

**MINUTES of MEETING of EXECUTIVE held in the COUNCIL CHAMBER, KILMORY,
LOCHGILPHEAD
on THURSDAY, 16 APRIL 2009**

Present: Councillor Dick Walsh (Chair)

Councillor Robin Currie	Councillor Robert Macintyre
Councillor Vivien Dance	Councillor Douglas Philand
Councillor George Freeman	Councillor Elaine Robertson
Councillor Alison Hay	Councillor Len Scoullar
Councillor Donald Macdonald	Councillor Isobel Strong
Councillor Donald McIntosh	David McEwan
Councillor Duncan MacIntyre	

Also Present:

Councillor Rory Colville	Councillor Bruce Marshall
Councillor Anne Horn	Councillor Andrew Nisbet
Councillor Donald MacMillan	Councillor Al Reay
Councillor James McQueen	Councillor John Semple

Attending:

Sally Reid, Chief Executive
Charles Reppke, Head of Democratic Services and Governance
Nigel Stewart, Director of Corporate Services
Douglas Hendry, Director of Community Services
George Harper, Director of Development Services
Angus Gilmour, Head of Planning Services
Robert Pollock, Head of Economic Development and Strategic Transportation
Malcolm MacFadyen, Head of Community Regeneration
Bruce West, Head of Strategic Finance
David Logan, QIO Special Projects, Community Services
Chris Dalgarno-Platt, Special Projects Finance Manager
Alan Brough, Exechquer Manager
Lesley Sweetman, Business Improvement Officer
Councillor Eddie Phillips, East Renfrewshire Council (Assistant General Secretary of NAC)

Apologies:

Councillor Ellen Morton	Jane Brown
Councillor James Robb	Fiona Fisher
Maureen Arthur	Alison Palmer

1. DECLARATIONS OF INTEREST

Councillors Vivien Dance and Isobel Strong declared a non financial interest in respect of the report regarding Argyll College as they are Members of Argyll College Board.

Councillor John Semple declared a financial interest in respect of the report regarding Argyll College as he is an employee of the College.

Councillors Dance, Semple and Strong left the room and took no part in the discussion of this report which is dealt with at item 6 of this Minute.

Councillors Rory Colville and Al Reay declared a non financial interest in respect of the report regarding the Local Housing Strategy – Strategic Housing Fund – Application for Contributions from Argyll Community Housing Association and West Highland Housing Association as they are Members of Argyll Community Housing Association. Councillors Robin Currie and Elaine Robertson also declared a non financial interest in respect of this report as they are Members of West Highland Housing Association.

Councillors Colville, Currie, Reay and Robertson left the room and took no part in the discussion of this report which is dealt with at item 8 of this Minute.

2. MINUTES

(a) ARGYLL AND BUTE COMMUNITY PLANNING PARTNERSHIP 28 NOVEMBER 2008

The Minutes of the Argyll and Bute Community Planning Partnership meeting held on 28 November 2008 were noted.

(b) EXECUTIVE 19 MARCH 2009

The Minutes of the Executive of 19 March 2009 were approved as a correct record.

3. PRESENTATION TO MEMBERS ON THE BENEFITS OF THE NATIONAL ASSOCIATION OF COUNCILLORS IN SCOTLAND (NAC)

The Leader of the Council welcomed Councillor Eddie Phillips from East Renfrewshire Council to the meeting to give a presentation to Members on the benefits of the National Association of Councillors in Scotland (NAC).

After responding to a number of questions, the Leader thanked Councillor Phillips for his comprehensive insight into the role and work of the NAC.

Councillor James McQueen left the meeting.

4. LEADER'S REPORT

The Leader of the Council submitted a report which highlighted issues he had recently been involved with including:-

His attendance at the Argyll and Bute Community Planning Partnership meeting on 4 March 2009; his video conference on 10 March 2009 with Dennis Malone, Highlands and Islands European Partnership, Douglas Cowan, Highland and Islands Enterprise and Jim Millard, Scottish Government to discuss the European Regional Development Fund; his attendance at a meeting of the CHORD Programme Management Board on 20 March 2009; his attendance at the Convention of the Highland and Islands on 23 March 2009; his attendance at the official hand over of VESTAS to Skykon on 26 March 2009; and he reported on Council Tax and Non Domestic Rates collection figures to end of March 2009.

The Leader then responded to questions arising from his report.

Decision

1. To note the contents of the report; and
2. To instruct the CHORD Programme Management Board to advise each of the CHORD Project Boards that the Green element should be incorporated into the development of each Towncentre and Waterfront project through the use of sustainable materials and making sure each development is energy efficient.

