

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER, KILMORY,
LOCHGILPHEAD
on THURSDAY, 6 OCTOBER 2011**

Present: Provost William Petrie (Chair)

Councillor Chalmers	Councillor MacMillan
Councillor Colville	Councillor McQueen
Councillor Currie	Councillor Marshall
Councillor Dance	Councillor Morton
Councillor Freeman	Councillor Mulvaney
Councillor Hay	Councillor Philand
Councillor Daniel Kelly	Councillor Reay
Councillor Donald Kelly	Councillor Scoullar
Councillor Kinniburgh	Councillor Semple
Councillor MacAlister	Councillor Simon
Councillor McAlpine	Councillor Strong
Councillor McCuish	Councillor Walsh
Councillor Mackay	

Attending: Sally Loudon, Chief Executive
Douglas Hendry, Executive Director of Customer Services
Cleland Sneddon, Executive Director of Community Services
Carol Walker, Head of Education
Jim Smith, Head of Roads and Amenity Services
Malcolm MacFadyen, Head of Facility Services
Alan Shields, Quality Improvement Manager

Prior to the consideration of business the Council heard a presentation by Stephen House, Chief Constable, Strathclyde Police.

The Provost ruled, and the Council agreed, to adjourn the meeting at 12.45 pm and reconvene at 1.30 pm. Councillor Len Scoullar did not return to the meeting.

The Provost ruled, and the Council agreed, that the business dealt with at item 15 of this Minute be taken as a matter of urgency as a decision on this was required before the next ordinary meeting of the Council.

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Mary-Jean Devon, Anne Horn, Donald McIntosh, Duncan MacIntyre, Robert Macintyre, Alex McNaughton, Andrew Nisbet, James Robb and Elaine Robertson.

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES

The Council approved the Minutes of the Council meeting of 18 August 2011 as a correct record.

4. LUSS BYE LAW - CONSUMPTION OF ALCOHOL IN PUBLIC PLACES

A report advising the Council of a proposal to amend the Luss byelaw prohibiting consumption of alcohol in designated public places was considered.

Decision

Agreed to proceed with the steps details at paragraph 3.4 of the Executive Director's report to align the offence description within the Luss byelaw with that of the other byelaws in Argyll and Bute.

(Reference: Report by Executive Director – Customer Services dated 8 September 2011, submitted)

5. SCHOOL ESTATE REVIEW CONSULTATION REPORT: ST KIERANS PRIMARY SCHOOL TO CASTLEHILL PRIMARY SCHOOL

The Executive at its meeting on 6 October 2011 considered a report on the outcome of the statutory consultation exercise carried out by the Council in relation to the proposed discontinuation of education provision at St Kieran's Primary School and recommended to the Council that education provision at St Kieran's Primary School be discontinued from 6 January 2012.

Decision

1. Noted the arrangements in place in respect of the catchment areas for Castlehill and Dalintober Primary Schools;
2. Agreed that the education provision at St Kieran's Primary School be discontinued from 6 January 2012; and
3. Noted that the decision at 2 above would be referred to the Scottish Ministers.

(Reference: Report by Executive Director – Community Services, submitted)

6. SCHOOL ESTATE REVIEW CONSULTATION REPORT: ARDCHONNEL PRIMARY SCHOOL TO DALMALLY PRIMARY SCHOOL AND KILMARTIN PRIMARY SCHOOL

The Executive at its meeting on 6 October 2011 considered a report on the outcome of the statutory consultation exercise carried out by the Council in relation to the proposed discontinuation of education provision at Ardchnonnel Primary School and recommended to the Council that education provision at Ardchnonnel Primary School be discontinued from 6 January 2012.

Decision

4. Agreed that the education provision at Ardchnonnel Primary School be discontinued from 6 January 2012; and
5. Noted that this decision would be referred to the Scottish Ministers.

(Reference: Report by Executive Director – Community Services, submitted)

7. **JOINT HEADSHIP INITIATIVE PILOT - CARRADALE AND DRUMLEMBLE PRIMARY SCHOOLS**

The Executive, at its meeting on 6 October 2011 considered the outcome of the joint head teacher pilot project for Carradale and Drumlemble Primary Schools which was established in May 2010 and recommended to the Council the proposed way forward for any future joint headships.

Motion

1. Agreed the criteria as outlined in Appendix 1 of the Executive Director's report to establish joint headships subject to the wording at bullet point 7 being amended to read "Consultation with both parent councils and the wider parent body";
2. Agreed that Officers explore establishing other joint headships where appropriate to help ensure sustainable and viable schools across the Council area; and
3. Agreed to authorise the Executive Director – Community Services to make the joint headship a permanent arrangement in Carradale and Drumlemble Primary Schools.

Moved by Councillor Ellen Morton, seconded by Councillor Vivien Dance

Amendment

1. Agreed the criteria as outlined in Appendix 1 of the Executive Director's report to establish joint headships subject to the wording at bullet point 7 being amended to read "Agreement with both parent councils";
2. Agreed that Officers explore establishing other joint headships where appropriate to help ensure sustainable and viable schools across the Council area; and
3. Agreed to authorise the Executive Director – Community Services to make the joint headship a permanent arrangement in Carradale and Drumlemble Primary Schools.

