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## EDUCATION COMMITTEE

### Minutes

Tuesday 3 September 2002 at 10.30 a.m.  
Council Hall, Council Offices, Dumfries

#### Present

#### Members

<b>Tommy Sloan</b> (Chairman)	-	Stranraer North
<b>Fred Murray</b> (Vice Chairman)	-	Luce
<b>Ian Callander</b>	-	Lochvale
<b>Andrew R Campbell</b> (Convener)	-	Castle Douglas – Urr
<b>James H Dempster</b>	-	Sanquhar & District
<b>John W Forteach</b> (Leader of the Council)	-	Marchmount
<b>Allan Graham</b>	-	Solway Border
<b>Ivor A Hyslop</b>	-	Nithsdale East
<b>William B Lockhart</b>	-	Moffat
<b>Jane S Maitland</b>	-	Kirkcudbright - Bengairn
<b>Joan Mitchell</b>	-	Cree
<b>Thomas A McAughtrie</b>	-	Troqueer
<b>George L McBurnie</b>	-	Palmerston
<b>Moira McCrossan</b>	-	Primary Teacher Representative
<b>Sandra McDowall</b>	-	Wigtown
<b>Neil McKay</b>	-	Mid Nithsdale
<b>John McMillan</b>	-	Secondary Teacher Representative
<b>Robert McQuistan</b>	-	Church Representative
<b>William G Nimmo</b>	-	Lochside
<b>Wilma Paterson</b>	-	Annan West
<b>George Prentice</b>	-	Stewartry North
<b>Elizabeth J Smith</b>	-	Church Representative

#### Apologies

<b>Helen Bell</b>	-	Dalbeattie - Milton
<b>Andrew O Bell-Irving</b>	-	Hoddum & Kinmount
<b>Robert Higgins</b>	-	Stranraer East
<b>Canon John Walls</b>	-	Church Representative

#### Officials

<b>Philip N Jones</b>	-	Chief Executive
<b>Fraser Sanderson</b>	-	Director for Education
<b>John Young</b>	-	Committee Services Manager

**James M Smith**  
Secretary to the Council

20 Members present

1. **MINUTE OF MEETING** of 2 July 2002

**Decision** -

APPROVED.

2. **REVENUE BUDGET MONITORING REPORT 2002/2003 AS AT 26 JULY 2002** - Report dated 21 August 2002 by Director for Education

**Decision** -

2.1 AGREED the budget adjustments for 2002/2003 referenced A012 to A016 and VOO4 to VOO6 in Appendix 2 of the report.

NOTED -

2.2 that the projected out-turn detailed shows a balanced budget after taking into account the adjustments listed;

2.3 the balance of £284,000 in the Service Reserve, available to meet contingencies; and

2.4 the indicative budgets for 2003/2004 - £107,329,384 - and 2004/2005 - £108,963,326

AGREED -

2.6 to implement McCrone Support Staff developments at the 'expected' level of expenditure i.e. £977,000 in 2002/2003 and £1,629,000 in 2003/2004 utilising funding of £27,000 in 2002/2003 and £1,104,000 from the provision for McCrone implementation;

2.7 that as an interim measure, pending confirmation of the National Priorities Action Fund settlement, £213,000 be ring-fenced from the Education Service Reserve to provide funding in the current year for McCrone Support Staff developments at the 'expected' level leaving £71,000 for other contingencies; and

2.8 to receive a report to the October Education Committee detailing specific proposals for use of the Support Staff monies.

**Member - James H Dempster** entered the meeting - 21 Members present

3. **EDUCATION CAPITAL PROGRAMME 2002/2003 - UPDATE AS AT 20 AUGUST 2002** - Report dated 21 August 2002 by Director for Education

**Decision** -

- 
- 3.1 NOTED the updated Capital Programme for 2002/2003.
- 3.2 APPROVED the changes to the detailed Capital Programme contained in Appendix 1 to the report.
- 3.3 NOTED that the current projection for the S94 maintenance block represented an over commitment of £17,000 compared to the available consent of £3.082m and that the programme would be managed to ensure final out-turn was within the consent.

**3A SCHOOLS' PUBLIC/PRIVATE PARTNERSHIP** – Report dated 27 August 2002 by Chief Executive

**Decision** –

AGREED –

- 3A.1 that, subject to ratification by the full Council, Roger Guy be designated (Schools) PPP Lead Project Officer to lead the project and to oversee the work of the officers currently undertaking specialist work, for a period to be determined by the Chief Executive and that this role be undertaken along with other duties identified by the Chief Executive; and
- 3A.2 submission of progress reports.

**4. NEW OPPORTUNITIES FUND (NOF) FUNDING FOR PHYSICAL EDUCATION AND SPORTS DEVELOPMENT – DRAFT BID** - Report dated 28 August 2002 by Director for Education

**Decision** –

APPROVED –

- 4.1 the proposals for the Activities Programme; and
- 4.2 the proposals for the Facilities Programme – Outdoor Education
- 4.3 NOTED that an extension of a few weeks for submission of the Facilities Programme – School-based projects might be acceptable.
- 4.4 AGREED that local Members be consulted on the list of priorities for the Facilities Programme – School-based with a report to the October Committee.

**Member – Thomas A McAughtrie** left the meeting – 20 Members present

**5. SPECIAL EDUCATION – EUROPEAN SOCIAL FUND (ESF) GRANT - APPLICATION** - Report dated 20 August 2002 by Director for Education

**Decision -**

- 5.1 NOTED the potential risks associated with the project and the proposals to minimise these.
- 5.2 AGREED to the progression of this project and the establishment of the associated temporary posts, subject to approval and evaluation by Personnel Services.
6. **PROPOSED CLOSURE OF ST CUTHBERT'S R C PRIMARY SCHOOL, KIRKCUDBRIGHT** - Report dated 21 August 2002 by Director for Education

**Decision -**

AGREED to enter into formal procedures to close St Cuthbert's R C Primary School with immediate effect.

**Members – William G Nimmo** entered the meeting and **Thomas A McAughtrie** returned to the meeting – 22 Members present

7. **CRANNOG SERVICE** - Report dated 26 August 2002 by Director for Education
- 7.1 NOTED the interim findings of the evaluation of Crannog currently being undertaken by the University of Stirling.
- 7.2 APPROVED the continuation of the Crannog Service without the need for re-tendering for the reasons detailed in the report, within the normal contractual obligations contained in the service specification.
- 7.3 AGREED submission of a further report on alternative services and the possibility of looking at approved contractor status.

