROL REPORT: PERIOD 7 (2007/2008)

A report was submitted by the Chief Executive providing the Council with an update on the General Services Capital Plan for 2007/2008.

After discussion, the Council approved the updated capital plan as outlined in Appendices I, II and III to the report (as shown in the appendix to these minutes).

FINANCIAL SETTLEMENT 2008/2009

A report by the Chief Executive informing the Council on the revenue and capital allocations awarded to the Council by the Scottish Government for 2008/09 was submitted (circulated at the meeting) for consideration.

The Head of Finance explained to the Council that he had only received the information from the Scottish Government on Thursday, 13 December 2007 and therefore there had not been sufficient time to issue a report with the agenda. He went on to explain the content of the report and was heard in answer to Members' questions.

Councillor McLaughlin, seconded by Councillor Robertson, moved:-

That the content of the report be noted.

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

This Council notes that the increase in the resources provided in the block grant from Her Majesty's Treasury to the Scottish government is 1.7% per annum over three years. This 1.7% increase is confirmed by the independent Scottish Parliament Information Centre.

Council also notes that the SNP manifesto promised an additional £2.2bn for local government in real terms, yet they have delivered less than £500m for services.

Of this, £210m is already ring fenced for the council tax freeze. West Dunbartonshire Council will receive a disappointing £1.2m ring fenced monies in 2008 to support the introduction of this freeze in Council Tax, this is less than an inflationary uplift in Council Tax would bring in.

In addition the ring fencing of resources for a Council Tax freeze means that there is only £175m left for local government to fund services and implement the SNP's manifesto. This equates to a 0.5% increase.

Council further notes that the SNP has now admitted that police pensions and the £34m for disabled children and their families will have to be met from the £175m.

Council is deeply disappointed with the financial settlement, particularly the limited growth in Local Authority budgets which can only mean savage cuts in public services.

Council therefore calls on the Leader of the Council to seek an urgent meeting with the Finance Secretary in order to obtain additional monies to meet the unfunded identified needs in West Dunbartonshire.

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

It was noted that the Council would set its budget on 14 February 2008.

ADJOURNMENT

Having heard Provost Agnew, the Council agreed to adjourn for a short period.

The meeting reconvened at 9.15 p.m. with all those Members shown on the sederunt in attendance.

**HRA 2007/2008 BUDGETARY CONTROL STATEMENT TO 15 NOVEMBER 2007:
PERIOD 7 (2007/2008)**

A report was submitted by the Acting Executive Director of Housing, Environmental and Economic Development (Housing & Regeneration Services) containing information on the progress of the Housing Revenue Account 2007/2008 up to 15 November 2007 (Period 7).

The Council agreed to note the report.

RIVER CLYDE EMERGENCY

At this point, Provost Agnew informed the Council that a tug had overturned in the River Clyde near Clydebank and that three men had been reported as missing.

**HRA CAPITAL PROGRAMME 2007/2008 BUDGETARY CONTROL STATEMENT
TO 15 NOVEMBER: PERIOD 7 (2007/2008)**

A report was submitted by the Acting Executive Director of Housing, Environmental and Economic Development (Housing & Regeneration Services) on the progress of the HRA Capital Programme 2007/2008 up to 15 November 2007 (Period 7).

Having heard Councillor C. McLaughlin, the Council agreed to note the terms of the report.

ADAPTATIONS AND EQUIPMENT

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

- (a) providing the Council with information on a decision made by the Social Work and Health Improvement Committee on 21 November 2007 concerning the permanent commitment of additional resources towards special needs adaptations and equipment;
- (b) providing the Council with information on the performance in his area relating to waiting lists and progress towards reducing waiting lists arising from the increase of the capital budget for this to £1 million for 2007/2008; and
- (c) providing the Council with options on the future funding of this area of work.

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

This Council recognises the ongoing annual problem of the demands on the aids and adaptations services.

The Council also recognises that there is need to develop a long term sustainable aids and adaptations service.

The Council also notes that the only way to achieve such a sustainable service is in partnership with the NHS, similar to the partnership working pioneered by Councillor Ronnie McColl in 2002.

