

**MINUTES of MEETING of EXECUTIVE held in the COUNCIL CHAMBER, KILMORY,
LOCHGILPHEAD
on THURSDAY, 15 DECEMBER 2011**

Present: Councillor Dick Walsh (Chair)

Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor Bruce Marshall
Councillor Vivien Dance	Councillor Gary Mulvaney
Councillor Alison Hay	Councillor Andrew Nisbet
Councillor Duncan MacIntyre	Councillor Elaine Robertson
Councillor Robert Macintyre	Councillor Len Scoullar
Councillor Neil Mackay	William Marshall

Also Present: Councillor George Freeman Councillor Alex McNaughton
Councillor Daniel Kelly Councillor Isobel Strong
Councillor David Kinniburgh Councillor James Robb

Attending: Sally Loudon, Chief Executive
Douglas Hendry, Executive Director – Customer Services
Sandy MacTaggart, Executive Director – Development and Infrastructure Services
Cleland Sneddon, Executive Director – Community Services
Charles Reppke, Head of Governance and Law
Jane Fowler, Head of Improvement and Strategic HR
Bruce West, Head of Strategic Finance
Kirsty Flanagan, Finance Manager
David Logan, QIO - Special Projects
Chris Dalgarno-Platt, Finance Manager – Special Projects
David Clements, Performance Manager
Fergus Murray, Development Policy Manager
Mark Steward, Marine and Coastal Development Manager

The Chair welcomed Mr William Marshall, the new teacher representative, to the Executive.

The Chair advised that the following Notice of Motion under Standing Order 14 had been received for consideration as a matter of urgency at this meeting -

“This Committee requests that the Leader of the Council seeks a meeting with the Minister for Transport and the Minister for Infrastructure to discuss the persistent closures over the last 3 years of the A83.

The road is the main access into Argyll for the people of Mid Argyll, Kintyre and the Islands and therefore is vital to the people and businesses who use this route.”

Moved by Councillor Alison Hay, seconded by Councillor Duncan MacIntyre.

The Chair ruled and the Committee agreed that the above Motion along with the business dealt with at item 15 of this minute be taken as a matter of urgency by reason of the need for better and more integrated strategic transportation infrastructure

planning due to problems that had arisen from the recent landslip on the A83 Rest and Be Thankful and associated road closure; and the ongoing operational issues with the new Dunoon-Gourock passenger ferry service.

The Chair ruled and the Executive agreed that the business dealt with at item 16 of this minute be taken as a matter of urgency by reason of the need to make a response to the consultation on the future of the Crown Estate.

The Chair advised that a supplementary paper would be tabled in respect of the Revenue Budget Update dealt with at item 18 of this minute.

The Chair ruled and the Executive agreed to adjourn the meeting for 10 minutes to allow Members the opportunity to read the papers that had been tabled.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ellen Morton, Maureen Arthur, David McEwan and Alison Palmer.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

(a) EXECUTIVE - 3 NOVEMBER 2011

The Minutes of the Executive of 3 November 2011 were approved as a correct record.

(b) SPECIAL EXECUTIVE - 24 NOVEMBER 2011

The Minutes of the Executive of 24 November 2011 were approved as a correct record.

(c) EMPLOYEE JOINT CONSULTATIVE COMMITTEE - 9 FEBRUARY 2011

The Minutes of the Employee Joint Consultative Committee of 9 February 2011 were noted.

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 Highlands and Islands Conveners Group and Highlands and Islands Convention on 23 October 2011; his meeting with Fergus Ewing MSP, Minister for Enterprise, Economy and Tourism on 24 October 2011; his attendance at a meeting of the Argyll and Bute Renewables Alliance on 28 October 2011; his attendance at the Association of Community Councils on 29 October 2011; his attendance at the Scottish Affairs Committee Inquiry into the Crown Estate in Scotland on 31 October 2011; his attendance at the Argyll and Bute Community Planning Partnership on 2 November 2011; his attendance at

the COSLA Leadership Board on 4 November 2011; his meeting with Brian Keating from URTV on 9 November 2011; his attendance at a COSLA Ministerial meeting re the housing budget and the Transfer of Management Development Fund on 9 November 2011; his attendance at the Highlands and Islands Conveners meeting on 17 November 2011; and his attendance at the COSLA Leaders meeting on 18 November 2011.

