

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER, KILMORY,  
LOCHGILPHEAD  
on THURSDAY, 31 OCTOBER 2013**

**Present:**

Depute Provost Philand

Councillor Blair	Councillor R G MacIntyre
Councillor Breslin	Councillor MacMillan
Councillor Colville	Councillor McNaughton
Councillor Corry	Councillor McQueen
Councillor Currie	Councillor Marshall
Councillor Dance	Councillor A Morton
Councillor Devon	Councillor E Morton
Councillor Freeman	Councillor Mulvaney
Councillor Glen-Lee	Councillor Robb
Councillor Hall	Councillor Robertson
Councillor Horn	Councillor Scoullar
Councillor Kinniburgh	Councillor Semple
Councillor McAlpine	Councillor Strong
Councillor MacDougall	Councillor Taylor
Councillor D MacIntyre	Councillor Trail
Councillor R E Macintyre	Councillor Walsh
William Crossan	
Alison Palmer	
William Marshall	

**Attending:**

Sally Loudon, Chief Executive  
Douglas Hendry, Executive Director of Customer Services  
Sandy Mactaggart, Executive Director of Development and Infrastructure  
Bruce West, Head of Strategic Finance  
Charles Reppke, Head of Governance and Law  
Carol Evans, Head of Education  
Jim Smith, Head of Roads and Amenity Services  
James Robb, Head of Adult Services  
Michael Casey, Project Officer

Prior to the meeting commencement, the Depute Provost informed Members that the Provost, Councillor Isobel Strong had intimated her resignation as Provost with immediate effect. The Depute Provost then invited Councillor Strong to address the meeting.

Councillor Strong stated that she was sorry to be standing down from her role as Provost. She expressed her thanks to the Depute Provost, Member Services and the Council Officers for their help during her time in office, especially whilst she was recovering from major surgery. Councillor Strong detailed the many civic events and duties she had attended and how she had enjoyed representing Argyll and Bute Council as she undertook these duties.

Councillor Dick Walsh, on behalf of all Councillors, thanked Councillor Strong for her professionalism and the dedicated manner in which she had carried out her role as Provost and Chair of Council meetings.

Councillor Robert E Macintyre also commended Councillor Strong and detailed the high respect he had for her.

Depute Provost, reiterated these comments and thanked Councillor Strong for the hard work and effort undertaken in fulfilling the role as Provost.

The Depute Provost then thanked Sandy Mactaggart, Executive Director – Development and Infrastructure for his hard work and dedication during his service with Argyll and Bute Council and presented him with a Quaich to mark his departure to a new position with SSE.

Sally Loudon, Chief Executive, detailed the considerable achievements and progress made by Sandy and the lasting legacy this would be to Argyll and Bute Council. She thanked him for the personal support received and extended Sandy her good wishes in his new post.

Councillor Dick Walsh also thanked Sandy on behalf of the people in Argyll and Bute for his commitment and determination to his remit.

Sandy Mactaggart replied that it had been a privilege to serve at Argyll and Bute Council and thanked Sally Loudon for her leadership and support. He expressed his thanks to the many Council officers who had supported him during his service.

## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated on behalf of Councillor Roddy McCuish, Councillor Iain Angus MacDonald, Councillor Donald Kelly and David McEwan.

The Depute Provost, on behalf of the Council, wished Councillor McCuish a speedy recovery from illness.

## **2. DECLARATIONS OF INTERESTS**

There were no Declarations of Interest.

## **3. MINUTES**

The Minutes of the Meeting of Argyll and Bute Council of 26 September 2013 were approved as a correct record.

## **4. NEW COUNCIL ADMINISTRATION**

The Leader intimated that a report had been tabled and Councillor Sandy Taylor requested an adjournment of 10 minutes. The Depute Provost ruled, and the Council agreed, to adjourn the meeting and reconvene after 10 minutes to allow Members to review the report on the new Council Administration which had been tabled.