To that end the Council agrees the following:-

1. The Convener of Social Work, Leader of the Opposition (or shadow spokesperson) and the Executive Director of Social Work and Health meet the NHS to develop a long term sustainable joint solution to the aids and adaptations service.
2. In line with the officer's report, this Council agrees to retain temporary staff on a fixed term basis until June 2008 to clear the remainder of the waiting list.

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

That the Council approves the earlier decision of the Social Work and Health Improvement Committee on 21 November 2007 as follows:-

- (1) that the four temporary posts in the Occupational Therapy Team establishment be made permanent positions; and
- (2) that the sum of £300,000 be transferred from the Council's reserves to the Special Needs Adaptations and Equipment budget.

Having heard Councillor R. McColl, Councillor Bollan agreed that the following wording be included as an addendum to his amendment:-

The Convener of Social Work, Leader of the Opposition (or shadow spokesperson) and the Executive Director of Social Work and Health meet the NHS to develop a long term sustainable joint solution to the aids and adaptations service.

Thereafter, Councillor J. McColl agreed to withdraw his motion and accordingly Councillor Bollan's amendment (as amended to include the addendum) became the motion and was approved by the Council.

DECLARATIONS OF INTEREST

Councillors Hendrie, J. McColl, R. McColl and McAllister declared an interest in the following item of business and left the meeting during the deliberation thereon.

Provost Agnew, Councillor Black and Councillor Rooney declared a non-financial interest in the item but remained within the Chambers and took part in the decision thereon.

In response to a comment by Councillor Black, the Head of Legal, Administrative and Regulatory Services provided further information on whether or not councillors should remain within the chambers.

SINGLE STATUS – UPDATE

A report was submitted by the Chief Executive:-

- (a) providing an update on the progress of the implementation of the Single Status Agreement within West Dunbartonshire Council;
- (b) providing an update on consultations with Trades Unions and the barriers that exist to securing a collective agreement; and
- (c) detailing work undertaken since June 2007 and the outstanding work required to implement Single Status and fulfil the Council's statutory responsibilities to meet equal pay.

The Chief Executive, the Head of Human Resources and Organisational Development and the Head of Legal, Administrative and Regulatory Services were heard in response to Members' questions.

ADJOURNMENT

Having heard Councillor Rooney, the Council agreed to adjourn for a short period.

The meeting reconvened at 10.15 p.m. with all those Members shown on the sederunt in attendance with the exception of Councillors Hendrie, J. McColl, R. McColl and McAllister.

Councillor Robertson, seconded by Councillor Smillie, moved:-

Given the complexity of the situation and that the Council will receive a full report and be asked to make a final decision in March/April 2007, the Council agrees:-

- (1) to the proposals to conclude the Job Evaluation process;
- (2) to commence a staff consultation exercise as detailed in paragraph 3.5 of the report in February 2008; and
- (3) to conclude negotiations and report progress to the Council.

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

This Council agrees to conclude discussions with the Trade Unions on the basis of implementing a “no detriment” clause into the final agreement. The “no detriment” clause will cover all existing employees and will include all existing salary and conditions, and agreements, which are in force at the present time.

The Head of Legal, Administrative and Regulatory Services informed the Council that if the amendment was carried then the Council would be open to legal challenge and therefore he would need to reserve his position as an officer.

Thereafter, the Council agreed to proceed by way of a roll call vote.

On a vote being taken, 2 Members voted for the amendment (namely Councillors Black and Bolland) and 15 for the motion (namely Provost Agnew, Councillors Bootland, Brown, Calvert, Casey, Finn, McBride, McElhill, McGlinchey, C McLaughlin, W. McLaughlin, McNair, Robertson, Rooney and Smillie).

The motion was accordingly declared carried.

At this point Councillors Hendrie, McAllister, J. McColl and R. McColl returned to the meeting.

RENTON COMMUNITY EDUCATION CENTRE, RENTON

A report was submitted by the Chief Executive updating the Council on progress in relation to the disposal of Renton Community Education Centre and seeking a decision on a way ahead.

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

Council reaffirms its will to transfer the Renton CE Centre at nil cost to the community.

Council does however accept the criticism of Audit Scotland pertaining to this transfer and accepts that the Council has a responsibility to protect the public purse and to ensure that this asset is used for Community purposes and is not sold upon transfer.

