

MINUTES of MEETING of OBAN LORN & THE ISLES AREA COMMITTEE held in the CORRAN HALLS, OBAN on WEDNESDAY, 12 JUNE 2019

Present: Councillor Elaine Robertson (Chair)

Councillor Mary-Jean Devon	Councillor Sir Jamie McGrigor
Councillor Kieron Green	Councillor Julie McKenzie
Councillor Jim Lynch	Councillor Andrew Vennard

Attending: Jim Smith, Head of Roads and Amenity Services
Hugh O'Neill, Networks and Standards Manager
Stuart McLean, Area Committee Manger
Stuart Watson, Traffic and Development Manager
Simon Easton, Education Manager
John Gordon, CHORD Programme Manager
Lissa Brackley, Administrative Officer

At the commencement of the meeting the Chair welcomed everyone and introductions were made.

The Chair welcomed Councillor Julie McKenzie back to the Area Committee after a period of absence.

1. APOLOGIES

Apologies for absence were intimated by Councillor Roddy McCuish.

The Oban, Lorn and the Isles Area Committee expressed condolences to Carol Kelly on the sad passing of her husband, former Councillor Danny Kelly.

2. DEPUTATIONS

The Area Committee Manager intimated that as per standing order 8.1.2, the order in which business is considered at meetings that two deputation requests had been received from Tobermory Harbour and a joint request from Iona Community Council, Mull Community Council and Mull and Iona Community Council, relating to item 5. Mull off Street Traffic Regulation Order of the agenda.

The Area Committee Manager stated that as this relates to a Traffic Regulation Order the Executive Director of Customer Services must advise that members of the public should not be permitted to make any statements and/or question the Area Committee concerning the content of the afore-mentioned report as permitting this would expose the council to legal challenge as it would undermine the procedure as prescribed by statute, that is followed in respect of an order made under sections 32, 35, 35A and 35C of the Road Traffic Regulation Act 1984.

The Area Committee Manager further advised Elected Members that it would not be appropriate to consider or respond to any questions that may arise during Public and Councillor Question time regarding the report.

The Oban, Lorn and the Isles Area Committee accepted the advice given by the Executive Director of Customer Services and rejected the deputation requests.

3. DECLARATIONS OF INTEREST

No declarations of interest were intimated.

4. MINUTES

(a) Oban, Lorn and the Isles Area Committee 13th March 2019

The minute of the Oban, Lorn and the Isles Area Committee held on the 13th March 2019 was approved as a correct record.

(b) Oban, Lorn and the Isles Special Area Committee 10th April 2019

The minute of the Oban, Lorn and the Isles Area Committee held on the 10th April 2019 was approved as a correct record.

(c) Oban Common Good Fund 26th March 2019

The minute of the Oban Common Good Fund held on the 26th March 2019 was noted.

(d) Oban, Lorn and the Isles Area Community Planning Group 8th May 2019

The minute of the Oban, Lorn and the Isles Community Planning Group held on 8th May 2019 was noted.

Before moving into Public and Councillor Question time the Area Committee Manager reiterated the Executive Director of Customer Services advice that it would not be appropriate to consider or respond to any questions that may arise during this agenda item as regarding the Mull Off-Street Traffic Regulation Order.

5. PUBLIC AND COUNCILLOR QUESTION TIME

At the commencement of Public and Councillor Question time a petition was submitted on behalf of Mull Community Council regarding the Mull Off-Street Traffic Regulation Order. The Chair accepted the petition advising that as it had been received after the closure of the public consultation the petition would not be referred to at the meeting and would be filed for future reference.

1. Moray Finch asked the Area Committee if they would consider referring the Mull Off-Street Traffic Regulation Order for consideration via hearing.

The Area Committee Manager reminded the Area Committee that it would not be prudent to respond to questions on this matter but advised the Committee that referring the matter to a discretionary hearing was within their powers.

2. Mhairi Killin, Iona Business Forum, raised concerns around the reducing number of tourists over the past two years and identified that there had been a shift in the type of traveller with most now being independent travellers. Ms Killin further asked what support Argyll and Bute Council would provide to mitigate against the reduction in tourists.

The Area Committee noted the concerns raised.

3. Shiona Ruheman, Iona Community Council, sought clarification on whether any matter affecting islands, should involve a statutory body consultation.

The Chair confirmed that Argyll and Bute Council do and will continue to consult with communities and any failure to do so would be addressed.

4. Iain Nicoll asked the Committee whether the Mull Rally would be able to take place as normal.

The Chair responded that she couldn't think of a reason why Mull Rally would not continue to operate as normal.

5. Brian Swinbanks asked the Area Committee to confirm that access would be permitted on an ongoing basis to the harbours on Mull.