The Council considered a report which advised on elements arising from the formation of a new Council Administration as noted at the last Council meeting.

### **Decision**

1. Noted that the new administration proposed alterations to the positions referred to in section 3.5 - 3.8 and to make the appointments proposed within the detail of the report, as follows:-

The members appointed to the interim Steering Group were

Councillors Dick Walsh, Ellen Morton, Duncan MacIntyre, Gary Mulvaney, Douglas Philand, Robin Currie and Vivien Dance.

Noted the resignation of the current Provost, and that Councillor Len Scoullar be appointed as Provost with immediate effect.

Noted that the interim appointments of Chair and Vice Chair of the Planning Protective Services and Licensing Committee and Licensing Board ceased with immediate effect and that the following appointments be made;

- Planning Protective Services and Licensing Committee [when dealing with planning services matters]
  - Chair David Kinniburgh / Vice Chair Alex McNaughton
- Planning Protective Services and Licensing Committee [when dealing with civic government licensing matters ] and Argyll and Bute Licensing Board
  - Chair Rory Colville / Vice Chair Alex McNaughton

Agreed removal with immediate effect the Chairs and Vice Chairs of the, Mid Argyll Kintyre and the Islands, and Oban Lorn and the Isles and the Chair of the Helensburgh and Lomond only and the Vice Chair only of the Bute and Cowal Area committees and confirmed the following appointments:

Helensburgh and Lomond

Chair Councillor Mulvaney / Vice Chair Councillor Freeman

Mid Argyll Kintyre and the Islands

Chair Rory Colville / Vice Chair Donnie McMillan

Bute and Cowal

Chair Robert E Macintyre /Vice Chair Bruce Marshall

Oban Lorn and the Isles

Chair Councillor MacDougall / Vice Chair Councillor Robertson,

2. Noted the appointments proposed by the Leader in terms of Paragraph 6.3 of the constitution to the role of Policy Leads, Depute Policy Leads and the remit for each postholder as follows:-

<b>POLICY LEAD</b>	<b>DEPUTE</b>	<b>REMIT</b>
Len Scoullar	N/A	Island Affairs
Dougie Philand	Elaine Robertson	Adult Care
Dick Walsh	Gary Mulvaney	Strategic Finance
Ellen Morton	Robert G Macintyre	Roads, Amenity Services, Infrastructure, Asset Management, and Special Projects
Duncan Macintyre	Maurice Corry	European Affairs, Sustainable Economic Growth, and Strategic Transportation
Donald Kelly	Bruce Marshall	Improvement, HR, Customer Support, and Facility Services

Robin Currie	Iain Angus MacDonald	Community & Culture, and Strategic Housing
Vivien Dance	Roddy McCuish	Sustainable Environment, Renewables, and Strategic Tourism
Aileen Morton	Len Scoullar	Education, Lifelong Learning, and Strategic IT Services
David Kinniburgh	Alex McNaughton	PPSL Planning Services
Mary Jean Devon	Jimmy McQueen	Children and Families

Agreed also that notwithstanding the terms of the current scheme of remuneration and constitution that payments be made to senior Councillors on the following basis:

Policy lead -£23000  
Area Chair-£19175

Provided always that a person who holds two positions shall receive payment for only the higher of the two roles

3. Agreed that current members of the Performance Review and Scrutiny Committee, and Audit Committee remain in position for the November 2013 round of meetings.
4. Agreed that Councillor Aileen Morton be added to the Local Negotiation Committee for Teachers.

(Reference: Report by the Leader of the Council, dated 31 October 2013, tabled)

The Depute Provost then welcomed Councillor Len Scoullar, the new Provost and congratulated him and wished him a successful term in office.

Councillor Len Scoullar accepted the Chair and endorsed the thanks which had been expressed both to Councillor Strong and Sandy Mactaggart.