Council understands that the Renton Community Trust need the option to borrow money secured to the property to allow them to develop and enhance this facility for the good of the people of Renton.

To this end, Council instructs the Legal Officer and his staff to enter into fresh negotiations with the Renton Community Trust to ensure that the community have this facility in their control.

These negotiations should include the possibility of the Council having second charge rights on the asset allowing the trust to borrow against it while protecting the community from the possibility of the asset being sold.

Officers should report the outcome of negotiations to the meeting of Council in February.

It was clarified that the reference to 'protecting the community' in the second last paragraph of the motion meant protecting the Council and the public purse.

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

That this Council agrees to honour the original decision made on 28 February 2007 to transfer the Renton CE Centre at nil cost to the community of Renton, with no additional burdens on the titles or restrictions.

At this point, Councillor Bollan requested that permission be granted to Mr Archie Thomson, Renton Community Trust, to speak to the Council on the issue. The Council agreed to hear Mr Thomson.

Mr Thomson thanked the Council for allowing him to speak and went on to explain some of the difficulties which the Trust's solicitors had in agreeing the terms of the transfer with the Council's solicitors and concluded by asking the Council to support Councillor Bollan's amendment.

After hearing Mr Thomson in answer to Members' questions and the Head of Legal, Administrative and Regulatory Services in response to some of the issues raised, Mr Thomson returned to the public gallery.

On a vote being taken, 2 Members voted for the amendment and 19 for the motion which was accordingly declared carried.

VARIATION IN ORDER OF BUSINESS

Having heard Provost Agnew, the Council agreed to vary the order of business as hereinafter minuted.

NOTICE OF MOTION

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

Kippen Dairy Site

(i) Report by Acting Executive Director of Housing, Environmental and Economic Development (Housing & Regeneration Services)

A report was submitted by the Acting Executive Director of Housing, Environmental and Economic Development (Housing & Regeneration Services) providing the Council with background information, option appraisal and recommendations in respect of the undernoted motion concerning the Kippen Dairy site, Alexandria.

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

This Council reaffirms its commitment to facilitate the development of a health centre in Alexandria town centre.

The Council also notes with concern the seemingly entrenched position of the Community Health Partnership (CHP) to use the site at the hospital as the preferred location.

The Council recognises that the CHP has made no commitment and if the Council were to transfer the land at minimal cost, there is no guarantee that the CHP would build on the Kippen Dairy site.

In addition, the Council notes that the site owned by Dunbritton, which would be essential to the development, would not be transferred at nil value contrary to the motion and statements made in public.

The Council also notes that Cordale Housing Association has developed a potential alternative solution that could facilitate the medical centre being built on the Kippen Dairy site and could enable the Council to realise its asset and the community's aspiration for a town centre health facility.

To that end the Council agrees to:-

Reaffirm its commitment to facilitate the development of the medical centre on the Kippen Dairy site.

Council instructs the Chief Executive to meet with CHP and Cordale Housing Association to explore all available options. Once those options have been appraised they should be reported back to the next meeting of the Council for a decision to be made on the disposal of the site.

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

This Council agrees to sell the Kippen Dairy site to Greater Glasgow Health Board for £1. The value of the site is around £500,000. The Kippen Dairy site includes the small site in Susannah Street recently donated at no cost to WDC by Dunbritton Housing Association.

This land transfer will facilitate the building of a new Health Centre on the Kippen Dairy site, if approved by GGHB & the Health Minister, Nicola Sturgeon.

There is almost universal support amongst local people, groups and small businesses for the new Health Centre to be built in the Town Centre.

WDC agrees to make this investment in the health of the local population as our contribution to ensuring the retention of this vital primary health care service in a Town Centre location which not only best meets the needs of health care patients, but will also assist in the economic regeneration of Alexandria Town Centre.

The Council agreed to proceed by way of roll call vote.

On a vote being taken, 2 Members voted for amendment (namely Councillors Black and Bollan), 9 Members voted for the motion (namely Provost Agnew, Councillors Brown, Finn, Hendrie, McElhill, J. McColl, R. McColl, C. McLaughlin, Robertson and Smillie) and 9 Members abstained (namely Councillors Bootland, Calvert, Casey, McAllister, McBride, W. McLaughlin, McGlinchey, McNair and Rooney).

