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## **Argyll and Bute Council** **Comhairle Earra Ghaidheal agus Bhoid**

Customer Services  
Executive Director: Douglas Hendry



*Dalriada House, Lochnell Street, Lochgilphead, Argyll, PA31 8ST*  
*Tel: 01546 602177 Fax: 01546 604530*

26 October 2010

### **NOTICE OF MEETING**

A special meeting of the **MID ARGYLL, KINTYRE & THE ISLANDS AREA COMMITTEE** will be held in **ROOM 6, LOCHGILPHEAD COMMUNITY CENTRE, MANSE BRAE** on **WEDNESDAY, 3 NOVEMBER 2010** at **2:00 PM**, which you are requested to attend.

Douglas Hendry  
Executive Director - Customer Services

### **BUSINESS**

1. **APOLOGIES**
2. **MINUTES OF PREVIOUS MEETING HELD ON 6 OCTOBER 2010** (Pages 1 - 8)
3. **DECLARATIONS OF INTEREST**
- E1 4. **TAYINLOAN FERRY BERTH IMPROVEMENTS**  
A report by Martin Gorringer, Marine and Airports Manager. (Pages 9 - 10)
- E1 5. **PORT ASKAIG MARINE ISSUES**  
A report by Martin Gorringer, Marine and Airports Manager. (Pages 11 - 12)

The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an “E” on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraphs of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraphs are:-

Paragraph 6:

Information relating to the financial or business affairs of any particular person (other than the authority).

Paragraph 8:

The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

## **MID ARGYLL, KINTYRE & THE ISLANDS AREA COMMITTEE – SPECIAL MEETING**

Councillor Rory Colville	Councillor Robin Currie	Councillor Alison Hay
Councillor Anne Horn	Councillor Donald Kelly	Councillor Donald MacMillan (Chair)
Councillor John McAlpine	Councillor Douglas Philand	Councillor John Semple

Alison Younger – Area Customer Services Manager

Contact: Theresa McLetchie - Tel: 01546 604511

**MINUTES of MEETING of MID ARGYLL, KINTYRE & THE ISLANDS AREA COMMITTEE held in  
the COUNCIL CHAMBERS, TOWN HALL, CAMPBELTOWN  
on WEDNESDAY, 6 OCTOBER 2010**

**Present:** Councillor Donald MacMillan (Chair)

Councillor Rory Colville  
Councillor Robin Currie  
Councillor Alison Hay  
Councillor Anne Horn

Councillor Donald Kelly  
Councillor John MacAlpine  
Councillor Douglas Philand  
Councillor John Semple

**Attending:** Alison Younger, Argyll and Bute Council  
Stewart Clark, Argyll and Bute Council  
Inspector Tom Harper, Strathclyde Police  
Paul Convery, Argyll and Bute Council  
Donald Kelly, Argyll and Bute Council  
Ryan McGlynn, Argyll and Bute Council

**1. APOLOGIES**

Apologies were received from Chief Inspector Baillie, Callum Robertson, Martin Gorringe and Hugh Blake.

The Chairman ruled, and the Committee agreed, that the business as dealt with at Items 10 (b) and 10 (c) of this Minute be dealt with as a matter of urgency by reason that the information had only recently been supplied and required action prior to the next scheduled area committee meeting.

**2. DECLARATION OF INTEREST**

There were no Declarations of Interest.

**3. MINUTES OF PREVIOUS MEETING - 4 AUGUST 2010**

Councillor Philand requested that his name be added to attendees given that he had joined the meeting at 10.40a.m.

Subject to the above amendment, the Minutes from the previous Area Committee meeting held on 4 August were approved as a true record.

**4. PUBLIC AND COUNCILLORS QUESTION TIME**

A number of questions were directed to Inspector Harper on policing matters. He confirmed that he would investigate reports of excessive speed on Low Askomil, confirmed that an issue relating to BB guns in Tarbert had been dealt with and noted that whilst Constable McLaren was now Acting Sergeant, traffic matters should still be directed to him.

Two members of the public were in attendance who had questions relating to Item 5. The Chair agreed that a further session of Public Question Time would be taken once Item 5 was concluded.