The Chair informed the meeting that there was no suggestion to impeding access to the harbours and further information on this would be presented at item 7, Craignure Pier – STAG Report, of the agenda.

6. Richard Payne asked the Area Committee when the electric car charging point at Ledaig Car Park would be fixed.

The Area Committee Manager informed Mr Payne that he would request a response from the responsible officer and respond back to Mr Payne if he provided his contact details at the end of the meeting.

7. Elizabeth Ferguson asked each Member of the Oban, Lorn and the Isles Area Committee what they would do differently in order to sustain island life.

Councillor Robertson noted the importance of recognising the uniqueness of island life and that members regularly visit islands.

Councillor Devon responded that she hoped that everyone attending would be able to see first-hand how the committee process works and that Elected Members do take on board what communities say and use this to challenge officers.

Councillor McGrigor noted the importance of change and that more account should be taken of local bio-diversity and improving things for future generations. He highlighted the importance of treating the needs of each island on an individual basis.

Councillor McKenzie noted the strength of feeling that had been shown at the meeting on local matters and that island communities would turn out in force to address matters that affect them. She felt the current level of consultation and engagement by the Council, in its widest sense, was inadequate and that local communities should be listened to more. She also noted the importance of the Community Empowerment Act and that no one should be disadvantaged due to living on an island.

Councillor Lynch acknowledged that there was currently a lack of trust by the community and that this requires to be addressed through better levels of communication and improved engagement.

Councillor Green acknowledged that every island is different and although he doesn't have a deep understanding of island life he appreciated the issues being faced by island communities within Argyll and Bute.

Councillor Vennard stated that new ways of communication need to be looked at and that this is something he would like to be involved in.

Councillor McKenzie believed that the Council was overly prescriptive and would like to look at how to tip the balance, adding that the Area Committees was a good place to start addressing this.

The Chair concluded this item by thanking Ms Ferguson for her question and noted the importance of building trust and the challenges faced by island living.

8. Neil MacIntyre expressed concerns over the lack of a paper being submitted to the Area Committee for consideration in regards to item 12. Oban Strategic Framework.

The Chair informed Mr MacIntyre that a verbal progress update would be heard at the aforementioned agenda item.

9. Mr Kirkwood addressed the Committee and asked them to consider and reflect on the following in regards to policy delivery on Mull before making decisions:

- The individual expertise of the officers and respecting the views of the communities as they know their own areas.
- Scales of participation in context of policy.
- Bio diversity, in relation to eco systems, as there is a need for all parts of an island to work together.

10. Neil McKay, Oban Tourism Alliance, asked the Area Committee if they could guarantee improvements at Mossfield Park would go ahead in the next 12 months and noted that work undertaken to date had been routine maintenance and not the improvement works promised.

The Chair informed Mr McKay that whilst no guarantees could be given at this precise moment the question would be put to an appropriate officers and a full response given in due course. Mr McKay was invited to attend the next Business Day of the Oban, Lorne and the Isles Area Committee to discuss the issue further on 14 August 2019

Councillor McKenzie congratulated Mr McKay and Oban Live on another successful event and highlighted the importance of the event to the local economy, this sentiment was echoed by all Members of the Area Committee.

11. Billy McClymont ask the Area Committee to clarify what they considered to be a life line service.

Councillor Devon responded that she was not sure her colleagues totally understood the challenges of island life and having to pay more for the same service.

Councillor Lynch responded that it was important to engage with people who live on islands as they know how best to address the challenges of island life.

Councillor Green responded that the classification of a life line service would depend on the specific community needs and referenced the bridge to the Island of Seil as one such example.

12. Shiona Ruhemann raised concerns around the lack of consultation in matters that affect communities and asked whether the Area Committee would look into the legal position regarding consultation processes.

The Chair acknowledged this request and that it would be investigated.

13. Mhairi Killin asked whether the Area Committee were aware that every time the Iona retained fire service were called out a full team and engine were also mobilised from Tobermory and it was vital that these services were supported.

The Chair responded that as far as she was aware the Council had a statutory obligation to ensure free and clear passage for blue light services and asked the Head of Roads and Amenities Services to confirm this. Mr Smith confirmed that blue light services have the continued support of the Council and that the Council works with them to ensure ease of passage.

14. A member of the public asked how many Area Committee meetings in the last 12 months had been held on Islands.

The Chair responded that the Oban, Lorn and the Isles Area Committee met on Mull in September 2018. She acknowledged that today's meeting had not been held in Mull to allow for officer attendance and a subsequent meeting that Elected Members had to attend.

