

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

Customer Services  
Executive Director: Douglas Hendry



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16 January 2014

## NOTICE OF MEETING

A meeting of **ARGYLL AND BUTE COUNCIL** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **THURSDAY, 23 JANUARY 2014** at **10:00 AM**, which you are requested to attend.

Douglas Hendry  
Director of Customer Services

## BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTERESTS (IF ANY)**
3. **MINUTES**  
Argyll and Bute Council of 19 December 2013 (Pages 1 - 8)
4. **AGRICULTURAL FOOD PRODUCTION IN ARGYLL AND BUTE - ECONOMIC IMPACT OF SECTOR AND NEXT GENERATION STRATEGY**  
Report by Acting Executive Director of Development and Infrastructure (Pages 9 - 14)
5. **LEADER'S REPORT**  
Report by Leader of the Council (Pages 15 - 20)
6. **POLICY LEAD FOR ROADS, AMENITY SERVICES INFRASTRUCTURE, ASSET MANAGEMENT AND SPECIAL PROJECTS**  
Report by Policy Lead (Pages 21 - 26)
7. **OBAN HIGH SCHOOL SITE - CONSULTATION**  
Report by Executive Director of Community Services (Pages 27 - 32)
8. **INITIAL SCHOOL LEAVER DESTINATION REPORT FOR 2012/13 LEAVERS**  
Report by Executive Director of Community Services (Pages 33 - 38)

- 9. ARMED FORCES CHAMPION - WW1 COMMEMORATION STEERING GROUP MEMBERSHIP**  
Report by Executive Director of Community Services (Pages 39 - 40)
- 10. RECRUITMENT PANEL FOR THE HEAD OF EDUCATION**  
Report by Executive Director of Customer Services (Pages 41 - 42)
- 11. EDUCATION MANAGEMENT REVIEW**  
Report by Executive Director of Community Services (Pages 43 - 52)
- 12. ACCOUNTS COMMISSION STATUTORY REPORT**  
Report by Chief Executive (to follow)
- 13. COWAL HIGHLAND GATHERING - REQUEST TO AMEND SERVICE LEVEL AGREEMENT WITH ARGYLL AND BUTE COUNCIL**  
Report by Executive Director of Community Services (Pages 53 - 56)
- 14. SHORT LIFE WORKING GROUP - POLITICAL MANAGEMENT ARRANGEMENTS**  
Report by Executive Director of Customer Services (Pages 57 - 106)
- 15. COUNCIL TAX ON EMPTY PROPERTIES**  
Report by Executive Director of Customer Services (Pages 107 - 112)
- 16. COUNCIL TAX ON EMPTY PROPERTIES - USE OF ADDITIONAL INCOME**  
Report by Head of Strategic Finance (Pages 113 - 114)
- 17. CASH FLOW LOAN SUPPORT FOR VOLUNTARY ORGANISATIONS**  
Report by Head of Strategic Finance (Pages 115 - 118)
- 18. INVESTMENT MANAGEMENT OF CHARITIES AND TRUST FUNDS**  
Report by Head of Strategic Finance (Pages 119 - 146)
- 19. COMMUNITY EMPOWERMENT BILL**  
Report by Head of improvement and HR (to follow)
- 20. SINGLE OUTCOME AGREEMENT ANNUAL REPORT 2012-13**  
Report by Head of Improvement and HR (Pages 147 - 190)
- 21. OUR ISLANDS: OUR FUTURE**  
Report by Acting Executive Director of Development and Infrastructure (Pages 191 - 194)
- 22. PROPOSED ARGYLL AND BUTE LOCAL DEVELOPMENT PLAN NEXT STEPS**  
Report by Acting Executive Director of Development and Infrastructure (Pages 195 - 320)
- 23. PRIVATE FOOTPATH: UN-ADOPTED SECTION OF FOOTPATH ADJACENT TO THE OLD AMBULANCE DEPOT, LOCHGILPHEAD**  
Recommendation by the Mid Argyll, Kintyre and the Islands Area Committee of 4 December 2013 (Pages 321 - 328)

## **COUNCIL**

**ALL MEMBERS**

Contact: Sandra McGlynn Tel: 01546 604401

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**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the ARDRISHAIG PUBLIC HLL,  
ARDRISHAIG  
on THURSDAY, 19 DECEMBER 2013**

**Present:**

Provost Len Scoullar (Chair)

Councillor Blair	Councillor D MacIntyre
Councillor Colville	Councillor R E Macintyre
Councillor Corry	Councillor R G MacIntyre
Councillor Currie	Councillor MacMillan
Councillor Dance	Councillor McNaughton
Councillor Freeman	Councillor Marshall
Councillor Glen-Lee	Councillor A Morton
Councillor Hall	Councillor E Morton
Councillor Horn	Councillor Mulvaney
Councillor Donald Kelly	Councillor Philand
Councillor Kinniburgh	Councillor Robb
Councillor McAlpine	Councillor Robertson
Councillor McCuish	Councillor Semple
Councillor MacDonald	Councillor Taylor
Councillor Trail	Councillor Walsh
William Crossan	
William Marshall	

**Attending:**

Sally Loudon, Chief Executive  
 Douglas Hendry, Executive Director of Customer Services  
 Cleland Sneddon, Executive Director of Community Services  
 Angus Gilmour, Acting Executive Director of Development and Infrastructure  
 Bruce West, Head of Strategic Finance  
 Charles Reppke, Head of Governance and Law  
 Jane Fowler, Head of Improvement and HR  
 Jim Smith, Head of Roads and Amenity Services  
 Patricia O'Neill, Committee Services Manager  
 Anne Paterson, Quality Improvement Manager  
 Bill Brackenridge, Independent Chair, Adult Protection Committee  
 Rebecca Barr, Area Manager – Adult Protection

The Provost informed Members of a recent award to Annea Wilson (now retired from Argyll and Bute Council) from the Scottish Parliament. Annea was chosen as Mental Health Officer of the Year. Her career had spanned 35 years during which time, Annea had provided mental health services in Kintyre, Mid Argyll, Oban and the Isles.

The Provost ruled, and the Council agreed, that following clarification from the Head of Governance and Law Items 16 and 17 of this Minute would be taken in public.

Councillor Taylor requested an adjournment of 10 minutes. The Provost ruled, and the Council agreed, to adjourn the meeting and reconvene after 10 minutes to allow Members time to review the reports which had been tabled.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillor Breslin, Councillor Devon,

Councillor Mulvaney, Councillor McQueen, Councillor Strong, Alison Palmer (Teacher Representative) and David McEwan (Church Representative).

### **2. DECLARATIONS OF INTERESTS (IF ANY)**

Councillor Sandy Taylor, Councillor Donald MacMillan, Councillor Bruce Marshall, Councillor Richard Trail and Councillor Roddie McCuish all declared a non financial interest in Item 6 of the Agenda (Rural Housing Development Fund – Council Long Term Loan application – ACHA Bonawe) as they were all ACHA Board Members. They claimed the benefit of the dispensation contained at Section 5.16 of the Standard Commission's Guidance and Dispensations Note dated December 2010 to allow them to speak and vote on this item of business.

### **3. MINUTES**

The Minutes of the Argyll and Bute Council of 28 November 2013 were approved as a correct record.

### **4. ADULT PROTECTION COMMITTEE ANNUAL REPORT**

The Council heard a presentation by Bill Brackenridge, Adult Protection Committee. Members asked questions which were answered by Mr Brackenridge and the Area Manager, Adult Protection. The Provost thanked Mr Brackenridge for his informative presentation.

### **5. LEADER'S REPORT**

The Council considered a report by the Leader which outlined the key activities undertaken within the role of Council Leader in taking forward shared strategic priorities since 28 November 2013.

#### **Decision**

The Council noted the Leader's report.

(Reference: Report by the Leader of the Council dated 19 December 2013, submitted)

### **6. RURAL HOUSING DEVELOPMENT FUND - COUNCIL LONG TERM LOAN APPLICABLE - ACHA BONAWE**

The Council considered a report detailed an application which had been received from ACHA for a 25 year loan in respect of the 2 properties to be built for affordable rent at Bonawe and for which the Council has previously awarded a Rural Housing Development Fund grant.

#### **Decision**

The Council agreed to approve the loan to Argyll Community Housing Association.

(Reference: Report by Executive Director, Community Services dated 20 November 2013, submitted)

**7. EXAMINATION RESULTS 2013 - SQA**

The Council considered a report which detailed the SQA examination results with comparative data on 12 December 2013. This gave information on examination performance across Argyll and Bute with data for national or benchmarking 'family' comparisons. The paper was provided in conjunction with the presentations by schools of their achievement reports to the area committees.

**Decision**

The Council agreed:

1. To note the report.
2. That the new Community Services Committee should address how best to present future reports detailing the wider scale of Educational achievements and attainments of young people in Argyll and Bute.

(Reference: Report by Executive Director, Community Services dated 13 December 2013, submitted)

**8. REVIEW OF TRUSTS HELD BY ARGYLL AND BUTE COUNCIL**

The Council considered a report which provided proposals in relation to individual trusts which are charities to allow the funds to be used effectively and in accordance with the trust purposes. A further report will be provided to Council at a later date regarding those trusts which are not registered charities.

**Decision**

The Council agreed to endorse the recommendations in the report.

(Reference: A joint report by the Executive Director – Customer Services and Head of Strategic Finance, dated 19 December 2013, submitted).

**9. SHORT LIFE WORKING GROUP - POLITICAL MANAGEMENT ARRANGEMENTS**

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

**Decision**

The Council agreed to note the interim report on the Political Management arrangements.

(Reference: Report by the Executive Director – Customer Services dated 19 December 2013, submitted).

**10. COSTS AND SAVINGS FROM EARLY DEPARTURES FROM COUNCIL EMPLOYMENT 2012/13**

The Council considered a report which outlined to Elected Members the costs and savings associated with early retirements/redundancies that have taken place between 1 April 2012 and 31 March 2013

**Decision**

The Council agreed to note the report detailing the costs and savings.

(Reference: Report by the Head of Improvement and HR dated 20 November 2013, submitted).

## **11. FLOOD RISK MANAGEMENT 2009 - GOVERNANCE ARRANGEMENTS**

The Council considered a report which proposed governance arrangements for the Clyde and Loch Lomond Local Plan District in connection with the Flood Risk Management Act and sought the names of two Elected Members to represent the Council at the two Local Plan Districts that the Council is part of.

### **Decision**

The Council agreed:

1. To note the report.
2. Councillor Roddie McCuish was appointed to Clyde and Loch Lomond Local Plan District (Highland) and Councillor Robert G MacIntyre was appointed to Clyde and Loch Lomond Local Plan District (Clyde).

(Reference: Report by the Acting Executive Director Development and Infrastructure dated 19 December 2013, submitted).

## **12. QUESTIONS**

The following questions are asked of the Policy Lead for Education, Cllr Aileen Morton, regarding the submission of what appears to have been inaccurate information in agenda item 31 at the November 2013 council meeting. This paper was then provided as evidence to the Education and Culture Committee of the Scottish Parliament and was widely criticised in the media for not reflecting accurately what happened during the school closure proposals in 2010. I have asked the chief executive twice (9 December and 13 December) if she will make a statement on this to the December council meeting but she has failed to say if she will do so or not. Cllr Aileen Morton was copied into these 2 requests. I therefore ask Cllr Aileen Morton the following questions:

1. Does she accept that agenda item 31 at the November 2013 council meeting contained inaccuracies relating to some of the events during the school closure issue in 2010?
2. Does she accept that this inaccurate information was then submitted as evidence to a committee of the Scottish Parliament?
3. Does she accept that the revised information subsequently submitted to the Clerk of the committee should have been issued to elected members first, given our mistaken approval of agenda item 31 in November 2013?
4. Will she apologise to the council and the committee of the Scottish Parliament for what has happened?
5. Does she agree that this episode has brought this council into disrepute?

Councillor Michael Breslin  
17/12/2013 05:25

**Response by Councillor Aileen Morton to questions submitted under Standing Order 15 by Councillor Michael Breslin  
Council Meeting, Thursday 19<sup>th</sup> December 2013**



Firstly, I would draw Councillor Breslin's attention to Standing Order 15, under which he submitted these questions (numbered 1-5). Para 15.5 states "A Member may not submit more than two written questions for any one meeting." I have chosen to treat these as a single question as they are on the same topic and of course Councillor Breslin is the one elected member who has less experience as an elected member than I do.

1. *Does she accept that agenda item 31 at the November 2013 council meeting contained inaccuracies relating to some of the events during the school closure issue in 2010?*

No. The focus of the paper submitted to Council in November was explicitly about providing constructive comments to the Parliamentary Committee to assist with its consideration of amendments to the legislation. The paper clearly noted it was not the intention to look backwards and provide a detailed account of events in 2010 and 2011. A short summary was included in two paragraphs as context rather than include numerous pages of historical events that would have been outwith the Committee's focus. In my opinion, the overview provided was sufficient to give the Committee an understanding of the process undertaken locally.

2. *Does she accept that this inaccurate information was then submitted as evidence to a committee of the Scottish Parliament?*

See previous answer.

3. *Does she accept that the revised information subsequently submitted to the clerk of the committee should have been issued to elected members first, given our mistaken approval of agenda item 31 in November 2013?*

This matter could have been dealt with in its entirety as an operational matter as it was council officers who were written to by the Committee. The decision to give full Council the opportunity to comment and amend the submission was to allow for any concerns to be raised at the time.

Officers then chose to provide additional information once they became aware of negative comments about our submission being raised by one individual. This involved a short email being sent that provided links to Council decisions that were already a matter of public record. In my opinion this was a perfectly acceptable course of action and a single individual making a negative comment about one line in a lengthy report does not merit a full Council meeting being called to agree a brief update.

4. *Will she apologise to the council and the committee of the Scottish Parliament for what has happened?*

No. This decision was not made by me, it was made by the full Council. I moved the recommendation on the paper (with minor amendments raised during the Council meeting) which was then seconded by Councillor John Semple, the Shadow Policy Lead for Education. The response from the Parliamentary Committee has been to thank the Council for our submission. I think it would be inappropriate for me to undermine a decision of the full Council, in order to apologise to a Parliamentary Committee who expressed their appreciation for our submission.

5. *Does she agree that this episode has brought this council into disrepute?*

No. I do think what has recently brought Argyll & Bute Council into disrepute is the report by the Controller of Audit that identified:

- a lack of strategic leadership by elected members
- strained relationships between officers and a small number of elected members
- political instability beginning to inhibit progress with strategic planning

The Accounts Commission then accepted the Controller of Audit's findings and said: "We urge the elected members and the corporate management team to work together to provide stronger and effective leadership of the Council. Effective working relationships between elected members, and between members and officers, need to be based upon mutual trust, respect and transparency. Elected members need to achieve a more effective balance between focusing on local issues and priorities and the longer term strategic objectives of the Council and the best interests of the whole community of Argyll and Bute."

I think it is incumbent on all elected members to focus on how best to move forward with this advice and consider how we can work together to deliver the kind of leadership our communities deserve.

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

#### **Motion**

The Council agrees:

To note the surplus General Fund Balance after the agreed 1.5% contingency is £6.158m as of 30<sup>th</sup> September 2013.

To earmark in reserves £1.9m to fund savings delegated to officers for 2014-15 and notes this allows 15 months to develop a financial strategy and further notes the cumulative funding gap to 2019-20 remains at £33.963m.

To transfer £2.2m to capital to fund the shortfall in the agreed Capital Plan for 2013-14 due to the uncertainties around the capital receipt from the sale of Castle Toward.

To note the revised balance surplus in the General Fund of £2.058m.

To note the unfunded potential demands on this remaining surplus previously identified by the Chief Financial Officer include:

Projected overspend in 2013-14 of £225k

Additional contribution to replacement Oban High School

Additional contribution to replacement Campbeltown Grammar School

Contribution to new Primary schools configuration in Dunoon

Underwriting of estimated £5.1m of capital receipts to fund Helensburgh Office Project

Shortfall in funding of Helensburgh Leisure Facility of £2m

Estimated severance costs to 2019-20 of £11m

Moved by Councillor Robb, seconded by Councillor Taylor

#### **Amendment**

That this Council rejects the proposal within the Motion agreed to take no action and continues to progress the budget strategy agreed at the November Council meeting

#### **Decision**

On a show of hands vote, the Amendment was carried by 21 votes to 7 and became the finding of the Council.

The Council resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act

1973 to exclude the public for the following items of business on the grounds that they were likely to involve the disclosure of exempt information as defined in Paragraphs 1 and 8 & 9 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

**14. AMENITY SERVICES - SERVICE REVIEW ISSUES**

The Council considered a report which advised on the Amenity Service review which was conducted in 2011 and was required to save £938,000

**Decision**

The Council agreed to note the report.

(Reference: Report by the Acting Executive Director Development and Infrastructure dated 19 December 2013, submitted).

**15. WASTE PPP AREA - ALTERNATE WEEKLY CO-MINGLED RECYCLING**

The Council considered a report which advised on the progress made in developing the arrangements for the introduction of alternate weekly co-mingled recycling collections into the Mid Argyll, Oban and Lorn and Cowal areas covered by the Waste PPP contract.

**Decision**

The Council agreed to the recommendations at 2.1 and 2.2 of the report.

(Reference: Report by the Acting Executive Director Development and Infrastructure dated 19 December 2013, submitted).

**16. AMENITY SERVICES SAVINGS**

The Council considered a report which advised on the progress with the delivery of the savings option RA02 (Streetscene – reduction in the scale and/or standard of service through staff and vehicle/equipment savings), which was approved by the Council on 14 February 2013.

**Decision**

The Council agreed to adopt the proposed savings models for each Area including the security requested from the MAKI Area Committee.

(Reference: Report by the Acting Executive Director Development and Infrastructure dated 19 December 2013, submitted).

**17. HELENSBURGH OFF STREET CAR PARK - CHORD PROJECT**

The Council considered a report which advised on forthcoming works including the improvements to Sinclair Street Car Park.

**Decision**

The Council agreed to the recommendations in the report.

(Reference: Report by the Head of Economic Development and Strategic Transportation

11<sup>th</sup> December 2013, submitted).

The Council resolved in terms of Section 50(A)(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 Paragraphs 8 & 9 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

## **18. CHORD - CAMPBELTOWN PROJECT**

The Council considered a report of an inquorate meeting which considered the justification for requesting CHORD Members support to seeking additional revenue funding to complete the Full Business Case for Campbeltown Berthing Facility and to continue the existing contractual arrangements.

### **Decision**

The Council agreed to the recommendations within the report

(Reference: Report by the Head of Economic Development and Strategic Transportation 11<sup>th</sup> December 2013, submitted).

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**ARGYLL AND BUTE COUNCIL****Council****Development and Infrastructure****23 January 2014**

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**AGRICULTURAL FOOD PRODUCTION IN ARGYLL AND BUTE –  
ECONOMIC IMPACT OF SECTOR AND NEXT GENERATION STRATEGY**

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**1.0 SUMMARY**

- 1.1 Quality food products with provenance reared in a high quality natural environment is a key economic sector within Argyll and Bute with significant potential for growth.
- 1.2 In addition to the creation of wealth and jobs, our food production sector plays a significant role in sustaining our communities, particularly in our remote rural areas.
- 1.3 With support from the Council and other key partners, the Argyll and the Isles Agricultural Forum commissioned a review of our agricultural sector and survey of our food producers to allow an informed understanding of the status, issues and challenges for the sector to inform a new strategy for the forum and to provide evidence in the development of land use policy and legislation.
- 1.4 This paper provides an overview of the findings of the review and survey and the new strategy going forward. In addition, representatives from the Agricultural Forum seek to provide a short presentation to the Council to provide further information on the role of the forum going forward in assisting the Council in realising our potential together.

**2.0 RECOMMENDATIONS**

- 2.1 That members note the report and presentation from representatives of the Argyll and the Isles Agricultural Forum including the new strategy going forward.

**3.0 DETAIL**

- 3.1 Argyll and Bute is renowned for quality food with provenance including lamb, beef, dairy, game and other products dependent on a pristine high quality natural environment.
- 3.2 The Council recognises through its key documents the significance of the food industry as a key sustainable economic asset for Argyll and Bute, not only in the creation and retention of employment and wealth, but also

in the provision of local sustainable food, a key exporter of primary ingredients to Scotland and as an integral part of the visitor experience in the tourism sector.