## **5. AUDIT SCOTLAND/ACCOUNTS COMMISSION - STATUTORY REPORT**

The Council considered a report which confirmed that the Audit Scotland Statutory Report was submitted by the Controller of Audit to the Accounts Commission on Thursday, 17 October and advised on arrangements for the reporting of findings.

The Executive Director of Customer Services provided an update on the Accounts Commission's findings and advised that arrangements would be made for formal approval by the Council.

### **Decision**

Noted the contents of the report.

(Reference: Report by Executive Director – Customer Services dated 24 October 2013, submitted)

## **6. LEADER'S REPORT**

The Council considered a report by the Leader since his appointment on 26 September 2013 which focused primarily on the report prepared by the Controller of Audit following the recent Audit Scotland Review in regards to Member to Member and Member to Office relations.

### **Decision**

Noted the contents of the report.

(Reference: Report by Councillor Dick Walsh, Leader of Argyll and Bute Council dated 31 October 2013, submitted)

## **7. EDUCATION MANAGEMENT REVIEW**

The Council considered a report on the review of central management and quality improvement arrangements in the Education Service.

### **Decision**

The Council agreed to note the proposed consultation arrangements outlined in the report and to extend those arrangements within the Education service in consultation and discussion with the Policy Lead for Education and Lifelong Learning and the Depute Policy Lead for Education and Lifelong Learning, and that a report with proposals for the new management structure be brought back to a future Council meeting.

(Reference: Report by Executive Director – Community Services dated 6 October 2013, submitted)

## **8. OBAN HIGH SCHOOL SITE SELECTION AND DUNOON AREA PRIMARY AND PRE 5 PROVISION**

### **(a) OBAN HIGH SCHOOL SITE SELECTION**

The Council considered a report which provided an update on the results of the agreed process for appraising the feasibility of the previously agreed shortlist of possible sites for the new Oban High School.

### **Decision**

1. Noted the results of the process for evaluating the feasibility of the shortlists for Oban and that this was carried out with a full understanding of the impact of the Lorn Arc – Tax Incremental Finance (TIF) project and the draft Local Development Plan;

2. Agreed the resulting options should be taken to public consultation in respect of the sites in Oban, as set out in paragraph 3.12; and

3. Noted the proposed timetable for the public consultation in Oban as set out in paragraph 3.13.

(Reference: Report by Executive Director – Customer Services dated 16 October 2013, submitted)

### **(b) DUNOON AREA PRIMARY AND PRE 5 PROVISION**

The Council considered a report which provided an update on the work undertaken with regard to the options for the Dunoon Area Primary and Pre 5 provision.

**Decision**

1. Noted the results of the process for evaluating the feasibility of the shortlists for Dunoon; and
2. Noted the current position with regard to the process for evaluating the shortlist of options for the Dunoon Area Primary and Pre 5 provision, with a report to be taken to the next Bute and Cowal Business Day.

(Reference: Report by Executive Director – Community Services dated 16 October 2013, submitted).

**9. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2012-13**

The Council considered a report which provided an overview of the Social Work activity undertaken by the Authority, including the statutory, Governance and leadership functions of the role of the CSWO. They received a detailed presentation from the Chief Social Work Officer, Jim Robb on the key areas of the report.

**Decision**

Noted the report.

(Reference: Report by Executive Director – Community Services dated 31 October 2013, submitted).

The Chair ruled, and the Committee agreed, to adjourn the meeting for lunch at 1.10p.m. and reconvene at 1.45p.m.

**10. REVENUE BUDGET UPDATE**

The Council considered a report which provided an update on the estimated funding position for the Council following the COSLA Leaders meeting on 27 September 2013 and the implications of this for the Council to consider as part of its budget strategy.

**Decision**

Members noted the terms of this report and the proposed date for a budget seminar.

(Reference: Report by Head of Strategic Finance, dated 22 October 2013, submitted).

**11. REVIEW OF INVESTMENT MANAGEMENT**

The Council considered a report which provided an update on the different arrangements in place for investment of trust funds and charitable funds. A review of the investment management arrangements was also undertaken and a set of proposals for managing future investment were detailed.