### **5. NORTH & SOUTH KINTYRE LANDSCAPE CAPACITY STUDY - PROPOSED UGADALE AMENDMENT**

The Committee heard a report detailing proposed amendments to the Landscape Capacity Study for North and South Kintyre to include an 'orange' area with potential to accommodate development around Ugadale.

A number of members expressed concern that planning officers were treating the Landscape Capacity Study as a statutory document as opposed to an advisory tool.

When it had been approved at a previous meeting, Members had stressed that flexibility would apply in the way that the Landscape Capacity Study was applied to Planning applications. Members enquired whether the Study should not have been subject to public consultation and whether this could be done retrospectively.

Paul Convery advised that the document should be being used as an advisory tool in its remit as Supplementary Planning Guidance and that other planning documents, and individual circumstances should always be taken into account. He reminded members that the production of such Landscape Capacity Studies had been undertaken in response to the Reporters recommendations that previous Rural Opportunity Areas were removed from the plan. He noted that none of the similar studies had been subject to a formal public consultation period, and that the appropriate place for this consultation with the public would be in the evolving Local Development Plan process.

#### **Decision:**

Having received confirmation that the area to be amended would include all of the original Steading Buildings at Ugadale, the Committee agreed that the Council amends the plan on page 63 of the Landscape Capacity Study for North and South Kintyre document to include an 'orange' – area with potential to accommodate development' around Ugadale as shown on the attached Plan. The Committee further agreed to request that a report be brought to a future meeting providing analysis of how the existing Landscape Capacity Studies were being applied in practice when dealing with planning applications.

(Ref: Report by the Development Policy Manager, dated 6<sup>th</sup> October 2010, submitted).

#### **4. PUBLIC QUESTION TIME**

The Chair reopened public question time and a number of questions were raised regarding the process underpinning the North and South Kintyre Landscape Capacity Study. It was noted that the request for a paper providing analysis on how this Study was being applied would provide a welcome level of scrutiny. It was confirmed that public input to the emerging Local Development Plan was welcomed and should be encouraged.

#### **6. ROAD ISSUES**

The Committee heard a verbal report providing an update on outstanding road-related issues and projections for 2011/12 Capital spend in Mid Argyll, Kintyre and the Islands.

##### **Decision:**

The Committee agreed to note the verbal report and requested that the written report be circulated. .

The Chair thanked Stewart Clark and his team for their hard work and commitment and agreed to formalise this in a letter.

(Ref: A report by Stewart Clark, Contracts Manager- West Argyll, dated 14 September 2010).

#### **7. WINTER POLICY 2010**

The Committee considered a report detailing the revised Policy to allow Operational Plans to be finalised towards the mobilisation of resources by 1 November 2010, prior to submission to the Executive and Full Council.

Stewart Clark confirmed that footway gritting was done by prioritisation which worked from more urban centres outwards and noted that in many areas, grit bins were in place and self help by the public should be instigated.

The issue of Carradale - Claonaig Road was raised and Stewart Clark affirmed that whilst this remained a Priority 4 road the service arrangements had been altered with the provision of a larger vehicle which meant the gritter could now travel north to Claonaig, should conditions require, rather than return Southbound from Carradale which had recently been the case.

Comments were raised at the impact of changes to Priority 3 which would have the effect of downgrading the priorities of roads not served as 'main Public Service Bus Routes' – i.e. those with a school bus carrying more than 12 pupils. In particular, this would affect south Loch Aweside where in previous years there

had been an accident involving school transport. The impact of the proposed savings to reduce the standby fleet by 4 vehicles also caused some concern and Stewart agreed to feedback on these.

**Decision:**

That the Area Committee ask the Executive Committee to approve the Policy with an addendum to Priority 4 confirming the reconfigured service arrangements which will now allow for the Carradale – Clanoig route to be gritted, should conditions warrant it.

(Ref: a report by Callum Robertson, Roads Asset Manager, dated 14 September 2010, submitted).

**8. STREET LIGHTING - MAKI**

The Committee considered a report providing an update on outstanding street lighting related issues in Mid Argyll, Kintyre and the Islands.

**Decision:**

The Committee agreed to note the contents of the report.

(Ref: A report by Ryan McGlynn, Technical Officer, dated 15 September 2010, submitted).

**9. WINDFARM TRUST**

The Committee considered a report by Alison Younger, Area Customer Services Manager on the 2009/2010 year of operation of the Argyll and Bute Windfarm Trust.