- 3.3 The Council's Economic Development Action Plan 2013 – 2018 includes a clear outcome to collaborate with partners to add value across the key components of the food supply chain from primary producers to processors.
- 3.4 The Council is a key partner in the Argyll and Isles Agricultural Forum, the industry forum for land use and agriculture in Argyll and Bute which includes SNH, NFU, SAC, Quality Meat Scotland (QMS), Scottish Government, Scottish Land and Estates and other organisations. Representatives of the forum are attending this meeting of the Council to give a short presentation on recent developments and the new strategy going forward.
- 3.5 Established in 1999, the forum has been the key driver to raise awareness of agricultural issues across Argyll and Bute, promote sustainable development and create unique opportunities for joint working and projects. Key partners jointly fund the post of the Agricultural Development Manager.
- 3.6 Examples of projects include the award winning Food from Argyll, the Dairy Improvement Project, Monitor Farms, Argyll Hill Lamb, a woodland collaborative project and more recently the Taste of Rural Europe transnational European project and the Scottish Island Abattoir Programme.
- 3.7 A key role for the forum is the discussion of land use policy and legislation including the current reform of the Common Agricultural Policy (CAP) which may have significant implications for payments to food producers in the Highlands and Islands which are established and classified as an area of natural constraints, namely mountainous regions, high levels of precipitation, poor quality agricultural soil and distance to markets.
- 3.8 It should be noted that Council officers are working in partnership with the other local authorities through the short life working group Highlands and Islands Agricultural Support Group (HIASG) to ensure a collective voice when making representations to the Scottish Government on matters relating to the reform of the CAP. The forum provides invaluable advice and insights to Council officers on the CAP and other land use matters with regards to Argyll and Bute.
- 3.9 In 2011, the agricultural forum agreed to undertake a review of agricultural holdings (including crofting) in Argyll and Bute to allow understanding of the make-up of the holdings, the aspirations of farmers and crofters, and the wider environmental, social and economic benefit of agriculture in Argyll and Bute. This included an open survey within the agricultural sector.
- 3.10 This was a significant piece of work undertaken by the consulting arm of the Scottish Agricultural College, which in addition to consulting the

agricultural community, utilised data from the Scottish Government's Agricultural and Horticultural Census for multiple years (2004 to 2011). It should be noted that in addition to partner funding via the forum, a specific part of the report was part funded by the Scottish Government's Strategic Rural Affairs and the Environment Research Programme.

- 3.11 A previous review was undertaken in 2003 providing a baseline for the new survey therefore allowing insights into changes in food production in Argyll and Bute. It should be noted that for historical and strategic reasons, the survey includes Arran and the Cumbraes.
- 3.12 The recent review was designed to provide three key outcomes as follows; a) to provide evidence as part of the CAP negotiations and demonstrate the need for continued/increased support for the region, b) aid the forum partners in shaping their individual priorities, and c) allow the forum to create and agree on a new strategy to supersede the original strategy of 2005.
- 3.13 The key research findings are as follows;
- Regional output for Agriculture is estimated at £56m in 2011 (similar to 2003), this has been achieved by an increase in the value of outputs as the volume of production has diminished.
  - Output in primary industries in all Scottish regions has declined. However the primary industries economic contribution to the Argyll and the Isles economy is proportionately higher than all other regions bar Orkney, Shetland, Borders and Dumfries and Galloway
  - Sheep, Beef and Dairy livestock numbers dropped significantly during 2003-11. The removal of 'headage' payments appears to have been the main cause for the large sheep number reductions as farms have retained sheep but reduced the size of their flock.
  - In all sectors changing business directions by large producers has a significant impact on overall numbers.
  - Lowest livestock numbers recorded were in year 2009/10 with an increase in numbers seen in the year since.
  - Less people employed in agriculture and an ageing farmer population
- 3.14 The key findings from the survey of agricultural food producers are as follows;
- Over half the respondents anticipated increasing their production levels through technical efficiency with livestock and improvements to pastures, soils, drainage and infrastructure. Many also cited opportunities to add value engage in agri-environment schemes and undertake forestry activity.

- Many businesses are operating at low levels of profit, with a significant number of businesses highlighting the importance of subsidy income to their continued profitability.
- Diversification remains a large component of many businesses with tourism being the most prominent activity.
- Lack of available finance continues to act as a barrier to progress for many businesses.
- Risk to livestock health is regarded as an increasing threat to business viability.

3.15 The review and survey has highlighted areas for development and the themes of the new Argyll and the Isles Agricultural Forum Strategy 2014 - 2018 are as follows;

1. Next Generation – seeking to improve the conditions that will assist in securing a vibrant, active and progressive agricultural community that play a vital role in safeguarding and maintaining our pristine natural quality environment, further improve the value and volume of our food production in a sustainable manner, and enhance the established provenance and authenticity of quality food from Argyll and the Isles. Priorities include;
  - a. Land based education and skills training.
  - b. Increased access to productive land.
  - c. Promoting succession planning.
2. Land Use Policy and Legislation – ensuring the common interests of Argyll and the Isles are evidenced and fully represented with regards to developments in land use policy and legislation.
3. Sustainable Food Production and Development – seek to improve best practice and knowledge in our region to engender technical efficiency and added value across key components from producers to processors.
4. Diversification – encourage further sustainable diversification of agricultural assets specifically with regards to tourism, small scale renewables and environmental projects in a manner that supports the economic viability of agricultural activities, processes and our agricultural communities.
5. Partnerships - the success of the Agricultural Forum has been wholly dependent on collaboration between partners and it is recognised that the new strategy will require further partnership working and improved lines of communication within the sector, across Scotland, and across Europe.

3.16 The agricultural forum and partners have commenced developing plans and projects that will be aligned with the themes above to ensure that



the forum is prepared for the next round of the European Regional Development Fund (ERDF) 2014 – 2020.

- 3.17 The strategy is aligned with Council plans and seeks to play a key role in supporting our rural communities, wider economic growth, and mitigating climate change. This is predicated on an understanding that the sustainable development of our food production sector is dependent on and will support a growing population which is critical for the economic success of the region.

#### **4.0 CONCLUSION**

- 4.1 The Argyll and the Isles Agricultural Forum has been successful in raising awareness of agricultural issues, promoting sustainable development and creating unique opportunities for joint working and projects across Argyll and Bute.
- 4.2 The recent review of agricultural holdings and survey of the agricultural food producers has provided evidence and an insight into the status of one our primary sectors from which key themes for action have emerged.
- 4.3 The five themes set out by the Agricultural Forum establishes the framework for the development of new action plans aligned with other strategies and plans with a particular focus on the next round of the ERDF which is currently emerging.
- 4.4 The Council remains a key partner in the Agricultural Forum to assist partners in developing plans and projects to assist the sustainable development and growth of our food sector.

#### **5.0 IMPLICATIONS**

- 5.1 Policy: Within the Corporate Plan, a corporate objective is to improve the potential of our area including ensuring the full potential of our natural environment is realised through partnership working.
- Within the Economic Development Action Plan a key outcome is for a sustainable food supply chain that adds value across all its key components, primary producers to processors, in order to generate growth and wealth for Argyll and Bute.
- 5.2 Financial: None
- 5.3 Legal: None
- 5.4 HR: None

5.5 Equalities None

5.6 Risk: None

5.7 Customer Service: None

**6.0 APPENDICES**

6.1 None

**Executive Director of Development and Infrastructure**

28 November 2013

**For further information contact:** Stuart Green EDST, 01546 604243.

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**LEADER'S REPORT****COUNCIL****ARGYLL & BUTE COUNCIL****23 January 2014**

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**LEADER'S REPORT**

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**1. SUMMARY**

- 1.1 This report outlines key activities undertaken within the role of Council Leader since 13<sup>th</sup> December 2013, through attendance at COSLA and engagement in the recruitment process for the selection of the new Executive Director for Development and Infrastructure Services and the new Head of Economic Development.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that Council notes the report and notes that additional documents are available in a Leaders Report Pack through the Leadership Support Officer.

**3 COSLA Convention on Friday 13<sup>th</sup> December 2013**

- 3.1 I attended the above meeting in Verity House, Edinburgh with Councillors Ellen Morton and Duncan MacIntyre and with our Chief Executive, Sally Loudon. The agenda contained items taken in both private and public session as follows:-

**Items taken in Private Session**

1. Children & Young People Bill – Through Care and Aftercare
2. Consultation on Amending the Schools (Consultation) (Scotland) Act 2010
3. Health & Social Care Integration: Legislative and Policy Developments
4. Tackling Health Inequalities
5. Future Community Justice Structure Proposal
6. Police Service of Scotland
7. EU Scottish Funds 2014-2020
8. Motion from Scottish Borders Council

**Items taken in Public Session**

9. COSLA European Policy Initiatives for 2014
10. Zero Waste / Housing Bill Task Groups
11. Scottish National Action Plan on Human Rights

Although I am unable to report on the items that were taken in private session, I have summarised the “public session” items for you below. Further details of the meeting are available in the Leaders Report Pack.

**3.2 COSLA European Policy Initiatives for 2014**

The purpose of this paper was to provide an overview of the major priorities from the

European Union for 2014 which directly concern local authorities, and a brief review of COSLA's EU work during 2013. This report is submitted annually to the COSLA Convention at this time of year.

Within the recommendations of the paper, the Convention was invited to:

- agree the key COSLA EU policy initiatives list (*\*ANNEX 1 below*) for 2014, with any amendments and
- note the ongoing EU policy work by COSLA at political and officer level on EU matters, based around these policy initiatives.

### **Argyll and Bute Position**

The summarised topics related to institutional issues; public services, employment and social affairs, economic development, environment and energy, and transport. COSLA's proposed EU policy initiatives for 2014 will align with many council departments and teams, in particular the services within the Development and Infrastructure Directorate (Economic Development and Strategic Transportation & Waste Management) but also with Strategic Finance, Governance and Law, Improvement and HR and the Procurement Team.

In relation to the State Aid dossier(s) under the "Public Services" heading, the European Team has contributed officer feedback to the Scottish Government on the; Services of General Economic Interest, the General Block Exemption Regulation (and the agricultural equivalent), the De Minimis Regulation and the Regional Aid Assisted Areas Regulation and mapping, to assist the Scottish Government's work in these areas. The European Team has also liaised with our colleagues in Strategic Transportation about the Regional Airport Guidelines.

The recent developments on EU policy areas (including the work of councillors and officers engaged in representing Scottish local government in Europe and negotiating changes to legislation) was noted and the success, to date, was welcomed.

### **Outcome**

The Convention agreed to the recommendations of the paper.

### **\*ANNEX 1**

#### **Draft Summary of COSLA EU Policy Initiatives Work 2014**

##### **Institutional Issues**

- **Political representation:** support Scottish councillors' engagement in CoR (Committee of the Regions), Congress, CEMR (Council of European Municipalities and Regions), and UCLG (United Cities and Local Governments), and support councils' direct EU engagement where appropriate.
- **Charter of Local Self Government:** ensure that the UK monitoring report reflect Scottish concerns and provides EU evidence to the Commission on Strengthening Local Democracy.
- **Subsidiarity:** contribute to the UK Balance of Competence Review, the Subsidiarity Expert Group and work with Scottish Parliament and Government for an improved involvement in EU prioritisation.
- **CEMR:** actively contribute to, and when possible lead, local government EU policy

development work and officer groups.

## Public Services

- **Public Procurement Directive:** support its implementation, including provisions on shared services, and its linkages to the Procurement Reform Bill
- **VAT Regulation:** ensure that the favourable arrangements for VAT remain in place.
- **Data Protection:** argue for a deal that is proportionate in the burden placed on Councils.
- **Standardisation of Public Documents:** ensure that local subsidiarity is respected.
- **State Aid:** contribute to the final stage of the state reform package.

## Employment and Social Affairs

- **Working Time Directive:** ensure that the existing Scottish local employment arrangements are respected in the new legislation
- **Youth Employment:** contribute to the Youth Employments Initiative and Guarantee at EU level and to the National Reform Programme
- **Pensions:** ensure that the Retirement Pensions Directive respects Councils' ability to run their own pension schemes.
- **Social Dialogue:** Engage in CEMR's EU Dialogue for Local and Regional Governments as Employers, covering the Social Investment Package, Gender Pay Gap Strategy.
- **Health Inequalities:** influence EU strategy and engage with the Joint Improvement Team on EU health related issues

## Economic Development

- **Scottish Partnership Agreement 2014-2020:** support the implementation in Scotland and engage with EU partners accordingly
- **New EU policies:** engage with new EU policies already emerging on urban and rural development and macro-regional strategies (including Atlantic and North Sea)

## Environment & Energy.

- **Waste:** ensure that the new EU directive is consistent with Scotland's Zero Waste Plan
- **Air Quality and noise:** ensure that the Directives recognise that Councils are to be accountable for environmental impacts they are directly responsible for.
- **Covenant of Mayors, Smart Cities, Reference Framework of Sustainable Cities:** continue working with Councils and our EU colleagues ensuring Councils are able to benefit from the approach.
- **Climate and Energy:** ensure that the level of ambition of new EU proposals are in synchrony with existing Scottish plans.

## Transport

- **Urban Mobility Package:** work with Scottish, UK and European partners to ensure that new EU rules respect Councils' ability to decide their local transport policies, schemes and interventions.

### **3.3 Zero Waste / Housing Bill Task Groups**

The purpose of this paper was to ask Convention to agree to the recommendations below.

Within the recommendations of the paper, the Convention was invited to:

- agree to the establishment of a Zero Waste Task Group and a Housing Bill Task Group;
- agree the relevant remit and working arrangements as outlined within the paper; and
- agree that Political Group Leaders be approached for nominations

**Argyll and Bute Position**

Our position and advice was to agree to the recommendations of the paper. Councillor Robin Currie has been nominated to represent Argyll and Bute Council at the Housing Bill Task Group.

**Outcome**

Convention members agreed to the recommendations of the paper

**3.4 Scottish National Action Plan on Human Rights**

The purpose of this report was to advise the Convention of the publication of a Scottish Human Rights Action Plan, on Tuesday 10 December; which is Human Rights Day.

Within the recommendations, the Convention was asked to:-

- note the publication of the Scottish Human Rights Action Plan; and
- agree to refer the document to the next meeting of Leaders in January 2014 for more detailed consideration and the formulation of a response

**Argyll and Bute Position**

Our position and advice was to agree to the recommendations of the paper

**Outcome**

COSLA Leaders agreed on the recommendations within this paper.

**4.0 Recruitment Process for the Positions of Executive Director for Development and Infrastructure and for the Head of Economic Development**

Following the resignation of Sandy MacTaggart, Executive Director of Development & Infrastructure and Robert Pollock, Head of Economic Development & Strategic Transportation, the Council approved the establishment of an Appointments Panel to recruit to the vacant posts.

I chaired the Appointments Panel which included Councillors; Ellen Morton, Len Scoullar, Duncan MacIntyre, Donald Kelly, John Semple and Sandy Taylor as well as Chief Executive, Sally Loudon and HR Manager, Lynn Finlay.

The posts were advertised on 1<sup>st</sup> November and closed on 22<sup>nd</sup> November 2013. The Appointment Panel convened on 27<sup>th</sup> November 2013 to carry out the formal leeting process for both posts.

The formal recruitment & selection process included an interview and presentation to the Appointments Panel, as well as an Assessment Centre run by SOLACE which comprised of a Competency Based Interview, Case Study Briefing Exercise, In-tray Exercise, Group Exercise and Psychometric Profiling. Interview sessions were also held with the Executive Directors and our Community Planning Partners.

The recruitment & selection sessions for the Executive Director of Development & Infrastructure were held on 17<sup>th</sup> and 18<sup>th</sup> December 2013 and following this process, Pippa Milne was appointed as the successful candidate.

The recruitment & selection sessions for the Head of Economic Development & Strategic Transportation were held on 7<sup>th</sup> & 8<sup>th</sup> January 2014 and following this process Fergus Murray was appointed as the successful candidate.

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**POLICY LEAD REPORT****COUNCIL****ARGYLL & BUTE COUNCIL****23 January 2014**

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**REPORT BY DEPUTE LEADER OF COUNCIL AND POLICY LEAD FOR ROADS,  
AMENITY SERVICES, INFRASTRUCTURE, ASSET MANAGEMENT AND STRATEGIC  
PROJECTS**

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**1. DEPUTE LEADER**

- 1.1** I have attended 2 COSLA Convention Meetings in Edinburgh where for Argyll & Bute Council the key issue was the maintenance of the flat cash settlement for this year and next year. This year's has been secured, but there is still a degree of uncertainty around the following year.
- 1.2** I was also delighted to attend the COHI Convention which, for the first time, met in Helensburgh. It was an excellent networking opportunity and, in particular, I was pleased to be able to talk to Mr Swinney, the Cabinet Secretary for Finance, and Mr MacKay the Minister for Local Government about a number of issues but particularly about the need for Argyll & Bute to have better recognition of the budgetary strain caused by the lack of proper recognition that we represent a significant number of islands within our Council. I found both Ministers very easy to talk to and very sympathetic to the issues of sparsity and rurality. I am also pleased to record that Mr Swinney took the time and trouble to write to the staff in the Victoria Hall thanking them for all their work and complimenting the Council on the facility, a gesture very much appreciated by the staff.
- 1.3** I have also taken part in 2 important interview panels and, as Members will be aware, we have now appointed Pippa Milne Executive Director of Development and Infrastructure, and Fergus Murray Head of Economic Development & Strategic Transportation. Pippa should be arriving in post on 1<sup>st</sup> April, while Fergus should be in post with effect from 20<sup>th</sup> January. I am delighted that we are now getting this team back up to strength and look forward to working with both officers as we deliver the Economic Development of the area which we have unanimously agreed is our top priority.

**2. POLICY LEAD**

- 2.1** CHORD  
One of my first priorities in post is to expedite the delivery of all our CHORD Projects.
- 2.2** The Oban CHORD Project was not progressing as well as the Council had hoped, so I began with Oban by attending a Workshop in Dunstaffnage in October. This was an opportunity both to bring all partners round the table and to get all of us up to speed with the issues. I am delighted to report to Council that there was agreement among all the partners on the desired outcomes, reflected both at the workshop and then in the decisions taken at the CHORD Project Board meeting which unanimously endorsed the outcomes from the earlier discussions. Obviously, as with all big projects, the agreed outcomes are

subject to full business cases which are now being developed.

- 2.3** Since the workshop day I have made several visits to Oban to see the proposed sites, meet key players and establish a relationship between the new administration and the local media. I am very optimistic that the Council will be able to help Oban realise its significant potential through the various projects we are working on in cooperation with a number of partners. The lighting of McCaig's Tower funded through CHORD was successfully completed prior to the Oban Winter Festival and has been very well received by the local community. Work is progressing on the detrunking and pedestrianisation of Stafford Street and we anticipate that the Public Realm Improvements in Stafford Street and in Oban Bay Harbour Area will be completed by the end of this year. The work on the ground will not begin until after the summer tourist season to minimise the impact on local businesses.
- 2.4** Helensburgh town centre public realm improvements are moving on fairly well, and the contractor is continuing work on phase 1b on the Esplanade and starting phase 2 in Colquhoun Square. One issue which I was involved with was ensuring that the terrible storms which battered the Esplanade did not cause any long-term damage to the area and I should like to thank Roads staff who came out in the worst of weather over the Festive period to provide inspections and any necessary protection. A number of the retailers on West Clyde St have reported to the contractor or to local Members that the impact of the recent severe weather had less impact on their properties than in previous years and that they felt this was a result of the enhanced drainage works undertaken by CHORD.
- 2.5** I am now moving on to focus on the Dunoon, Rothesay and Campbeltown CHORD projects and have some dates set for visits during February. Again I think it is important that I familiarise myself with the locations and see the proposals in context, as well as meet with local Members and identify any areas of difficulty which might impede delivery.

#### Amenity Services

- 2.6** One of the major tasks for Amenity Services has been agreeing the details of how to achieve the budget savings agreed in February 2013. I was involved in this work and am pleased that after detailed discussions with senior officers all 4 Area Committees accepted the agreed proposals. Mr Murphy is committed to continuing to work positively with local Members to ensure the most appropriate solutions for each area.

#### Roads Reconstruction Programme

- 2.7** In 2011, following the Roads Operations Service Review, the Council decided to focus investment in upgrading its strategic A class roads, and subsequently delivered a £7M programme of works which made an immediate and positive impact on the roads network. In February 2012, the Council approved a further £21M investment programme for roads reconstruction for 2012-15. Additional Scottish Government funding of £0.35M in 12/13 and £1.20M in 13/14 has been allocated as further investment to the roads reconstruction programme.
- 2.8** The Roads Department has had a busy year delivering the programme agreed by Council, planning for the next year's spend and dealing with weather issues as they arose. The Roads Reconstruction Programme has been structured in accordance with the Roads Asset Management and Maintenance Strategy (2012). The focus of the Roads Reconstruction Programme has been to recover

the network through the delivery of a mix of carriageway resurfacing, patching/surface dressing and in situ road surface recycling; designed to seal the road to stop the ingress of water, improve ride quality and reduce the amount of reactive repair required. Proportionate scrub clearance, ditching/drainage works, minor realignments and improvements to sight lines have also been carried out in conjunction with the surfacing works to leave a 'finished' job.

