

**MINUTES of MEETING of EXECUTIVE held in the COUNCIL CHAMBER, KILMORY,
LOCHGILPHEAD
on THURSDAY, 17 SEPTEMBER 2009**

Present: Councillor Dick Walsh (Chair)

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

Also Present: Councillor Rory Colville Councillor Andrew Nisbet
Councillor Alister MacAlister Councillor Al Reay

Attending: Sally Loudon, Chief Executive
Charles Reppke, Head of Democratic Services and Governance
Douglas Hendry, Director of Community Services
Andrew Law, Director of Operational Services
Angus Gilmour, Head of Planning
Malcolm MacFadyen, Head of Community Regeneration
Neil McKay, Planning Manager
Janne Preston, Community Services Best Value and Planning
Manager
Douglas Blades, Public Transport Officer
Stuart Green, Planning Development Officer
Jennifer Swanson, Policy Officer - Strategy

Apologies: Councillor Elaine Robertson Maureen Arthur

The Chair ruled, and the Executive agreed, that the business dealt with at item 4 of this Minute be dealt with as a matter of urgency by reason of the need to take a decision on recovering the costs of planning advertisements following the introduction of new Planning Regulations which came into force in August 2009.

1. DECLARATIONS OF INTEREST

Councillor Douglas Philand declared a non financial interest in respect of the report on Kilmory Home Farm Asset Realisation which is dealt with at item 10 of this Minute as he is a Board Member on the Kilmory Home Farm Community Group Project, left the room and took no part in the discussion of this item.

Councillor Rory Colville declared a non financial interest in respect of the report on the Campbeltown Skatepark/BMX Track which is dealt with at item 13 of this Minute as he has been assisting the Founders Group with this project, left the room and took no part in the discussion of this item.

2. MINUTES

(a) EMPLOYEE JOINT CONSULTATIVE COMMITTEE 28 JANUARY 2009

The Minutes of the Employee Joint Consultative Committee meeting held on 28 January 2009 were noted.

(b) EXECUTIVE 20 AUGUST 2009

The Minutes of the Executive of 20 August 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:-

His attendance at the Homecoming Steering Group meeting on 7 August 2009; his attendance at the CHORD Programme Management Board on 10 August 2009; his attendance at the Chief Officers, Senior Officers (COSO) meeting on 25 August 2009; his attendance at the COSLA Leaders meeting on 28 August 2009; and his attendance at the Gourock Ferries meeting on 31 August 2009. The Leader also advised on Council Tax and Non-Domestic Rate collection figures to the end of August 2009.

Decision

1. Noted the contents of the report; and
2. Noted that £3,000 and not £300, as stated in the report, had been secured from the Oban Common Good Fund for the Homecoming Rhapsody Programme.

(Reference: Report by Leader of the Council for the period 1– 31 August 2009, submitted)

4. THE TOWN & COUNTRY PLANNING (CHARGING FOR PUBLICATION OF NOTICES) (SCOTLAND) REGULATIONS 2009 - PLANNING APPLICATION ADVERT CHARGES

The Development Management processes and procedures went through a period of significant change, culminating in the introduction of new Regulations in August 2009. Whilst the Regulations primarily related to the Planning hierarchy, Committee procedures, the scheme of delegation, appeals and reviews, new Regulations were also introduced relative to charges for planning advertisements. Up until August, in order to recover the cost of certain advertisements (as allowed by Regulation) the number of annual advertisements were divided by the total annual cost to give an average figure for charging to applicants. This was recently set at £150 in order to ensure full cost recovery. However, since 3 August, the Regulations have fundamentally changed requiring a pro-rata approach to charging. A report advising on the proposed way in which the Council will now recover costs for planning advertisements was considered.

Decision

The Executive agreed:-

1. To note the contents of the report;
2. To move to advertising fortnightly, in an attempt to keep costs to a reasonable minimum;
3. That representations should be made to the Scottish Government and to COSLA as detailed at paragraph 2 (iii) of the report;
4. That notes for guidance be changed to advise of the likely range of costs (£50 - £550 plus VAT), but retain the initial £150 advertisement charge as the base line and thereafter issue a refund or further charge;
5. That a clause be entered into the notes for guidance which allows for a one off advertisement if the applicant so wishes but this is likely to be in the order of £550 plus VAT;
6. That Officers should undertake discussions with Euro RSCG Riley (the Council's agency for advertisements) in an attempt of agree with the newspapers a fixed advert charge, regardless of the number appearing in any paper in any one week; and
7. That Officers should also discuss with Euro RSCG Riley the possibility of placing advertisements in other local papers not currently used, for example, The Ilead and the Helensburgh edition of the Lennox Herald.

(Reference: Report by Director of Development Services, tabled)

5. EDUCATION AND LIFELONG LEARNING

The Spokesperson for Education and Lifelong Learning submitted a report which highlighted issues she had recently been involved with including:-

The Standards and Quality in Argyll and Bute Schools report; Professional Development Awards presented to staff at a ceremony held in Helensburgh; her visit to Tiree on 26 and 27 August 2009 with the Head of Secondary Education and the Minister for Children and Early Years; and the SQA Exam results.

Decision

Noted the contents of the report.

(Reference: Report by Spokesperson for Education and Lifelong Learning dated September 2009, submitted)

6. PREMATURE RETIREMENT SCHEME FOR TEACHERS

A report detailing the proposed premature retirement scheme for teachers and the criteria which would apply was considered.

Decision

Agreed to continue consideration of this item to the next meeting to allow a more detailed report to be prepared for Members.