**Members – John Forteach** left the meeting – 21 Members present

8. **TEACHING PROFESSION FOR THE 21<sup>ST</sup> CENTURY – STRATEGIC ISSUES IN DUMFRIES AND GALLOWAY – REPORT TO CONVENTION OF SCOTTISH LOCAL AUTHORITIES** - Report dated 22 August 2002 by Director for Education

**Decision -**

NOTED and APPROVED the submission to the Convention of Scottish Local Authorities as representing the key issues arising for Dumfries and Galloway Council from the implementation of the teachers' pay and conditions agreement "A Teaching Profession for the 21<sup>st</sup> Century.

9. **FUNDING FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS** - Report dated 21 August 2002 by Director for Education

**Decision** -

- 9.1 NOTED the response received from Scottish Executive Education Department to concerns raised regarding the basis of funding for the education of children with special educational needs.

AGREED –

- 9.2 a response for onward transmission to the Scottish Executive Education Department.
- 9.3 that an approach should be made to COSLA on the subject.

**Members – John Forteath** returned to the meeting - 22 Members present

10. **WALLACE HALL ACADEMY** - Report dated 26 August 2002 by Director for Education

**Decision** -

NOTED the information on the combining of the re-roofing and re-wiring projects at Wallace Hall Academy and changes to the phasing of the proposed works.

**Member – Andrew Campbell** left the meeting – 21 Members present

11. **PERFORMANCE MEASURES – STAFF VACANCIES AND RECRUITMENT 2001/2002 – STAFF ABSENCE – SUMMER 2002** - Report dated 23 August 2002 by Director for Education

**Decision** -

NOTED -

- 11.1 the information on staff vacancies and recruitment;
- 11.2 the steps being taken to address the issue of teacher recruitment, including Investors in People;
- 11.3 the current level of sickness supply cover costs; and
- 11.4 the progress made in implementing the Staff Absence Policy

12. **SPECIAL EDUCATIONAL NEEDS AND DISABILITY ACT 2001 – EDUCATION (DISABILITY STRATEGIES AND PUPILS’ EDUCATIONAL RECORDS) (SCOTLAND) ACT 2002** - Report dated 26 August 2002 by Director for Education

**Decision** -

NOTED the recently enacted disability legislation, and the formation of a task group to consider the implications of the new legislation and produce an accessibility strategy by April 2003.

13. **HER MAJESTY’S INSPECTORATE OF EDUCATION (HMIE) FOLLOW-UP INSPECTION OF COMMUNITY EDUCATION IN STRANRAER** - Report dated 19 August 2002 by Director for Education

**Decision** –

NOTED -

- 13.1 the very positive follow-up report on the inspection of Community Education in Stranraer;
- 13.2 that action taken by the Council in securing additional funding to improve staffing levels for the Adult Education Service was highly commended by HM Inspectorate of Education; and
- 13.3 that the good practice in Youth Work identified during the HMIE follow-up inspection resulted in a visit by Cathy Jamieson, Minister for Education and Young People.

14. **NOTE OF DECISIONS OF EDUCATION SUB-COMMITTEES** – Report dated 23 August 2002 by Director for Education

**Decision** -

NOTED the teaching appointments made and the decision of the Exclusion Appeal Panel.



## HOUSING SERVICES COMMITTEE

3 SEPTEMBER 2002

### MINUTES

#### Present

#### Members

<b>Tom Holmes</b> (Chairman)	-	Loreburn
<b>George L McBurnie</b> (Vice Chairman)	-	Palmerston
<b>John Agnew</b>	-	Rhins (North)
<b>Andrew Campbell</b> (Convener)	-	Castle Douglas - Urr
<b>James H Dempster</b>	-	Sanquhar & District
<b>John W Forteath</b> (Leader of the Council)	-	Marchmount
<b>Alistair Geddes</b>	-	Whithorn
<b>Patsy Gilroy</b>	-	Kirkcudbright - Tarff
<b>Beth Gordon</b>	-	Lochar
<b>Neil McKay</b>	-	Mid Nithsdale
<b>David McKie</b>	-	Lincluden
<b>Joan Mitchell</b> (Depute Leader)	-	Cree
<b>Bill Nimmo</b>	-	Lochside
<b>Willie Scobie</b>	-	Stranraer (South)
<b>Tommy Sloan</b>	-	Stranraer (North)
<b>Donald R Urquhart</b>	-	Maxwelltown
<b>Lavinia Vaughan</b>	-	Dryfe & Lockerbie East

#### Apologies

<b>Kathleen Davidson</b>	-	Dalbeattie - Craginair
<b>John Ramage</b>	-	Annan (East)

#### Tenant Representatives

<b>Vince Beck</b>	-	Troqueer
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#### Officials

<b>Gordon Lawson</b>	-	Head of Accountancy and Exchequer Services
<b>John Lynch</b>	-	Head of Client Services
<b>Jim O'Neill</b>	-	Head of Service Development
<b>James Smith</b>	-	Secretary to the Council
<b>Pam Smith</b>	-	Sold Property Manager
<b>Steve Southam</b>	-	Head of Housing Development

**James M Smith**  
Secretary to the Council

16 Members present.

**1. MINUTE OF HOUSING SERVICES COMMITTEE OF 2 JULY 2002**

Decision

1.1 APPROVED.

Member: Jim Dempster joined the meeting - 17 members present.

**PROCEDURE**

**The Chairman intimated that with the agreement of the meeting he intended to deal with item 8 on the agenda next.**

**8. STRUCTURAL REPAIRS AT TROQUEER, DUMFRIES - report dated 21 August 2002 by Head of Client Services**

Decision

8.1 NOTED the progress achieved on the plan to address structural disrepair at Troqueer.

8.2 AGREED to offer to purchase the 2 private flats at the open market value without knowledge of the structural repairs.

**2. STOCK TRANSFER - POST BALLOT PROCESS - report dated 27 August 2002 by Head of Client Services**

**VOTE:**

2.1 **MOTION** by **JOAN MITCHELL** seconded by **DONALD URQUHART**

- (i) Agree the staffing proposals set out in this report.
- (ii) Agree the proposals for managing the HRA from now until actual transfer.
- (iii) Agree the five key areas of activity between now and actual transfer.

2.2 **AMENDMENT** by **TOMMY SLOAN** seconded by **WILLIE SCOBIE**

- Do not accept (i) and to bring a report to October Committee re the posts to be transferred and their impact plus outstanding remits.

On a vote being taken by roll call, Members voted as follows:

2.3 **Motion** - 12 votes being Tom Holmes, George McBurnie, John Agnew, Andrew Campbell, John Forteath, Patsy Gilroy, Beth Gordon, Joan Mitchell, Neil McKay, Bill Nimmo, Donald Urquhart, Lavinia Vaughan.

2.4 **Amendment** - 5 votes being James Dempster, Alistair Geddes, David McKie, Willie Scobie, Tommy Sloan.