The motion was accordingly carried.

(ii) Motion by Councillor Bollan – Kippen Dairy Site

As Councillor Bollan had moved his motion as an amendment in the previous item, it was noted that the motion could not be moved again.

ADJOURNMENT

Having heard Provost Agnew, the Council agreed to adjourn for a short period of time to allow some of the officers present to leave the meeting.

COMPLIMENTS OF THE SEASON

Provost Agnew took the opportunity to wish the officers a Merry Christmas and a Happy New Year.

The meeting reconvened at 12.00 midnight with all those Members shown on the sederunt in attendance with the exception of Councillors Bootland and McAllister who left the meeting.

QUESTIONS

(a) Question to the Leader of the Council from Councillor Gail Casey

On 13 November the Leader of the Council agreed to freeze Council Tax in 2008, without knowing the details of the Council's financial settlement. However by 19 December we will know how much West Dunbartonshire Council needs to run local public services and we will also know exactly how much we will get from the Scottish Government to do this.

Given that the Leader of the Council now has the full facts and in the spirit of openness and transparency will he now tell the people of West Dunbartonshire:-

- What services he will cut?
- How many jobs he will sacrifice?
- What funding will be removed from partner organisations?

Councillor Robertson, Leader of the Council responded in the following terms:-

I recognise that for the first time the new Scottish Government has provided a fund to allow ever Council in Scotland to deliver a 0% Council Tax rise.

Councils will only receive this if they do not increase Council Tax. West Dunbartonshire's share is just over £1.2million. This equates to around a 3.2% Council Tax rise.

Over the past ten years, successive Labour Administrations in West Dunbartonshire have raised Council Tax by around 50%. This minority SNP Administration are not going to add to the misery of the hard pressed Council Tax Payer in West Dunbartonshire.

I can assure Councillor Casey that no service will be cut, no job lost and no funding will be affected by not raising Council Tax as long as any proposed rise is less than 3.2%.

However, the lowest financial settlement from the Labour West Minister Government since devolution will have an effect on service provision.

The minority SNP Administration are in discussions with officers, trade unions and the community to ensure we deliver the best budget possible under the circumstances.

The SNP notes that the Labour group refused to be part of a Working Group to specifically look at all options to deliver a Council budget in February. Indeed the Labour opposition have gone on record as saying they would prepare their own budget.

As the Labour budget may well be approved in February, the SNP urges the Labour group to follow our lead and fully consult with the trade unions and inform the unions, before Christmas, which services in the budget options book will definitely not be taken by the Labour Opposition.

We would suggest that this is the only way forward if the Labour Party are fully committed to being open and transparent.

I am also concerned at comments made by Wendy Alexander indicating that the Labour Party in the Scottish Parliament are looking to reintroduce ring-fencing. This shows no trust in local government.

I will be writing to Wendy Alexander to express my views on this issue and I invite the Leader of the Labour Opposition to countersign the letter.

(b) Question to Councillor Jonathan McColl from Councillor Marie McNair

For the past six years West Dunbartonshire Council has supported the West Dunbartonshire Violence Against Women Partnership. (Formerly the West Dunbartonshire Domestic Abuse Partnership).

What assurances will Councillor Jonathan McColl give Council that the funding levels for the West Dunbartonshire Violence Against Women Partnership will at least be retained to the same levels as the previous Administration?

Councillor Jonathan McColl responded in the following terms:-

I'd like to start by thanking Cllr McNair for giving me this opportunity to thank the local Women's Aid group for a very informative and moving presentation at my recent visit.

At the meeting of the Council's Social Work & Health Improvement Committee on Wednesday 21st November, members were asked to consider a progress report of the achievements of West Dunbartonshire's Violence Against Women Partnership.

Members present, namely Councillors Jim Bolland, Gail Casey, Patrick McGlinchey, Martin Rooney, May Smillie and myself in the chair unanimously agreed among other things, the following two key points:

- West Dunbartonshire Council will support the work of WDVAVP in line with the development of its Action Plan for 2006-08.
- and
- West Dunbartonshire Council will continue to fully fund the valuable work of the Partnership and Women's Aid to at least the same level of support that they have obtained over recent years.