The Leader also provided updates on the following:-

Local Tax Collection; Benefits; Procurement and Commissioning; Customer Services; and IT.

Decision

Noted the contents of the report for the period 21 October to 25 November 2011.

(Reference: Report by Leader of the Council 21 October – 25 November 2011, submitted)

5. THIRD SECTOR AND COMMUNITIES

The Spokesperson for Third Sector and Communities submitted a report advising on work currently being undertaken in respect of the following:-

Active Schools – Sports Leadership; Library Services – Involvement in Future of Libraries Project; Adult Learning; Youth Forum – Youthbank; Supporting Youth Work; Leisure Services; Trading Standards – Citizens Panel Survey; Trading Standards – Cigarette Sales; Argyll and Bute Local Services Initiative; and the Argyll and Bute Third Sector Partnerships.

Decision

Noted the contents of the report.

(Reference: Report by Spokesperson for Third Sector and Communities dated December 2011, submitted)

6. ENVIRONMENT

The Spokesperson for Environment submitted a report updating Members on the following matters –

The Marine Protected Area Workshop; Development of the Argyll and Bute Coast Countryside Trust; Local Development Plan; Argyll and Bute Design Competition; Landscape Capacity Study; Craignish Community Plan; Biodiversity; Recycle Scotland; the Shanks PPP Contract; and the Carbon Management Programme.

Decision

Noted the contents of the report.

(Reference: Report by Spokesperson for Environment dated December 2011,

submitted)

7. EUROPEAN ISSUES

The Spokesperson for European Issues submitted a report giving a brief update on the following matters –

Highlands and Islands European Partnership Scottish Parliament Evening Reception; Meeting of the West of Scotland European Forum; Argyll and the Islands LEADER Programme 2007 – 2013; and Local Authority International Environmental Organisation (KIMO).

Decision

1. Noted the contents of the report.
2. Instructed the Executive Director – Customer Services to invite Kat Feldinger from the Scottish Government's Structural Funds Division to address the Committee on the European Structural Fund Programmes for the 2014-20 programming period.

(Reference: Report by Spokesperson for European Issues dated December 2011, submitted)

8. SOCIAL AFFAIRS

The Spokesperson for Social Affairs submitted a report providing information on the following matters –

Winter Arrangements for Social Care Services; Appointment of New head of Children and Families; Older People's Services Review; Learning Disability Services Review; Meetings he had attended; Southern Cross and Argus Care Group; and the Response to the Child Protection Inspection Report.

Decision

Noted the contents of the report.

(Reference: Report by Spokesperson for Social Affairs dated 6 December 2011, submitted)

9. PERFORMANCE MANAGEMENT REPORTING FQ2 2011/12

The Chief Executive and Executive Directors presented the Council Scorecard and Departmental Scorecards to the Executive using the Council's performance management system, Pyramid. The presentation focused on performance during the period July to September 2011, including a review of successes, key challenges and an outline of improvement actions for the coming period.

Decision

Noted the performance management report for financial quarter 2 2011/12.

(Reference: Presentation by Chief Executive and Executive Directors on Council and Departmental Scorecards for FQ2 2011/12)

10. ANNUAL PERFORMANCE REPORTS

The Annual Performance Reviews provide a mechanism for Heads of Service to review their previous year's key successes and key challenges and to identify key improvements for the coming year. A report inviting the Executive to challenge the content of the Annual Performance Reviews was considered.

Decision

Noted the content of the Annual Performance Reviews.

(Reference: Report by Chief Executive dated December 2011, submitted)

11. ANNUAL REPORT

The Annual Report, which is a key requirement of the Council's Public Performance Reporting Framework and which set out high level performance information, was considered by the Executive.