Decision

2.5 **AGREED:**

- the staffing proposals (of staff secondment of 6/7 housing employees to DGHP);
- the proposals for managing the HRA from now until actual transfer (essential works);
- and



- the five key areas of activity between now and actual transfer (facilitate DGHP's needs to ready themselves to take over all landlord responsibilities, maintain front line services to tenants, ensuring all landlord obligations are met, manage the capital programme on the principle of 'essential works only', develop the HRA completion statements, completion accounts and manage the impact of the transfer on the General Fund and develop the Council's new strategic responsibilities and implement Housing (Scotland) Act statutory requirements).

Members: Jim Dempster and Andrew Campbell left the meeting - 15 members present.

**3. HOUSING SERVICES: BUDGET MONITORING - OUTTURN 2002/03 - report dated 16 August 2002 by Head of Client Services**

Decision

3.1 NOTED:

- the budgetary position on the Housing Revenue Account for 2001/02 - overall underspend of £1,056,106;
- the transfer of £13,595 to earmarked reserves in order to fund security work in offices in the 2002/03 financial year; and
- the budgetary position on General Fund Housing for 2001/02 - overall overspend of £24,243.

**4. HOUSING SERVICES: BUDGET MONITORING REPORT 2002/03 - report dated 16 August 2002 by Head of Client Services**

Decision

4.1 NOTED:

- the budgetary position on the Housing Revenue Account - projected underspend of £37,838; and
- the budgetary position on the General Fund Housing - net expenditure of £1,690,810.

Member: Andrew Campbell rejoined the meeting - 16 members present.

**5. HOUSING CAPITAL PROGRAMMES - UPDATE - report dated 27 August 2002 by Head of Client Services**

Decision

5.1 NOTED the information on budgets/expenditure and the forecast underspend of £392,214.00 on the HRA capital programme for 2002/03.

5.2 AGREED:

- to not implement the projects for IT equipment, Rendering at Chapel Court, Wigtown and the Reserve List;
- a budget of £85,000 to remove asbestos from 34 houses at Troqueer;
- to increase the budget for Minor Capital Work to £567,000; and
- to bring a further report to October Committee detailing the project on Energy efficiency (Solid Fuel).

Members: Tommy Sloan, John Forteath and Willie Scobie left the meeting - 13 members present.

**6. HOUSING REVENUE ACCOUNT: TENDER RETURNS - report dated 14 August 2002 by Head of Client Services**

Decision

6.1 NOTED the tenders accepted.

6.2 AGREED to accept the lowest tenders for projects ER040 - Rerendering 5 Properties at Gair and Langholm at a cost of £68,000 and HP012 - Replace heating systems to 12 properties at Victoria Terrace, Kirkpatrick Fleming at a cost of £62,000.

Member: Tommy Sloan rejoined the meeting - 14 members present.

**7. PERFORMANCE REPORT- dated 19 August 2002 by Head of Client Services**

Decision

7.1 NOTED the performance information presented.

Member: John Forteath joined the meeting - 15 members present.

**9. HOUSING (SCOTLAND) ACT 2001 - SCOTTISH SECURE TENANCY IMPLEMENTATION - report dated 14 August 2002 by Head of Client Services**

Decision

9.1 AGREED to follow the amended SST implementation plan

9.2 NOTED the position in relation to water and sewerage charges relating to Council tax debt.

Members: Patsy Gilroy left and Willie Scobie rejoined the meeting - 15 members present.

**10. HOUSING (SCOTLAND) ACT 2001 - IMPLEMENTATION OF HOMELESSNESS DUTIES - report dated 21 August 2002 by Head of Client Services**

Decision

10.1 NOTED:

- that early discussions suggest private sector solutions for accommodation are likely to represent a more expensive option than using our own properties or those made available by other Registered Social Landlords; and
- that Moorheads is no longer available to Housing Services to be developed as homeless accommodation.

10.2 AGREED:

- that a further report be presented to the October Housing Services Committee detailing the financial implications of the private landlord schemes outlined in this report;
- that detailed negotiations take place with Two Castles Housing Association regarding the provision of the homeless accommodation in Annandale and Eskdale and this be the subject of a further report to the Housing Services Committee;
- that Laurieknowe, Dumfries, is developed as accommodation for medical students and subject to Loreburn Housing identifying alternative accommodation for homeless people; and
- to lease 5 St Mary Street from Loreburn Housing Association at a cost of £4,500 per annum based on their current rent setting policy.

Members: David McKie, Tommy Sloan and Bill Nimmo left the meeting - 12 members present.

**11. HOMELESS SUPPORT SERVICE - SHELTER - report dated 27 August 2002 by Head of Client Services**  
Decision

11.1 AGREED:

- to reassign the £70,000 previously allocated for children's services in 2002/2003 from Scottish Executive Homelessness Implementation funding to project start up costs; and
- to recommend to the Finance Sub Committee that provision is made for a potential funding risk of up to £54,000 for 2002/2003.

Members: Donald Urquhart, Andrew Campbell, Joan Mitchell, Lavinia Vaughan left the meeting - 8 members present.

**12. HOMELESSNESS BILL - SCOTTISH EXECUTIVE CONSULTATION PAPER - report dated 15 August 2002 by Head of Client Services**  
Decision

12.1 NOTED the contents of the report and appendix; and

12.2 AGREED to respond to the Executive as suggested in Paragraph 4 and Appendix 2 of this report.

**13. DISPOSAL OF 25 MAIN STREET, KIRKCOLM - report dated 1 August 2002 by Head of Client Services**  
Decision

13.1 AGREED:

- that the property at 25 Main Street, Kirkcolm is surplus to Housing Service's requirements and
- to recommend to the Property Management Sub Committee that the land is disposed of in accordance with the Council's procedures.

**14. DISPOSAL OF THE SCHOOLHOUSE, THORNHILL - report dated 1 August 2002 by Head of Client Services**  
Decision

14.1 AGREED:

- that the property at The Schoolhouse, Thornhill is surplus to Housing Services requirements and
- to recommend to the Property Management Sub Committee that the land is disposed of in accordance with the Council's procedures.