**Decision:**

The Committee agreed to note the content of the report.

(Ref: a report by Alison Younger, dated 15 September 2012, submitted).

**10. (a) TAYINLOAN FERRY BERTH IMPROVEMENTS**

This Agenda item was continued to a Special Meeting of the Mid Argyll, Kintyre and the Islands to be held on 3 November 2010.

**(b) BT PAYPHONES**

A report detailing a request from West Kintyre Community Council, along with a local petition, in support of the removal of the BT phone box at Kilkenzie was considered.

**Decision:**

The Committee agreed to support the request to remove the BT payphone in Kilkenzie and advise BT accordingly.

(Ref: A report by Alison Younger, Area Customer Services Manager, dated 6 October 20120, tabled).

(c) **COMMUNITY COUNCIL BY-ELECTIONS**

A report providing information on the recent Community Council By-Elections was considered.

**Decision:**

The Committee agreed to note the contents of the report.

(Ref: A report by Douglas Hendry, Executive Director of Customer Services, dated 1 October 2010, tabled).

**11. NOTICE OF MOTION UNDER STANDING ORDER 13**

Councillor Kelly had given notice of the following Motion, seconded by Councillor Philand.

**Motion:**

That the Mid Argyll, Kintyre and the Islands Area Committee agree to support the continuation of rural schooling in Mid Argyll, Kintyre and the Islands.

**Motion:**

That the Mid Argyll, Kintyre and the Islands Area Committee agree to support the continuation of rural school in Mid Argyll, Kintyre and the Islands.

Moved by Councillor Kelly and seconded by Councillor Philand.

**Amendment**

That no action be taken with regard to the motion and that the Mid Argyll, Kintyre and the Islands Area Committee confirms their understanding that, as part of the current review of the School Estate in Argyll and Bute, the Council is required to act within the relevant statutory and procedural guidance frameworks, including the "presumption against closure of rural schools".

Moved by Councillor Semple and seconded by Councillor Horn.

In speaking to the Motion, Councillor Kelly expressed his concerns that viable rural schools would not be retained in the forthcoming review, and that decisions may have already been taken about which schools would be proposed for closure, without Councillors having been presented with the appropriate information for consideration.

In speaking to the Amendment, Councillor Semple noted the Scottish Government position of presumption against closure of rural schools and cautioned that when the School Review proposals are available for members to consider this needed to be done in a rational and measured way.

Alison Younger confirmed that both Motion and Amendments were competent for the Committee to consider.

**Decision:**

The Committee agreed to take a roll call vote:

**Motion**

Councillor Donald Kelly  
Councillor Douglas Philand  
Councillor John McAlpine

**Amendment**

Councillor John Semple  
Councillor Anne Horn  
Councillor Rory Colville  
Councillor Robin Currie  
Councillor Alison Hay  
Councillor Donald MacMillan

The Amendment was carried by 6 votes to 3 and the Committee resolved accordingly.

**12. PORT ASKAIG GARAGE - PORT ASKAIG PIER**

The Committee considered a report advising Members of the current position in relation to the occupancy/lease of the garage at Port Askaig Pier and associated matters and to seek instructions in connection therewith.

**Decision:**

The Committee agreed to note the position and instruct Estates Service to advertise the garage for lease, seeking information from interested parties on *inter alia*, proposed rental, proposed use and whether this use will create or sustain employment, proposals in respect of replacement and/or upgrading of existing garage facility, including timescales for carrying out the works.

(Ref: A report by Donald Kelly, Chief Solicitor dated 20 September 2010, submitted).

**13. PORT ASKAIG MARINE ISSUES**



This Agenda item was continued to a Special Meeting of the Mid Argyll, Kintyre and the Islands to be held on 3 November 2010.

**14. FORMER COUNCIL OFFICES 'KIRKLANDS' - DELL ROAD, CAMPBELTOWN**

A report to update the Committee on the sale of the Council's former offices at Kirkland, Dell Road, Campbeltown.

**Decision:**

The Committee noted that no offers were received for Kirkland, Dell Road, Campbeltown and agreed that this property be re-marketed and a new closing date set for January 2011.

(Ref: a report by Caroline Sheen, Estates Surveyor, dated 29 September, tabled).

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