

**MINUTES of MEETING of EXECUTIVE held in the COUNCIL CHAMBER, KILMORY,
LOCHGILPHEAD
on THURSDAY, 15 OCTOBER 2009**

Present: Councillor Dick Walsh (Chair)

Councillor Robin Currie	Councillor Gary Mulvaney
Councillor Vivien Dance	Councillor Douglas Philand
Councillor George Freeman	Councillor Elaine Robertson
Councillor Alison Hay	Councillor Len Scoullar
Councillor Donald Macdonald	Councillor John Semple
Councillor Duncan MacIntyre	Councillor Isobel Strong
Councillor Robert Macintyre	David McEwan
Councillor Ellen Morton	Alison Palmer

Also Present: Councillor Anne Horn Councillor Alex McNaughton
Councillor Alister MacAlister Councillor James McQueen
Councillor Donald MacMillan Councillor Andrew Nisbet

Attending: Sally Loudon, Chief Executive
Shirley MacLeod, Area Corporate Services Manager
Douglas Hendry, Director of Community Services
George Harper, Director of Development Services
Andrew Law, Director of Operational Services
Susan Mair, Head of Legal and Protective Services
Jane Fowler, Head of Improvement and Strategic HR
Bruce West, Head of Strategic Finance
Malcolm MacFadyen, Head of Community Regeneration
Fergus Murray, Development Policy Manager
David Clements, Performance Manager
Carys Wynn-Mellor, Management Trainee

Apologies: Councillor Donald McIntosh Jane Brown
Maureen Arthur

Prior to consideration of business the Spokesperson for Education and Lifelong Learning, Councillor Isobel Strong, announced that Alison Palmer, Head Teacher for Arrochar Primary School and Teacher representative on the Executive had been successfully elected to the General Teaching Council Scotland as a Head Teacher representative and congratulated Alison on her appointment.

1. DECLARATIONS OF INTEREST

None declared.

2. MINUTES

The Minutes of the Executive of 17 September 2009 were approved as a correct record.

3. LEADER'S REPORT

The Leader of the Council submitted a report which highlighted issues he had

recently been involved with including:-

The official opening of the Port Askaig Pier on 10 September 2009; his attendance at the Highlands and Islands Conveners Group meeting held on 24 September 2009; his attendance at the COSLA Leaders meeting on 25 September 2009; and his attendance at a South African welcome event in Oban on 28 September 2009. The Leader also advised on Council Tax and Non-Domestic Rate collection figures to the end of September 2009.

Decision

1. Noted the contents of the report; and
2. Agreed to request the Head of ICT and Financial Services to provide a report to the Executive on the potential reasons for the rise in second homes identified in the council tax base return at 7 September 2009.

(Reference: Report by Leader of the Council for the period 1 – 30 September 2009, submitted)

4. BEST VALUE REVIEW OF COMMUNITY LEARNING AND DEVELOPMENT

Due to changes in the HMIE inspection regime, it was considered appropriate to review the current Community Learning and Regeneration Service, focussing on staffing structures and service delivery. A report detailing the findings of the Best Value Review that was carried out during the period May 2008 to February 2009, together with recommendations for improvements to service delivery through increased joint working and efficiency savings through staffing restructure was before the Executive on 17 September 2009 and it was agreed at this meeting to continue consideration of this report to allow for a seminar to take place to inform Members of the implications of the proposed recommendations detailed in the report. This seminar took place on 1 October 2009 which allowed for Members to debate and clarify a number of issues and the report was now before the Executive for consideration.

Decision

Agreed to accept the recommendations as detailed at paragraph 2 of the report.