(Reference: Report by Director of Community Services dated 10 August 2009, submitted)

7. NPDO SCHOOLS PROJECT PROGRESS REPORT

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

Decision

Noted the contents of the report.

(Reference: Report by Director of Community Services dated 1 September 2009, submitted)

8. 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 in service delivery through increased joint working and efficiency savings through staffing restructure was considered.

Decision

Agreed to continue consideration of this item to allow for a seminar to take place to inform Members of the implications of the proposed recommendations detailed in the report.

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

9. EXPENDITURE ON ENHANCED DEMAND RESPONSIVE TRANSPORT SERVICES 2009 - 2010

The Executive considered a report advising of an error in the paper approved by the Executive on 20 August 2009 in relation to the Enhanced Demand Responsive Transport Scheme.

Decision

Noted the error in the paper of 20 August 2009 and authorised the funding of £4,158.70 (shown erroneously as being awarded to the North Argyll Volunteer Car Scheme) to the Mid Argyll Transport Volunteers.

(Reference: Report by Director of Development Services dated 1 September 2009, submitted)

Having previously declared an interest, Councillor Douglas Philand left the room and took no part in the discussion of the following item.

10. KILMORY HOME FARM ASSET REALISATION

A report setting out a planning assessment of the potential for small scale affordable housing at Kilmory Home Farm was considered.

Decision

The Executive agreed:-

1. To note the content of the report;
2. To defer any further consideration of the future of Kilmory Home Farm until the community group have fully explored the potential funding/business plan and reported back to the Council by June 2010, noting that Officers had agreed to contact the Community Group to offer them assistance with the completion of their business plan;
3. That the need for a comprehensive management and development plan for all the Council's land ownership at Kilmory is recognised; and
4. To instruct the Director of Development Services to produce a scoping paper using existing departmental staff resources for further consideration by the Executive in June 2010.

(Reference: Report by Director of Development Services, submitted)

Councillor Philand returned to the meeting.

11. ARDRISHAIG REGENERATION MASTERPLAN

The Executive considered a recommendation by the Mid Argyll, Kintyre and the Islands Area Committee seeking approval of proposed funding to assist with the implementation of the Ardrishaig Regeneration Masterplan from area Capital Receipts.

Decision

Agreed to authorise the Mid Argyll, Kintyre and the Islands Area Committee to allocate £48,000 from their Capital Receipts Budget over a 3 year financial period 2010 – 2013 in respect of a joint project with British Waterways towards the regeneration of the waterfront in regards to the Ardrishaig Regeneration Masterplan.

(Reference: Extract from Minutes of Mid Argyll, Kintyre and the Islands Area Committee of 2 September 2009 and Report by Director of Development Services, submitted)

12. CAMPBELTOWN INFRASTRUCTURE IMPROVEMENTS, FLOOD PREVENTION AND TAYINLOAN PIER - FERRY BERTH IMPROVEMENTS

A report seeking authorisation to appoint consultants to assist with Campbeltown Infrastructure Improvements, Flood Prevention and Tayinloan Pier-Ferry Berth Improvements was considered.

Decision

Authorised the appointment of consultants as detailed in the report.

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

Having previously declared an interest, Councillor Rory Colville left the room and took no part in the discussion of the following item.

13. CAMPBELTOWN SKATEPARK/BMX TRACK

The Executive considered a recommendation from the Mid Argyll, Kintyre and the Islands Area Committee in respect of the development of a new facility BMX track on the existing wheeled park in Campbeltown. A report by the Director of Operational Services providing additional information in respect of this request was also considered.

Decision

The Executive agreed:-

1. That in view of the current uncertainty over the potential Council use of the ground at Bengullion Road, that no commitment is given at this stage to the Founders Group in terms of a long term lease of the site;
2. To note the two preferences identified in the summary information in section 1 of the Director's report and the consequences of deciding on either of the particular options;
3. To instruct the Director of Operational Services to provide an update to the Executive on the potential use of the ground in question to allow a decision to be reached by early 2010 noting that the Director will seek to identify other ground that the Founders Group could lease for this facility if the ground at Bengullion Road is not available .

(Reference: Report by Director of Operational Services dated 4 September 2009, Extract from Minutes of Mid Argyll, Kintyre and the Islands Area Committee of 5 August 2009 and Report by Network and Environment Manager, submitted)

Councillor Colville returned to the meeting.

14. VETERANS' CHAMPION

The Executive considered a report advising of correspondence received inviting the Council to appoint a Veterans' Champion to take on the task of ensuring that local service provision is mindful of the needs of Service Veterans. A recommendation from the Helensburgh and Lomond Area Committee was also considered.

Decision

1. Noted the contents of the report and agreed to continue consideration to a future meeting; and
2. Agreed that Councillor Al Reay would represent the Council at the forthcoming Veterans' event in Edinburgh on 3 November 2009.

(Reference: Report by Director of Corporate Services dated 4 September 2009 and Extract from Minutes of Helensburgh and Lomond Area Committee of 4 August 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 item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

15. SOCIAL WORK COMPLAINTS REVIEW COMMITTEE

A report setting out the findings of a recent Social Work Complaints Review Committee was considered.

Decision

1. Noted the decision of the Social Work Complaints Review Committee;
2. Noted the responses received from both the Director of Community Services and the complainant; and
3. Noted that the department will give effect to the recommendations from the Committee in as far as not already undertaken.

(Reference: Report by Director of Corporate Services dated 25 August 2009 and Report by Social Work Complaints Review Committee of 24 March 2009 ad 18 June 2009, submitted)