West Dunbartonshire Violence Against Women Partnership provide a lifeline to women in desperate need of their help. The SNP Administration fully supports this decision and we will continue to support this unique service.

(c) Question to Councillor May Smillie from Councillor John Millar

In 2005 the then Labour Administration agreed to a £1m capital spend to improve sports facilities throughout West Dunbartonshire.

In 2006 it was agreed that this additional investment should be spent as part of the Council's Sports Strategy.

Despite a request for a progress report in June 2007, no reports have been presented to elected members.

Given that Labour's flagship PPP project has achieved a satisfactory conclusion with the support of SNP colleagues; in the interest of openness and transparency, what assurances can Councillor Smillie give to ensure that a progress report is presented to elected members early in the New Year?

The Council noted that as Councillor Millar was not present the question could not be asked.

NOTICES OF MOTION

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

(a) Motion by Councillor Jonathan McColl – Health Improvement Agenda

This Council notes the corporate objective to increase levels of physical activity in our communities on page 19 of our corporate plan.

With this in mind, the Council instructs officers to bring a report to the January Housing, Environment & Economic Development Committee meeting. This report should explore the feasibility of running a six month pilot to extend the employee discount scheme to the immediate families* of our employees.

The purpose of this will be to:-

- Increase ease of access to leisure and fitness services.
- Increase volume of users of leisure and fitness services.
- Promote exercise.
- Improve the health of our communities.
- Work towards our corporate objective to increase levels of physical activity in our communities.

**Employee's Immediate Family is defined here as Spouses, Civil Partners, Co-Habiting Partners, Parents, Children and Siblings of employees.*

Councillor McColl was heard in support of his motion which was seconded by Councillor Robertson.

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

This Council notes that elected members and staff are currently entitled to subsidised rates when using Council Sports & Leisure Facilities.

The proposal to extend this subsidy to the 'immediate family' of elected members and staff is both misguided and unfair.

Any proposed subsidy should either be universal and benefit all residents of West Dunbartonshire or be specifically targeted to meet an identified need.

The Motion from Councillor Jonathan McColl is ill thought out. It is not about Health Improvement it is about extending a subsidy to family members.

This Council should concentrate limited resources on removing barriers rather than extending inequality.

Following discussions and concerns expressed by certain Councillors, it was agreed that to avoid any difficulties with Councillors voting on an issue on which they had an interest, Councillors would not qualify for any extended employee discount scheme.

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

(b) Motion by Councillor Bollan – Kippen Dairy Farm

It was noted that this item had been dealt with earlier in the meeting.

(c) Motion by Councillor Jim Bollan – Bellsmyre Neighbourhood Forum

Historically, as per the constitution of Bellsmyre Neighbourhood Forum, WDC has provided Committee Admin support to this group for minute taking, etc. This has been discontinued due to a lack of resources within the Committee Admin section.

Therefore as an interim measure for one year to allow BNF to secure replacement admin services previously provided by WDC, this Council agrees to award a grant of £750 from Dumbarton Common Good Fund to BNF. This will allow the admin support to be provided for the one year period after which it is hoped alternative arrangements can be put in place.

Councillor Bollan was heard in support of his motion which was seconded by Provost Agnew.

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

Council appreciates the range of difficulties faced by the voluntary and community sector across West Dunbartonshire and welcomes the positive intervention of the West Dunbartonshire Council for Voluntary Services (WDCVS) in this matter. WDCVS have offered 6 months free administrative support to the Bellsmyre neighbourhood Forum (BNF) as an interim measure.

This offer in kind from the CVS financially exceeds the £750 requested and offers BNF the opportunity to develop its financial procedures, independence and capacity as a fully self-sufficient organisation supporting and developing the community of Bellsmyre.

Having heard Councillor Calvert, Councillor Smillie agreed to accept the undernoted wording as an addendum to her amendment.

Council therefore invites Bellsmyre Neighbourhood Forum to apply to the Council's Local Grants budget for appropriate funding to meet their needs.

Council officers are instructed to support the Bellsmyre Neighbourhood Forum in sourcing appropriate training for their members and to identify partners that could provide an administrative service such as Bellsmyre Housing Association.