Moved by Councillor John Semple, seconded by Councillor Isobel Strong

The requisite number of Members required the vote to be taken by calling the roll and Members voted as follows:-

Motion

Councillor Rory Colville
Councillor Robin Currie
Councillor Vivien Dance
Councillor Alison Hay
Councillor Daniel Kelly
Councillor David Kinniburgh
Councillor Neil Mackay
Councillor Donald MacMillan
Councillor James McQueen
Councillor Bruce Marshall
Councillor Ellen Morton
Councillor Gary Mulvaney
Provost William Petrie
Councillor Al Reay
Councillor Dick Walsh

Amendment

Councillor Gordon Chalmers
Councillor George Freeman
Councillor Donald Kelly
Councillor Alister MacAlister
Councillor John McAlpine
Councillor Roderick McCuish
Councillor Douglas Philand
Councillor John Semple
Councillor Ron Simon
Councillor Isobel Strong

Decision

The Motion was carried by 15 votes to 10 and the Council resolved accordingly.

(Reference: Report by Executive Director – Community Services, submitted and recommendation from Executive of 6 October 2011, tabled)

8. PARKLANDS SCHOOL, HELENSBURGH

The Executive, at its meeting on 6 October 2011 considered a report on the investigation of potential future options for the delivery of education services from Parklands School in Helensburgh and recommended to the Council adoption of all these options.

Decision

1. Approved the implementation of all three of the following options:-
 - The development of provision of pupils with an autistic spectrum disorder (ASD);
 - The development of nurture provision for the Helensburgh and Lomond area; and
 - The continued use of the facilities at Parklands to help support the needs of learners within the Helensburgh and Lomond area.
2. Noted that the implementation of these options will involve ongoing discussions with appropriate national bodies which support people with learning disabilities.
3. Recorded their congratulations to Alan Shields as Quality Improvement Manager for his outstanding work on the project.

(Reference: Report by Executive Director – Community Services dated September 2011, submitted and Extract from Minutes of Executive 6 October 2011, tabled)

9. ANNUAL REPORT BY THE AUDIT COMMITTEE 2010-2011

A report by the Audit Committee summarising the work of the Audit Committee during 2010 – 2011 and outlining its view of the Council's internal control framework, risk management and governance arrangements was considered.

Decision

Approved the contents of the Audit Committee Annual Report for 2010 – 2011.

(Reference: Extract from Minutes of Audit Committee 16 September 2011 and Annual Report by Audit Committee 2010 – 2011, submitted)

10. CORPORATE GOVERNANCE IMPROVEMENT PLAN

The Executive, at its meeting on 29 September 6 October 2011 considered a report detailing the Corporate Governance Improvement Plan and draft Joint Statement of Governance and Internal Control to accompany the 2010 – 2011 Annual recommended

to the Council approval of the Plan.

Decision

Approved the Corporate Governance Improvement Plan.

(Reference: Extract from Minutes of Executive 29 September 2011, tabled and Report by Executive Director – Customer Services dated September 2011, submitted)

11. ELECTIONS TO THE CROFTING COMMISSION: CONSULTATION PAPER ON DRAFT REGULATIONS

The Executive, at its meeting on 29 September 2011 considered a report on the current Consultation on Crofting Elections and recommended to the Council adoption of Option 1 for the proposed configuration of constituencies.

Decision

Agreed the adoption of Option 1 for Argyll and Bute as detailed in Appendix 3 of the Executive Director's report.

(Reference: Extract from Minutes of Executive 29 September 2011, tabled and Report by Executive Director – Customer Services dated 19 September 2011, submitted)

12. FURTHER CONSULTATION ON THE FUTURE OF POLICING

The Scottish Government intends to bring forward legislation to create a Single Scottish Police Service and a Single Fire and Rescue Service and follows consultation on the principles of reform and engagement with stake holders across Scotland about the future of these services. A report proposing arrangements for responding to this further consultation which closes on 2 November 2011 was considered.

Decision

Agreed to instruct the Executive Director – Customer Services to draft a response to the proposals which will follow the Council's existing policy position, as set out in responses to the previous consultation, so far as is possible, in consultation with the Leader and Depute Leader of the Council, and submit this to the Scottish Government before the consultation deadline of 2 November 2011.

(Reference: Report by Executive Director – Customer Services dated 28 September 2011, tabled)

13. NOTICE OF MOTION UNDER STANDING ORDER 13

Councillor John Semple, seconded by Councillor Donald Kelly had given notice of the following motion:-

Following the decision of the Council, as part of the 2011/12 budget to withdraw funding for the Campbeltown Ring n Ride service concern has been expressed by a wide range of users of the service that no alternative public transport will be available. The Leader of the Council gave assurances that alternatives would be made available and that users would be kept well informed. The service will be withdrawn on the 28th November

and as yet no wide ranging consultation with service users has taken place and no alternative's identified to members.