## 2.9 Roads Reconstruction Programme – Works Completed 2011-14

The summary table below highlights the positive and visible impact of the works undertaken to date. On completion of this year's capital programme the Council will have upgraded over a third of its "A" class roads and almost 415km of roads in total since 2011/12.

Roads Reconstruction Programme – Works Completed 2011-14

Road category	Treatment % 2011/12	Treatment % 2012/13	Treatment % 2013/14	Total Treatment Length	Total Treatment as a % of network length 2011-14
<b>A</b>	55.76 km = 10%	93.37 km = 17%	47.42 km = 8.51%	<b>196.55 km</b>	<b>35.51%</b>
<b>B</b>	26.846 km = 4%	58.912 km = 10%	25.96 km = 4.23%	<b>111.718 km</b>	<b>18.23%</b>
<b>C</b>	12.374 km = 3%	4.008km = 1%	7.99 km = 1.84%	<b>24.372 km</b>	<b>5.84%</b>
<b>U</b>	18.860 km = 3%	17.553 km = 2%	43.60 km = 6.01%	<b>80.013 km</b>	<b>11.01%</b>
				<b>412.653 km</b>	

**2.10** The current capital investment programme to 2015/16 will allow the Council to upgrade over 50% of its class A roads and 30% of its class B roads by 2016; which in line with the SOA outcomes, will make a significant and positive impact upon the local economy, connectivity and the quality of life of our communities.

**2.11** To date, over the course of the 3 year programme, significant work has been carried out to mainland strategic routes including the: A814, A818 (Helensburgh and Lomond) A815, A886 (Bute and Cowal), A819, A816 (Oban Lorn and the Isles & Mid Argyll), A83 (Mid Argyll, Kintyre and Islay): and on strategic island routes including A849, A884, A848 (Mull) and A846, A847 (Islay).

**2.12** In October last year Council considered the first roads Annual Options and Status Report which provides an analytical analysis of each of the asset sets including carriageway, footway, lighting and bridges and structures. This report provides Members with a significant amount of data which will assist in helping to make decisions relating to establishing priorities within the overall road network.

**2.13** Maritime Change Programme

I have been involved with senior officers in a meeting with MOD to ensure that the Maritime Change Programme is delivered as smoothly as possible to the mutual benefit of the MOD and the local area. It is critical that we build relationships to ensure partnership working to deliver a good outcome for the Helensburgh & Lomond area as well as for all of Argyll & Bute. The potential for building our population and reversing current trends and the employment and apprenticeship opportunities are enormous and the Council must position itself to take full advantage of these. To this end officers from Planning are going to set up a project team with the MOD to deliver a Strategic Development Framework for the MOD Estate in the Helensburgh and Lomond area.

**2.14** Hermitage Park, Helensburgh

Members will be aware that the Friends of Hermitage Park have now secured a £2 million grant subject to their detailed plans being approved. The first tranche of £170,000 will be released shortly to allow for a public consultation on the details of the proposed development of the park. This is a marvellous opportunity for Helensburgh and I should like to publicly record the Council's thanks to all those who have made this possible: most importantly the Helensburgh citizens who came together in 2012 to form the Friends to improve the Park, with a clear recognition that the Council could not do everything desired by the local community; Tom Murphy, Stuart MacCracken, Arlene Cullum and other officers who worked to support the aspirations of the Friends and helped them put together a winning bid, persevering even after the first attempt failed; also Helensburgh Play Park Association and Transitions Helensburgh, 2 community groups who have also come on board to make sure that a real community asset is developed in a sustainable fashion in an outstandingly successful example of partnership working.

**2.15** Scottish Flooding Summit

Last week I attended the Scottish Flooding Summit at the Royal College of Surgeons, Edinburgh. The event was attended by elected members, chief and senior officers from 28 of the 32 Scottish Local Authorities, COSLA, Scottish Government, Scottish Water, SEPA and Ordnance Survey. The Summit was formally opened with a speech from Paul Wheelhouse MSP, Minister for Environment and Climate Change. The Minister introduced the Flood Hazard and Flood Risk Maps that have been launched this week by SEPA. SEPA will be running training sessions on the maps in March aimed at planners.

**2.16** This was an event that had been planned for some while but it was refreshing to see that many of the speakers had adjusted their presentations to reflect on the storms and flooding that affected many Scottish communities over the festive period. In his speech, the Minister, made specific mention of the coastal flooding suffered in Oban which had resulted from a combination of low pressure, high spring tides and gale force winds.

**2.17** The Summit confirmed that all partners involved in flooding need to work in collaboration to get the most benefit. There was also a stark reminder that property owners have a primary duty to protect their property and should not rely on public bodies for providing resilience.

**2.18** In the facilitated workshop session I was delighted to be told that the flooding

information on the Argyll and Bute website is considered to be one of the most informative sources of information available. Congratulations go to the Roads and Amenity flooding team lead by Arthur McCulloch, Lesley Montague in Governance and Law and the Web Team for producing and posting this information.

- 2.19** The last session of the day focused on finance and the civil servant making the presentation stated that the current funding arrangement for capital flooding allocation will remain until 2015/16. Thereafter a new formal is being considered but the current £2M minimum scheme value and the rate of return consideration make it unlikely that we will benefit from additional funding unless the criteria can be changed to be more in our favour. There will be opportunities for the Council to make representations to COSLA regarding the payment mechanism.

Roads and Amenity Services - Employee Recognition

- 2.20** My final comment must be to thank all the Roads and Amenity Services officers who came out over the Festive Season when Argyll & Bute was battered by storms. During that period they worked tirelessly in the most difficult conditions to keep us all safe, to keep our roads open and to protect our infrastructure. Since then they have continued to work to clear up the debris and deal with the aftermath. We all owe them a debt of gratitude.

**Councillor Ellen Morton**

**14 January 2014**

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**ARGYLL AND BUTE COUNCIL**
**COUNCIL****COMMUNITY SERVICES****23 JANUARY 2014**
**OBAN HIGH SCHOOL SITE - CONSULTATION**


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**1. SUMMARY**

- 1.1 This report updates the Council on the outcome of the agreed public consultation for a preferred site for the proposed new Oban High School.

**2. RECOMMENDATION**

- 2.1 It is recommended that the Council:
- 2.1.1 Note the results of the public consultation process; and
- 2.1.2 Agree on site 2A as the site for the proposed new Oban High School.

**3. BACKGROUND**

- 3.1 At its meeting on 27 June 2013 the Council agreed that the methodology for detailed appraisal of sites for delivering a new Oban High School and delegated the detailed arrangements for the public consultation to the Executive Director of Community Services, in consultation with the Lead Councillor for Education and Lifelong Learning ( now termed Policy Lead).
- 3.2 As agreed by the Council, the sites that were subject to the detailed appraisal were:

	<b>Site</b>
1.	Glen Shellach – Land adjacent to Argyll College opposite the hospital
2.	Existing school and land behind Tweed Mill
3.	Dalintart and Glencruitten
4.	Land adjacent to Park Primary and Pennyfuir Cemetery

Through the appraisal process a fifth option was identified. This variant on sites 2 and 3, Option 2A, was reported to local members at the Oban Lorn and the Isles business day on 10 September 2013.

2 A	Amalgamate options 2 and 3 - Existing school and land behind Tweed Mill and Dalintart and Glencruitten
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- 3.3 The appraisal process of the five sites was conducted in a workshop scenario by officers from different parts of the Council representing, amongst others, Education, Facility Services, Planning, Economic Development, Roads and Legal Services. The officers assessed each option against the pre-agreed criteria and assigned a 'score' in relation to impact, affordability, deliverability and risk.

The sites ranked in the following order:

Rank	Site Option
1	2A - Amalgamate options 2 and 3 - Existing school and land behind Tweed Mill and Dalintart and Glencruitten.
2	1 - Glen Shellach – Land adjacent to Argyll College opposite the hospital
3	2 - Existing school and land behind Tweed Mill
4	3 - Dalintart and Glencruitten
5	4 - Land adjacent to Park Primary and Pennyfuir Cemetery

- 3.4 At its meeting on 31 October 2013, the Council considered a report that detailed the results of the appraisal process on the feasibility of the agreed shortlist of five sites for the new Oban High School. The Council agreed that Site 2A should be taken to public consultation as the preferred site, as it was deemed to be the most feasible and deliverable option.

The consultation exercise took place between 18 November and 8 December 2013 and included the following activities:

Milestone	Timing
Public Consultation period	Monday 18 November – Sunday 8 December (3 weeks)
Consultation commenced with launch event in Oban High School,	Monday 18 November, 7pm – 9pm
Open days at the Corran Halls	Thursday 21 November (10am – 8pm); Friday 22 November – (11.30am – 4pm); Saturday 23 November (10am – 1pm)
Focus group meeting, Corran Halls	Friday 22 November (10am - 11.15am)
Consultation period closed	Sunday 8 December
Collation of consultation results	From Monday 9 December
Report to Council	January 2014



3.5 The public consultation was advertised prior to commencement of the 3-week consultation period on the Council and Oban High School websites, and in the local press. During the consultation period information was made available in the following ways:

- School and Council websites;
- Through a “bag-drop” to all Oban High pupils, and to all pupils in the associated primary schools by Friday 15 November;
- Oban High School held an “open evening” for the public where they could see information on the proposed sites;
- Public viewing of the site information was available over two and a half open days hosted in the Corran Halls;
- A meeting was held with the focus group to discuss the site selection. The invited participants in the focus groups comprised local public and private organisations, and partners; Continued publication of the consultation process took place through websites, school newsletters (secondary and primary), text reminders, local press;
- Information on the sites was available throughout the 3-week consultation period on the Council website with a link from Oban High school website. Display booklets were available also to the public through Oban High and all associated primary schools, in Oban Library and at the Corran Halls;
- In Oban High School, school assemblies and tutorial sessions were used to highlight the site consultation process and to encourage pupils to complete and submit their own response to the site consultation;
- The Head Teacher of Oban High School along with other senior members of staff visited every associated primary school to discuss the site proposal with students and interested parents;
- In addition, separate information meetings were made available to all Oban High School staff, and for the members of the Oban High School Parent Council
- Consultation response forms were available through the Council’s website, Oban High School, associated Primary Schools, and at the Corran Halls and Oban Library.

3.6 A total of 480 returns were received. The majority of these were from primary and secondary pupils.

The consultation process asked the public for their comments on the preferred site. The results of the consultation were:

Type of response	Total No of returns	Positive returns	%	Negative returns	%	Neutral / in-determinate	%
Paper responses	465	413	88%	21	6%	31	6%
Website responses	11	2	18%	4	36%	5	45%
e-mail responses	4	4	100%	0	0%	0	0%
<b>Total</b>	<b>480</b>	<b>419</b>	<b>87%</b>	<b>25</b>	<b>5%</b>	<b>36</b>	<b>8%</b>

Some of the key themes arising from the consultation responses were:

- 1 The provision of education should not be disrupted during the construction and handover period.

Response - Ensuring the continuity of education provision during the construction and handover phase would be a key priority for the Council. The Council would work closely with HubNorth Scotland (Hub) in the formulation of the construction programme to ensure that any disruption to the operation of the school and provision of education is minimised. Hub are experienced in school projects of this nature and are aware of the priority to be given to the continuity of Education.

2. Concern that the pitches would not be available during the whole construction period.

Response - The Council would work closely with Hub in the formulation of the construction programme to ensure that any disruption to the availability of the pitches is minimised having regard to the requirement to provide a clear site for Hub to construct the new school. In addition an assessment of the pitch provision in Oban and the surrounding area would be undertaken to ensure that alternative pitches are identified and their use maximised as required. This would likely require to be done in partnership with Community and Culture and Development and Infrastructure.

3. Provision should be made in the new school facilities for a shinty pitch.

Response – it is envisaged that there will be provision in the new facility for a 2G and a 3G pitch. 3G pitches are a suitable surface for playing shinty. The surface is usually provided in dimensions suitable for football. While this allows for shinty play and training, the dimensions required for competitive shinty matches would be in excess of those for football. An assessment would be made during the design phase as to whether there would be enough space provision to accommodate a larger 3G pitch suitable for competitive shinty.

4. Some pupils expressed concern in regard to the distance between the new school and the proposed pitch provision at site 3.

Response – the likelihood is that the new school building will be constructed on the site of the current pitches. There is a direct line between that site and site 3 allowing a new path to be constructed connecting the two. The school have looked at this matter and do not consider that this is an insurmountable issue providing some level of storage / accommodation can be sited at the off-site pitches.

3.7 Council officers have recently met with representatives of the Scottish Futures Trust (SFT) and Hub to progress matters in preparation of submission of the Council's New Project Request (NPR) to Hub. This is the document that will formalise the Council's engagement with Hub and commence the process to ascertain the design and cost of the proposed school facilities. This will follow on from the work carried out to date on regard to gathering site investigations and information to determine the deliverability of the site and the ongoing collaboration between the Council, SFT and Hub. It is intended that the NPR can be submitted to Hub in March 2014 and that matter will be reported to the Council as matters progress to that point.

**4. CONCLUSION**

4.1 The public consultation for the site of the proposed new Oban High School has been concluded. The results of the consultation are shown at paragraph 3.6 above. The Council is now in a position to decide on the preferred site for the proposed new Oban High School.

**5. IMPLICATIONS**

5.1	Policy	This report sets out the results of the public consultation process agreed by the Council
5.2	Financial	The final cost of the schools' project will only be ascertained once the Council has chosen sites and engaged in the design process with Hub
5.3	Legal	None at present.
5.4	HR	None at present.
5.5	Equalities	None at present.
5.6	Risk	The Council have followed a clear and transparent process for site selection and consultation to ensure community engagement. Any delay in deciding the site for the new Oban High School could have serious implications for the overall project programme.
5.7	Customer Service	Implementation of this process has enabled community engagement in a consultation process to assist in the selection of the site of the new Oban High School.

Cleland Sneddon  
 Executive Director of Community Services  
 9<sup>th</sup> January 2014

For further information please contact Cleland Sneddon - 01546 604112

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**ARGYLL AND BUTE COUNCIL  
COMMUNITY SERVICES**

**COUNCIL  
23 JANUARY 2014**

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**INITIAL SCHOOL LEAVER DESTINATION REPORT FOR 2012/13  
LEAVERS**

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**1. SUMMARY**

- 1.1** This report provides information and analysis on the initial School Leaver Destination Return (SLDR) for 2012/13 which covers 875 senior phase pupils (S4-S6) making the transition from the 10 publicly funded secondary schools in Argyll and Bute.

Overall the percentage of leavers entering a positive destination was 92.5%, a rise of 2.4% points in comparison to the 2011/12 figure of 90.1%. This is 1.1% above the Scottish national average of 91.4%.

This is the highest percentage of positive destinations ever reported in the authority. Argyll & Bute Council is now ranked 13th out of 32 local authorities for the percentage of leavers entering a positive destination.

**2. RECOMMENDATIONS**

- 2.1** It is recommended that Council:

- a) Continue to support the local authority's focus on Opportunities for All in order to increase young peoples' participation in post-16 learning, training or employment, through appropriate intervention and support.
- b) Continue to support our young people to move into positive destinations post-school, particularly Looked After and Accommodated Children (LAAC) and those furthest removed from the labour market.
- c) Offer help and support to our young people, particularly our LAAC and furthest removed cohort, through offering appropriate work placements and training opportunities.
- d) Support and endorse the work of the Employability Partnership as appropriate, particularly the Argyll and Bute Youth Employment Activity Plan (YEAP).

**3. BACKGROUND**

- 3.1** Skills Development Scotland (SDS) supplies information about the destinations of school leavers from publicly funded Secondary

Schools to the Scottish Government's Education Analytical Services Division. This data return is based on young people who left school between the 1st August 2012 and the 31st July 2013.

3.2 The collation exercise was carried out during the month of September 2013 and produced a snapshot of destinations as of Monday 7th October 2013. The exercise involved our key partner agencies working collaboratively in order to obtain the required information; particularly our secondary schools, our central Opportunities for All team and local Skills Development Scotland colleagues.

3.3 Data collated covers distinct groups:

- 1) Those leavers leaving from the 10 publicly funded secondary schools within Argyll and Bute
- 2) Those leavers who have left from specialist provision e.g. identified residential schools. In these instances the local authority is based on the individual's home address as recorded on the SDS client management system and not the school attended.
- 3) Those leavers who have moved out with Scotland are not regarded as being within the scope of the SLDR official statistic. These leavers are recorded separately.

### KEY STATISTICAL INFORMATION

#### 3 Year Comparison of Argyll and Bute's SLDR destinations

<b>Destinations Overview</b>	<b>2010/11 %</b>	<b>2011/12 %</b>	<b>2012/13 %</b>
Higher Education	35.9	39.7	37.9
Further Education	22.6	20.9	21.4
Training	3.0	3.6	3.7
Employment	27.8	24.9	28.1
Voluntary Work	0.3	0.3	0.1
Activity Agreement	0.1	0.6	1.0
Unemployed Seeking	9.4	7.6	6.6
Unemployed not seeking	0.6	1.7	0.9
Unknown	0.1	0.6	0
Positive Destinations	89.8	90.1	92.5

- 3.4 Of particular note from the statistics shown here:
- We were able to track ALL of our young people and had no unknown returns.
  - We have 58 school leavers who are currently unemployed and seeking work and 8 who are unemployed but not seeking.

### INDIVIDUAL SECONDARY SCHOOL SLDR's 2012/13

School	Total Leavers	HE	FE	Training	Employed	Voluntary	Activity Agreement	Unemployed Seeking	Unemployed Not Seeking	Total Positive	Total Other
	Nos	%	%	%	%	%	%	%	%	%	%
<b>CGS</b>	88	35.2	23.9	1.1	36.4	0	0	3.4	0	96.6	3.4
<b>DGS</b>	176	35.2	29.5	4.0	20.5	0	3.4	6.3	1.1	92.6	7.4
<b>HA</b>	201	42.8	24.9	3.0	15.9	0	1.0	10.4	2.0	87.6	12.4
<b>HIS</b>	38	23.7	5.3	2.6	57.9	0	0	10.5	0	89.5	10.5
<b>LHS</b>	83	55.4	9.6	1.2	27.7	0	0	6.0	0	94.0	6.0
<b>OHS</b>	201	29.9	17.4	6.0	39.3	1.0	0	5.5	1.0	93.5	6.5
<b>RA</b>	48	35.4	29.2	8.3	16.7	2.1	2.1	6.3	0	93.8	6.3
<b>TAR</b>	11	45.5	18.2	0	36.4	0	0	0	0	100.0	0
<b>TIR</b>	8	37.5	0	0	62.5	0	0	0	0	100.0	0
<b>TOB</b>	21	61.9	14.3	0	23.8	0	0	0	0	100.0	0
<b>A&amp;B</b>	<b>875</b>	<b>37.9</b>	<b>21.4</b>	<b>3.7</b>	<b>28.1</b>	<b>0.3</b>	<b>1.0</b>	<b>6.6</b>	<b>0.9</b>	<b>92.5</b>	<b>7.5</b>

School Key:	
<b>CGS</b>	Campbeltown Grammar
<b>DGS</b>	Dunoon Grammar
<b>HA</b>	Hermitage Academy
<b>HIS</b>	Islay High
<b>LHS</b>	Lochgilphead High
<b>OHS</b>	Oban High
<b>RA</b>	Rothsay Academy
<b>TAR</b>	Tarbert Academy
<b>TIR</b>	Tiree High
<b>TOB</b>	Tobermory High

Rothsay Academy has seen a significant increase in the number of school leavers entering a positive destination - 11.3% higher than 2011/12; closely followed by Campbeltown Grammar School with an increase of 10.9%.

- 3.5 Three schools achieved a 100% positive return – Tarbert, Tiree and Tobermory – and 8 out of the 10 schools achieved higher than the Scottish average.
- 3.6 Although both Hermitage and Islay are sitting on a similar unemployed and seeking percentage (10.4 and 10.5 respectively) this actually amounts to a difference of 17 young people (Hermitage has 21 and Islay has 4) reflecting the differences in our

school population. Further support will be offered to both of these schools from the central Opportunities for All team over the coming months in order to ascertain what additional help or action is required in order to raise their positive destination statistics.

- 3.7 The individual school breakdown shows the wide variation in destinations being pursued by our young people and reflects the range of opportunities available both locally and nationally. E.g. Tobermory had the highest proportion of its senior phase cohort entering higher education and Dunoon the highest for further education, closely followed by Rothesay (easier access to West College Scotland – James Watt). Nearly 58% of the young people on Islay were able to secure employment.

#### **4. CONCLUSION**

- 4.1 All key partner agencies involved in delivering Opportunities for All have put in considerable effort to improve post-school destinations for Argyll and Bute young people and this has been clearly reflected in the School Leaver Destination data outlined above.