Councillor McKenzie informed the Area Committee that she had always championed the case for live streaming of Council meetings to make them more accessible for remote communities.

15. Mr Brian Swinbanks asked if the Committee recognised the binary benefit that Tobermoray Harbour Association brings to Mull, specifically its £300-£400k annual spend and the associated £3m spend by visitors.

Councillor Robertson thanked Mr Swinbanks for his question.

6. MULL OFF-STREET TRAFFIC REGULATION ORDER

The Committee gave consideration to a report on the progress of a Traffic Regulation Order to promote changes to parking tariffs and to introduce charging in existing free car parks controlled by Argyll and Bute Council.

The Committee held a robust discussion around the proposed Traffic Regulation Order and how this may affect residents and tourists on the Isle of Mull.

Motion

The Oban, Lorn and the Isles Area Committee:

1. Agrees to progress the Mull TRO summarised in paragraph 4.5.1 of the report by the Executive Director of Development and Infrastructure, subject to the following amendments:
 - a. Offer a 12 month parking permit for residents of Iona at the rate of 20% of the Council's standard annual permit charge (currently £475 with 20% equating to £95) for use at Fionnphort off street car park as shown on drawing number T460 of Appendix 1;
 - b. Offer a 12 month 'sail and park' permit to everyone at 20% of the full price when paid annually (currently £475 with 20% equating to £95) for use at the long stay Craignure car park as shown on drawing number T463 of Appendix 1;
 - c. The Fionnphort Resident Parking Permit will also be valid at Craignure car park;
 - d. The period of charging will be Monday to Saturday 9am – 6pm and Sunday 1pm-6pm.
2. Further agrees:
 - a. To protect against displacement, an on-street TRO for Tobermory Main Street will be progressed as quickly as possible, with the initial consultation process commencing in Autumn 2019;
 - b. To progress a TRO for coach charging at Ledaig, Tobermory, charged after two hours, on the same basis as car charging for the remainder of the car park (service buses not included). The initial consultation process will commence in Autumn 2019;
 - c. To maintain access within Ledaig car park for marine based activities and businesses for loading and unloading.
 - d. To progress a TRO for coach charging at the off-street car park in Fionnphort, with a £15 standing charge, with the initial consultation process commencing in Autumn 2019.
3. Notes that a weekly ticket can be purchased for £30;
4. Notes that a review will be undertaken within two years.
5. Notes that the Scottish Government did not implement the Island Community Impact Assessment in October 2018 as expected and that, to respect the intent of

the Act, the Council has carried out a further Equalities and Socio-Economic Impact Assessment, attached at Appendix 5, specifically on this TRO to consider and evidence the impact on the affected island communities of Mull, Iona and Ulva.

Moved by Councillor Robertson, seconded by Councillor McGrigor.

The Chair ruled, and the Area Committee agreed, to adjourn the meeting at 12.50 pm to allow Members of the Committee time to prepare a competent Amendment.

The Committee reconvened at 1.15 pm.

Amendment

The Oban, Lorn and the Isles Area Committee:

1. Note that Argyll and Bute Council agreed in February 2018 that a number of Traffic Regulation Orders would be progressed, of which Elected Members were unaware of the potential adverse impacts on our communities like Mull and Iona.
2. Note that it is clear from the numerous representations received that the local community feel the concerns they had raised had not been fully explored, addressed or acknowledged.
3. Note the Traffic Regulation Order had the potential to do long term detrimental damage to the Islands' community and economy.
4. Therefore the Committee agrees that the Traffic Regulation Order should not be approved and rejected in its entirety and that any future Traffic Regulation Order would involve an Islands Community Impact Assessment under the terms of Island Act (Scotland).

Moved by Councillor Devon, seconded by Councillor Lynch

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

Motion

Councillor Green
Councillor McGrigor
Councillor Robertson
Councillor Vennard

Amendment

Councillor Devon
Councillor Lynch
Councillor McKenzie

Decision

The Motion was carried by 4 voted to 3 and the Oban, Lorn and the Isles Area Committee resolved accordingly.

(Ref: Report by Executive Director of Development and Infrastructure dated February 2019, submitted)

The Chair ruled and the Committee agreed to take the agenda items out of sequence to facilitate officer commitments. The following items are minuted as they were taken at the meeting.

7. CRAIGNURE PIER - STAG REPORT

The Committee gave consideration to a report that offered an overview of the STAG report findings which had been completed by the consultant Mott MacDonald.

Decision

The Oban, Lorn and the Isles Area Committee agreed:-

1. Officers engage with the local community and partners (Transport Scotland, CMAL and Calmac) to discuss the findings of the STAG report.
2. Officers make arrangements to move the process onto the next stage i.e to produce the outline business case for both interim and long-term options.
3. All related decisions of the Area Committee be considered by the Harbour Board and;
4. To write to CMal in support of the Communities wish to commission smaller vessels and the introduction a more frequent sailings timetable which would better support existing infrastructure both in Oban and Mull.