The Council instructs the Chief Executive to:-

1. investigate why wide-ranging consultation with service users did not take place and report back to the next Council Meeting.
2. engage with communities affected by the withdrawal of the ring n ride service to identify individuals affected.
3. instruct officers to implement whatever plans are necessary to meet the commitment made by the Leader of the Council for alternatives to be available.

Moved by Councillor John Semple, seconded by Councillor Donald Kelly.

Amendment

That the Council:-

Notes and acknowledges that the proposals to change the current Ring and Ride Service in Campbeltown follows the decisions taken as part of the Service Review process in November/December 2010, the decision of the Council in determining the Council budget on 10 February 2011 and the decision of the Council's Executive on 21 April 2011.

Notes and acknowledges within this process the consultations carried out on the potential impacts of the transportation service review changes with Focus Groups by Hexagon on behalf of the Council and the Forward Together Consultation events with the wider community carried out throughout the Argyll and Bute area.

Notes that ongoing measures are being implemented by Social Work to assist Learning Disability clients who will be affected by the withdrawal of the service including person centred planning where appropriate, the provision of bus passes to enable free transport on the fleet of low access vehicles.

Notes and acknowledges that alternative and regular bus services exist within the Campbeltown area and that discussions are ongoing with both the Red Cross and the local bus service operator as part of a continuing review process to support the transport needs of the community from within available resources.

Moved by Councillor Dick Walsh, seconded by Councillor Ellen Morton.

The requisite number of Members required the vote to be taken by calling the roll and Members voted as follows:-

Motion

Councillor Gordon Chalmers
Councillor George Freeman
Councillor Donald Kelly
Councillor Alister MaAlister
Councillor John McAlpine
Councillor Roderick McCuish
Councillor Douglas Philand
Councillor John Semple
Councillor Ron Simon
Councillor Isobel Strong

Amendment

Councillor Rory Colville
Councillor Robin Currie
Councillor Vivien Dance
Councillor Alison Hay
Councillor Daniel Kelly
Councillor David Kinniburgh
Councillor Neil Mackay
Councillor Donald MacMillan
Councillor James McQueen
Councillor Bruce Marshall

Councillor Ellen Morton
Councillor Gary Mulvaney
Provost William Petrie
Councillor Al Reay
Councillor Dick Walsh

Decision

The Amendment was carried by 15 votes to 10 and the Council resolved accordingly.

14. NOTICE OF MOTION UNDER STANDING ORDER 13

Councillor John Semple, seconded by Councillor Donald Kelly had given notice of the following motion:-

Following the decision of the Council, as part of the 2011/12 budget to withdraw Steward and Cleaning Services to Community Education Centres, concern has been expressed in some communities that their community centre will no longer be viable and may have to close as a result.

The Council instructs the Chief Executive to:-

1. instruct appropriate staff to undertake a full appraisal of the viability of the affected community centres.
2. identify clearly how the projected savings can be achieved for each centre and what the impact will be on service users for each centre if they close.
3. instruct staff to assist community centres develop a viable operating model which meets the needs of the users and wider community.
4. make available resources to assist community centres implement an action plan which will deliver both long term savings and a viable future affected Community Education Centres.

Moved by Councillor John Semple, seconded by Councillor Donald Kelly

Amendment

That the Council :-

Notes that the decision to implement the current consultations on the option to remove the stewarding and cleaning services from Community Centres follows the Service Review process in November/December 2010 and the Council Budget meeting on 10th February 2011.

Notes that this option was always highlighted as a contentious issue and as a result, the implementation of the option was delayed until 1st April 2012. This delay was designed to allow consultation with all staff and service users and to discuss issues around opportunities for staff redeployment and the exploration of means to mitigate any impact on the communities if the service were to be removed.

Acknowledges that the ongoing process of consultation with staff, centre management committees, centre users will continue over the next month with the progress on this review being reported back to the Councils Budget Working Group along with updates on the full review programme.

Confirms that following this scrutiny and consultation, detailed proposals will be developed for implementation that will reflect practical measures with outcomes based on the priorities indicated by centre users and management committees. This would outline the proposed changes and the impact they would have on the operation of each centre.

Agrees that the Executive Director of Customer Services issue a letter to each Management Committee confirming the process that will be undertaken following the Council meeting today.

Moved by Councillor Dick Walsh, seconded by Councillor Ellen Morton

Decision

The mover of the Motion, with the agreement of his seconder, withdrew the Motion and the Amendment became the decision of the Council.

Councillor Donald Kelly left the meeting.

The Committee resolved in terms of Section 50A(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 Paragraphs 8 and 9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

15. RELOCATION OF SEEMIS GROUP

Consideration was given to a report regarding the relocation of SEEMIS Group LLP from their premises in Hope Street, Glasgow.

Decision

1. Agreed the contents of the report; and
2. Noted that the Chief Executive would write to the Chair of the SEEMIS Group Board of Management to advise of the concerns expressed by the Council regarding the process undertaken.

(Reference: Report by Executive Director – Community Services dated 6 October 2011, tabled)