On a vote being taken, 16 Members voted for the amendment (as amended to include the above addendum) and 3 voted for the motion. The amendment (as amended) was accordingly carried.

(d) Motion by Councillor Margaret Bootland – Single Status & Equal Pay

This Council notes with extreme concern the conflicting information regarding Single Status that is emerging in ways that are causing distress to staff.

Council therefore calls on the Chief Executive, in conjunction with the recognised Trades Unions, to bring forward a progress report to the next Council Meeting.

The report is to include:

- A statement of progress to date.
- The strategy being applied to achieve an agreed resolution of all outstanding issues.
- An estimate of current & future costs.

In the absence of Councillor Bootland, it was agreed that this motion should not be considered.

(e) Motion by Councillor David McBride – Manifesto Commitments

This Council notes the promises of the SNP Government and Administration to deliver on their manifesto commitments, specifically to deliver:

- a decrease in class sizes for P1 to P3 by 2010;
- an increase of 50% in nursery provision;
- increased sports facilities in all schools;
- an additional support fund for children with additional support needs;
- the provision of new school buildings throughout West Dunbartonshire;
- an increase in funding for free personal care;
- extra support for carers; and
- tackling drug rehabilitation.

Council therefore calls on the minority SNP Administration to bring forward fully costed and timetabled plans for implementation of these commitments to the January Council meeting for consideration as an integral part of the budget process.

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

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

This Council recognises the new relationship between national and local government. The concordat between COSLA and the Government that was signed by all political leaders heralds a new beginning for Local Government as equal partners in the governance and delivery of services to our communities.

With regards to Councillor McBride's specific questions, the SNP manifesto commitments are for a full term of government. All the educational points will be dealt with as we go through the schools regeneration programme phases one and two. Regular updates will be given to Council as that programme proceeds.

With regards to free personal care, this is currently the subject of ongoing discussions between ministers and COSLA as I am the Local Government Spokesperson for Health and Wellbeing and lead for COSLA on this subject, I will give a commitment to keep members informed of how things progress.

I can advise members that two meetings have been held in recent months and another is scheduled for January.

Finally, drug rehabilitation is an area which is vital to West Dunbartonshire and I instruct officers to prepare a report for a future Council meeting, no later than the March Council, advising what is provided both internally and externally in the provision of this service, looking in particular at areas of duplication and omission.

On a vote being taken, 10 Members voted for the amendment and 7 voted for the motion. The amendment was accordingly carried.

(f) Motion by Councillor Geoff Calvert – Compulsory Redundancies

This Council agrees that it will not impose compulsory redundancies on Council staff or partner organisations by default as a consequence of this budget round.

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

Councillor Calvert explained that he intended the motion to be read as complementary to the Organisational Change Policy and he did not see the motion as preventing compulsory redundancies as a last resort.

Following questions from Members, the Head of Legal, Administrative and Regulatory Services was heard and expressed concerns that, despite Councillor Calvert's intentions, the motion did not sit readily with the Council's established policy on organisational change and it could be read as imposing a time restricted policy of no compulsory redundancies. It is generally accepted that no local authorities should place themselves in such a position and the motion did not appear to meet the Best Value criteria in that it did not appear to have been fully reasoned, costed, justified and supported by an options appraisal. Mr Brown further expressed concerns as to the effect that the motion could have on the Council's dealings with partner organisations and the Council's discretion to fund such organisations.

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

This Council notes the comments and views of the legal officer. The Council notes that it is unable to force partner organisations to commit to a no redundancy policy, but this Council reaffirms its commitment to Council staff by making all reasonable efforts to avoid compulsory redundancies.

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

(g) Motion by Councillor Patrick McGlinchey – Dumbarton Academy Secondary School

The absolute commitment to build a new Dumbarton Academy as the Council's highest priority for a large-scale capital spending project is welcomed by all Councillors and the entirety of the Dumbarton schools communities.

Council therefore instructs the Leader of the Council and the Convener of Education & Lifelong Learning, with appropriate officer support, to meet with relevant Scottish Ministers to discuss the possible funding sources for a new build Dumbarton Academy.

A full report of the meeting and the funding options is to be presented to a future meeting of West Dunbartonshire Council at the earliest opportunity.