**15. MINUTE OF TENANT PARTICIPATION SUB COMMITTEE OF 29 AUGUST 2002**  
Decision

15.1 APPROVED.




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## ENVIRONMENT AND INFRASTRUCTURE

### Minutes

Tuesday 10 September 2002 at 10.30am in the Council Offices, English Street, Dumfries

#### Present

<b>Tony Turner</b> (Chairman)	-	Annan Central
<b>Michael Thomson</b> (Vice-Chairman)	-	Criffel
<b>Ian Callander</b>	-	Lochvale
<b>Andrew Campbell</b> (Convener)	-	Castle Douglas - Urr
<b>Ken Cameron</b>	-	Heathhall
<b>Brian Conchie</b>	-	Georgetown
<b>John Dinwoodie</b>	-	Canonbie & Kirtle
<b>Grahame Forster</b>	-	Rhins South
<b>John Forteath</b> (Leader)	-	Marchmount
<b>Alistair Geddes</b>	-	Whithorn
<b>Tony Gilbey</b>	-	Stewartry West
<b>Robert Higgins</b>	-	Stranraer East
<b>Ivor Hyslop</b>	-	Nithsdale East
<b>William Lockhart</b>	-	Moffat
<b>Sandra McDowall</b>	-	Wigtown
<b>Sean Marshall</b>	-	Chapelcross
<b>George Prentice</b>	-	Stewartry North
<b>Bert Saunders</b>	-	Kirkconnel
<b>Thomas Sloan</b>	-	Stranraer North

#### Apologies

<b>Lavinia Vaughan</b>	-	Dryfe & Lockerbie East
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#### Officials

<b>Bill Allanson</b>	:	Head of Strategy and Transportation
<b>David Archibald</b>	:	Head of Personnel Services
<b>Donald Fullarton</b>	:	Chief Building Control Officer
<b>Roger Guy</b>	:	Director for Environment and Infrastructure
<b>Jim Smith</b>	:	Planning and Environmental Consultancy Group Manager
<b>Alistair M Speedie</b>	:	Accountable Officer Infrastructure/Waste Management/Environmental Services/Finance
<b>Eric Wilson</b>	:	Head of Development Planning
<b>John Young</b>	:	Committee Services Manager

James M Smith  
Secretary to the Council

18 Members present

1. **MINUTES OF MEETING OF 9 JULY 2002 (previously circulated)**

**Decision**

**APPROVED**

2. **MINUTES OF MEETING OF 25 JULY 2002 (previously circulated)**

**Decision**

**APPROVED**

3. **02/P/20188 PLANNING PERMISSION FOR THE ERECTION OF A DWELLINGHOUSE AT ERNESPIE ROAD, CASTLE DOUGLAS – Report by Head of Development Planning**

**Decision**

**APPROVED** subject to a Section 75 agreement.

4. **02/P/30163 PLANNING PERMISSION FOR FORMATION OF VEHICULAR ACCESS AT ROXBURGH HOUSE, MAIN ROAD, LOCHARBRIGGS – Report by Head of Development Planning**

**VOTE**

**MOTION – Ken Cameron** seconded by **Thomas Sloan** that the application be approved on the grounds that the development did not give rise to a material degree of land use conflict; it did not detract from the character and appearance of the buildings in the area; the standards imposed were not consistent with other access points for individual houses in a 30 miles an hour speed restricted area and was therefore not contrary to Local Plan Policy DEV 1.

**AMENDMENT – Ian Callander** seconded by **Sandra McDowall** that the application be refuse on the grounds that the proposal would prejudice road safety, by introducing an additional vehicular access which is below Council standards and contrary to established practice, thus, creating a land use conflict contrary to Local Plan Policy DEV1.

On a vote taken by roll call:-

**MOTION**

Ken Cameron  
Andrew Campbell  
John Dinwoodie  
Grahame Forster  
Tony Gilbey  
Robert Higgins

Ivor Hyslop  
William Lockhart  
Sean Marshall  
Bert Saunders  
Thomas Sloan

**AMENDMENT**

Tony Turner  
 Michael Thomson  
 Ian Callander  
 Brian Conchie

John Forteath  
 Sandra McDowall  
 George Prentice

**Decision**

**APPROVED** on the grounds that the development did not give rise to a material degree of land use conflict; it did not detract from the character and appearance of the buildings in the area; the standards imposed were not consistent with other access points for individual houses in a 30 miles an hour speed restricted area and was therefore not contrary to Local Plan Policy DEV 1.

*Member – Alistair Geddes entered the meeting (19 Members present)*

PROCEDURE - Items 24 and 25 were considered prior to Item 5.

**24. BUILDING CONTROL – SERVICE QUALITY AND RESOURCES – Report dated 29 August 2002 by Director for Environment and Infrastructure**

**VOTE**

**MOTION – Andrew Campbell** seconded by **John Forteath** to increase the establishment by up to 5 Building Control Officers at this time with a further report; to receive a further report on the details of budgetary allocation for 2003/04 and beyond to sustain employment of these posts; to request the Corporate Services Committee to consider favourably the Personnel/grading issues referred to in the conclusions and to report to the Finance Sub-Committee on ongoing financial requirements.

**AMENDMENT - Tony Gilbey** seconded by **Ivor Hyslop** to defer consideration meantime pending Council restructuring and the Service Review.

On a vote taken by roll call

**MOTION**

Tony Turner  
 Michael Thomson  
 Ian Callander  
 Ken Cameron  
 Andrew Campbell  
 Brian Conchie  
 John Dinwoodie  
 Grame Forster

John Forteath  
 Alistair Geddes  
 Robert Higgins  
 William Lockhart  
 Sandra McDowall  
 Sean Marshall  
 George Prentice  
 Thomas Sloan

**AMENDMENT**

Tony Gilbey

Ivor Hyslop

**ABSTEINTION**

Bert Saunders

**Decision****AGREED**

- 24.1 To increase the establishment by up to 5 Building Control Officers at this time with a further report.
- 24.2 To receive a further report on the details of budgetary allocation for 2003/04 and beyond to sustain employment of these posts.
- 24.3 To request the Corporate Services Committee to consider favourably the Personnel/grading issues referred to in the conclusions.
- 24.4 To report to the Finance Sub-Committee on ongoing financial requirements.

**25. DEVELOPMENT CONTROL – STAFFING ARRANGEMENTS TO SERVICE CONJOINED AREA COMMITTEES – Report dated 3 September 2002 by Director for Environment and Infrastructure****Decision****AGREED**

- 25.1 To replace the Area Planning Manager (West) post with two Area Planning Managers, one for Stewartry and one for Wigtown, with associated adjustments to staffing levels.
- 25.2 To proceed to implement the proposals.

*Members – Thomas Sloan and John Forteach left the meeting (17 Members present)*

**5. CAPITAL EXPENDITURE PLAN 2003/2004 AND FUTURE YEARS – Report dated 22 August 2002 by Director for Environment and Infrastructure****Decision****AGREED**

- 5.1 The recommended Environment and Infrastructure Outline Capital Plan for 2003/2004 and future years.
- 5.2 The addition of the Lockerbie Station Footbridge Project to the Capital Plan with a allocation bid for a £10,000 contribution.

*Member – John Forteach re-entered the meeting (18 Members present)*

**6. CAPITAL EXPENDITURE PROGRAMME 2002/2003: FINANCE AND PROGRESS REPORT - Report dated 16 August 2002 by Director for Environment and Infrastructure**

**Decision**

6.1 **NOTED** the funding and progress of the projects/programmes.