These key partners - including schools, Community Learning and Development Youth Workers, Argyll College UHI, Argyll Training, the third sector and employers – should continue to be supported by the central Opportunities for All team to ensure we continue to grow the number of school leavers moving into and sustaining positive destinations.

National-level data released on the 13<sup>th</sup> December allowed us to compare our position with the 31 other local authorities. We have improved upon our position for the 2011/12 data where we were ranked 15<sup>th</sup> overall and are now sitting in the 13<sup>th</sup> place overall.

#### **5. IMPLICATIONS**

- 5.1 **Policy:** This contributes toward the achievement of Single Outcome Agreement 2013 – 23  
Overarching Outcome: Argyll and Bute’s economic success is built on a growing population.  
Outcome 3: Education, skills and training maximises opportunities for all
- 5.2 **Financial:** Funding support for work placements to be continued under the Youth Employment budget line. This funding is used to support LAAC and those furthest removed into employment.



- 5.3 Personnel:** HR support for work placement opportunities
- 5.4 Equal Opportunity:** The work of the Opportunities for All team actively supports addressing education inequalities and supporting all young people achieve a sustainable positive destination
- 5.5 Legal** None
- 5.6 Risk** Failure to progress the youth employment/positive destinations agenda presents reputational risk to Argyll and Bute and can impact on young people's life chances.
- 5.7 Customer Services** None

**Cleland Sneddon  
Executive Director of  
Community Services**

**17 December 2013**

For further information contact: Aileen Goodall,  
Lead Officer: Opportunities for All

Telephone 01369 708544  
07748584998

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ARGYLL AND BUTE COUNCIL  
COMMUNITY SERVICES

COUNCIL  
23 JANUARY 2014

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**ARMED FORCES CHAMPION – WW1 COMMEMORATION STEERING GROUP  
MEMBERSHIP**

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**1. SUMMARY**

The Royal British Legion is leading the World War 1 Commemoration Project and Steering Group on which the Council is represented by the Armed Forces Champion (Cllr Corry), the Provost and area representatives. The Steering Group proposes additional representation as noted in section 3.3 below.

**2. RECOMMENDATIONS**

2.1 It is recommended that Council :

- a) Notes and agrees the proposed additional representation on the World War 1 Commemoration Steering Group led by the Royal British Legion.

**3. DETAIL**

3.1 At its meeting of 29 August 2013, the Council noted the proposal for the establishment of a World War 1 Commemoration Steering Group led by the Royal British Legion and the proposed development of a 4 year commemoration project. The 100<sup>th</sup> anniversary of the commencement of the first World War will be in 2014 and across the UK and elsewhere there are plans to commemorate the event.

3.2 The Steering Group led by the Royal British Legion in Argyll and Bute includes membership from:

- the Council (Provost and elected member representatives from each area of Argyll and Bute (suggested the nomination be delegated to the relevant local area committees). The area representatives have been confirmed as:
  - Cllr Freeman
  - Cllr McMillan
  - Cllr McQueen
  - Cllr Marshall
  - Cllr Hall
- Representatives from the 5 Royal British Legion branches in Argyll and Bute
- Representatives from the Royal Navy, Royal Marines, Army, RAF and cadet forces.

- Representatives from 7 Scots Battalion (51<sup>st</sup> Highlanders) and 5 Scots Battalion (Argyll and Sutherland Highlanders) of the Royal Regiment of Scotland

3.3 The Steering Group have proposed further representation from council nominees:

- Cllr Robertson, council representative to the Scottish National War Memorial;
- Cllr D MacIntyre, Link with the Royal British Legion
- Cllr McCuish, Project Support for the Community Parade Service planned for 20 September 2014 in Inveraray (Parade of a 1000 Colours and Commemorative Service at Inveraray Castle)

3.4 The AFC will provide further updates from the WW1 Commemoration Steering Group on the details of the planned events and overarching commemoration project to council as details are developed.

#### **4. CONCLUSIONS**

4.1 The AFC has supported a number initiatives in Argyll and Bute that visibly demonstrates the Council's commitment to the Armed Forces Community Covenant. The World War 1 Commemoration project is a high profile national initiative led by the Royal British Legion which ably demonstrates that relationship and commitment to the armed forces community in Argyll and Bute

#### **6. IMPLICATIONS**

*Policy:* in accordance with Council Policy and Community Covenant;

*Financial:* None associated with this report – any financial consequences of specific initiatives will be separately reported.

*Legal:* None

*Personnel:* None

*Equal Opportunities:* in compliance with the Equal Opportunities Policy

*Risk:* None

*Customer Service:* None

Cleland Sneddon  
Executive Director of Community Services  
Argyll and Bute Council  
11 January 2014

For further information contact: Cleland Sneddon, Tel 01546 604112

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**ARGYLL AND BUTE COUNCIL****COUNCIL****CUSTOMER SERVICES****23 JANUARY 2014**

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**APPOINTMENT OF RECRUITMENT PANEL: POST OF HEAD OF SERVICE**

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**1.0 SUMMARY**

The purpose of this report is to invite the Council to establish an Appointments Panel to appoint to the post of Head of Education.

**2.0 RECOMMENDATIONS**

It is recommended that:

- 2.1 The Council establishes an Appointments Panel of 7 Members to appoint to the post of Head of Education.

**3.0 DETAIL**

- 3.1 Carol Evans will be retiring from her employment as Head of Education with the Council with effect from 27 June 2014.
- 3.2 In terms of the Council's constitution the Council has the power to appoint a Panel to appoint, on behalf of the Council, the Chief Executive, Executive Directors and Heads of Service.
- 3.3 It is recommended that, in line with existing practice, a Panel of 7 Members be appointed to approve the short list, interview the short listed candidates and make an appointment. Given the strategic nature of the post a period of overlap is anticipated between Mrs Evans and the incoming Head of Service to ensure service continuity.

**5.0 IMPLICATIONS**

- Policy – The post is required to ensure that the Council's statutory obligations are met.
- Financial – None.
- Legal - None
- HR – The Council's procedures have been adhered to.
- Equalities – None.
- Risk – Failure to recruit into the post of Head of Education would affect the operational management and direction of the Education Service.

**Douglas Hendry**  
**Executive Director**  
13<sup>th</sup> January 2014

For further information contact: Douglas Hendry - 01546 604244

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**ARGYLL AND BUTE COUNCIL****COUNCIL****COMMUNITY SERVICES****23 JANUARY 2014**

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**EDUCATION MANAGEMENT REVIEW**

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**1.0 SUMMARY**

- 1.1 In line with the Council's decision taken in 31 October 2013, the Executive Director of Community Services conducted a series of additional consultation meetings with senior staff to gather opinions on the options put forward in the Education Management Review.
- 1.2 As agreed by the council decision at its October meeting regarding consultation arrangements within the Education Services, this report notes the responses made by consultees and the preferences made on the options outlined in the original review paper and other alternative proposals.

**2.0 RECOMMENDATIONS**

It is recommended that Council:

- 2.1 Note the outcome of the consultation process
- 2.2 Agree the adoption of model 3b as outlined in the papers considered by Council in September 2013 and noting the financial consequences of that decision
- 2.3 Note the development of a detailed implementation plan following a Council decision in relation to recommendation 2.2 to involve the incoming Head of Education Services if the timetable permits.
- 2.4 Agree the impact of the new management structure be evaluated 2 years after implementation as recommended in the original Education Scotland report.

**3.0 DETAIL**

- 3.1. The Executive Director of Community Services was asked to carry out a series of additional consultation meetings on the 5 options provided within the Education Management Review paper of 26 September 2013. This consultation followed the detailed consultation programme conducted by the Education Scotland officer who undertook the review programme on behalf of the council in early 2013.
- 3.2. The consultation exercise took place throughout November 2013. Four meetings were held with Primary Head Teachers one with

Secondary Head Teachers plus a separate meeting with the existing Quality Improvement Team members.

3.3. In total 62 responses were received from head teachers and early years service. This comprised 47 individual responses from Primary Head Teachers, 1 response from the Principal Officer Early Years, a collective response from 4 primary Head Teachers in the Helensburgh and Lomond area and a collective response from 10 Secondary/ Joint Campus Head Teachers. A further collective response was received from the Quality Improvement Team

### 3.5 Feedback from the Consultation

3.5.1 A total of 51 primary head teacher responses (including the 4 head teachers that submitted a combined group response) were received. One response was received from the early years team. One primary school had a split staff vote between options 3a and 3b with a slight majority in favour of 3a (reflected below) and another noted a difference in opinion between the staff and the head teacher. In addition, there were 41 additional comments made by individual primary head teachers.

3.5.2 Of the 52 primary head teachers/ early years responses, 83% were supportive of option 3b (enhanced matrix model) being chosen. Of the remaining Head Teachers, four preferred option 4 (sectoral model) with single votes being made for option 3a (matrix model) and one submission for an alternative option from 4 Head teachers which comprises – Head of Service; Depute Head of Service; Education Psychology Team; Head of Secondary; Head of Early Years/Primary; Communication & Engagement officer; 4 Area Education Managers; 4 EDOs; 1 ESO Gaelic; 1 ESO (CLD & Technologies).

3.5.3 In addition to 3b being the preferred model, the submissions noted key factors in their decision and in summary the following were noted:

- The important role of the Education Support Officers (ESO) was highlighted in a number of responses with supportive general statements on the role being made in 7 submissions. Further specific supportive comments were made in relation to the ESO role in the delivery of gaelic education (9 submissions), on IT/ Learning Technologies (7 submissions) and Additional Support Needs/ Behaviour Support (6 submissions).
- Specific supportive comments were made in relation to the Communication and Engagement post included in option 3b in 4 submissions.
- Specific supportive comments for opportunities for school based staff to be seconded in to quality improvement team roles were made in 5 submissions.
- Specific supportive comments were made for the return of pre 5 units to Education in 3 submissions.

3.5.4 The members of the current Quality Improvement Team have also contributed a submission following a further consultation meeting held with them. The consensus view was in agreement with the matrix



management model akin to option 3b. The team made a number of comments however that related to this agreement. These included:

- Would be better to delay implementation of the review until the appointment of the Head of Education post following the retirement of the current Head of Service.
- Due to retirements and staff leaving the council the quality improvement team is substantially under capacity in the interim and presents risks of fragility of the service. In the interim and until the management review is implemented this has the potential to produce an underspend in excess of requirement during 2013/14.
- The role of Education Support Officers was viewed as fundamental to the maintenance of operational capacity. The remits for the ESO posts would be similar to that shown in model 3b (gaelic; ICT/ Learning Technologies and ASN/Behaviour Support)
- There was support for the introduction of the Communications and Engagement Officer role as proposed in options 3a and 3b.
- There was support for the retention of a Quality Standards Manager level grade rather than a flat grade for the 3 Education Manager posts and keeping a separate Principal Education Psychologist post.
- Additionally comments were received in relation to administration supports and pension arrangements that will be considered in developing the implementation plan.

3.5.5 The 10 secondary/ joint campus head teachers reviewed the options outlined in the Education Scotland report and submitted a single response confirming they unanimously supported the adoption of Option 3b. The group had previously formulated proposals for an alternative structure during the original consultation process however this had not been submitted prior to Education Scotland's review paper being published. The elements of this structure and additional comments submitted by the group are summarised below:

- A general preference for a dedicated Director of Education (not Director of Community Services with multiple service responsibilities) and for 2 Heads of Service (one Primary and one Secondary). One Head Teacher expressed a preference for a single Head of Service.
- A key concern expressed by all that Secondary Heads should be line managed by the Head of Service and not below that grade to ensure the line manager is suitably qualified and experienced to support and challenge them.
- A preference not to retain the existing Quality Improvement Officer roles – these were held not to support schools as fully as necessary.
- It is desirable to consider the use of secondments (potentially part time) for existing Head Teachers or Deputies in Education Manager posts.
- Strong support for the role of ESO's being partnered with cluster schools and for the ESO role in relation to additional support needs/ behaviour support.

- Support for the proposed integration of the model with the educational psychology team.

3.5.6 In summary, of the responses received from 62 primary and secondary head teachers and early years principal officer, over 85% expressed a preference for option 3b as detailed in the previous paper to council. Around 6% preferred the alternate model suggested by 4 primary head teachers, around 6% preferred option 4 in the original proposal paper submitted to council and a single head teacher indicated a preference for option 3a within that paper. The quality improvement team feedback also indicated support for a model akin to option 3b – noting the additional points made in their submission.

3.5.7 The various submitted comments and suggestions would be considered as part of the implementation phase of the education management review following the decision by council on the final model to be adopted.

#### **4.0 CONCLUSION**

4.1 There was a significant majority of support for the adoption of model 3b as outlined in the original proposal papers to council (model graphic reproduced at appendix A). Those supportive of that option indicated that Option 3b would be the most appropriate option to meet the future needs of the Education Service. The Quality Improvement Team submitted a detailed report with a preferred option akin to that of Option 3b but with a post of Education Service Manager who would act as an advisor to and a deputy for the Education Head of Service when necessary.

#### **5.0 IMPLICATIONS**

- |     |            |   |
|-----|------------|---|
| 5.1 | Policy     | - The report aligns with the education outcomes set into the Single outcome Agreement and the Council's Corporate Plan.   |
| 5.2 | Financial  | - The financial consequences of the preferred model produce a recurring saving of £53,316. This is lower than the previously budget saving and would require to be addressed in the course of the 2014/15 budget. |
| 5.3 | Legal      | - The review needs to be implemented in compliance with all relevant employment legislation.  |
| 5.4 | HR         | - The proposals within this paper have a direct impact on staffing within community services. The implementation would be the subject of formal consultation and discussion with the relevant trade unions.       |
| 5.5 | Equalities | - None.   |

- 5.6 Risk - There are a number of implementation risks associated with the review and these will kept under review during the implementation phase.
- 5.7 Customer Service - These proposals seek to improve the quality improvement service provided by the Council which ultimately impact on learners and their families throughout Argyll and Bute.

**Cleland Sneddon**  
**Executive Director of Community Services**  
16 December 2013

**For further information contact:**  
Cleland Sneddon, Executive Director

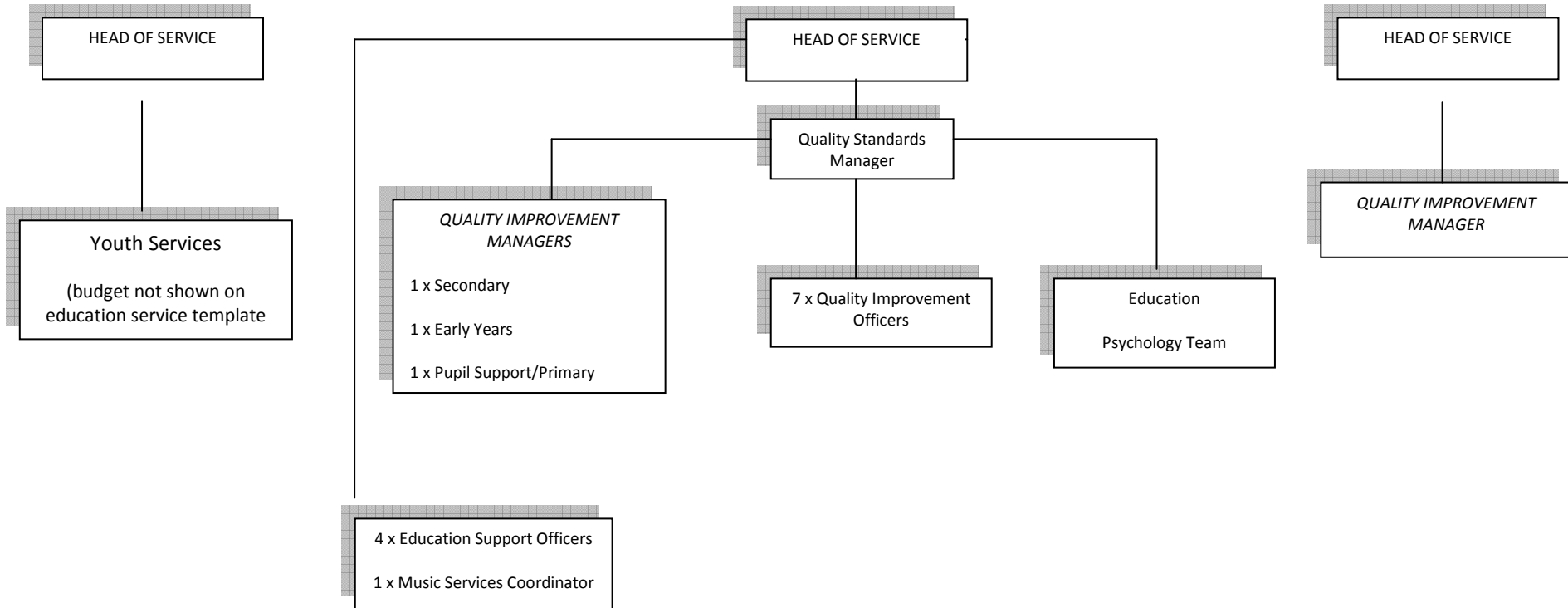
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Appendix – Current central team structure

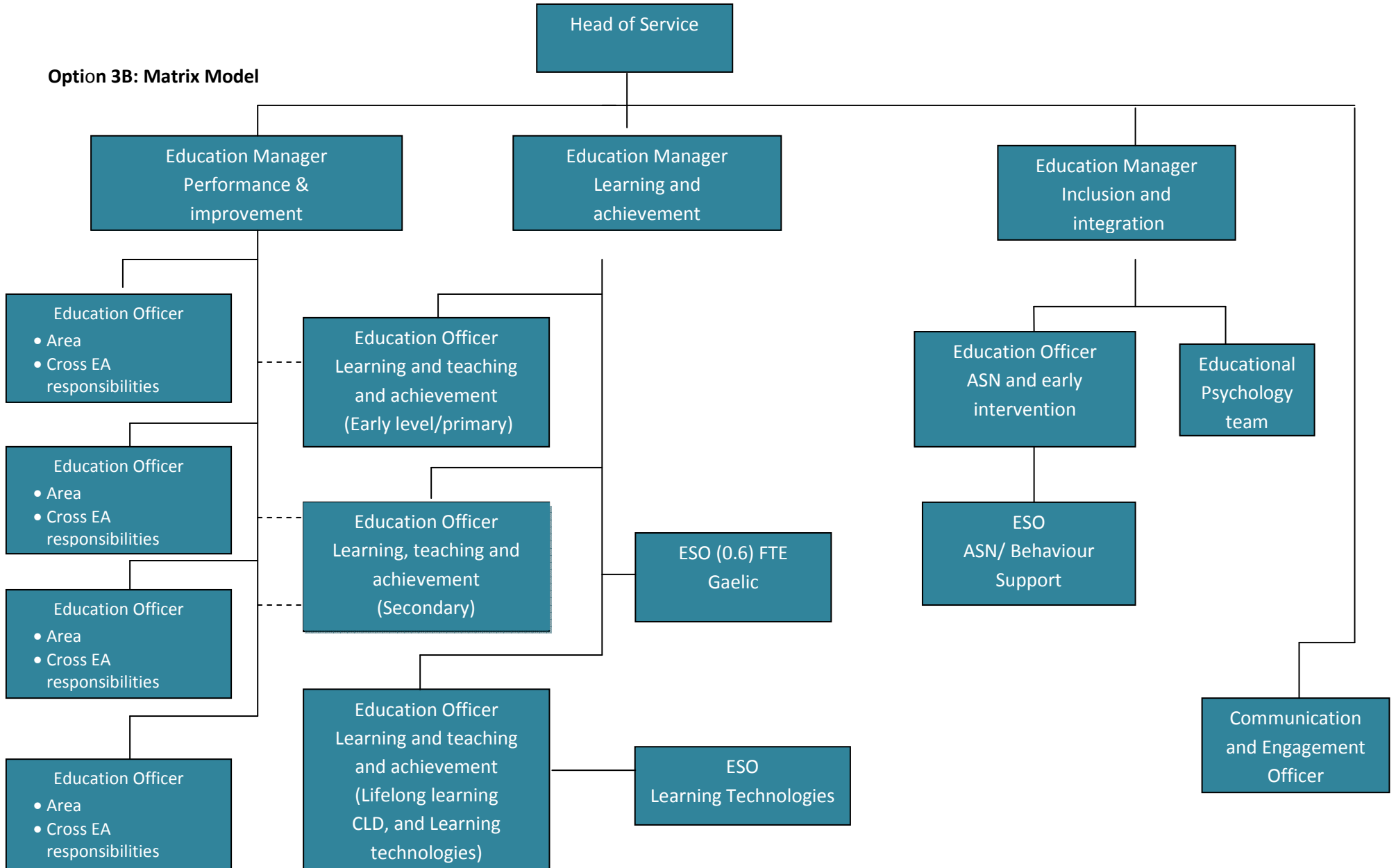
COMMUNITY AND CULTURE

EDUCATION SERVICE

CHILDREN AND FAMILIES



**Option 3B: Matrix Model**



**Financial Comparison**

<b>Model</b>	<b>Employee Cost of Model (Inclusive of On Costs)</b>	<b>FTE</b>	<b>Employee Cost Variance</b>	<b>FTE Variance</b>
2010/11 levels	£1,465,166	22.00	£330,003	5.0 FTE
2011/12 levels	£1,274,065	19.00	£138,902	2.0 FTE
Model 1 – Existing	£1,135,163	17.00		
Model 2 – Geographic Model	£878,089	12.00	£-257,074	(5.0 FTE)
Model 3a – Matrix Structure	£946,130	13.00	£-189,033	(4.0 FTE)
Model 3b– Matrix Structure	£1,081,847	15.60	£-53,316	(1.4 FTE)
Model 4 - Sectoral Model	£1,029,126	14.00	£-106,037	(3.0 FTE)

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**ARGYLL AND BUTE COUNCIL****COUNCIL****COMMUNITY SERVICES****23<sup>rd</sup> JANUARY 2014**

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**COWAL HIGHLAND GATHERING – REQUEST TO AMEND SERVICE  
LEVEL AGREEMENT WITH ARGYLL AND BUTE COUNCIL**

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**1.0 SUMMARY**

- 1.1 This report puts forward a request from Cowal Highland Gathering (CHG) to amend the Service Level Agreement (SLA) they have with the Council in order to maintain the current level of financial support in 2014 whilst removing the link between the level of support and the fee payable to the Royal Scottish Pipe Band Association (RSPBA) for the “major” championship.
- 1.2 The CHG Board have indicated that the continued viability of the Highland Gathering and their ambition to further develop the event and broaden its appeal is dependent on maintaining financial support through the SLA at its current level.
- 1.3 The very significant economic impact and social importance to Argyll and Bute of the CHG is highlighted in this report.