(Reference: Report by Director of Community Services dated 9 September 2009, submitted)

5. IMPLEMENTATION PLAN FOR RE-DESIGN OF MENTAL HEALTH SERVICES IN ARGYLL AND BUTE

In July 2007 the Argyll and Bute Community Health Partnership and Argyll and Bute Council developed a new vision for mental health services. The priority was to develop a modernised adult mental health service and 5 service model options were developed and formally appraised. These options were included in a formal public consultation process which led to the approval of Option 4, as detailed at paragraph 3.4 of the report, by NHS Highland and the Scottish Government. The redesign of mental health services in Argyll and Bute is now moving to its next stage of implementation and a report advising of the

establishment of a formal project structure and remit to take forward the key aims and specific objectives of the redesign of mental health services in Argyll and Bute was considered.

Decision

Noted the contents of the report.

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

6. THIRD SECTOR

The new Spokesperson for the Third Sector, Councillor John Semple, submitted a report which highlighted issues which he had recently been involved with including:-

His attendance at a briefing meeting with key officers on 26 May 2009 which identified the main current issues in relation to the Third Sector; his attendance at a Third Sector Steering Group meeting on 2 June 2009; presentation of Dog Handling Awards in Campbeltown on 3 June 2009; his attendance at the Annual Volunteer of the Year Awards organised by the Argyll Volunteer Centre on 5 June 2009; the Big Lottery fund criteria for Grants; his attendance at the Carnegie UK Trust meeting in Oban on 26 June 2009; the establishment of a Renewable Steering Group to coordinate and network renewable energy developments in Kintyre; his attendance at a Carnegie reception at the Scottish Parliament on 22 August 2009; and his attendance at a Carnegie UK Trust event at the Eden Centre. The Spokesperson also highlighted a number of future meetings and initiatives he would be involved.

Decision

1. Noted the contents of the report; and
2. Noted that Argyll CVS and Argyll Volunteer Centre would be merging on 1 January 2010 to form a new organisation "Argyll Voluntary Action" and that Argyll CVS would formally disband at the end of the financial year on 31 March 2010.

(Reference: Report by Spokesperson for the Third Section dated 28 September 2009, submitted)

7. SAFER STREETS INITIATIVE

A report setting out information in regard to the Safer Streets Initiative Bid 2009/2010 was considered.

Decision

1. Endorsed the approach that the money be utilised to provide support for additional high visibility policing during December 2009; and
2. Agreed to recommend to the Community Safety Partnership that the

additional allocation of £12,121 be distributed equally between the four decentralised Area Committee areas for discussion and agreement with Area Committees.

(Reference: Report by Director of Corporate Services dated 6 October 2009, submitted)

8. PERFORMANCE MANAGEMENT QUARTERLY REPORT JULY - SEPTEMBER 2009

The Planning and Performance Management Framework (PPMF) and the Improvement Plan set out the structure and timescale for reporting the Council's performance to elected Members on a quarterly cycle.

The Council and Departmental Scorecards and reports were presented to the Executive using the Council's performance management system, Pyramid, and focussed on performance during the period July to September 2009, including a review of successes, key challenges and an outline of improvement actions for the coming period.

Decision

1. Noted the reports and Scorecards for the period July – September 2009 and that Directors would arrange for minor adjustments to be made to the detail provided in the Scorecards as requested by Members; and
2. Noted that a separate report would be brought to the Executive on sickness absence.

(Reference: Reports and Scorecards by Chief Executive and Directors for the period July – September 2009, tabled)

Alison Palmer and Councillors MacMillan, McNaughton and McQueen left the meeting.

9. COMMUNICATIONS STRATEGY AND ACTION PLAN

A new Communications Strategy and Action Plan which has been developed in line with the Council's Improvement Plan was before the Executive for consideration. This will replace the 1998 Communications Strategy which no longer reflects the needs of the Council and its stakeholders.

Decision

The Executive agreed:-

1. to endorse the communications objectives and outcomes;
2. to approve the Communications Strategy and support the implementation of its recommendations and action plan subject to the following minor adjustments;
 - (a) Under Communications Objectives, paragraph 3.1 - add bullet point D) "Customers and communities influence design of services";

(b) Under Approach, second last paragraph - amend second last sentence to read "The role of our Councillors in communicating with the public is also imperative"; and

3. to support the roll out of the action plan and participate in relevant items.