**AGREED**

- 6.2 An amendment to the Road Lighting (Undergrounding) Programme, i.e. replacement of five projects.
- 6.3 The detailed estimated cost for Twiglees (B723) Bridge and amended detailed estimated cost for Ervie Manse (C21(W)) Bridge within the Bridge Structural Maintenance Programme and to their implementation.
- 6.4 The detailed estimated cost for Drummore Sea Wall, the additional cost of £25,000 to be accommodated within the overall Revenue budget and to the project's early implementation.
- 6.5 The engagement of specialist Consultant GeoData Institute on a negotiated rates basis to advise on climate change, in particular tidal and coastal changes.
- 6.6 The allocation of the appropriate part of any slippage funding from within the overall Maintenance Block funding to the Bridge Structural Maintenance Programme.
- 6.7 To implement the additional projects through CFCR, i.e. Litter Collection Machine (£20,000), Improved Lighting for CCTV Cameras (£50,000) and Burial Ground Extensions (£50,000) and to include Johnstonebridge cemetery extension.

*Member – Bert Saunders left the meeting (17 Members present)*

**7. REVENUE EXPENDITURE 2002/03 MONITORING REPORT – Report dated 12 August 2002 by Director for Environment and Infrastructure**

**Decision**

**NOTED** the predicted underspend of £21,000.

*Members – Sean Marshall and Robert Higgins left the meeting (15 Members left)*

PROCEDURE - Items 11,12,13, and 14 were taken prior to Item 8.

**11. ROADS AND INFRASTRUCTURE SERVICE: HARBOUR MAINTENANCE WORKS – Report dated 26 August 2002 by Director for Environment and Infrastructure**

**Decision**

**AGREED** to undertake works in priority order within the funding available in the capital expenditure programme and utilising up to £72,000 from the Committee's general reserve.



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**12. ROADS AND INFRASTRUCTURE SERVICE: FORESTRY ROUTES MANAGEMENT STRATEGY – Report dated 29 August 2002 by Director for Environment and Infrastructure**

**Decision**

**AGREED** to co-fund the road friendly vehicle and Black Esk/Castle O'er projects with £9,000 each from the Forestry Routes Management Strategy allocation.

*Members – Sean Marshall and Bert Saunders re-entered the meeting (17 Members present)*

**13. ROADS AND INFRASTRUCTURE SERVICE: JETPATCHER TRIAL – Report dated 29 August 2002 by Director for Environment and Infrastructure**

**Decision**

**AGREED** the utilisation of £52,000 from the Committee's reserve towards the purchase of a Jetpatcher.

*Members – Robert Higgins re-entered the meeting and Brian Conchie left the meeting (17 Members present)*

**14. ROADS AND INFRASTRUCTURE SERVICE: BUDGET AND EXPENDITURE – Report dated 29 August 2002 by Director for Environment and Infrastructure**

**Decision**

**NOTED** the committed expenditure figures.

*Member – Brian Conchie re-entered the meeting (18 Members present)*

**8. PUBLIC TRANSPORT SERVICE DEVELOPMENT AND FORWARD BUDGETING - Report dated 2 August 2002 by Director for Environment and Infrastructure**

**Decision**

**AGREED** to make a bid to the Finance Sub-Committee to utilise the additional monies for public transport in 2002/03 and 2003/04 in pursuance of the Council's policies.

**9. 2002/2003 AIP PROGRAMME AND SPEED CAMERAS – JOINT POLICE PROJECT – PROPOSED MEASURES – Report dated 12 August 2002 by Director for Environment and Infrastructure**

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**Decision**

**AGREED** that the identified AIP measures be implemented in priority order within the total capital allocation of £95,000, with consideration and inclusion if appropriate of A711 at Dalskairth/Longwood and B721 Eastriggs.

**10. SCOTTISH EXECUTIVE CYCLING, WALKING AND SAFER STREETS FUND – Report dated 19 August 2002 by Director for Environment and Infrastructure**

**Decision****AGREED**

- 10.1 To allocate the additional funding of £20,000 for 2002/2003 Cycling, Walking and Safer Streets to a link between the Caledonian Cycleway and Dumfries High School.
- 10.2 To allocate funds from the Scottish Executive Cycling, Walking and Safer Streets fund for 2003/2004 to Safer Streets on an area basis (£40,000) cycling facilities in Annan, Castle Douglas and Newton Stewart (£30,000), a cycling/walking path between Moffat and Beattock (£20,000), a cycling/walking path between Carluith and Creetown (£45,000) and cycle parking in Langholm and Dalbeattie (£7,000).
- 10.3 To request the Scottish Executive to give consideration to providing matched funding for the Carluith to Creetown cycle link and to developing a strategy for opportunities for cycleway facilities along the A75 corridor between Gatehouse of Fleet and Stranraer.

**15. PORTPATRICK FLOOD PREVENTION SCHEME: STRANRAER FLOOD STUDY – Report dated 30 August 2002 by Director for Environment and Infrastructure**

**Decision****AGREED**

- 15.1 The revised estimate of £130,000 for this financial year's costs for Portpatrick and Stranraer
- 15.2 The revised scheme cost estimate.
- 15.3 To meet the additional cost of preparatory work on the Portpatrick scheme from the Committee's general reserve, and virement within existing resources, to be identified as part of on-going monitoring.
- 15.4 To seek approval from the Finance Sub-Committee for the remaining costs for preparatory work in respect of Stranraer, £35,000, to be met from this Committee's general reserves.
- 15.5 To abandon the 1990 Portpatrick Flood Prevention Scheme.

**16. DUMFRIES SOUTHERN SECTOR ACCESS STRATEGY: ST MICHAEL STREET ONE WAY AND STRATEGY PUBLICITY – Report dated 12 August 2002 by Director for Environment and Infrastructure**

**Decision**

- 16.1 **NOTED** the Consultants' conclusions.

**AGREED**

- 16.2 To retain the one-way operation in St Michael Street North.  
16.3 To explore further measures to improve public awareness and access into St Michael Street North.

*Member – Sean Marshall left the meeting (17 Members present)*

**16A. DUMFRIES SOUTHERN SECTOR ACCESS STRATEGY – Report dated 4 September 2002 by Director for Environment and Infrastructure**

**Decision****AGREED**

- 16A.1 To the detailed estimate for the modification to signal control of the Craigs Road/St Michael Street junction and that the works be implemented.  
16A.2 The virements within the Strategy to achieve funding for the improvement.