**2.0 RECOMMENDATIONS**

- 2.1 That members agree to maintain the level of financial and in-kind support for 2014 at the level currently set out in the SLA.
- 2.2 That the wording of the SLA is amended to remove reference to the fee for a “major” championship.
- 2.3 That CHG are asked to ensure equitable access for all Argyll & Bute competitors in all events prior to an SLA for 2015 onwards being agreed.

**3.0 DETAIL**

- 3.1 In 2013 the RSPBA announced their decision to remove the “major” status from the Cowal Pipe Band Championship (the world’s oldest pipe band championship) and move the “major” to a new competition in Ireland. The RSPBA has agreed that the date and name of the Cowal Championship be protected and they will work with CHG to ensure the Cowal Championship remains a large scale competition thus encouraging bands to attend.
- 3.2 This decision has presented the CHG with an opportunity to enhance the Cowal Gathering for general visitors, competitors and for the bands who decide to attend and compete. The Board

believe that introducing new elements to the Gathering will broaden its appeal to the general public and will help attract new visitors who may not have attended the event in its previous format. The event should be more relevant to modern Scotland but will retain, at all times, the historical and cultural elements of the Gathering and will promote the local area.

3.3 As stated above, the CHG wish to maintain the core competitive and cultural elements but also introduce more of a festival type of feel to the Gathering. This will be achieved by providing entertainment such as:

- The Clan Mountain Bike Stunt Team.
- Building a temporary mountain bike route in the stadium.
- Providing a digital hub which will offer people the chance to try some of the top games on the latest platform.
- Family sport opportunities.
- Kids tent with magicians, clowns, puppets and hopefully a big name children's TV attraction.
- Arts workshops delivered by HeART of Argyll.
- Ceilidh tent and traditional folk music, including "open mic" sessions, in the main bar tent.
- "Best of Argyll" area with high quality local producers promoting and selling local food and drink.

3.4 Argyll and Bute Council is due to award CHG £68,205 in 2014/15 as part of the SLA. This award will no longer be used to pay RSPBA for a "major" championship but will instead be used to pay for the Cowal Pipe Band Championship, entertainment attractions and marketing.

3.5 A detailed breakdown of the SLA spend is listed below:

RSPBA associated costs = £40,000

Entertainment costs:

Ceilidh = £11,565

Street entertainment = £2,950

Homecoming events = £3,550

Children's events = £2,455

Performance acts = £4,275

Misc entertainment = £1,055

Marketing = £2,355

3.6 For the 2014 event CHG have secured a major media partner in the Daily Record (readership of over 250,000 people across Scotland). This will help in promoting the Gathering nationally and attracting more visitors to the event. In addition more leaflets will be distributed than in previous years and to a wider geographical area (in recent years 82,000 leaflets were distributed throughout the central belt).

- 3.7 CHG continues to be the largest annual event to take place in Argyll and Bute and provides a crucial economic and social boost to the local, and wider, Argyll area.
- 3.8 The 2013 CHG generated £1.9 million for the Scottish economy with just over £1 million of that directly benefiting the Argyll and Bute area (calculation based on an accepted equation used by Event Scotland).
- 3.9 The economic impact review of the 2013 event shows that the return on investment to Argyll and Bute is £16 for every £1 of Council support.
- 3.10 Other benefits to Argyll and Bute include:
- Raising the profile of the area as a visitor attraction, including to overseas visitors with Scottish and/or local connections.
  - CHG is a major social enterprise with a turnover in excess of £250,000 pa and an employer of full-time, part-time and seasonal staff.
  - Contributing to the community strength of Cowal by drawing together a large team of local volunteers who are dedicated to putting on an event that reflects great credit on their area. Around 500 days per year of volunteering are given by the community to the Gathering.

#### **4.0 CONCLUSION**

- 4.1 That members note the economic impact and social benefits the CHG brings to Argyll and Bute, and the Cowal area in particular.
- 4.2 In acknowledging the above, members agree to maintain the level of financial and in-kind support to CHG for 2014 at the level currently set out in the SLA and that the wording of the SLA is amended to remove reference to the fee for a “major” championship. This will help support and sustain the CHG in its new format.

#### **5.0 IMPLICATIONS**

- 5.1 Policy: In line with the aims of the SOA and Economic Development Action Plan
- 5.2 Financial: All proposed spend contained within current mainstream revenue budget.
- 5.3 Legal: None
- 5.4 HR: None
- 5.5 Equalities: In line with all current requirements.
- 5.6 Risk: Low level

5.7 Customer Service: Maintain high level of customer satisfaction by service provider.

**Cleland Sneddon**

**Executive Director of Community Services**

**8<sup>th</sup> January 2014**

**For further information contact:** Pat McCann, Culture & Libraries Manager

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**ARGYLL AND BUTE COUNCIL****COUNCIL****CUSTOMER SERVICES****23 JANUARY 2014**

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**REPORT FOR COUNCIL  
RECOMMENDATIONS FROM SLWG –  
POLITICAL MANAGEMENT ARRANGEMENTS**

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**1.0 SUMMARY**

- 1.1 At its meeting on 27 June 2013 the Council agreed to establish a Short Life Working Group (SLWG) to review the current Political Management Arrangements (PMAs) and structures.
- 1.2 This report highlights the recommendations made by the SLWG following their consideration of these arrangements.

**2.0 RECOMMENDATIONS**

- 2.1 To note the contents of the report.
- 2.2 Agree that the proposals developed by the SLWG set out at section 3.3 of this report.

**3.0 DETAIL**

- 3.1 To date the SLWG on PMAs has met 6 times; 29 July 2013, 12 August 2013, 9 September 2013, 7 October 2013, 29 October 2013, 11 December 2013 and 13 January 2014.
- 3.2 At these meetings the SLWG considered reports by the Executive Director - Customer Services which set out a series of options for consideration in the review of political management arrangements for Argyll and Bute Council.
- 3.3 The following is a summary of the decisions that were taken at meetings of the Group and the Council are asked to endorse these proposals;
- i. Adoption of a traditional model of Council with the following Service Committee structure (**appendix 1**) to include;
    - Policy and Resources Committee
      - Finance and HR
      - Policy Development /overview
      - General competence for matters not otherwise delegated
      - Economic Development (advised by the service Committee)
      - Strategic Projects
    - Community Services Committee
      - Culture
      - Education

- Social Work
  - Housing
  - Health Issues
  - Communities
- Environment, Development and Infrastructure Committee
    - Environment including Amenity Services, Carbon Management and Renewables
    - Development including advice to Policy and Resources on Economic Development Policy but excluding matters dealt with by PPSL
    - Infrastructure including Facility Services and Asset Management
    - IT
    - Piers, Harbours and Roads
- ii. That membership of the Policy and Resources, Community Services, and Environment, Development and Infrastructure Committees be not less than 12 and not more than 16 and to delegate authority to the Executive Director of Customer Services, in consultation with Councillors Walsh, E Morton, Taylor and Semple, to bring back recommendations for the SLWGs final report, including membership of the committees (attached at **appendix 2**).
- iii. That the regulatory, audit, performance review and scrutiny functions of the Council are maintained within the existing committee structures
- iv. To continue with the current number of members on the PPSL, PRS and Audit and Area Committees
- v. That a Council meeting take place at the conclusion of a cycle of Committee meetings (e.g. 6 per year);
- vi. That a call in function be reserved for Council and incorporated into the Standing Orders – model standing order attached at **appendix 3**
- vii. To adopt the model Standing Order detailed at **appendix 4** of this report to allow participation in the work of the Service Committees.
- viii. To extend the remit and powers of Area Committees (set out at **appendix 5**) to support the undernoted;
- Enhanced financial regulations
  - Enhanced provision in relation to approvals relating to the acquisition, sale or lease of land and buildings within the area
  - A facility for the allocation of additional income raised through Council tax on empty properties, and arrangements for administration of these funds
  - Incorporation of the functions of CHORD Area Project Boards to be taken forward at an area level
- ix. Not to introduce a Petitions function.

- x. Not to proceed on the development of a Members Bulletin
- xi. That seminars should be scheduled as per appendix 19.
- xii. That Standing Orders be amended to allow members to attend by video conference at committee meetings
- xiii. Note the Policy Lead Job Roles as follows;
  - Island Affairs (**appendix 6**)
  - Sustainable Environment, Renewables, and Strategic Tourism (**appendix 7**)
  - Adult Care (**appendix 8**)
  - Children and Families (**appendix 9**)
  - European Affairs, Sustainable Economic Growth and Strategic Transportation (**appendix 10**)
  - Planning and Regulatory Services (**appendix 11**)
  - Roads, Amenity Services, Infrastructure, Asset Management and Special Projects (**appendix 12**)
  - Community, Culture and Strategic Housing (**appendix 13**)
  - Improvement, HR, Customer Services and Facility Services (**appendix 14**)
  - Strategic Finance (**appendix 15**)
  - Education, Life Long Learning and Strategic IT Services (**appendix 16**)
- xiv. To strengthen the role of the Monitoring Officer as set out in the attached report and protocol but not to progress a standards committee at this time (**appendices 17 and 18** respectively)
- xv. Delegate power to the Executive Director of Customer Services to make the minor and consequential amendments to the Constitution as required by adoption of the new committee structures and associated arrangements
- xvi. To endorse the proposed programme of meetings attached at **appendix 19**

3.4 Once the Council has made a final determination of the structure, the additional resources required to support the new arrangements can be assessed fully, but it is envisaged that a parallel restructuring of the Area Governance Team could address issues related to the more general support to members, as well as the additional Committee workload that will arise, reducing the net cost of these proposals, which at an indicative level might incur a cost of around £200k. The additional resources will address existing pressure on supporting the Area Committee and Area Community Planning Group process and will also provide the additional support to the new centre committee structures and the increased administrative burden of the committee administration. Furthermore, the increased resource will support the development of the video conferencing and webcasting functionality that will be available to the Council from the beginning of the new financial year. The implementation of these proposals should reduce the travel commitment for members in attending meetings but there will be an increased workload for officers in the set up of meetings when video conferencing and/or webcasting is being used. In addition, it is proposed to locate an increased

resource for support to the Monitoring Officer, within Governance and Law, at an indicative cost of £50k.

#### **4.0 CONCLUSION**

- 4.1 Following the decision by Council on 27 June 2013 to set up a SLWG to review the current PMAs and structures, the group have now met 7 times and developed a set of proposals for consideration by Council, as per the detail of this report.

#### **5.0 IMPLICATIONS**

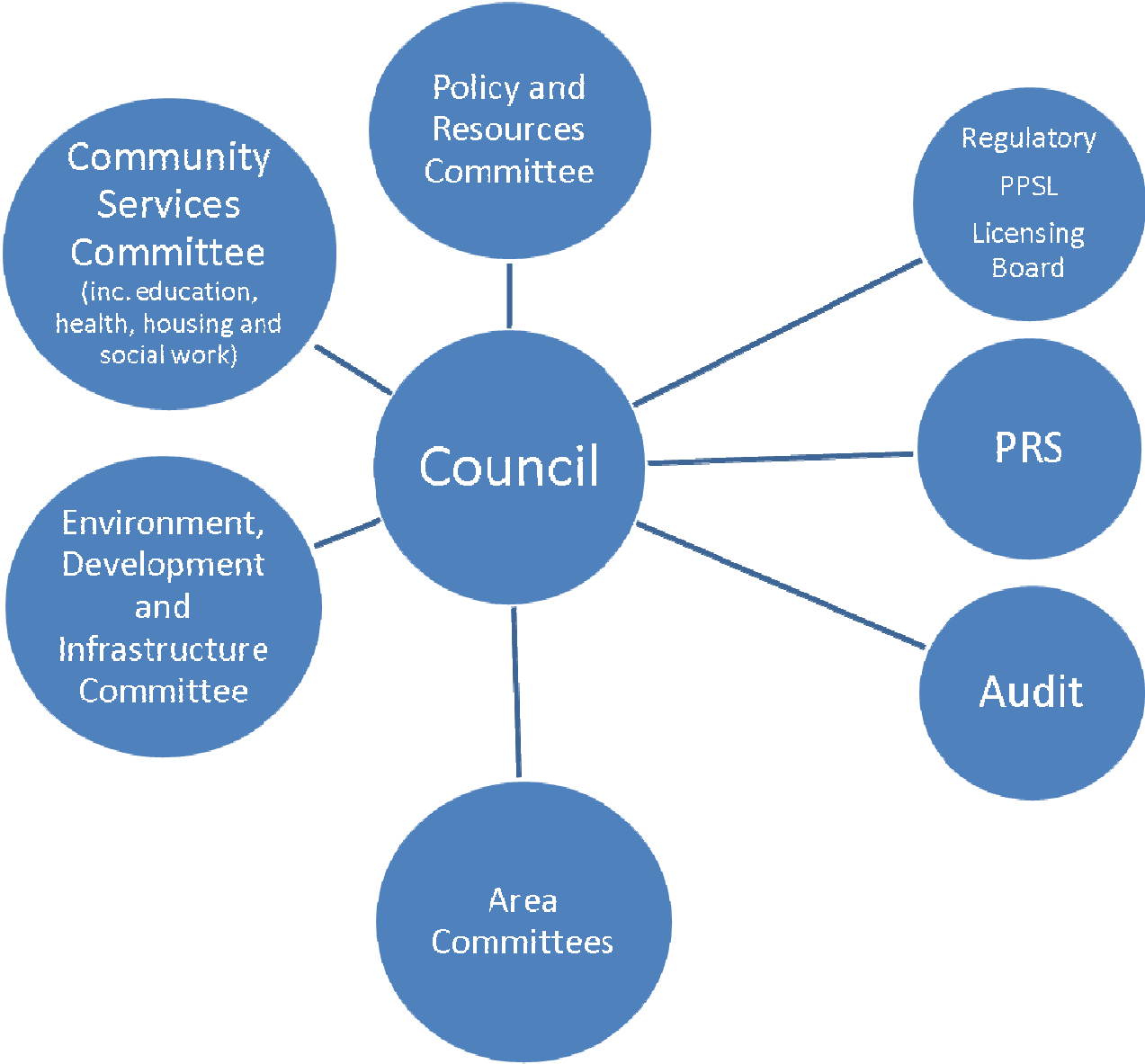
- 5.1 Policy - will improve development and decision making  
5.2 Financial - as set out in the report but indicative at this stage only  
5.3 Legal - none  
5.4 HR - none at this stage but once a preferred model has been chosen by members, the resource implications of operating such a model can be fully assessed.  
5.5 Equalities – no negative impact  
5.6 Risk – The AIP has identified *‘Council’s leadership and culture – member to member and member to officer relationships’* as a scrutiny area. An agreed approach on political management arrangements and structures to be reported to Council would reduce risk in this area.  
5.7 Customer Service – improved transparency of decision making

#### **6.0 APPENDICES**

- 6.1 Appendix 1 Preferred Model  
6.2 Appendix 2 Membership of Service Committees  
6.3 Appendix 3 Call In Function Standing Orders  
6.4 Appendix 4 Participation Standing Orders  
6.5 Appendix 5 Remit of Area Committees  
6.6 Appendix 6 Policy Lead Job Role - Island Affairs  
6.7 Appendix 7 Policy Lead Job Role - Sustainable Environment, Renewables and Strategic Tourism  
6.8 Appendix 8 Policy Lead Job Role - Adult Care  
6.9 Appendix 9 Policy Lead Job Role - Children and Families  
6.10 Appendix 10 Policy Lead Job Role - European Affairs, Sustainable Economic Growth and Strategic Transportation  
6.11 Appendix 11 Policy Lead Job Role - Planning and Regulatory Services  
6.12 Appendix 12 Policy Lead Job Role - Roads, Amenity Services, Infrastructure, Asset Management and Special Projects  
6.13 Appendix 13 Policy Lead Job Role - Community, Culture and Strategic Housing  
6.14 Appendix 14 Policy Lead Job Role - Improvement, HR, Customer Services and Facility Services  
6.15 Appendix 15 Policy Lead Job Role - Strategic Finance  
6.16 Appendix 16 Policy Lead Job Role – Education, Lifelong Learning and Strategic IT Services  
6.16 Appendix 17 Monitoring Officer Report  
6.17 Appendix 18 Monitoring Officer Protocol  
6.18 Appendix 19 Programme for Meetings

8 January 2014 **Douglas Hendry - Executive Director of Customer Services**





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**Proposed Committee Structure**

Councillor		Audit	Communities	Environmental Development & Infrastructure	Policy & Resources	PPSL	PRS
Gordon	Blair	x				x	x
Michael	Breslin					x	
Rory	Colville		x			x	
Maurice	Corry	x					x
Robin	Currie		x		x	x	
Vivien	Dance		x		x		
Mary Jean	Devon		x		x	x	
George	Freeman		x			x	
Louise	Glen-Lee		x	x			
Fred	Hall	x		x			
Anne	Horn		x	x			x
David	Kinniburgh				x	x	
Donald	Kelly		x		x		
John	McAlpine		x				x
Roddy	McCuish			x		x	
Iain Angus	MacDonald	x		x			x
Alistair	MacDougall			x		x	
Duncan	MacIntyre			x	x		
Robert E	Macintyre		x				
Robert G	MacIntyre			x		x	
Donald	MacMillan			x		x	
Alex	McNaughton			x		x	
Jimmy	McQueen		x			x	
Bruce	Marshall			x			
Aileen	Morton		x		x		
Ellen	Morton			x	x		
Gary	Mulvaney			x	x		
Dougie	Philand		x		x		
James	Robb	x			x		
Elaine	Robertson		x				
Len	Scoullar				x		
John	Semple		x		x		x
Isobel	Strong		x		x		
Sandy	Taylor			x	x	x	x
Richard	Trail			x		x	
Dick	Walsh			x	x		

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1. SCRUTINY OF THE X and Y COMMITTEES

1.1 Where, on the consideration by the X and Y Committees of any item of business, not fewer than nine Members of the Council, at least four of whom are elected Members of the relevant Committee, require immediately at the time the decision is taken (but not otherwise) that the decision should be subject to scrutiny by the Policy and Resources Committee[Council?], then, subject to paragraph 2. below, the decision shall be treated as a recommendation to the Policy and Resources Committee[Council?] for consideration and determination.

1.2 Paragraph 1 above shall not apply to any decision which arises on an item of business –

(a) Where –

- i. the Committee has considered a matter where the decision may affect the interests of any person as an individual; and
- ii. the decision is made after a hearing by the Committee where the person has a right in terms of any law, standing order or administrative procedure, to be heard in person or by a representative.

(b) Where, in the opinion of the Chairman, there is a requirement that the decision be given effect to before the next ordinary meeting of the Council.