(Reference: Report by Head of Improvement and Strategic HR and Communications Strategy 2009 – 2012, submitted)

10. PUBLIC SECTOR IMPROVEMENT FRAMEWORK (PSIF)

A robust approach to self assessment is now a prerequisite for Councils to address service and organisational improvement and will be required to meet the criteria of a Best Value 2 (BV2) audit. In order to continue to increase the pace of change in the Council's improvement journey, a report presenting a recommended route for the Council to take forward the Public Sector Improvement Framework (PSIF) as the preferred method of self assessment was considered.

Decision

1. Noted that the Strategic Management Team has agreed to sign up to PSIF as the Council's preferred self assessment tool; and
2. Agreed to member involvement in the Corporate Assessment process through the Senior Members and Officers Group.

(Reference: Report by Head of Improvement and Strategic HR, submitted)

11. PUBLIC PERFORMANCE REPORTING FRAMEWORK

The Council's Improvement Plan highlights the need to develop the Public Performance Reporting (PPR) Framework. This framework aims to ensure that all PPR activity is underpinned by, or an integral part of, current guidance and frameworks to ensure that we are not duplicating, but enhancing other activities in communication, performance and stakeholder engagement. This framework will supersede the Council's 2008 PPR Strategy and, along with an action plan, was before the Executive for consideration.

Decision

The Executive agreed:-

1. to endorse the PPR objectives and outcomes; and
2. the PPR Framework and supported the implementation of the action plan.

(Reference: Report by Head of Improvement and Strategic HR and Public Performance Reporting Framework and Action Plan dated September 2009, submitted)

Councillor McNaughton and McQueen returned to the meeting.

12. TRANSPORTATION AND INFRASTRUCTURE

The Spokesperson for Transportation and Infrastructure submitted a report which highlighted issues he had recently been involved with including:-

The Scottish Government's Road Equivalent Tariff ferry fares Pilot scheme which commenced in October 2009 and will operate until Spring 2011; the Scottish Ferries Review; the Review of the Strathclyde Concessionary Travel Scheme; SPT renewal of subsidised local bus service contracts; the new Scottish Government Road Safety Framework 2010-2020; an innovative interactive project designed by Argyll and Bute Council to make cycling theory more engaging for primary pupils which has been shortlisted in the Excellence in Technology and Innovation category of the Scottish Transport Awards 2009; Bute and Cowal bus services; the Roads and Amenity Services Winter Maintenance Team which has been shortlisted for the APSE (Association of Public Service Excellence) Service Awards; his attendance at the Oban Round Table Transport Seminar on 1 September 2009; and the Roads Reconstruction Programme which has been allocated £6 million.

The Spokesperson also responded to a number of questions arising from his report.

Decision

1. Noted the contents of the report;
2. Agreed to request the Council's Access Officer to bring a report to the Executive advising on the consequences of RET and the Access to the Countryside legislation for Island communities; and
3. Agreed that the request by Helensburgh and Lomond Members to be involved in discussions with representatives from SPT could be addressed through the Local Area Community Planning Groups.

(Reference: Report by Spokesperson for Transportation and Infrastructure, submitted)

The Chair ruled, and the Executive agreed, to adjourn the meeting for lunch at 1.10 pm and reconvene at 1.50 pm.

David McEwan and Councillors McNaughton, McQueen and Mulvaney did not return to the meeting.

13. HELENSBURGH PIER MASTERPLAN

A report seeking approval of the Helensburgh Pier Masterplan as supplementary planning guidance and proposing options for taking this forward was considered.

Decision

1. Noted and approved the detail of the recently circulated Helensburgh Pier Masterplan as supplementary planning guidance; and

2. Agreed to appoint a consultant or an appropriately qualified Council Officer by appointment or secondment on a part time and temporary basis to take forward agreed actions, to a maximum expenditure of £20,000, met from remaining funds of the former Helensburgh Partnership that have been set aside for the further economic development of Helensburgh, in order to progress the Helensburgh Pier Masterplan and that the terms of this appointment be agreed by Helensburgh and Lomond Area Committee in consultation with the Director of Development Services.