*Member – Brian Conchie left the meeting (16 Members present)*

**17. THE FUTURE DEVELOPMENT OF AIR TRANSPORT IN THE UNITED KINGDOM: A NATIONAL CONSULTATION – Report dated 14 August 2002 by Director for Environment and Infrastructure**

**Decision****AGREED**

- 17.1 To respond to the “*Future Development of Air Transport in the United Kingdom*” consultation documents, based on the terms of the report with additional reference to West Freugh and Belfast.  
17.2 To liaise with COSLA and the Glasgow Prestwick Airport Consultative Committee in developing a response to this consultation.

**18. GRANTS TO OUTSIDE BODIES – Report dated 13 August 2002 by Director for Environment and Infrastructure**

**Decision**

**AGREED** the grant contributions – British Horse Society (Scotland) (£500), Assoc. for the Protection of Rural Scotland (£100), Architectural Heritage Society for Scotland (£200)

**19. THE ANNAN CATCHMENT CO-ORDINATION PLAN – Report dated 14 August 2002 by Director for Environment and Infrastructure**

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**Decision****AGREED**

- 19.1 To welcome the publication of the Annan Catchment Co-ordination Plan.
- 19.2 To develop where practicable the provisions of the Action Plan, contained within the Annan Catchment Co-ordination Plan, where the Council is identified as the lead or a partner organisation.

**20. DUMFRIES AND GALLOWAY NATURAL HERITAGE PROJECT: POTENTIAL BID FROM NATURAL HERITAGE LOTTERY FUND – Report dated 16 August 2002 by Director for Environment and Infrastructure**

**Decision**

- 20.1 **NOTED** and welcomed the initial response from the Heritage Lottery Fund to the outline bid for The Solway Firth Heritage Scheme.

**AGREED**

- 20.2 To undertake further discussions with Local Area Partnerships and Community Initiatives to identify community based projects which may be successfully included in the themed bid.
- 20.3 To bring forward further reports on staffing and funding implications as necessary to ensure a successful outcome.

*Members – Bert Saunders and Ken Cameron left the meeting and Sean Marshall re-entered the meeting (15 Members present)*

**21. LITTLE HOUSES IMPROVEMENT SCHEME: DUMFRIES AND GALLOWAY REGION REVOLVING FUND – Report dated 19 August 2002 by Director for Environment and Infrastructure**

**Decision****AGREED**

- 21.1 Appropriate management arrangements be put in place between the Council and Solway Heritage to implement the successful operation of a building restoration scheme with similar objects to the original National Trust for Scotland Scheme.
- 21.2 The National Trust for Scotland be requested to make the balance of funds remaining in the Dumfries and Galloway Region Revolving Fund available to Solway Heritage as soon as possible.

**22. LOCAL BIODIVERSITY ACTION PLAN – REPORT ON PROGRESS AND STAFFING – Report dated 15 August 2002 by Director for Environment and Infrastructure**

**Decision**

- 22.1 **NOTED** the successful progress in implementing the Local Biodiversity Action Plan for Dumfries and Galloway to date.

**AGREED**

- 22.2 To approach Scottish Natural Heritage regarding future grant aid to support biodiversity/ecology work.
- 22.3 To receive a further report.

**23. SCOTTISH WATER/SEPA: PROVISION OF INFRASTRUCTURE FOR PLANNED DEVELOPMENT – Report dated 28 August 2002 by Director for Environment and Infrastructure**

**Decision**

**AGREED**

- 23.1 To identify Dumfries, Castle Douglas, Langholm, Lockerbie and Dalbeattie as the five recommended priority settlements for Scottish Water Investments under the Rural Investment Programme.
- 23.2 To continue to highlight to the Scottish Executive that there was a need for further investment to address the scale of the infrastructure constraints for planned development affecting Dumfries and Galloway.
- 23.3 To press for further such allocations for Rural areas through COSLA etc.

## SOCIAL SERVICES COMMITTEE

### Minutes

Meeting of Tuesday 10 September 2002  
at 2.00pm in the Council Offices, English Street, Dumfries

### Present

### Members

<b>David McKie</b> (Chairman)	-	Lincluden
<b>Jock Purdie</b> (Vice Chairman)	-	Castle Douglas - Dee
<b>Helen Bell</b>	-	Dalbeattie - Milton
<b>Andrew Campbell</b> (Convener)	-	Castle Douglas - Urr
<b>Kathleen Davidson</b>	-	Dalbeattie - Craignair
<b>John Forteath</b> (Leader)	-	Marchmount
<b>Tony Gilbey</b>	-	Stewartry
<b>Beth Gordon</b> (Depute Convener)	-	Lochar
<b>Robert Higgins</b> (Depute Leader)	-	Stranraer East
<b>Thomas E Holmes</b>	-	Loreburn
<b>Jane Maitland</b>	-	Kirkcudbright - Bengairn
<b>Denis Male</b>	-	Langholm & Upper Eskdale
<b>George McBurnie</b>	-	Palmerston
<b>Wilma Paterson</b>	-	Annan West
<b>Allan Wright</b>	-	Cairn Valley

### Apologies

<b>Patsy Gilroy</b>	-	Kirkcudbright - Tarff
<b>Joan Mitchell</b> (Depute Leader)	-	Cree
<b>William Nimmo</b>	-	Lochside
<b>Bert Saunders</b>	-	Kirkconnel
<b>Tommy Sloan</b>	-	Stranraer North

**John Ross** - Chairman, NHS Dumfries & Galloway

### Officials

<b>Keith Makin</b>	-	Director for Social Services
<b>Philip N Jones</b>	-	Chief Executive
<b>Carol Henshall</b>	-	Principal Officer - Secretariat

**James M Smith**  
Secretary to the Council

**12 Members Present**

- 0.1 Procedure- Chairman opened the meeting and advised that, with the consent of members, it was his intention to take an additional item of business first on the agenda. Meeting adjourned at 2.00pm to allow members to read the report and reconvened with 12 Members present, at 2.05pm

**1. MINUTE OF MEETING OF 9 JULY 2002****Decision****NOTED**

**Members Andrew Campbell and George McBurnie entered the meeting - 14 Members present**

**2. MINUTES SOCIAL SERVICES SUB-COMMITTEE – Meeting of 19 August 2002****Decision****APPROVED****2A. COMMUNITY PLANNING – LANGHOLM AND ESKDALE : SERVICES FOR OLDER PEOPLE – Report by Director for Social Services dated 12 August 2002****Decision**

**AGREED** that the report “Housing Needs of Older People in Eskdale” be accepted as the basis for the local database for the strategic planning of services for older people in Langholm and Eskdale recognising ongoing research and the requirement to update the data based on the latest census information.