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1. Participation clause

- 1.1 Any Councillor may be present at a meeting of a Committee or Sub-Committee of which the Councillor is not a Member. The Councillor will be entitled to take part in the discussions generally, without giving notice, but is allowed to speak and vote only on any particular issue affecting the Members' Ward which is delegated to the Committee or sub-committee, provided written notification is given to the Executive Director of Customer Services and received by him/her not later than 24 hours prior to the time at which the meeting is scheduled to commence. The Chairman will decide whether, in the circumstances of any matter, the provisions of this Standing Order will apply to the Member who has given notice, and the Chairman's ruling, which will be given as soon as possible after the start of the meeting, will be final.
- 1.2 A Councillor cannot speak and vote in terms of the provisions at 1.1 above at a meeting of the Planning, Protective Services and Licensing Committee when it is considering an application for planning permission, nor in similar circumstances when a Local Review Panel is considering an appeal in respect of an application for planning permission.
- 1.3 Notwithstanding the provisions of paragraph 1.1 a Councillor cannot be present at a meeting of a Committee or Sub-Committee of which she/he is not a Member when:-
- The public have been excluded from the meeting; and
  - The meeting is considering a matter where the decision may affect the interests of any person as an individual; and
  - The decision is made after a hearing by the Committee or Sub-Committee where the person has a right in terms of any law, Standing Order or administrative procedure, to be heard in person or by a representative
- 1.4 If a Committee or Sub-Committee has a hearing:-
- On a matter where the decision may affect the interests or rights of any person as an individual; and
  - Where the person has a right in terms of any law, Standing Order or administrative procedure, to be heard in person or by a representative;

Members of the Committee or Sub-Committee may only take part in or vote on the matter if they have attended the entire proceedings of the hearing.

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**i. Possible options to enhance the role of Area Committees**

Retention of all Terms of Reference as detailed in the Council Constitution plus the addition of the following:

- a. Oversight of Common Good Funds and Trusts as appropriate.
- b. To approve Area Policies in relation to the delivery of Council services consistent with Council wide policy.
- c. To consider and prioritise revenue and capital expenditure estimates for their Area and to make recommendations to the Council in relation to these.
- d. To approve the acquisition, sale or lease of land or buildings within their Area.
- e. To set local holidays, taking into account local circumstances.
- f. To resolve issues of naming of streets and buildings within the Council's control.
- g. To maintain strong links with local communities, community organisations and local community planning structures;
  - Maintain the operation of CPGs going forward, with the Area Committees remaining as the Council's local decision making body and operating as a key strategic partnership of the CPG, with only a small number of the Members participating and representing the Area Committee. This would help to address the current perception that the partnership is unbalanced and dominated by the Council.
  - Including delivery of local level of Single Outcome Agreement (SOA)
  - Including oversight of local Economic Development Action Plan
- h. Adoption of structured service delivery reporting across all areas (e.g. performance reports (Secondary Schools currently bring annual performance reports to Area Committees)/updates on service delivery issues – in some areas Officers bring regular reports on key issues to the Business Day and there is scope to extend this to all areas)
- i. To receive minutes of all local partnership bodies in which the Council participates and maintain an overview of local partnership arrangements and activities ensuring there is consistency in the various approaches.
- j. To make local services more accountable to elected members of the Council and through them, to the local community.
- k. To ensure that, subject to local needs and opportunities, the delivery of Council services and the use of its resources reflect the policies and priorities of the Council.
- l. To improve the identification of and make services more responsive to local issues and priorities.

- m. To ensure that Council services, partner agencies and the local community work together as necessary to implement the Council's policies and to respond to local issues more effectively.
- n. To work with partner agencies to promote the aims, principles and actions relating to the policy objectives, and to ensure that these are given an appropriately high priority by the Council's services.
- o. To make recommendations on plans and proposals for local service delivery/planning within their Area, including prioritisation of expenditure, which are consistent with Council Policy and within the available financial allocations.
- p. To initiate and undertake developments which are consistent with Council policy and within the available financial allocations.
- q. To promote Council strategies, agreements and partnerships at a local level.
- r. To appoint Members of the Area Committee, when invited to do so, to local organisations and groups.
- s. To maintain strong links with community and voluntary organisations.
- t. To be consulted on any review of the Scheme of Community Councils.
- u. (Assuming funds made available by Council) Allocation/monitoring of Area (or ward) budgets.
- v. To undertake current remit of the CHORD Project Boards

## Elected Member Policy Lead - Role Profile

<b>Title</b>	Policy Lead – Island issues
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of policy and services with a specific remit to review their impact on Island communities in collaboration with other policy leads.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• To monitor and facilitate considerations relating specifically to Island issues and to promote awareness of the social economic and cultural influences that impact on Island living ,having regard to the work of other policy leads with and Argyll and Bute wide remit in respect of those matters .</li> <li>• To facilitate effective planning and partnership working at local, national and European levels to sustain island communities.</li> <li>• Deliver policy to promote and support Island communities and build effective partnerships with local and national business communities, the Third Sector and government agencies.</li> <li>• To oversee creation of any specific strategy to attract businesses and entrepreneurs to relocate to Argyll and Bute Islands</li> <li>• Deliver policy and strategy which create the right conditions where Island communities can sustain services and address issues of remoteness.</li> <li>• To engage with ferry and air service providers in collaboration with other relevant policy leads to promote the interests of Island communities.</li> <li>• To participate in working groups local and national, that focus on the development or protection of Island communities and way of life.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services</li> </ul>

	<p>within portfolio.</p> <ul style="list-style-type: none"> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p>TBC</p>
<p><b><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></b></p>	

## Elected Member Policy Lead - Role Profile

<b>Title</b>	Policy Lead: Sustainable Environment, Renewables and Strategic Tourism
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Strategic oversight of policy and direction in relation to Sustainable Environment, Renewables and Strategic Tourism.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• To ensure development of renewable energy in line with government legislation.</li> <li>• To ensure that the Council makes robust decisions that take account of the need to protect and sustain the natural environment.</li> <li>• To promote policies and activities that have a positive impact on the natural environment.</li> <li>• To facilitate provision of infrastructure to support long term sustainable supplies of electricity, gas and renewable sources of fuel, including the development of low-impact power sources.</li> <li>• To represent the Council's strategic interests in respect of gas, electricity and oil infrastructure.</li> <li>• To promote reduction of carbon footprint within the Council and across Argyll and Bute.</li> <li>• To encourage attraction of European and other resources to support development and growth of the renewable energy industry.</li> <li>• To focus on strategic development and promotion of tourism as a key industry for Argyll &amp; Bute.</li> <li>• To ensure strategy is in place to increase number of people who visit Argyll &amp; Bute and the length of the Tourism season, including development of events and festivals.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council and Strategic Management Team to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• To identify implications for the policy remit that require effective partnership working.</li> <li>• Develop and support effective partnering with organisations which</li> </ul>

	<p>support and assist in the delivery of strategies, plans and services within portfolio.</p> <ul style="list-style-type: none"> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p><b>Membership of Other Bodies:</b></p> <p>Argyll, Lomond and the Islands Energy Agency (ALIEnergy) management board Argyll and the Isles Strategic Tourism Partnership.</p>
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></p>	

## Elected Member Role Profile

<b>Title</b>	Policy Lead : Adult Care
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of Adult Care and Learning Disabled policy and services.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• The development of strategy and policies to support the provision of resources to vulnerable adults and older people including residential care services, day centre provision and home care.</li> <li>• The development of strategy and policies to support the assessment and care management function carried out by area team staff in relation to older people.</li> <li>• The development of strategy and policies to support the provision of support to adults with a learning disability.</li> <li>• The development of strategy and policies to support the provision of support to adults who have a mental health difficulty.</li> <li>• To provide vision and leadership in improving standards within Argyll and Bute Adult Services.</li> <li>• Explore opportunities to work with partners in the Public, Private and Third Sector in providing services for those who need them most within local communities.</li> <li>• To facilitate effective community engagement and consultation with service users and community networks in respect of policy portfolio which ensures openness and transparency and robust feedback mechanisms.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> </ul>

	<ul style="list-style-type: none"> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p>North Strathclyde Community Justice Authority (substitute member).          Trustee Homestart.          S Highland Health &amp; Wellbeing Partnership.          COSLA – Health &amp; Wellbeing Executive Group.          Member of Argyll &amp; Bute Health &amp; Care Strategic Partnership          Attend the Argyll &amp; Bute CHP Committee on behalf of the Council</p>
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Elected Member Policy Lead.</i></p>	



## Elected Member Policy Lead - Role Profile

<b>Title</b>	Policy Lead : Children & Families
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of Children and Families policy and services.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• To provide strategic overview to facilitate development of policy for Children and Families' services which directly provides or commissions support, protection and care for vulnerable children, young people and families.</li> <li>• To provide strategic overview to support and develop policy for the delivery of the Social Work Criminal Justice Services.</li> <li>• To provide vision and leadership in improving standards within Argyll and Bute Children and Families.</li> <li>• To ensure plans and strategies are in place to meet the commitments in the Children and Young Peoples Act for nursery education for every three and four year old and looked after two year olds.</li> <li>• To facilitate improvements in family and children's services in order to support good parenting and help families through difficult situations.</li> <li>• Explore opportunities to work with partners in the Public, Private and Third Sector in providing services for those who need them most within local communities.</li> <li>• To facilitate effective community engagement and consultation with service users and community networks in respect of policy portfolio which ensures openness and transparency and robust feedback mechanisms.</li> <li>• To facilitate and support the role of Children's Champions to ensure provision of effective support to looked after children</li> <li>• To ensure strategy and plans are in place to work with Partners and communities to reduce the impact of alcohol and drugs on communities, families and individuals.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• To champion role of Corporate parenting across the council.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through</li> </ul>

	<p>strategies and plans within the portfolio.</p> <ul style="list-style-type: none"> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p><b>Membership of Other Bodies:</b>            Criminal Justice Partnership            Corporate Parenting Board</p>
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></p>	

**Elected Member Policy Lead - Role Profile**

<b>Title</b>	Policy Lead – European Affairs, Sustainable Economic Growth and Strategic Transportation
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of policy and services in relation to European Affairs, Sustainable Economic Growth and Strategic Transportation.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• To oversee a range of strategic projects to unlock the potential of Argyll &amp; Bute’s sustainable economic assets and ensure appropriate focus of Council’s resources on economic development activities that will have the greatest beneficial economic impact.</li> <li>• To facilitate effective planning and partnership working at local, national and European levels to deliver building and development projects.</li> <li>• Deliver policy to promote and support economic growth and build effective partnerships with local and national business communities, the Third Sector and government agencies.</li> <li>• To oversee creation of strategy to attract businesses and entrepreneurs to relocate to Argyll and Bute.</li> <li>• Deliver policy and strategy which create the right conditions where existing and new businesses can succeed.</li> <li>• To develop strategic transport infrastructure including roads, air services, ferries, ports and public transport to meet economic and social needs of our communities.</li> <li>• Oversight of strategic direction of European Affairs related issues and to ensure appropriate engagement to effectively represent of interests of Argyll &amp; Bute, highlight areas which impact on corporate working of Council, and opportunities which have potential to benefit local communities.</li> <li>• To seek and encourage maximisation of European funding to the Council, including European Structural Fund Programmes and LEADER, in pursuit of adopted corporate objectives and to make best use of Council funds.</li> <li>• Represent the Council at European funding/policy meetings, forums and networks and ensure that the Council's interests are advanced in such forums, meetings and networks. Particular focus should be given to influencing new European programmes and any structural reforms that may arise from international relationships.</li> </ul>

<p><b>Key activities</b></p>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p>Highlands &amp; Islands Transport Partnership.  Strathclyde Passenger Transport.  Strathclyde Concessionary Travel Scheme Joint Committee.  Clyde Ferry User Group.  Highlands &amp; Islands Convention Aquaculture Forum.  COSLA – Regeneration &amp; Sustainable Development.  West of Scotland European Forum (substitute member).  Conference of Peripheral Maritime Regions.  CPMR Atlantic Arc Political Bureau.</p>
<p><b><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></b></p>	

## Elected Member Policy Lead - Role Profile

<b>Title</b>	Policy Lead: Planning and Regulatory Services
<b>Accountable to:</b>	Full Council
<b>Reports to:</b>	Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of Planning and Regulatory Services as an outward looking service which seeks to harness development opportunities, support businesses, protect the public and improve the economic, social and environmental well-being of the area by ensuring development takes place in a sustainable manner.</li> <li>• To support the service in achieving international, national and local objectives through the delivery of its five key statutory functions: Development Management, Building Standards, Development Policy, Environmental and Animal Health and Trading Standards.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• To ensure planning and regulatory services play a key role in supporting the Council realise the potential of Argyll &amp; Bute's significant sustainable economic assets.</li> <li>• To facilitate effective provision of planning and regulatory services which capitalise on technology and minimise bureaucracy where possible.</li> <li>• To ensure effective community engagement on planning and regulatory matters.</li> <li>• To influence national policy in respect of planning and regulatory matters.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>• Chair meetings, sub groups and committees as required ensuring the</li> </ul>

	<p>agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</p> <ul style="list-style-type: none"> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p><b>Role(s):</b> Chair of the Planning, Protective Services and Licensing (PPSL) Committee on Planning and Regulatory matters</p> <p><b>Membership of Other Bodies:</b></p>
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></p>	

## Elected Member Policy Lead - Role Profile

<b>Title</b>	Policy Lead – Roads, Amenity Services, Infrastructure, Asset Management and Special Projects
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of policy and services in relation to Roads, Amenity Services, Infrastructure, Asset Management and key Strategic Projects.</li> <li>• Oversight of strategic project management of the CHORD programme, the Oban TIF and large building and development projects in relation to the council e.g. roads, bridges, harbours, schools.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• Deliver policy to promote and support a strategic infrastructure Plan across the Community Planning Partnership.</li> <li>• To oversee development and delivery of Local Development Plan which supports economic and sustainable growth across Argyll and Bute.</li> <li>• Development of policy and strategy to deliver key strategic projects including: <ul style="list-style-type: none"> <li>○ CHORD Programme</li> <li>○ Oban TIF</li> <li>○ Clyde CE Centre</li> <li>○ Helensburgh Pierhead Leisure Facility</li> <li>○ New schools programme</li> <li>○ Development Projects</li> <li>○ Infrastructure Investment Partnerships e.g. THI, CARS</li> </ul> </li> <li>• To ensure that strategies and policies are in place in relation to waste and amenity services which deliver value and underpin commitment to recycling and emissions targets.</li> <li>• To ensure strategies and, where appropriate, policies are in place to address Coastal Protection, Flood Management and Oil Pollution Control.</li> <li>• To ensure the development of a strategic roads infrastructure to meet economic and social needs of our communities.</li> <li>• To oversee Asset Management Strategy to ensure capital investment aligns to key objectives, exploration of opportunities for rationalisation and maximisation of benefits arising from investment in assets and establishment of a robust framework for managing and monitoring capital and revenue investment.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> </ul>

	<ul style="list-style-type: none"> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	
<p><b><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead</i></b></p>	



## Elected Member Policy Lead - Role Profile

<b>Title</b>	Policy Lead: Community, Culture, and Strategic Housing
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Strategic oversight of policy and direction in relation to community learning and development, libraries, museums, culture and heritage, and leisure and sport.</li> <li>• Oversight of strategic direction of housing services to ensure they meet the current and future needs of the Argyll and Bute population.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• Development and communication of effective community focused strategies aligned to support strategic aims, promote community participation and engagement in design and delivery of services and build safe and resilient communities.</li> <li>• Develop strong partnership working arrangements to support community empowerment and encourage the third sector.</li> <li>• Effective oversight of and engagement with Community Councils.</li> <li>• Ensure provision of a high quality customer focused Library and Archives service.</li> <li>• To ensure the delivery of Community Learning achieves the national quality indicator framework for wider learning communities.</li> <li>• To promote the development of an effective adult learning and literacies service</li> <li>• Promotion and preservation of culture and heritage as key assets including the Gaelic language and regional dialects.</li> <li>• To provide strategic oversight on development and delivery of the Council's Gaelic Plan.</li> <li>• Strategic oversight and provision of sports and leisure facilities and activities in Argyll &amp; Bute recognising their contribution in supporting healthy communities and in promoting the area as a tourist destination.</li> <li>• To ensure strategy and development plans are in place for people to have access to affordable, sufficient and suitable housing.</li> <li>• To ensure strategy in place to reduce incidence of homelessness and deliver high quality homelessness services.</li> <li>• To oversee development of Social Housing Investment Plan as key statement of housing development priorities and to guide funding allocations.</li> <li>• Seek to increase the number of affordable houses within Argyll and Bute, including in rural areas, by working closely with housing associations, contractors and developers.</li> </ul>

	<ul style="list-style-type: none"> <li>To adopt a strategic approach to tackle empty, derelict and underutilised houses.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>Provide strategic vision and leadership in development of portfolio.</li> <li>Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>Promote the policies of the Council to the media and wider community.</li> <li>Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<b>Committee and Partnership Working Responsibilities:</b>	<p><b>Membership of Other Bodies:</b></p> <p>Gaelic Research Consultative Committee  Housing &amp; Communities Forum  Third Sector Forum  Highlands and Islands Film Commission  COSLA – Sport, Arts and Culture Working Group  COSLA – Community Wellbeing and Safety  Argyll and Bute Care and Repair Agency</p>
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></p>	



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## Elected Member Policy Lead - Role Profile

<b>Title</b>	Policy Lead : Improvement, HR, Customer Support and Facility Services
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of Improvement, Human Resources and Organisational Development strategic direction to ensure alignment with corporate objectives and effective workforce development and capacity planning.</li> <li>• Oversight of strategic direction of Customer Support and Facility Services.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• Promotion of employee and organisational development opportunities to support a culture of high performance and service transformation.</li> <li>• Champion effective employee engagement internally and externally to support change and improvement.</li> <li>• Strategic development of Customer Support and Facilities Services and customer focused service delivery.</li> <li>• Promote the role of customer and facility services in improving the wellbeing of individuals and communities and ensuring Argyll &amp; Bute is an attractive tourist destination.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> </ul>

	<ul style="list-style-type: none"> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></p>	

## Elected Member Policy Lead -Role Profile

<b>Title</b>	Policy Lead : Strategic Finance
<b>Accountable to:</b> <b>Reports to:</b>	Full Council Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of Strategic Finance; revenue and capital budgets, and related issues.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• To oversee development of strategy and policy that supports corporate priorities and delivers high standards of financial management in relation to budget preparation, control, monitoring and reporting of performance against budget.</li> <li>• Lead on development of a balanced budget in conjunction with Administration, Budget Working Group and Strategic Management Team.</li> <li>• To provide leadership and direction in the development and monitoring of a medium/longer term financial strategy.</li> <li>• To oversee strategic management accounting issues such as unit costs, aligning costs /resources to outcomes, charging policy for income.</li> <li>• To provide strategic oversight on the overall funding available to the Council e.g. the grant distribution system, and encourage a collaborative approach in making the case for more resources to Argyll and Bute.</li> <li>• To maintain an overview of treasury management and investment, key VAT/Tax issues as they affect the Council.</li> <li>• To promote robust financial reporting to stakeholders to ensure community is informed of the Council's financial position/performance (e.g. annual accounts, and other financial information).</li> <li>• Ensure appropriate arrangements are in place to support effective risk management.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> </ul>

	<ul style="list-style-type: none"> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services within portfolio.</li> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p><b>Membership of Other Bodies:</b>            Convention of Scottish Local Authorities (COSLA)            Strathclyde Pension Fund - Representative Forum            West of Scotland Loan Fund</p>
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Elected Member Policy Lead.</i></p>	



## Elected Member Policy Lead -Role Profile

<b>Title</b>	Policy Lead: Education, Lifelong Learning & Strategic IT Services
<b>Accountable to:</b>	Full Council
<b>Reports to:</b>	Leader /Deputy Leader of Council
<b>Portfolio Responsibilities</b>	<ul style="list-style-type: none"> <li>• Oversight of strategic direction of Education, Lifelong Learning and Strategic Information Technology policy and services.</li> <li>• To articulate and support achievement of corporate priorities and the Single Outcome Agreement within portfolio.</li> <li>• Ensure decisions made by Council are fully informed in relation to key elements of portfolio.</li> </ul>
<b>Portfolio focus:</b>	<ul style="list-style-type: none"> <li>• Oversee development of integrated technology infrastructure plan with clear outcomes and timetable for H&amp;I Broadband, Rest of Scotland Broadband, BT infrastructure investment programme, 2g/3G/4G mobile phone coverage and elimination of mobile phone coverage “not spots”.</li> <li>• Provide strategic overview to facilitate enhancement and development of all areas of education within Curriculum for Excellence, pupil support services and psychological services.</li> <li>• Maintain a strategic overview of class sizes and support high quality teaching and learning from the early years</li> <li>• Investigate alternative models of provision including the devolvement of decision making to regional hubs based on clusters of schools</li> <li>• Promote skills for work, making sure that all our young people have the opportunity to undertake further education or training when they leave school</li> <li>• Promote and support innovation and development in training for the rural industries, giving young people and families opportunities to live and work in Argyll and Bute.</li> </ul>
<b>Key activities</b>	<ul style="list-style-type: none"> <li>• Undertake a strong and confident figurehead role to represent the portfolio of services at Council, regional and national levels.</li> <li>• Provide strategic vision and leadership in development of portfolio.</li> <li>• Ensure regular communication and reporting on activities to members of Council, Strategic Management Team and Council Officers to provide clarity on political direction and assist in working through strategies and plans within the portfolio.</li> <li>• Promote the policies of the Council to the media and wider community.</li> <li>• Work collaboratively with Elected Member Policy Leads and Chief Officers across areas of responsibility.</li> <li>• Develop and support effective partnering with organisations which support and assist in the delivery of strategies, plans and services</li> </ul>

	<p>within portfolio.</p> <ul style="list-style-type: none"> <li>• Chair meetings, sub groups and committees as required ensuring the agenda of the business is properly dealt with; that the opinions of other participants and the advice of officers, are allowed to be expressed: ensure the proper and timely conduct of the meeting in compliance with the Council Constitution and that clear decisions are reached.</li> <li>• Bring forward effectively issues and business for consideration to ensure Council is focused on the right issues at the right time and that decisions are made in light of overall Council policy.</li> <li>• Identify any crosscutting issues which may require corporate or joint working across portfolios, services and/or partnerships.</li> <li>• Participate in wider corporate agenda to support effective functioning of Council i.e. contribute to budget working group, participate in appointment panels.</li> </ul>
<p><b>Committee and Partnership Working Responsibilities:</b></p>	<p><b>Chair:</b> Local Negotiating Committee for Teachers</p> <p><b>Membership of Other Bodies:</b> University of the Highlands and Islands Foundation Committee COSLA –Education, Children &amp; Young People Executive Group Argyll College Board</p>
<p><i>This role profile does not supersede the Role of Lead Councillors and associated responsibilities as set out in Appendix 1 of the Argyll and Bute Council Constitution. It has been drawn up to complement this documentation and provide further support and direction in fulfilling the role of Policy Lead.</i></p>	

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**PROPOSAL FOR A MONITORING OFFICER PROTOCOL AND ASSOCIATED MATTERS**

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**1. SUMMARY**

- 1.1 This report advises the SLWG on a proposed process for a protocol to confirm the duties and responsibilities of the Council's monitoring officer, and to allow for the efficient discharge of these.