(Reference: Report by Leader of the Council for period 28 February – 31 March 2009, submitted)

5. EARLY YEARS FRAMEWORK

The Government, in partnership with COSLA, have developed a new national Early Years Framework for children from pre birth to eight years of age. The framework is in two parts. The first establishes the case for change in Early Years provision and identified elements of change and priorities for action. The second part examines the change elements in greater details. A report summarising the analysis and key recommendations contained within the Government's newly published Early Years Framework was before the Executive for consideration. This report had previously been considered and noted by the Social Affairs Policy and Performance Group on 9 March 2009.

Decision

1. To note the contents of the new national Early Years Framework; and
2. To note that local implementation of this should be taken forward by Community Planning Partners as part of the development of the local Integrated Children's Services Plan for 2009-2012.

(Reference: Extract from Minutes of Social Affairs Policy and Performance Group 9 March 2009 and Report by Director of Community Services dated January 2009, submitted)

Having previously declared an interest Councillors Vivien Dance, John Semple and Isobel Strong left the room and took no part in the discussion of the following item.

6. ARGYLL COLLEGE

A report advising of Argyll College's proposal to merge with Lochaber and Skye & Wester Ross Colleges with a view to becoming what the Scottish Funding Council refers to as a "fundable body" was considered.

Decision

1. To note the terms of the report and in particular the arrangements that will be necessary for future nominations to the Board in order to permit the new College to attain fundable status; and

2. To note the resignation of Wilma Campbell as Chair of Argyll College Board and to request the Chair to write to Wilma Campbell, on behalf of Members, thanking her for all her work and support to Argyll College over the years.

(Reference: Report by Director of Community Services dated 23 March 2009, submitted)

Councillors Vivien Dance, John Semple and Isobel Strong returned to the meeting.

7. SCHOOL TRANSPORT TENDERING

A report advising on the proposal to revisit the tender evaluation criteria in respect of school transport was considered at the Council's Executive on 18 September 2008 and it was agreed at that meeting that revised tender evaluation criteria should be brought to the Social Affairs PPG in the first instance for consideration. A report advising on the way forward was considered and approved by the PPG on 9 March 2009 and was before the Executive for further consideration.

Decision

To agree to continue consideration of this report to the Executive meeting in May 2009 to enable Members to seek clarification on a number of concerns raised in respect of the proposed revised tender evaluation criteria.

(Reference: Extract from Minutes of Social Affairs Policy and Performance Group 9 March 2009 and Joint Report by Director of Community Services and Director of Development Services dated 27 February 2009, submitted)

Councillor Donald MacMillan left the meeting.

Having previously declared an interest Councillors Rory Colville, Robin Currie, Al Reay and Elaine Robertson left the room and took no part in the discussion of the following item.

8. LOCAL HOUSING STRATEGY – STRATEGIC HOUSING FUND – APPLICATION FOR CONTRIBUTIONS FROM THE ARGYLL COMMUNITY HOUSING ASSOCIATION AND WEST HIGHLAND HOUSING ASSOCIATION

A report outlining requests for contributions from the Council's Strategic Housing Fund that have been received from Argyll Community Housing Association and West Highland Housing Association in respect of their proposed projects at Croft Avenue, Oban and the Mull Progressive Care Centre, Craignure was considered.

Decision

1. To agree in principle to the allocation of £130,000 in support of the Argyll Community Housing Association project which has an approved cost plan value of £1.218m;
2. To agree in principle to the allocation of £360,000 in support of the West Highland Housing Association project which has an overall cost plan value of

£2.837m; and

3. To note that the allocations will be conditional on the projects falling within the cost plans indicated and being delivered by both housing associations.

(Reference: Report by Director of Community Services dated 17 March 2009, submitted)

Councillors Rory Colville, Robin Currie, Al Reay and Elaine Robertson returned to the meeting.

9. IMPLEMENTATION OF SECTION 11 HOMELESSNESS ETC (SCOTLAND) ACT 2003

The Homelessness etc. (Scotland) Act 2003 has been phased in gradually since 2003 and the latest Section due to come into force on 1 April 2009 is Section 11 - 'Notice to local authorities of proceedings for possession and enforcement of standard securities'. A report advising on how Argyll and Bute Council will take this forward was considered.

Decision

1. To note that the Council's homeless service are currently preparing procedures to deal with Section 11 referrals to the local authority; and
2. To note that Argyll and Bute Council have agreed to be a pilot authority for the Scottish Government for the monitoring of Section 11 referrals.

(Reference: Report by Director of Community Services dated 18 March 2009, submitted)

10. ECONOMY, ENVIRONMENT AND RURAL AFFAIRS

The Spokesperson for Economy, Environment and Rural Affairs submitted a report which highlighted issues he had recently been involved with including:-

The Royal Society of Edinburgh's Final Report on the inquiry they carried out into the current condition of agriculture in the Highland and Islands area of Scotland; his meeting with Richard Lochhead, Minister for Rural Affairs on 4 February 2009 to discuss the situation regarding the dramatic fall in milk production in the ring fenced areas of Arran, Bute, Cowal and Kintyre; his attendance at the opening of the new Linkspan and Inner Harbour Development in Rothesay on 7 February 2009; his attendance at an Economic Seminar organised by the Mid Argyll Chamber of Commerce on 25 February 2009; the change over from VESTAS to Skycon at the factory site near Machrihanish on 26 March 2009; and his attendance at a Development Management User Forum Seminar on 25 March 2009.