**3. SOCIAL SERVICES REVENUE BUDGET MONITORING REPORT 2002/2003**  
– Report by Director for Social Services dated 23 August 2002

**Decision**

**NOTED**

- 3.1 that, overall, Social Services was projected to outturn on budget in 2002/03.
- 3.2 the significant overspend forecast for children's services, offset by under spends in other areas and acknowledged that these variances were being addressed by management and a series of reports would be presented to Members providing options for the Committee on the action to be taken to bring all elements of the Social Services budget into balance with the first report being presented to the October Committee.
- 3.3 **AGREED** the virements as follows;
- 3.3.1 Aids to Daily Living transfer from Earmarked Reserve £4,000
- 3.3.2 Home Care SVQ Training Recharge to Commercial Services Group £16,000
- 3.3.3 Free Personal Care Transfer of Budget £293,000

**4. CHARGING POLICY - EQUIPMENT AND ADAPTATIONS** – Report by Director for Social Services dated 23 August 2002

**Decision**

**AGREED** that equipment and adaptations with a value of £50 or over would continue to be subject to the Charging Policy for community based social care services

**5. BUSINESS RISK MANAGEMENT (SOCIAL SERVICES PILOT)** Report by Directors for Social Services and Finance and Corporate Services dated 26 August 2002

**Decision**

- 5.1 **NOTED** the progress on the pilot business risk management exercise which was underway within the Social Services Department
- 5.2 **AGREED** to receive a presentation from Zurich Municipal Management Services, open to all Members, for the afternoon of Wednesday 30<sup>th</sup> October 2002

**Members John Forteath entered the meeting and Denis Male left the meeting -14**  
**Members present**



**6. PROPOSED CAPITAL BUILDING PROJECTS - SOCIAL SERVICES 2003-9**  
 – Report by Director for Social Services dated 28 August 2002

**Decision**

**APPROVED**

6.1 the bid for the 3 projects as follows;

Project 1 Activity and Resource Centres 2003-2005-Total Bid £60,593

Project 2 Maintenance of Social Services Office Buildings 2003-8 Total Bid  
 £251,111

Project 3 Maintenance Children's Services 2003/4-Total Bid £100,303

**AGREED**

6.2 to submit these to the Capital Planning Process for further consideration

6.3 that further reports on the progress of the funding bid be presented to Committee

**Member Andrew Campbell left the meeting – 13 Members present**

**7. HOME CARE PURCHASING BUDGET : ADULTS (16-65) WITH A  
 PHYSICAL DISABILITY** – Report by Director for Social Services dated 8<sup>th</sup> August  
 2002

**Decision**

**NOTED**

7.1 the current position as detailed in the report

7.2 the progress on discussions with stakeholders, in particular the setting up of the  
 representative task group to begin work on the strategy by developing a set of core  
 principles to underpin the strategy; and reviewing the Eligibility and Priority  
 Framework to achieve a better alignment between levels of need and dependency and  
 the range of care options

7.3 the work in progress to negotiate a Joint Funding Agreement with the NHS, an aligned  
 budget for high dependency care packages, and a multi-agency panel to consider these

7.4 that the development of the strategy needed to be a fully inclusive process and the  
 intention to have this completed in preliminary form by December 2002

7.5 that a further report would then be presented to the Committee which would contain  
 the strategy with an outline of the budgetary implications and options

7.6 the continuing pressure on the budget and the need to consider this as part of next  
 years budget setting process

7.7 **AGREED** to increase the staff establishment by 2.0 WTE Care co-ordinators at a full  
 year cost of £38k costs to be covered from income/grants associated with maximizing  
 income from Transitional Housing Benefits.

**7A DEVELOPMENT OF SERVICES PROVIDED BY MILTON HOUSE** - Report by Director for Social Services dated 29 August 2002

7A.1 **NOTED** the development of services at Milton House

7A.2 **APPROVED** the addition of three new permanent positions to the staffing establishment at Milton House (at a cost of £19k each) for which funding had already been agreed

**Members John Forteath and Robert Higgins left the meeting during discussion on item 8 - 11 Members present**

**8. OCCUPATIONAL THERAPY SERVICE** – Report by Director for Social Services dated 27 August

**Decision**

**NOTED**

8.1 the current position as detailed and the need to operate a waiting list in order to provide an equitable service across the Region

8.2 how the Occupational Therapy Services was being targeted, the demands being placed upon the service and the progress made with regard to joint working

**9. ISSUES FOR LEARNING DISABILITY SERVICES** – Report by Director for Social Services dated 23 August 2002

**Decision**

**NOTED** the developments in learning disability services and the work to be taken forward as a matter of priority

**10. SENSING PROGRESS** – Report by Director for Social Services dated 16 August 2002

**Decision**

**NOTED** the progress made as part of the local response to the recommendations of Sensing Progress

**Member -Wilma Paterson left the meeting – 10 Members present**

11. **CONSULTATION ON ADOPTION POLICY REVIEW** – Report by Director for Social Services dated 27 August 2002

**Decision**

**NOTED**

- 11.1 the comments on the Adoption Policy Review Group's recommendations as they applied to the adoption service currently being offered by Dumfries and Galloway Council
- 11.2 that any additional comments from Members would be incorporated into the final response

12. **COMPLAINTS REVIEW PANEL DEPARTMENTAL RESPONSE – 24 JUNE 2002** – Report by Director for Social Services dated 23 August 2002

**Decision**

**NOTED** the Department's response to the recommendations and comments of the Comments and Complaints Review Panel held on 24 June 2002

13. **COMPLAINTS REVIEW PANEL DEPARTMENTAL RESPONSE – 5 JULY 2002** – Report by Director for Social Services dated 20 August 2002

**Decision**

- 13.1 **NOTED** that the Department was reviewing the options available to meet the assessed needs of the complainant, taking account of the individual's level of disability, the Council's Policies and Procedures and any additional information provided as a result of this review
- 13.2 **AGREED** the process of review currently being undertaken by the Department which took full account of the recommendations of the Complaints Review Panel

## **DUMFRIES AND GALLOWAY COUNCIL MEMBERS' CONDUCT HEARING COMMITTEE**

### **Present**

#### **Members**

**Ian Callander** - Lochvale  
**James H Dempster** - Sanquhar and District  
**Patsy Gilroy** - Kirkcudbright – Tarff  
**Beth Gordon** - Lochar  
(Depute Convener)  
**William Little** - Caerlaverock  
**Tony Turner** - Annan Central

#### **Non Elected Members**

Adele Cook  
Robert Holmes  
Roy Kirkpatrick

#### **In Attendance**

**Tommy Sloan** - Stranraer North

#### **Officials**

**James M Smith** - Secretary to the Council

**James M Smith**  
Secretary to the Council

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**9 Members present****1. APPOINTMENT OF CHAIRMAN****Decision**

**AGREED** to appoint Roy Kirkpatrick as Chairman.

**2. MEMBERS CODE OF CONDUCT – PROCEDURE NOTE ON CONSIDERATION OF COMPLAINTS AGAINST ELECTED MEMBERS****Decision**

2.1 **NOTED** the procedures as detailed by the Secretary to the Council;

Resolved to exclude the public from the meeting in terms of Paragraph 1 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

2.2 **AGREED** that initially the Committee would:

- consider whether or not the complaint was proper based on all the relevant facts contained in the papers and by hearing initial statements from the main parties involved
- decide whether to proceed to a full hearing.