**2. RECOMMENDATION**

- 2.1 The SLWG is asked to agree to the further development of the principles as outlined herein.

**3. BACKGROUND**

- 3.1 The Council's Monitoring officer is a statutory appointment pursuant to section 5 of the Local Government and Housing Act 1989. The Monitoring officer has a duty to:

- (a) submit a report to the full Council, or any committee with appropriate delegated powers, where it appears to the Monitoring Officer that any proposal, decision or omission by the Council, its committees or sub-committees or any officer or joint committee on which the Council is represented, has given rise to, or is likely to give rise to, a contravention of any legislation or rule of law or of any code of practice made or approved under any legislation or any maladministration or injustice which might give rise to a complaint to the Public Services Ombudsman;
- (b) consult as far as practicable with the Chief Executive as the Council's Head of Paid Service and the Head of Strategic Finance as the Council's proper officer for the council's financial affairs, before submitting any report mentioned above;
- (c) appoint a depute (s) as is necessary to act in their absence as Monitoring Officer;
- (d) report on resources necessary to discharge Monitoring Officer responsibilities; and
- (e) provide advice and guidance on vires and maladministration issues.

- 3.2 In terms of Section 5 of the Ethical Standards in Public Life (Scotland) Act 2000, the Council has a duty to promote and ensure observance of the Councillors' Code of Conduct. The Monitoring Officer has an important role in discharging this duty by:

- (a) establishing and maintaining registers of Councillors' interests, gifts and

hospitality;

(b) providing advice to Members on the Code on Conduct;

(c) providing training on the Code of Conduct; and

(e) liaising with the Commissioner for Ethical Standards in Public Life in Scotland as necessary.

3.3 The Statutory Report from Audit Scotland (October 2013), highlighted that:

“The Chief Executive and the Monitoring Officer have a role in challenging councillors that do not behave in accordance with the code of conduct and within the roles and responsibilities of a councillor.”

The Accounts Commission accepted the report from Audit Scotland. In its findings, communicated to the Council by letter dated 25 October 2013, it stated, amongst others things that:

“The Commission underlines the importance of the role of Monitoring Officer in supporting good governance. The role needs to be afforded trust and respect.”

3.4 The Council’s Constitution contains, within Part F Ethical Framework, contains:

1. Guidelines – Code of Conduct for Members and Employees; and
2. Protocol for Member Officer Relations.

These set out the roles and responsibilities of both councillors and council officers. This highlights that elements of the guidance may be enforceable and subject to reporting to the Council by the Monitoring Officer.

3.5 Given the statutory and overarching role of the monitoring officer it is proposed to introduce a Monitoring Officer Protocol to confirm the duties and responsibilities of the Council’s monitoring officer.

A draft of a protocol is attached at Appendix 1 hereof.

The protocol refers to a “Standards Committee within the Council. it is proposed that such a committee be established with the following terms of reference as a first proposal for Members to consider:

“Terms of Reference

General Functions

1. To promote and maintain high standards of conduct by Councillors and other persons who may be appointed or co-opted to any Committee or Sub Committee or Policy Development Group of the Council;

2. To assist Councillors and other persons who may be appointed or co-opted to any Committee, Sub Committee or Policy Development Group of the Council to observe the requirements of the Ethical Standards In Public Life Etc (Scotland) Act 2000, the Code of Conduct, as amended from time to time, and the requirements of the Council’s Governance Framework and its Regulatory Schemes.

## Specific Functions

1. To advise the Council on the Councillors Code of Conduct (hereinafter referred to as the "Code") in terms of the Ethical Standards In Public Life Etc (Scotland) Act 2000, together with any Guidance and dispensation notes and the Councils own Governance Framework and Regulatory Scheme;
2. To advise, train, or arrange to train Councillors and other persons who may be appointed or co-opted to any Committee or Sub Committee or Policy Development Group of the Council on matters relating to the Code and the Council's Governance Framework;
3. To consider matters referred to it in terms of alleged breaches by members of the Council's Ethical Framework, as contained in the Council's constitution, reported to it by the Monitoring Officer and to provide advice and recommendations to the Council as it thinks fit in regard to the reporting of any alleged breach to the Commissioner for Ethical Standards;
4. To consider representations made to it in regard to the Code or any guidance issued thereunder and to consult with the Commissioner for Ethical Standards and the Scottish Government in relation to any matter for clarification, revisal or alteration of the Code as it shall think fit;
5. To consider any reports or case materials issued by the Ethical Standards Commissioner in relation to any investigation or decision of any hearing and to advise the Council on the conclusions of any investigation or decision of any hearing and on any matter of best practice in relation to the Code and any guidance issued thereunder;
6. To consider matters referred to it in terms of any requirements which may in future be laid down by statute."

- 3.6 The Membership of a Standards Committee within the Council would be a matter for members to determine. The Council previously had a standards committee comprising:

Five Members none of whom shall hold an executive position within the Council. Two members who are not councillors, one of whom will chair the committee.

## 4. CONCLUSION

- 4.1 Members have initial proposals to establish a protocol to confirm the duties and responsibilities of the Council's Monitoring Officer and constitute a Standards Committee within the Council as determined by members. If acceptable in principle, further details, including the resources required to implement specific measures will be brought forward.

## 5. IMPLICATIONS

### *Policy:*

Any alteration to the Council's constitution would require the approval of the Council.

<i>Financial:</i>	None at present. Possible future resource requirement if proposals accepted.
<i>Legal:</i>	Any alteration to the Council's constitution would require the approval of the Council.
<i>Equal Opportunities:</i>	None at present.
<i>Personnel:</i>	None at present.
<i>Risk</i>	Failure to adopt realistic proposals for role of Monitoring Officer may give rise to issues with Audit Scotland/Accounts Commission.
<i>Customer Service</i>	None at present.

Douglas Hendry – Executive Director of Customer Services.  
December 2013

For further information contact – David Logan – QIO Special Projects - 4322

**DRAFT**

**ARGYLL AND BUTE COUNCIL**

**MONITORING OFFICER PROTOCOL**

**INTRODUCTION TO STATUTORY RESPONSIBILITIES**

1. The Monitoring Officer is a statutory appointment pursuant to section 5 of the Local Government and Housing Act 1989 and has a duty to:

(a) submit a report to the full Council and / or the Council's Standards Committee, as appropriate, where it appears to the Monitoring Officer that any proposal, decision or omission by the Council, its committees or sub-committees or any officer or joint committee on which the Council is represented, has given rise to, or is likely to give rise to, a contravention of any legislation or rule of law or of any code of practice made or approved under any legislation or any maladministration or injustice which might give rise to a complaint to the Public Services Ombudsman;

(b) consult as far as practicable with the Chief Executive as the Council's Head of Paid Service and the Head of Strategic Finance as the Council's proper officer for the council's financial affairs, before submitting any report mentioned above;

(c) appoint a depute(s) as is necessary to act in their absence as Monitoring Officer;

(d) report on resources necessary to discharge Monitoring Officer responsibilities; and

(e) provide advice and guidance on vires and maladministration issues.

2. In terms of Section 5 of the Ethical Standards in Public Life (Scotland) Act 2000, the Council has a duty to promote and ensure observance of the Councillors' Code of Conduct. The Monitoring Officer has as an important role in discharging this duty by:

(a) establishing and maintaining registers of Councillors' interests, gifts and hospitality;

(b) providing advice to Members on the Code on Conduct;

(c) providing training on the Code of Conduct;

(d) reporting alleged breaches by members of the Council's Ethical Framework, as contained in the Council's Constitution;

(e) supporting the Standards Committee; and

(f) liaising with the Standards Commission and Public Standards Commissioner, as necessary.

3. The Monitoring Officer is also responsible for (1) receiving declarations of acceptance of office of councillors and (2) maintaining a list of politically restricted posts within the Council.

(1) Section 33A, Local Government (Scotland) Act 1973

(2) Section 2, Local Government and Housing Act 1989

4. This Protocol provides information on how those statutory requirements will be discharged in the Council.

5. The current responsibilities of the Monitoring Officer role rest with the Executive Director of Customer Services who aims to discharge the statutory responsibilities in a manner that enhances the overall reputation of the Council. In doing so, the Executive Director will provide appropriate and robust advice to Members so as to protect and safeguard, so far as is reasonably possible, Members and Officers, from legal difficulties and possible misconduct whilst acting in their official capacities.

6. The Monitoring Officer will be supported in exercising this role by such Depute Monitoring Officers as are appointed by him from time to time.

7. Generally, the Monitoring Officer's ability to discharge these duties and responsibilities will depend, to a large extent, on Members and Officers:

(a) complying with the Council's Constitution and the law (including any statutory Codes of Conduct. This includes the Code of Conduct for Councillors);

(b) complying with any guidance issued, from time to time, by the Standards Committee and/or advice of the Monitoring Officer;

(c) making lawful and proportionate decisions;

(d) adhering to the Council's approved procedures and having due regard to approved policies; and

(e) not acting in manner that might bring the Council, their office or profession into disrepute.

8. Good working relations with Members and Officers will assist greatly in the discharge of the statutory responsibilities of the Monitoring Officer as will early discussion of any issues well in advance of any formal Council business (including Committees and sub-committees). Members and Officers should, therefore, co-operate fully with the Monitoring Officer (and staff).



9. The Monitoring Officer is available for Members and Officers to consult on any issues relating to the Council's legal powers, possible maladministration, impropriety or general advice on the Councillors' Code of Conduct.

### **CORPORATE RIGHTS OF THE MONITORING OFFICER**

10. In order to encourage good decision making and high standards of conduct amongst officers and elected members, the Monitoring Officer expects to be alerted at an early stage by Members and Officers as to any legal or procedural issues about which they may have concerns including, in particular, issues about the legal powers of the Council, ethical standards, probity, propriety, procedural or other governance issues that have arisen or that are likely to arise.

11. In order to perform the statutory role, the Monitoring Officer and staff shall:

(b) have advance notice (including receiving Agendas, Minutes, Reports and related papers) of all relevant meetings of the Council at which a binding decision of the Council may be made at or before the Council, Committee meetings and/or Strategic Management Team;

(c) have the right to attend any meeting of the Council (including the right to be heard) before any binding decision is taken by the Council at or before the Council, Committee meetings and/or Strategic Management Team;

(d) in carrying out any investigation(s) have unqualified access to any information held by the Council and to any Officer who can assist in the discharge of his functions; and

(e) have sufficient resources to enable him to address any matters concerning Monitoring Officer functions.

### **CORPORATE RESPONSIBILITIES OF MONITORING OFFICER**

12. The Monitoring Officer will:

(a) seek to ensure as far as practicable that the other statutory officers (the Chief Executive as Head of Paid Service and the Head of Strategic Finance as Chief Finance Officer) are kept up-to date with relevant information regarding any legal, ethical standards, procedural or other governance issues that are likely to (or do) arise;

(b) report to the Council where required by law following consultation, as far as practicable, with the Chief Executive and Head of Strategic Finance as Chief Finance Officer where to do so will not compromise his statutory responsibilities;

(c) report to the Council, as necessary, on the staff, accommodation and resources required to discharge his functions;

- (d) seek to establish effective working relationships with all elected members, in particular those Members who hold positions of responsibility in the Council's political management structure so as to ensure the effective and efficient discharge of Council business;
- (e) provide advice to the Council's Standards Committee as and when necessary;
- (f) maintain and keep up-to-date relevant statutory registers for the declaration of Members' interests, gifts and hospitality;
- (g) give robust advice to Members and Officers;
- (h) be responsible for preparing any training programme for Members on ethical standards and the Councillors' Code of Conduct issues;
- (i) act as the Council's point of contact by the Commissioner for Ethical Standards in Public Life in Scotland and/or the Public Standards Commissioner regarding complaints concerning alleged breaches of the Councillors' Code of Conduct;
- (j) seek to develop good liaison and working relationships with outside bodies relevant to the role of the Monitoring Officer, including the Commissioner for Ethical Standards in Public Life in Scotland and the Standards Commission for Scotland, the Council's external auditor, the Accounts Commission and the Scottish Public Services Ombudsman;
- (k) carry out such investigations as the Chief Executive may determine as relevant to the Monitoring Officer's role;
- (l) obtain, at his discretion, Counsel's opinion or other external specialist legal advice relevant to the Monitoring Officer's role;
- (m) appoint a depute(s) and keep them briefed on any relevant issues that may be required to be dealt with in the absence of the Monitoring Officer.
- (n) receive declarations of acceptance of office of councillor; and
- (o) maintain a list of politically restricted posts within the Council.

### **THE COUNCILLORS' CODE OF CONDUCT**

13. Whilst the Council has a statutory obligation to promote and ensure observance of the Councillors' Code of Conduct, and the Monitoring Officer has a pivotal role to play in discharging that obligation, it is important to note that enforcing compliance with the Code is strictly a matter for the Commissioner for Ethical Standards in Public Life in Scotland who has the power to investigate complaints against councillors.

14. The Monitoring Officer may assist the Commissioner with an investigation by commenting on and providing information on any complaint and making arrangements for interviewing witnesses.

15. The Monitoring Officer may also be involved in the handling of complaints made against Councillors in terms of the Council's own local procedures for dealing with such complaints.

16. The Monitoring officer may refer any alleged breach of the Council's Ethical Framework, as contained in the Council's constitution, to the Council's Standards Committee to enable it to consider any such alleged breaches by members in order that it may provide advice and recommendations to the Council, as it thinks fit, in regard to the reporting of any such alleged breach to the Commissioner for Ethical Standards in Public Life in Scotland.

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**PROGRAMME OF MEETINGS – 2014/ 2015 – 8 week cycle (January – April 2014 previously agreed – except Env, Dev & Infra)**

Committee	2014												2015			
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April
<b>Council</b>	Thurs 23	Thurs 13 <i>Budget</i>	Thurs 20	Thurs 24		Thurs 26			Thurs 25		Thurs 27		Thurs 22	Thurs 12 <i>Budget</i>		Thurs 23
<b>Policy &amp; Resources</b>					Thurs 15			Thurs 21		Thurs 30		Thurs 18		Thurs 5	Thurs 19	
<b>Community Services</b>					Thurs 8				Thurs 11			Thurs 11			Thurs 12	
<b>Env. Dev &amp; Infra</b>				Thurs 10				Thurs 14			Thurs 13		Thurs 15			Thurs 9
<b>Planning, Protective Services &amp; Licensing</b>	Wed 22	Wed 19	Wed 19	Wed 23	Wed 21	Wed 18		Wed 20	Wed 24	Wed 22	Wed 19	Wed 17	Wed 21	Wed 18	Wed 18	Wed 22
<b>Audit Committee</b>			Fri 14			Fri 27			Fri 26			Fri 12			Fri 13	
<b>Performance Review and Scrutiny Committee</b>		Thurs 27			Thurs 29			Thurs 28			Thurs 20			Thurs 26		
<b>Seminars</b>				Mon 7		Mon 2		Mon 4	Mon 1	Mon 6	Mon 3	Mon 1		Mon 2	Mon 2	Mon 13
<b>Bute and Cowal Area Committee(am)/Area CPG (pm) Bus Day(am)</b>	Tues 7 <i>(BD)</i>	<b>Tues 4 <i>(AC)</i></b>	Tues 4 <i>(BD/CP)</i>	<b>Tues 1 <i>(AC)</i></b>	Tues 6 <i>(BD)</i>	<b>Tues 3 <i>(AC/CP)</i></b>		<b>Tues 5 <i>(AC)</i></b>	Tues 2 <i>(BD/CP)</i>	<b>Tues 7 <i>(AC)</i></b>	Tues 4 <i>(BD)</i>	<b>Tues 2 <i>(AC/CP)</i></b>	Tues 6 <i>(BD)</i>	<b>Tues 3 <i>(AC)</i></b>	Tues 3 <i>(BD/CP)</i>	<b>Tues 7 <i>(AC)</i></b>
<b>Mid Argyll, Kintyre &amp; the Islands Area Committee(am)/Area CPG (pm) Bus Day(am)</b>	Wed 8 <i>(BD)</i>	<b>Wed 5 <i>(AC)</i></b>	Wed 5 <i>(BD/CP)</i>	<b>Wed 2 <i>(AC)</i></b>	Wed 7 <i>(BD)</i>	<b>Wed 4 <i>(AC/CP)</i></b>		<b>Wed 6 <i>(AC)</i></b>	Wed 3 <i>(BD/CP)</i>	<b>Wed 1 <i>(AC)</i></b>	Wed 5 <i>(BD)</i>	<b>Wed 3 <i>(AC/CP)</i></b>	Wed 7 <i>(BD)</i>	<b>Wed 4 <i>(AC)</i></b>	Wed 4 <i>(BD/CP)</i>	<b>Wed 8 <i>(AC)</i></b>
<b>Helensburgh &amp; Lomond Area Committee(am)/Area CPG (pm) Bus Day(am)</b>	Tues 14 <i>(BD)</i>	<b>Tues 11 <i>(AC)</i></b>	Tues 11 <i>(BD/CP)</i>	<b>Tues 8 <i>(AC)</i></b>	Tues 13 <i>(BD)</i>	<b>Tues 10 <i>(AC/CP)</i></b>		<b>Tues 12 <i>(AC)</i></b>	Tues 9 <i>(BD/CP)</i>	<b>Tues 14 <i>(AC)</i></b>	Tues 11 <i>(BD)</i>	<b>Tues 9 <i>(AC/CP)</i></b>	Tues 13 <i>(BD)</i>	<b>Tues 10 <i>(AC)</i></b>	Tues 10 <i>(BD/CP)</i>	<b>Tues 14 <i>(AC)</i></b>
<b>Oban, Lorn &amp; the Isles Area Committee(am)/Area CPG (pm) Bus Day(am)</b>	Wed 15 <i>(BD)</i>	<b>Wed 12 <i>(AC)</i></b>	Wed 12 <i>(BD/CP)</i>	<b>Wed 9 <i>(AC)</i></b>	Wed 14 <i>(BD)</i>	<b>Wed 11 <i>(AC/CP)</i></b>		<b>Wed 13 <i>(AC)</i></b>	Wed 10 <i>(BD/CP)</i>	<b>Wed 8 <i>(AC)</i></b>	Wed 12 <i>(BD)</i>	<b>Wed 10 <i>(AC/CP)</i></b>	Wed 14 <i>(BD)</i>	<b>Wed 11 <i>(AC)</i></b>	Wed 11 <i>(BD/CP)</i>	<b>Wed 15 <i>(AC)</i></b>
<b>CPP</b>			Wed								Wed					
<b>CPP Man Committee</b>		Wed			Wed			Wed			Wed			Wed		
<b>EJCC</b>		Fri 7							Fri 5					Fri 6		

July is a summer recess.