(Ref: Report by Executive Director of Development and Infrastructure dated 27 May 2019, submitted)

8. PRIMARY SCHOOL REPORT 2018/19- OBAN, LORN AND THE ISLES

The Committee gave consideration to a progress and statistical update report on the Primary Schools in Oban, Lorn and the Isles for the 2018/2019 session.

The Committee held a discussion with the Education Manger around school attainment figures, clothing grants, school meals, early years, health and wellbeing and individual school updates all of which were referenced within the report.

Decision

The Oban, Lorn and the Isles Area Committee:-

1. Considered and noted the contents of the report and;
2. Thanked the Education Manager for his attendance and the quality of the comprehensive report.

(Ref: Report by Head of Education: Lifelong Learning and Support dated 12 June 2019, submitted)

9. OBAN STRATEGIC FRAMEWORK

The CHORD Programme Manager provided a verbal update on progress made regarding the Oban Strategic Framework (OSF). Mr Gordon confirmed that OSF was not a definitive list of projects but a collaborative land use and spatial framework that would ensure future development is undertaken in a sustainable and co-ordinated manner to minimise the risk for conflict and maximise return on investment.

Mr Gordon added that it would also be used as supplementary planning guidance and would be fully integrated with all existing transformation projects in the Oban, Lorn and the Isles Area.

Decision

The Oban, Lorn and the Isles Area Committee:-

1. Noted the contents of the verbal update and;
2. Noted a full progress update report would be submitted to the September 2019 Oban, Lorn and the Isles Area Committee.

(Ref: Verbal update and handout by CHORD Programme Manager, dated 12 June 2019, submitted)

10. PERFORMANCE REVIEW - AREA SCORECARD

The Committee gave consideration to a report which presented the Area Report and Scorecard for Financial Quarter 4 2018/19 (January-March 2019) which illustrated the agreed performance measures.

Decision

The Oban, Lorn and the Isles Area Committee:-

1. Noted the performance presented on the scorecard and supporting commentary.
2. Agreed that upon receipt of the Quarterly Performance Report the Area Committee contact either the Performance Management and Improvement Officer or the Responsible Named Officer with any queries and;
3. Noted that work was ongoing and to respond to the Performance Management and Improvement Officer with requests or comments regarding the layout and format of the Report and Scorecard.

(Ref: Report by Performance and Improvement Officer dated 12 June 2019, submitted).

11. LOCALITY PLANNING GROUP OPTION APPRAISAL OCTOBER 2018

The Committee gave consideration to a report that highlighted the new four model Locality Planning Group Arrangement and the requirement for elected member representation to the Oban, Lorn and the Isles Locality Planning Group.

The Committee held a discussion around the importance of Elected Member representation on the Locality Planning Group and that the whole of Oban, Lorn and the Isles be fairly represented.

Decision

The Oban, Lorn and the Isles Area Committee:-

1. Considered and noted the contents of the report and;
2. Agreed that Councillor Julie McKenzie be the elected member representative on the Oban, Lorn and the Isles Locality Planning Group.

(Ref: Report by Associate Director of Public Health dated 12 June 2019, submitted)

12. ENGAGEMENT FRAMEWORK AND PUBLIC INVOLVEMENT

The Committee gave consideration to a report summarising the development of the Engagement Framework and its approval by the IJB, the structures that had been developed to fit under this framework and how these interact within the Framework.

Decision

The Oban, Lorn and the Isles Area Committee noted the contents of the report.

(Ref: Report by Health and Social Care Partnership dated 12 June 2019, submitted)

13. PROPERTY UPDATE

The Committee gave consideration to a report which provided an update on property development and estates projects that were ongoing in the Oban, Lorn and the Isles area.

Decision

The Oban, Lorn and the Isles Area Committee noted the contents of the report.

(Ref: Report by Property Development Manager dated 14 May 2019, submitted)

14. OBAN, LORN AND THE ISLES AREA COMMITTEE WORKPLAN

The Committee considered the Oban, Lorn and the Isles workplan for June 2019 to June 2020 inclusive.

Decision

The Oban, Lorn and the Isles Area Committee noted the Oban, Lorn and the Isles workplan.

(Ref: Oban, Lorn and the Isles Workplan dated 12 June 2019, submitted)

At the conclusion of the meeting the Area Committee expressed thanks to Charles Reppke, Head of Governance and Law for all his assistance and hard work over the years and wished him well for his retirement.