Decision

Noted the publication of the Annual Report for 2010/11 and that it would be available via the Council website and in limited hard copy format in main Council public buildings.

(Reference: Report by Chief Executive dated 22 November 2011 and Annual Report 2010/11, submitted)

12. QUEEN'S JUBILEE BANK HOLIDAY

A report was considered which related to plans to create a four day weekend in June 2012 to allow employees to participate in the Queen's Diamond Jubilee celebrations.

Decision

1. Agreed to award employees in non-teaching establishments a one-off additional days paid leave to be taken on 5 June 2012 following the UK and Scottish Governments' decision to declare that date a bank holiday, as per the Royal Wedding 2011 arrangements.
2. Agreed that any employees who are required to work on that day would be able to take the time off in lieu at a later date.
3. Agreed that Chief Officials and LGE employees will be required to take one of their floating public holidays on Monday 4 June to allow council buildings to close, where possible.

4. Agreed that staff engaged in services that require to operate would attend work as normal and not surrender a floating days leave.
5. Noted that schools will be closed to pupils on 4 June 2012 which is currently scheduled as an in-service day and that LGE staff employed in teaching establishments will not be required to take their floating public holiday on that day.
6. Noted that the relevant Minister has already given his consent for schools in Argyll and Bute to close on 5 June 2012 as part of the normal annual leave arrangements.

(Reference: Report by Chief Executive dated December 2011, submitted)

13. SINGLE OUTCOME AGREEMENT ANNUAL REPORT

A report presenting progress being made by partners on the delivery of a Single Outcome Agreement and developments being made in partnership working to facilitate a more partner based approach to service delivery was considered.

Decision

Approved the Argyll and Bute Single Outcome Agreement Annual Report 2010/11 for final submission to the Scottish Government.

(Reference: Report by Chief Executive dated December 2011 and Single Outcome Agreement Annual Report 2010-2011, submitted)

14. SINGLE OUTCOME AGREEMENT COMMUNITY PLAN

A report updating the Executive on progress with the combined Single Outcome Agreement/Community Plan, which is due to be launched in April 2012, was considered.

Decision

Noted the progress on the Single Outcome Agreement/Community Plan.

(Reference: Report by Chief Executive dated 23 November 2011 and Draft Argyll and Bute Community Plan and Single Outcome Agreement 2012/13, submitted)

15. STRATEGIC TRANSPORTATION INFRASTRUCTURE

In terms of Standing Order 14 the following Notice of Motion had been received for consideration by the Executive –

“This Committee requests that the Leader of the Council seeks a meeting with the Minister for Transport and the Minister for Infrastructure to discuss the persistent closures over the last 3 years of the A83.

The road is the main access into Argyll for the people of Mid Argyll, Kintyre and the Islands and therefore is vital to the people and businesses who use this route.”

Moved by Councillor Alison Hay, seconded by Councillor Duncan MacIntyre.

The Notice of Motion was withdrawn by the mover and seconder, given the submission of a report that had been prepared by the Executive Director – Development and Infrastructure Services that addressed a number of issues including those raised within the Motion.

A report advising the Executive on the Council’s actions with regard to addressing the requirement for better and more integrated strategic transportation infrastructure planning across government bodies and local authority agencies that have a responsibility for roads and ferries in Argyll and Bute was considered. This was due to the recent landslip event on the A83 Rest and Be Thankful and the associated road closure, and the ongoing issues associated with the new Dunoon-Gourock passenger ferry service.

Decision

1. Noted the content of the report.
2. Agreed the actions summarised within the report.
3. Delegated to the Chief Executive, in consultation with the Leader of the Council and the Spokesperson for Transportation and Infrastructure, to determine the remit and composition of a Roads and Transportation Working Group as detailed at paragraph 4.3 of the report.

(Reference: Report by Executive Director – Transportation and Infrastructure dated 15 December 2011, tabled)

16. FUTURE OF THE CROWN ESTATE

A report advising the Executive of action taken in regard to agreeing a joint response, on behalf of all local authorities within the Highlands and Islands area, to a consultation on the future of the Crown Estate, which finished on 14 December 2011.