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

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

This Council notes that the decision to remove Dumbarton Academy was agreed by member from both political groups. However the Council expresses concern that Councillor David McBride and Jackie Baillie MSP are attempting to mislead the public into believing that the Labour Party did not support the removal of Dumbarton Academy from the PPP project.

To ensure this misleading view is corrected the Council agrees that the Council Leader should invite the Councillor and MSP to clarify the facts to the public in the local press.

This Council notes that members have already made a firm commitment to building a new Dumbarton Academy as soon as practical.

The Council notes that the report on the second phase of education regeneration is due early in the New Year.

Given that any new Dumbarton Campus plans will have to be different from the failed application and may even possibly require relocation to a new site, detailed parent and stakeholder consultation is essential.

To that end the Council agrees that officers should engage a twin approach. Firstly to develop funding options for the second phase of schools regeneration, as already agreed by the

Council, but also to develop and consult on the scope of a new Dumbarton Campus.

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

Note: Councillor McBride left the meeting at this point.

(h) Motion by Councillor Martin Rooney – Management & Control of Housing

This Council notes that for almost 30 years small scale stock transfer and the 'right to buy' has encouraged the transfer of the management & control of housing from the Public sector to the Private sector.

Council acknowledges that the transfer of 4,205 council houses from public control to private control, between May 1996 and May 2007, clearly demonstrates that the principle of public ownership of housing has been severely undermined over the last three decades by national housing policies.

Council further notes that the completion of the Housing Needs Study and the imminent production of the Standard Delivery Plan to meet the Scottish Housing Quality Standard by 2015, means that West Dunbartonshire Council will soon be in a position to consider the future of our housing stock. The future of housing in West Dunbartonshire will depend on an agreement either to endorse full stock transfer, or partial stock transfer or full retention of stock by the Council.

In order to reach agreement, this Council affirms that all Council tenants will be given all relevant information and will be encouraged to engage with the consultation process. The preferred option of the tenants will direct the Council in its decision making.

Should tenants agree to either full or partial stock transfer, then the Council must consider whether to transfer to one receiving Registered Social Landlord (RSL) or to consider multiple transfers to a combination of RSLs. This Council agrees that it will only consider multiple transfers if a Common Housing Register is in place between all the receiving Registered Social Landlords.

Given the above, this Council instructs the Chief Executive to bring forward a report containing a full options appraisal which looks to any possible transfer of Council housing stock being considered on a strategic rather than a piecemeal basis.

In order to ensure elected member involvement and support of the process a short term working group comprising: 2 Labour; 2 SNP and 1 Independent/SSP Councillors should be formed to help develop the strategy.

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

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

This Council notes that failure of the previous administration's policy of partial stock transfer. It also expresses deep concern that this policy resulted in millions of pounds of inward investment to regenerate local areas being lost by this Council.

It is however important that members accept the need to comply and meet the Scottish Quality housing standard, and require to take action to do so.

The Council agrees that tenants should be at the heart of regenerating their own areas. This position signifies a significant change in housing policy by the both Council and Scottish Government.

The Council agrees that the policy of trickle transfers will be considered on a case by case basis, but any such transfer should be backed up by either an area master plan or form part of a wider regeneration plan.

The Council also agrees that any tenants remaining with the Council should not be penalised or disadvantaged financially due to such transfers. To that end any future transfers should at the very least cover the residual debt owed on the transferring properties. (Any receipts generated from such transfers should be applied to HRA loan debt).

Council agrees that it must act as the catalyst to stimulate tenants and agrees the following:-

- A Common Housing Register should be seen as a priority and as such should be raised at the local housing association forum by the Convener of HEED.
- Priority areas for regeneration should be identified by officers using the early action study, asset plan; housing needs study and standard delivery plan. Once identified tenants and partner agencies in these area will be assisted to explore all the options available to them to regenerate their communities. This priority list however should not be prescriptive, and other areas that have a desire to regenerate their areas should be assisted where practical.

- To develop the priority areas a short term working group involving 2 elected members (1 Administration and 1 Opposition), 1 member of the federation and 1 member of the ACRG should be convened to report back to the Council no later than February.

On a vote being taken, 10 Members voted for the amendment and 6 voted for the motion. The amendment was accordingly carried.

The meeting closed at 1.30 a.m.