Decision

To note the contents of the report.

(Reference: Report by Spokesperson for Economy, Environment and Rural

Affairs dated 30 March 2009, submitted)

11. CONSULTATION BY SCOTTISH GOVERNMENT ON REVISION OF CIRCULAR 12/1996: PLANNING AGREEMENTS

Following the announcement by the First Minister on 19 August 2008 that the planned review of Planning Obligations under the Planning etc. (Scotland) Act would be postponed in order to avoid additional burdens on the development industry during the current period of economic uncertainty, the Scottish Government decided to focus on how to make the current system of planning agreements under Section 75 Town and Country Planning (Scotland) Act 1997 operate more effectively in order that agreements can be taken forward in a more transparent and consistent manner. Advice on the use of Section 75 Agreements is currently given in Circular 12/1996: Planning Agreements.

The Scottish Government is seeking comments by 10 April 2009 on a proposed revised Circular, developed with input from key stakeholders from both the public and private sectors and a proposed response to this consultation was before the Executive for consideration.

Decision

1. To note the contents of the report; and
2. To agree the proposed response to the consultation as detailed in Appendix A of the report and that this should be forwarded to the Scottish Government.

(Reference: Report by Director of Development Services dated 26 March 2009, submitted)

12. CAMPBELTOWN TOWN CENTRE REGENERATION PROJECT (THI)

The Campbeltown Townscape Heritage Initiative (THI) project was at a stage where the Council needed to commit support and funding in order to secure major external funding. Work had progressed on this simultaneously with the Outline Business Case process because of external funding drivers. The CHORD Programme Management Board met on 20 March 2009 and gave consideration to the Stage 2 Townscape Heritage Initiative Submission and recommended approval of funding for this project.

Decision

To agree that the £300,000 allocated to the Campbeltown THI via the outline business case developed through CHORD be committed to the Campbeltown THI project over the next 5 years.

(Reference: Extract from Minutes of CHORD Programme Management Board 20 March 2009 and Report by Director of Development Services, submitted and Stage 2 Townscape Heritage Initiative Submission dated 5 March 2009 available to view in the Members Room, Kilmory)

13. ISLAND ISSUES

The Spokesperson for Island Issues submitted a report which highlighted issues he had recently been involved with including:-

His attendance at the CPMR General Assembly; his attendance at an inter-agency meeting on 23 February 2009 regarding the Scottish Ferries Review; and his attendance at the COSLA Climate Change Bill Task Group on 6 February 2009. He also reported on the key issues which arose at a meeting of the West of Scotland European Forum on 24 February 2009 and provided details of recent press release from KIMO regarding the transportation of Plutonium from France to Japan.

Decision

To note the contents of the report.

(Reference: Report by Spokesperson for Islands Issues, submitted)

14. PROCESS FOR CHANGE

Following completion of the High Level Design stage of Process of Change the Council, at its meeting on 5 March 2009, considered recommendations in respect of the 7 Opportunity Themes and agreed to refer these, with the exception of the recommendation relating to the Property Theme, to the Organisational Development PPG for further consideration and to report back to the Executive on 16 April 2009. The Organisational Development PPG met on 23 March 2009 and considered the report along with a summary of all the questions raised and answers given at the Council Business Day on 24 February and the Council meeting on 5 March 2009 and recommended that the report considered by the Council on 5 March 2009 should now be approved.

Decision

1. To approve recommendations 2.1, 2.2, 2.3, 2.4, 2.5, 2.7 and 2.8 as set out in the report before the Council on 5 March 2009, noting that recommendation 2.8 referred only to cooperation with Highland, Dumfries and Galloway and Moray Councils which may be taken during the Detailed Design stage and did not refer to cooperation with these Councils in respect of Shared Services in the future; and
2. To note that the Organisational Development PPG will continue to monitor progress with the Detailed Design Stage of Process for Change through a series of meetings up until December 2009.

(Reference: Extract from Minutes of Organisational Development PPG 23 March 2009; Report by Director of Corporate Services dated 20 March 2009, submitted and Report by Director of Corporate Services dated 24 February 2009, previously submitted to Council on 5 March 2009)

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

15. NPDO SCHOOLS PROJECT PROGRESS REPORT

A report summarising progress in relation to the Council's NPDO project up to end of March 2009 and, in particular, updating Members on the current financial position of the Project was considered.

Decision

To note the contents of the report.

(Reference: Report by Director of Community Services dated 29 December 2009, submitted)