Decision

1. Noted the action that had been taken.
2. Delegated to the Chief Executive, in consultation with the Leader of the Council, any further actions that require to be taken in the event of changes in the position of any other Council(s) within the Highlands and Islands Area.

(Reference: Report by Executive Director – Customer Services dated 15 December 2011, tabled)

The Committee adjourned for lunch at 1.05pm and reconvened at 1.40pm.

Councillor Robert Macintyre and Councillor Donald MacMillan left the meeting.

17. REVENUE BUDGET MONITORING AS AT 30 SEPTEMBER 2011

A report summarising the revenue budget position of the Council as at 30 September 2011 was considered.

Decision

Noted the revenue budget position of the Council as at 30 September 2011.

(Reference: Report by Chief Executive dated December 2011, submitted)

18. REVENUE BUDGET UPDATE

A report outlining arrangements for advising the Executive of the outcome of the local government finance settlement and its impact on the Councils budgetary position was considered. A supplementary paper was tabled at the meeting advising Members on the outcome of the local government finance settlement and updated budget forecast.

Decision

1. Noted the outcome of the local government finance settlement and updated budget forecast.
2. Agreed, in principle, to accept the local government finance settlement as detailed within the supplementary report.

(Reference: Report by Chief Executive dated 7 December 2011, submitted and supplementary report by Chief Executive dated 15 December 2011, tabled)

19. CAPITAL PLAN MONITORING AS AT 30 SEPTEMBER 2011

A report summarising the position for all departments on the capital plan as at 30 September 2011. The report compared actual and budget expenditure for the period 1 April to 30 September 2011, forecast and budget expenditure for the whole of 2011-12 and total project forecast and budget expenditure.

Decision

Noted the position for all departments on the capital plan as at 30 September 2011.

(Reference: Report by Chief Executive dated 12 October 2011, submitted)

20. TREASURY MANAGEMENT MONITORING REPORT AS AT 30 SEPTEMBER 2011

A report summarising the monitoring as at 30 September 2011 of the Council's overall borrowing position, borrowing activity, investment activity, economic forecast and prudential indicators was considered.

Decision

1. Noted the treasury management report.
2. Agreed to permit the Head of Strategic Finance to retain a maximum deposit of £5M with the Clydesdale Bank.
3. Recommended to the Council that the Investment Strategy be amended to allow up to £5M to be held in the Instant Access Account with the Clydesdale Bank.

(Reference: Report by Chief Executive dated 7 December 2011, submitted)

21. SERVICE REVIEW PROGRAMME: SUPPORT SERVICES REVIEW EXECUTIVE SUMMARIES

The executive summaries for each of the workstreams and the cross section workstream for the Support Services Review were presented to the Executive for consideration.

Decision

The Executive -

- 1 Noted the savings identified in the Executive Summaries for each of the 11 workstreams contained within the scope of the Support Services Review.
- 2 Noted that the target of 20% savings had been achieved for the Support Services Review.
- 3 Recognised that many of the savings are dependent on restructuring and the implementation of ICT changes to primary systems which will require careful implementation planning with adherence to both timescales and dependencies.
- 4 Noted that Trade Union consultations are required before changes to pay frequencies are implemented and subject to the progress of these consultations this initiative may be implemented on 1st April 2012 or April 2013 with consequential delays in the achievement of savings.
- 5 Noted that for such critical systems, great care will be needed with the fullest discussions and consultations, good communications and project management to ensure that the systems and administrative changes can be implemented accurately and to timetable.
- 6 Noted that the preferred options are management and operational matters and will be implemented by the relevant officers subject to the conclusion of the HR consultation.
- 7 Noted that the outcomes of the Support Services Review were presented to elected members at the Members Seminar on 5 December 2011.