(Reference: Report by Director of Development Services; Extract from Minutes of Helensburgh and Lomond Area Committee of 27 August 2009; and report by Development Policy Manager, submitted)

14. PORT ASKAIG REDEVELOPMENT

The Organisational Development Policy and Performance Group (PPG) considered a report dated 30 January 2009 by the Head of Roads and Amenity Services outlining the history of the Port Askaig redevelopment project and reporting on the contractual issues associated with the completed Phase 2 Marine Works contract, customer expectations and project management issues. The Executive, at its meeting on 19 March 2009, agreed to a recommendation made by the PPG that this project be the subject of a financial audit and referred this to the Audit Committee for attention with a request that they report back to the Executive with their findings.

Internal Audit carried out a review of this project and the outcome of this Review along with recommendations from the Audit Committee was before the Executive for consideration. A report outlining the response by Operational Services to the Audit Committee report of 18 September 2009 on the Port Askaig Redevelopment was also considered.

Decision

Noted the reports and agreed the recommendations from the Audit Committee.

(Reference: Report by Director of Operational Services dated 7 October 2009; Extract from Minutes of Audit Committee of 18 September 2009; Report by Internal Audit Manager dated 8 September 2009 and Internal Audit Report on Contract Review of Port Askaig Redevelopment dated July 2009, submitted)

The Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the public for the following 4 items of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraphs 12; 12; 8 and 9; and 9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

15. PORT ASKAIG REDEVELOPMENT - MARINE CONTRACTOR PAYMENT AND FINAL SCHEME COSTS

A report advising Members on the valuation of the final contract payment to the marine works contractor and for the final scheme costs for the Redevelopment of Port Askaig was considered.

Decision

1. Approved the recommended payment to Carillion and noted the projected outturn costs for the whole scheme; and
2. Approved additional funding of £473,000 for the scheme to be taken from the Council's block allocation within the Operational Services budget.

(Reference: Report by Director of Operational Services dated 25 September 2009, submitted)

Councillors Dance, Macdonald and Robert Macintyre left the meeting.

16. ROTHESAY PIER FERRY BERTH IMPROVEMENT (INCLUDING INNER HARBOUR DEVELOPMENT) FINANCIAL SETTLEMENT OF CONSTRUCTION CONTRACT BETWEEN THE COUNCIL AND BALFOUR BEATTY CIVIL ENGINEERING LTD AND FINAL PROJECT COST

The Executive considered a report advising that the Rothesay Pier Ferry Berth Improvements, including the Inner Harbour development, were now complete and that the contractor has submitted various claims in relation to an extended period of working and other matters.

Decision

Agreed the recommendations as detailed in the report.

(Reference: Report by Director of Operational Services dated 25 September 2009, submitted)

Councillors Horn, MacAlister, Robertson and Strong left the meeting.

17. A816 FORD ROAD END TO MILL BRAE OUTLINE BUSINESS CASE

A report seeking approval for the Outline Business Case (OBC) for a Service Development Infrastructure scheme on the A816 Lochgilphead to Oban Road was considered.

Decision

1. Approved the OBC to allow tenders to be issued and work to progress in line with the approved Capital Programme Planning and Management Guide; and
2. Agreed to request the Director of Development Services to investigate the possibility of bidding for European money to fund minor roadworks and report back to the Executive.

(Reference: Report by Director of Operational Services dated 30 September 2009, submitted)

Councillor Duncan MacIntyre left the meeting.

18. A83 SOUTH OF MUASDALE

A report advising the Executive of a potential partnership in respect of improvements to be carried out on the A83 south of Muasdale and seeking approval to carry out design work and negotiations to allow the terms of such a partnership to be determined was considered.

Decision

Agreed the recommendations as detailed in the report.

(Reference: Report by Director of Operational Services dated 7 October 2009, submitted)