## **Decision**

Noted and agreed the proposals for managing investment of trust funds and charitable funds as set out in paragraphs 3.4 and 3.5 contained in the report.

(Reference: Report by Head of Strategic Finance, dated 23 October 2013, submitted).

## **12. UPDATE ON LOCAL AUTHORITY MORTGAGE SCHEME**

The Council considered a report which advised that Lloyds Banking Group had withdrawn from the Local Authority Management Scheme (LAMS). The Council would no longer be able to take forward its proposals on LAMS.

### **Decision**

1. Noted the withdrawal of Lloyds Banking Group from LAMs.
2. The Council noted that the UK Government Scheme offers similar support to LAMS and the Housing Service will make people who registered an interest in LAMS aware of the UK Government Scheme.
3. Agreed that the funding be returned to fund Dunoon and Campbeltown Schools.

(Reference: Report by Head of Strategic Finance, dated 15 October 2013, submitted).

## **13. WAVERLEY PADDLE STEAMER - REQUEST FOR 3 YEAR FUNDING PACKAGE**

The Council considered a report which requested funding of £45,000 phased over a 3 year period from the General Fund Reserve towards the maintaining and operating of the Waverley Paddle Steamer.

### **Decision**

1. That members agree to the payment of £45,000 to Waverley Excursions Ltd from the Council's General Fund Reserve.
2. That the payment totalling £45,000 will be phased over 3 consecutive financial years as follows; 2013/14 - £20,000, 2014/15 - £15,000, 2014/15 - £10,000.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 3 September 2013, submitted).

## **14. WINTER MAINTENANCE POLICY**

The Council considered a report which introduced the Winter Maintenance Policy for 2013/14. The policy largely remains unchanged from last year, other than amendments to the section dealing with road closures.

### **Decision**

1. Approved the 2013/14 Winter Maintenance Policy at Appendix 1, and;

2. Approved the Salt Use Reduction and Preservation of Stocks Protocol at Appendix 3.

(Reference: Report by Executive Director – Development and Infrastructure Services, dated 31 October 2013, submitted).

**15. CAPITAL ROADS RECONSTRUCTION PROGRAMME 2013/14 AND ROAD ANNUAL STATUS AND OPTIONS REPORT (ASOR)**

The Council considered a report which advised on the progress being made to the delivery of the Roads Reconstruction Programme for 2013/14. It also introduced the first Roads Annual Status and Options Report (ASOR) which presents a summary of the Council's Road Assets as at April, 2013.

**Decision**

1. Noted the Annual Status and Options Report and the positive analytical feedback it provides with regard to the effectiveness of the Council's Roads Asset Management and Maintenance Strategy and associated Roads Reconstruction Programme.
2. Noted the progress of the progress of the Roads Reconstruction Programme for 2013-14.
3. Congratulated the Council officers involved in compiling and delivering an effective Capital Roads Reconstruction Programme for Argyll and Bute.

(Reference: Report by Executive Director – Development and Infrastructure Services, dated 31 October 2013, submitted).

**16. TEMPORARY SUSPENSION OF OFF STREET PARKING CHARGES DURING THE CHRISTMAS PERIOD AND DURING THE HELENSBURGH CHRISTMAS FESTIVAL AND THE OBAN CHRISTMAS FESTIVAL**

The Council considered a report which request approval for the suspension of parking charges, across all areas of Argyll and Bute, during the 5 day period up to and including Christmas Eve, 20-24 December 2013 inclusive.

**Decision**

Agreed to instruct the Executive Director of Development and Infrastructure to suspend parking charges on off street car parks across all areas of Argyll and Bute during the 5 day period up to and including Christmas Eve, between 22 November and 1 December for the Helensburgh Winter Festival and between 22 November and 1 December for the Oban Winter Festival.

(Reference: Report by Executive Director – Development and Infrastructure Services, dated 31 October 2013, submitted).