(Reference: Report by Chief Executive dated December 2011, submitted)

22. MENTAL HEALTH STRATEGY FOR SCOTLAND

A consultation Paper had been issued by the Scottish Government giving an indication of the priority given to mental health issues in Scotland with a view to providing the basis of a national strategy and setting out a programme of work for the following 4 years. Responses are invited by 31 January 2012 and the Executive considered a draft response to the consultation.

Decision

Approved the response to the consultation as detailed in appendix 1 to the report.

(Reference: Report by Executive Director – Community Services dated 7 November 2011, submitted)

23. COMMISSION ON RURAL EDUCATION CALL FOR EVIDENCE

A report providing a draft response to the call for evidence from the Commission on Rural Education was considered.

Decision

Agreed that the draft response to the call for evidence by the Commission on Rural Education as detailed in the report be submitted on behalf of the Council.

(Reference: Report by Executive Director – Community Services dated 6 December 2011, submitted)

24. COUNCIL TAX ON LONG TERM EMPTY PROPERTIES AND HOUSING SUPPORT GRANT - CONSULTATION ON PROPOSALS FOR LEGISLATION

A report detailing a response to the Scottish Government Consultation on Council Tax on Long-Term Empty Properties was considered. Responses were invited by 10 January 2012.

Decision

Agreed the draft response to the Consultation as detailed in Appendix 1 to the report.

(Reference: Report by Executive Director – Customer Services dated 25 November 2011, submitted)

25. PROTECTION OF SHELLFISH GROWING WATERS

A report providing a brief background to the Scottish Government Consultation 'An Integrated Approach to the Protection of Shellfish Growing Waters' was considered.

Decision

1. Noted the report.

2. Agreed that the report form the basis of the Councils formal response to the Consultation.

(Reference: Report by Executive Director – Development and Infrastructure Services dated December 2011, submitted)

26. LOCAL DEVELOPMENT PLAN - PROGRESS UPDATE

The Executive considered a report providing an update on the progress with the Local Development Plan process and seeking approval to amend the timetable associated with the Local Development Plan in order to better engage with the plans wide range of stakeholders and take full account of a range of ongoing planning considerations and some which had emerged in recent weeks.

Decision

1. Noted the content of the report.
2. Approved the re-scheduling of the publication of the Local Development Plan in line with the amended timetable as detailed at Appendix A to the report.

(Reference: Report by Executive Director – Development and Infrastructure Services dated December 2011, submitted)

27. HELENSBURGH PIER MASTERPLAN

A report containing draft masterplans for the former Hermitage Academy and Pierhead Sites was considered. The Executive, at their meeting on 3 November 2011 had authorised the Executive Director – Development and Infrastructure to instruct consultants to prepare a revised master plan in an effort to procure a proposed new leisure facility and further the development and marketing of both sites. The report sought approval for these masterplans to go out to consultation for a period of time commencing 16 December 2011.

Decision

Approved the draft Masterplans containing different development options for both the former Hermitage and Pierhead sites, as detailed in Appendix A to the report, for a period of consultation commencing 16 December 2011 and ending 18 January 2012.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 2 December 2011 and draft masterplans, submitted)

The Chair intimated that Councillor James Robb, who was not a member of the Executive, had notified him that he wished, in terms of Standing Order 22.1, to speak and vote on item 27 of this Minute. The Chair ruled that he would exercise his discretion to allow him to speak on the following item of business but not to vote.

Councillor James Robb left the meeting.

Councillor Robin Currie left the meeting.

The Committee noted that in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, the report submitted contained information that would have made it possible to exclude the public for this item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973. Notwithstanding this, Members agreed to discuss the item, other than the elements thereof specifically covered by the 1973 Act in public session.

28. HELENSBURGH PIER HEAD AND HERMITAGE ACADEMY BRIEFS

A report advising Members of the progress with regard to the development of the options for the future development at the Helensburgh Pierhead in conjunction with the potential for development of the former Hermitage Academy site was considered.

The Committee adjourned midway through discussion of this item; at which point the Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the discussion of the remaining business on the grounds that it was likely to involve the disclosure of exempt information as defined in 9 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

Decision

Agreed the recommendations as contained within the report.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 15 December 2011, submitted)