**Decision**

2.3 Having heard the parties **AGREED** to proceed to a full hearing.

**3. CONSIDERATION OF A COMPLAINT AGAINST AN ELECTED MEMBER**

- The three complainants were represented by 2 union representatives and called witnesses as appropriate.
- Councillor Sloan called witnesses as appropriate.

**NOTED**

3.1 the advice from the Chairman that throughout the Hearing the attention of the Committee should be focused on the complaints relating to the conduct of the member and not on the delivery of a service which was a matter for the appropriate service committee;

3.2 the statements presented by the witnesses for both parties and the questions and responses from the witnesses; and

3.3 the summing up from the Secretary to the Council that there were essentially three complaints which were being considered at this hearing.

**VOTE**

**MOTION** by **WILLIAM LITTLE** seconded by **PATSY GILROY** that the complaints were interlinked and should be taken together.

**AMENDEDMENT** by **JAMES DEMPSTER** seconded by **ROBERT HOLMES** that each complaint should be considered separately.

On a vote being taken by roll call Members voted as follows:

**Motion** – 3 votes being Patsy Gilroy, William Little and Adele Cook

**Amendment** – 6 votes being Ian Callander, Beth Gordon, Jim Dempster, Tony Turner, Robert Holmes and Roy Kirkpatrick.

**Decision**

3.4 **AGREED** to consider each complaint separately.

**4. COMPLAINT - 14 JANUARY 2000**

4.1 Following discussions Members Patsy Gilroy, William Little, Tony Turner, Adele Cook and Roy Kirkpatrick indicated that a phonecall did take place between Councillor Sloan and a Council officer and Members Ian Callander, Beth Gordon, James Dempster and Robert Holmes indicated that they did not think a phone call had taken place between Councillor Sloan and a Council officer.

**VOTE**

**MOTION** by **WILLIAM LITTLE** seconded by **TONY TURNER** that there had been a breach of the Code of Conduct for Councillors as Councillor Sloan's manner showed a lack of respect and courtesy to the officer.

**AMENDMENT** by **JAMES DEMPSTER** seconded by **IAN CALLANDER** that no phonecall had taken place and therefore there had been no breach of the Code.

On a vote being taken by roll call Members voted as follows:

**Motion** – 5 votes being Patsy Gilroy, William Little, Tony Turner, Adele Cook and Roy Kirkpatrick

**Amendment** – 4 votes being Ian Callander, Beth Gordon, James Dempster and Robert Holmes.

**Decision**

4.2 **AGREED** that there had been a breach of the Code of Conduct for Councillors as Councillor Sloan's manner showed a lack of respect and courtesy to a Council officer.

**VOTE**

**MOTION** by **WILLIAM LITTLE** seconded by **TONY TURNER** that there had not been a breach of the Code of Conduct for Councillors with regard to a non declaration of interest.

**AMENDMENT** by **ADELE COOK** seconded by **PATSY GILROY** that there had been a breach of the Code of Conduct for Councillors as there was no declaration of interest made when there should have been.

On a vote being taken by roll call Members voted as follows:

**Motion** – 3 votes being James Dempster, William Little, and Tony Turner.

**Amendment** – 3 votes being Patsy Gilroy, Adele Cook and Roy Kirkpatrick

**Abstention** – 3 being Ian Callander, Beth Gordon and Robert Holmes

There being an equality of votes the Chairman exercised his casting vote in favour of the amendment.

**Decision**

4.3 **AGREED** that there had been a breach of the Code of Conduct for Councillors as there had been no declaration of interest made when there should have been.

**NOTE:** Councillor Sloan expressed concerns about the procedures.

**5. FIRST COMPLAINT – 23 JULY 2001**

**VOTE**

**MOTION** by **WILLIAM LITTLE** seconded by **JAMES DEMPSTER** that this complaint not be upheld as there had been no breach of the Code of Conduct for Councillors as there had not been a lack of respect and courtesy shown nor a failure to declare interest by Councillor Sloan.

**AMENDMENT** by **ADELE COOK** seconded by **PATSY GILROY** that the complaint be upheld as there had been a breach of the Code of Conduct for Councillors as there had been a lack of respect and courtesy towards the member of staff and a failure to declare an interest.

On a vote being taken by roll call Members voted as follow:

**Motion** – 2 votes being James Dempster and William Little

**Amendment** – 7 votes being Ian Callander, Patsy Gilroy, Beth Gordon, Tony Turner, Adele Cook, Robert Holmes and Roy Kirkpatrick

**Decision**

**AGREED** the complaint be upheld as there had been a breach of the Code of Conduct for Councillors as there had been a lack of respect and courtesy shown towards a member of staff and a failure to disclose an interest.

**6. SECOND COMPLAINT - 23 JULY 2001**

**VOTE**

**MOTION** by **JAMES DEMPSTER** seconded by **WILLIAM LITTLE** that this complaint not be upheld as there had been no breach of the Code of Conduct for Councillors.

**AMENDMENT** by **ADELE COOK** seconded by **IAN CALLENDER** that the complaint be upheld as there had been a breach of the Code of Conduct for Councillors due to the failure to declare an interest.

On a vote being taken by roll call Members voted as follows:

**Motion** - 2 votes being James Dempster and William Little

**Amendment** – 7 votes being Ian Callander, Patsy Gilroy, Beth Gordon, Tony Turner, Adele Cook, Robert Holmes, Roy Kirkpatrick

**Decision**

**AGREED** that the complaint be upheld as there had been a breach of the Code of Conduct for Councillors due to the failure to declare an interest.

**7. MEASURES TO BE CONSIDERED**

**VOTE**

**MOTION** by **BETH GORDON** seconded by **TONY TURNER** that a full written apology be given by Councillor Sloan to the three complainants and that he work to build up solid relationships with the department

**AMENDMENT** by **IAN CALLENDER** seconded by **PATSY GILROY** that Councillor Sloan be removed from the Social Services Committee for the remainder of his term of office.

On a vote being taken by roll call Members voted as follows:

**Motion** – 6 members being James Dempster, Beth Gordon, William Little, Tony Turner, Robert Holmes, Roy Kirkpatrick

**Amendment** – 3 members being Ian Callander, Patsy Gilroy and Adele Cook

**Decision**

**AGREED** that a full written apology be given by Councillor Sloan to the three staff members and that he work to build up solid relationships with the Department.