**17. SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS**

The Council considered a report which updated on the progress made by the Short Life Working Group (SLWG) on Political Management Arrangements.

**Decision**



Noted the interim report from the SLWG and that a further report would be submitted to the November meeting of the Council

(Reference: Report by Executive Director – Customer Services, dated 31 October 2013, submitted).

## **18. APPOINTMENT OF RECRUITMENT PANEL: POST OF HEAD OF SERVICE**

The Council considered a report which requested the establishment of an Appointments Panel to appoint to the post of Head of Service.

### **Decision**

1. Agreed that the Council establishes an Appointments Panel of 7 on a 5:2 split, with the Administration Members being Councillor Dick Walsh, Councillor Ellen Morton, Councillor Duncan MacIntyre, Councillor Donald Kelly and Councillor Len Scoullar and 2 Opposition Members to be notified to appoint to the post of Head of Service, and Executive Director. In addition, there will be 1 substitute from each side to be notified.
2. Noted that as an operational matter, arrangements will be made as necessary to ensure continuity of service delivery.

(Reference: Report by Executive Director – Customer Services, dated 23 October 2013, submitted).

## **19. NOTICE OF MOTION UNDER STANDING ORDER 13**

### **Motion**

Serious concerns have been raised with Lomond North Ward councillors recently by Rhu & Shandon Community Council and constituents with regards to ongoing building activity at Faslane Peace Camp. Following a great deal of correspondence with council officers, it has been confirmed to ward members that no planning permission or Building Control approval has been secured for this activity.

Due to the concerns that have been raised, Argyll & Bute Council agrees that a full report be brought forward by officers to the next full Council meeting relating to Faslane Peace Camp detailing the following:

- a. Information on any unauthorised planning and Building Control issues at Faslane Peace Camp and what actions are available to the Council to address these issues
- b. Information on the actions that are currently being taken by officers under delegated powers to address the issues identified at a. above.
- c. Information relating to the planning permission given by the former Dumbarton District Council that is attached to the Faslane Peace Camp site.
- d. Information relating to the terms of the lease between the Council and Faslane Peace Camp relating to the site currently occupied by Faslane Peace Camp and details of any breaches of the terms of that lease.
- e. Information relating to the options that are available to the Council to address any breaches of the lease referred to at d. above.
- f. Information on any relevant licensing issues and any breaches of any licensing regulations relating to Faslane Peace Camp site.
- g. Information on the options that are available to the Council to address any breaches referred to at f. above.

- h. Information relating to the decree previously obtained by Argyll & Bute Council from the courts relating to the occupancy of the Faslane Peace camp site.

Moved by Councillor George Freeman, seconded by Councillor Maurice Corry.

**Decision**

The Council unanimously agreed the terms of the Motion.

(Reference: Additional note by Councillor Freeman, dated 31 October 2013, tabled).

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following 2 items of business on the grounds that they were likely to involve the disclosure of exempt information as defined in Paragraphs 9; and 9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

**20. 50/52 MAIN STREET/2 CROSS STREET, CAMPBELTOWN**

The Council considered a report which advised on the current status of the building and identified a proposal to bring the building back into use and negate any requirement for demolition and associated sunk costs. It would also ensure the preservation of the historic streetscape and the continued successful delivery of the THI.

**Decision**

The Council agreed the recommendations as contained within the report.

(Reference: Report by the Executive Director – Development and Infrastructure Services, dated, 4 September 2013, submitted).

Councillor Robb, having moved an amendment which failed to find a seconder required his dissent from the foregoing decision to be recorded.

**21. LORN ARC TAX INCREMENTAL FINANCE (TIF) - FULL BUSINESS CASE**

The Council considered a report which detailed the Draft Lorn Arc Tax Incremental Financing (TIF) Business Case.

**Decision**

Noted the report and agreed the recommendations contained within the report.

(Reference: Report by the Executive Director – Development and Infrastructure Services, dated, 18 October 2013, submitted).