Quarterly Mtgs: **Audit –**  
**Performance, Review & Scrutiny –**  
**Community Services –**  
**Environment, Development & Infrastructure:**

**March, June, September, December**  
**February, May, August, November**  
**March, May, September, December**  
**January, April, August, November**

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**ARGYLL AND BUTE COUNCIL****COUNCIL****CUSTOMER SERVICES****23 JANUARY 2014**

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**COUNCIL TAX ON EMPTY PROPERTIES**

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**1.0 SUMMARY**

- 1.1 There have been a number of recent legislative changes to the rules in respect of council tax and non-domestic rates charges for empty premises which came into effect on 1 April 2013. The new legislation defines new categories of unoccupied properties which differ from the previous categories, and there are new discretions for charging council tax for these new categories. For 2013-14 the Council agreed to mirror the previous arrangements for charging as far as possible and to defer more significant changes to 2014-15 onwards. This would then allow reasonable notice of such changes to be given to council tax payers.
- 1.2 The council agreed in June 2013 to utilise the new discretions in order to provide an additional incentive to bring these long term empty properties back into use as this will bring significant benefits to our communities. The council agreed to charge double council tax on unoccupied properties which have been unoccupied for over 12 months for 2014-15 and onwards. For those properties which are being actively marketed for sale or for let, double council tax would only be charged after they have been continuously unoccupied for two years or more. It was recognised that there would be some instances where this would cause particular difficulties for owners, and that it might be necessary to give consideration to exemptions from the double council tax in certain restricted categories. This paper proposes a number of such categories for approval.

**2.0 RECOMMENDATIONS**

- 2.1 Council exercises its discretion under regulation 4 The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013 not to increase the council tax charge on unoccupied properties in the following circumstances as a transitional measure:
1. For a 6 month period from 1 April 2014 to 30 September 2014 where a council tax payer has an unoccupied property where a grant of confirmation has been obtained but the title has not yet passed to a named beneficiary and the property is being actively marketed for sale or let;
  2. For a 6 month period from 1 April 2014 to 30 September 2014 where a disabled council tax payer has an unoccupied property which they have previously vacated in order to move to a more suitable property;
  3. For a single 6 month period commencing on or after 1 April 2014 and finishing before 31 March 2016 whilst major repair works are under way to the property.

In these circumstances the property would benefit from a 10% long term empty discount for the relevant 6 month period.

### **3.0 DETAIL**

- 3.1 The Local Government Finance (Unoccupied Properties etc.) (Scotland) Act 2012 received Royal Assent on 5 December 2012. This provided enabling powers for further regulations to modify council tax discounts such that there can be variations allowing for up to a doubling of the council tax charge. Further regulations were laid in February 2013 entitled The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013.
- 3.2 In March 2013 Council agreed to mirror the previous arrangements for charging for 2013-14 as far as possible, to allow time to ascertain which properties fall within each of the new categories and to defer more significant changes to 2014-15 onwards.
- 3.3 The council tax section have since contacted all owners of properties classed as second homes to determine whether they meet the new requirement for a minimum of 25 days occupancy in the last 12 months. Further reminders were issued. A £200 civil penalty was applied to 175 accounts who still had not responded and these accounts were re-classified as unoccupied dwellings rather than as second homes.
- 3.4 In June, the Council agreed to charge double council tax on all long term empty properties (which term excludes second homes) from 1 April 2014 which have been unoccupied for more than 24 months. The Council also agreed to charge double council tax on all long term empty properties from 1 April 2014 which have been unoccupied for more than 12 months if they are not being actively marketed for sale or let under appropriate conditions. This means that if at 1 April 2014 they had been unoccupied since at least 1 April 2012, they would immediately be charged double council tax from 1 April 2014. If they are not being marketed for sale or let and have been unoccupied continuously since 1 April 2013, then they would also be charged double council tax from 1 April 2014.
- 3.5 In preparation for this new policy, the council tax section has also contacted all 972 property owners where the council tax bills are sent to a billing address which is different from the address of the property in order to ascertain if these should be classed as second homes or unoccupied properties, or to find out if someone was actually residing in them. 203 council payers failed to respond and were issued with a £500 penalty as agreed in June, and their properties were re-classed as unoccupied.
- 3.6 In mid November, 908 letters were then issued to all the owners of properties which would appear likely to be unoccupied for 24 months or more as at 1 April 2014. They were informed about the new double council tax charge and given details of assistance available from the council's empty homes officer. A further 408 letters were issued to those owners where the property would appear likely to be unoccupied for between 12 and 24 months as at 1 April 2014 and they were advised that double council tax would be chargeable from 1 April unless the property is being actively marketed for sale or let at appropriate conditions. We also contacted a further 199 owners who are currently in receipt of the 6 months empty and unfurnished exemption and may also be subject to the double council tax at some point next year after 1 April. In total, we now estimate that the double



council tax could be charged on between 900 and 1500 properties for some or all of next year.

- 3.7 A number of these owners have been in touch. Whilst they understand fully the purpose of the policy intention, some of them find themselves in difficulty in letting or selling these properties. This was anticipated and council agreed to consider further whether there should be certain classes of properties where these should not be subject to the double council tax.
- 3.8 There are 3 classes where it is suggested that extra time should be given to owners affected by these proposals as a transitional measure. The cases are as follows:

Buildings under repair

- 3.9 There are a number of properties where owners have been undertaking major repair works themselves, and with limited funds. The normal buildings under repair exemption is limited to a period of 12 months since the date of last occupation and that period may well have expired before they actually bought the property. In those circumstances, the owner just gets a 50% discount for up to 6 months, and then 10% discount for 6 months, and again this period may have passed at 1 April 2014. In many cases they would immediately be subject to the double council tax charge at 1 April 2014. It is unlikely that these properties could be actively marketed for sale or let because of the need for the major repairs work to be completed. The council wishes to encourage owners to complete these works as that is a pre-requisite to bringing them back into use.
- 3.10 As a transitional measure, it is therefore proposed to grant these properties the 10% discount (instead of the double council tax charge) for a further 6 months provided that building warrants (and planning permission where necessary) have been obtained, there is a schedule of works, and assurances are received that these works are being actively carried out. This would be for up to a 6 month period provided the property remains unoccupied. The 6 month period can start at any time on or from 1 April 2014 provided that it ends on or before 31 March 2016. 6 months should be a reasonable period to allow major repair works to be completed and the property to be marketed.

Inherited properties

- 3.11 There is full exemption from council tax whilst grant of confirmation is obtained and for up to 6 months afterwards. In a number of cases, properties are not transferred into the names of the eventual beneficiaries immediately after grant of confirmation is obtained as a decision is taken to sell the property and distribute the proceeds. The 6 month period may not be sufficient to sell the property in the current climate. Many of these properties will have been unoccupied by well over 24 months and would be immediately subject to double council tax on 1 April 2014. It could be considered unfair to burden the estate unexpectedly with this liability. It is therefore proposed to offer a transitional exemption from the double council tax from 1 April 2014 to 30 September 2014 for all properties in the names of "the Execs of the deceased person" where the normal deceased exemption has already expired provided the property is being actively marketed for sale or let at appropriate conditions.

Disabled persons

- 3.12 In a number of cases a disabled person finds they need to move into a more suitable property which better meets their needs and they are left with an unadapted property which they have difficulty selling or letting. These people have

moved for very sound reasons, but now find themselves faced with unexpectedly high bills for the second property. As a transitional measure, it is proposed to offer a transitional exemption from the double council tax from 1 April 2014 to 30 September 2014 for all owners where they are in receipt of middle or high band Disability Living Allowance or Personal Independence Payment, or where they receive disabled band relief at their new property.

#### Implementation

- 3.13 If the above changes are approved, letters will be issued to owners who are likely to qualify for these transitional protections. This would be done in time to ensure as many records are updated as possible prior to council tax annual billing in mid February 2014.
- 3.14 Members are reminded that a further mailshot is planned in early January to all properties which are likely to be unoccupied for over one year by April 2014 but under two years, to see if they should be exempted from double council tax on the grounds that they are being actively marketed for sale or let with appropriate conditions. Owners will then need to provide appropriate evidence to avoid being charged double council tax immediately from 1 April 2014.

#### **4.0 IMPLICATIONS**

- 4.1 Policy: This proposes the council exercises its discretion to remove the 100% increase in council tax in certain restricted circumstances as a transitional measure.
- 4.2 Financial: This would reduce the potential increase in recurring council tax income previously estimated at £0.7m to £1.55m. It is not possible to quantify the level of reduction at present.
- 4.3 Legal: Proposals are in accordance with new legislation for council tax which came into effect from 1 April 2013
- 4.4 HR: None
- 4.5 Equalities: Owners of unoccupied property are not expected to fall disproportionately into any particular equalities group.
- 4.6 Risk: This should reduce the potential for non-payment of the increased charge.
- 4.7 Customer Service: Will give certain owners of long term unoccupied property more time to plan for the increased charge.

Appendix 1: Overview of impact on council tax charges by type of property prior to consideration of these proposed transitional protections

**Douglas Hendry**  
**Executive Director Customer Services**  
**17 December 2013**

For further information please contact Judy Orr, Head of Customer and Support Services Tel 01586-555280 or Fergus Walker, Revenues and Benefits Manager Tel 01586-555237

Background papers

Council tax on empty properties: Council 27 June 2013

Council tax and non-domestic rates on empty properties: Council 21 March 2013

**Appendix 1: Overview of impact on council tax charges by type of property**

Type of property	Position	0 to 6 months	7 to 12 months	13 to 24 months	Over 24 months
Unoccupied and unfurnished, not being marketed for sale or let	Current	100% Exemption	10% discount		
	Proposed	100% Exemption	10% discount	100% increase	
Unoccupied and unfurnished, being actively marketed for sale or let	Current	100% Exemption	10% discount		
	Proposed	100% Exemption	10% discount		100% increase
Unoccupied and furnished, not being marketed for sale or let	Current	10% discount			
	Proposed	10% discount		100% increase	
Unoccupied and furnished, being actively marketed for sale or let	Current	10% discount			
	Proposed	10% discount			100% increase
Unoccupied and undergoing major repairs. Occupied prior to start of works	Current	100% exemption for duration of works up to 12 months, then 10% discount	10% discount		
	Proposed	100% exemption for duration of works up to 12 months, then 10% discount	100% increase		
Unoccupied property purchased by new owner which needs major repairs.	Current	50% discount	10% discount		
	Proposed	50% discount	10% discount	100% increase	
Second home occupied for at least 25 days p.a.	Current	10% discount			
	Proposed	10% discount			
Purpose built holiday homes, or job related accommodation or 2 <sup>nd</sup> homes of those living in job-related accommodation	Current	50% discount			
	Proposed	50 % discount			

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**COUNCIL TAX ON EMPTY PROPERTIES- USE OF ADDITIONAL INCOME**

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**1 SUMMARY**

- 1.1 The Council agreed to allocate funding from additional council tax on empty properties to Area Committees on 8 August 2013. This report proposes the income is allocated in arrears once actual levels of income are known.

**2 RECOMMENDATIONS**

- 2.1 The Council agrees to allocate income from increased council tax on empty properties to Area Committees in arrears based on income collected with the first allocation of income collected in 2014-15 being allocated in 2015-16.

**3 DETAIL**

- 3.1 The Council considered a report at its meeting on 8 August 2013 whereby it was proposed to double council tax on empty properties. The additional income arising from this was to be allocated to Area Committees. The report presented to the Council on 8 August 2013 estimated income to be in the range of £0.7m to £1.55m. The latest estimate suggests income might be as low as £0.6m and there is a degree of uncertainty about this.
- 3.2 Increasing the level of council tax on empty properties is effectively a new tax. It is likely that people will take action to avoid the new tax.
- 3.3 The report on council tax on empty properties by Customer Services sets out a range of exemptions and reliefs from the increase in council tax that the Council should consider. These will have the effect of reducing the income received by the Council.
- 3.4 There is no track record in relation to payment of double council tax on empty properties. It may be that in some cases the properties are empty because the owners are unable to finance upgrading the property in which case it is likely they will struggle to pay the increased council tax.
- 3.5 Currently between 95% to 96% of council tax is collected in the year it is billed. This does eventually rise to around 97.5%. It remains to be seen if the same collection rate is achieved on the increased council tax on empty properties but it needs to be borne in mind that the full amount billed is not collected in year 1. There is a degree of uncertainty on the amount of increased council tax on empty properties that will be collected in year 1.
- 3.6 Whilst there is a degree of financial stability over the next 2 years it is essential the Council does not make spending commitments it does not

have funding to cover. If the Council over commits allocation of these funds then the shortfall will fall as a cost on the general fund and may impact on services.

- 3.7 Given the uncertainty around the level of income arising from this and the risk of over committing expenditure it is proposed that income is allocated in arrears. The income arising from the increased council tax on empty properties will still be allocated to area committees but the allocation will take place in arrears. The income collected in 2014-15 will be allocated to area committees for spending in 2015-16. The approach still allocates funding to area committees and protects the Council in terms of avoiding over commitment given the uncertainty around level of income.
- 3.8 It will still be important to provide some guidance to area committees on the use of these funds and this will be brought forward for consideration in early 2015.
- 3.9 There is already an existing commitment of £150,000 in relation to Cross Street / Main Street, Campbelltown and this will be the first commitment on any income for MAKI area. The Council agreed this at its meeting on 31 October 2013. This cost will be met as it arises with any balance of funds for MAKI allocated as per the terms of this report and any shortfall carried forward to future years.

#### 4 **CONCLUSION**

- 4.1 Allocating the income to Area Committees in arrears based on actual income collected will protect the Council against the risk of over committing the income given the uncertainty around the actual level of income from the increased council tax on empty properties.

#### 5 **IMPLICATIONS**

- |     |                    |  |
|-----|--------------------|--|
| 5.1 | Policy -           | Still retains principle of allocating income to Area Committees                  |
| 5.2 | Legal -            | None   |
| 5.3 | Financial –        | Allocating income to Area Committees in arrears reduces risk of over commitment. |
| 5.4 | HR -               | None   |
| 5.5 | Equalities -       | None   |
| 5.6 | Customer Service - | None   |
| 5.7 | Risk -             | None   |

For further information please contact Bruce West, Head of Strategic Finance 01546-604220

Bruce West  
Head of Strategic Finance  
13 January 2014

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**CASH FLOW LOAN SUPPORT FOR VOLUNTARY ORGANISATIONS**

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**1 SUMMARY**

- 1.1 The Council receives a number of requests from voluntary and third sector organisations for help in managing the cash flows around project delivery by way of the Council providing a short term loan facility. The approach proposed will allow loans to be processed in a way that recognises the sometimes tight time constraints of either projects or funders. The report sets out criteria that creates a delegated authority for the Head of Strategic Finance to approve such loans. Requests which do not meet the criteria could still be considered by the Council and subject to any exceptional circumstances considered for approval.

**2 RECOMMENDATIONS**

- 2.1 Approve the criteria contained in this report that require to be satisfied in order for the Head of Strategic Finance to exercise delegated authority to approve and then process any cash flow support loans.
- 2.2. To note that requests which do not meet the criteria could be considered by the Council to determine if there are exceptional circumstances that should be taken into account and a loan approved.

**3 DETAIL****Introduction**

- 3.1 The Council has been receiving an increasing number of requests from voluntary and third sector organisations for support from the Council to cover the timing difference between paying contractors and the organisation receiving grant income. Currently these requests require to be approved by the Council. The purpose of this report is to set out the criteria which will allow requests to be considered by the Head of Strategic Finance. The approach proposed will allow loans to be processed in a way that recognises the sometimes tight time constraints of either projects or funders.

**The Criteria For Proposed Cash Flow Support Loans**

- 3.2 The sections below set out the proposed criteria / conditions that require to be met before a cash flow support loan can be approved by the Head of Strategic Finance.
- 3.3 The loan facility must be in respect of a capital project which is being part funded by either the Council or LEADER. Cash flow support loans are not intended to support ongoing operating expenditure and any applications on this basis cannot be approved by the Head of Strategic Finance.

- 3.4 A loan can only be made to a voluntary/third sector organisation and cannot be to an individual or a commercial organisation.
- 3.5 A loan can only be approved where the capital cost of works has been confirmed through a tendering process and agreed costs have been finalised for the capital project. This must be supported by tender returns analysed by a relevant qualified professional. A relevant qualified professional would for example be a quantity surveyor or architect in the case of a building project. Where the proposal involves the purchase of goods these must be confirmed with a copy of the order with the supplier of the goods.
- 3.6 A loan can only be approved where the capital project is fully funded and there is confirmation that the funding package is in place with copies of award letters etc.
- 3.7 Amounts advanced under the loan facility cannot be outstanding for more than three months. A loan can only be approved when the request is accompanied by a detailed cash flow projection, to include:
- When money is due to be paid out.
  - When money is due to be received.
  - When the loan repayments will be made to the Council (within 3 months of the advance).
- 3.8 The interest rate for the loan will be at a market rate of interest which will be determined by the Head of Strategic Finance by reference to market rates at the time of the application for the loan and will be fixed for the period of the loan. Interest will be paid by the organisation receiving the loan.
- 3.9 In order to limit the exposure to borrowers defaulting on the loans, under this proposal, loans cannot be approved where the balance outstanding in respect of any individual loan exceeds £50k and the cumulative balance outstanding on all loans exceeds £250k.
- 3.10 To allow the Council to monitor the loans approved by the Head of Strategic Finance a six monthly report will be submitted to the Council showing the loans which have been approved, the payments made to the organisations, the amounts repaid and the balance outstanding.
- 3.11 The risks to the Council from these loans are:
- Capital costs exceed budget or funding and having been advanced by the Council leave the Council with a cost it would have to try and recover from the borrower.
  - The borrower fails to claim all income resulting in a funding shortfall.
  - The borrower fails to comply with grant conditions leaving a funding shortfall.
  - Any funding shortfall will leave the Council exposed where it has already advanced the capital expenditure with the challenge of recovering the balance from the borrower.
- 3.12 These risks can then be managed or mitigated as follows:
- Requiring a capital cost estimate to be supported by a tender or order.
  - Requiring a full funding package to be in place and a copy of funding award



letters.

- Requiring a cash flow forecast to indicate the likely timing difference between income and expenditure.
- Restricting the scheme to capital projects so there is always an asset created as a result of the project.
- Limiting any timing difference between advance and repayment to 3 months.
- Limiting the maximum amount of the facility to £50k per borrower.
- Limiting the cumulative exposure to £250k.

#### 4 CONCLUSION

- 4.1 This report sets out a proposed scheme for considering applications for cash flow support loans in relation to capital projects that allows a delegation to be made to the Head of Strategic Finance to consider and where relevant approve such loans. Risk measures and controls are also outlined. Requests that fall outwith the terms of the delegation could be considered by the Council to determine if there are exceptional circumstances that should be taken into account in considering the loan request.

#### 5 IMPLICATIONS

- |                        |   |
|------------------------|---|
| 5.1 Policy -           | The approach proposed sets out criteria that will allow the Head of Strategic Finance to approve requests for short term cash flow support loans. |
| 5.2 Financial –        | No budgetary implications if loans are repaid in full. Cash flow interest costs will be covered by a charge to borrowers.                         |
| 5.3 Legal -            | None  |
| 5.4 HR -               | None  |
| 5.5 Equalities -       | None  |
| 5.6 Risk -             | The loans are not repaid resulting in unbudgeted expenditure.   |
| 5.7 Customer Service - | None  |

For further information please contact Bruce West, Head of Strategic Finance 01546-604220

Bruce West  
Head of Strategic Finance  
14 January 2014

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**INVESTMENT MANAGEMENT OF TRUST FUNDS AND CHARITABLE FUNDS**

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**1 INTRODUCTION**

- 1.1 This report takes forward the decision agreed by the Council on 31 October in relation to the management of investments for trust funds and charitable funds. It summarises the key investment objectives for each class of fund and in the Appendices sets out the proposed investment policies. The appointment of a performance management advisor and investment manager on a discretionary basis for funds over £250,000 in value were agreed as part of the future management arrangements. This report sets out the timescale for the procurement process to start in January 2014 with the aim of completing in April 2014 and also suggests a 70%/30% quality/price split in tender evaluation. Finally there are some transitional issues that are highlighted.

**2 RECOMMENDATIONS**

- 2.1 Members are asked to approve the investment policies set out in Appendices A to G.
- 2.2 Members agree that the procurement of a performance management advisor commences in January 2014 with the aim of being completed in April 2014 and is based on a 70%/30% split between quality and price as part of the evaluation process.
- 2.3 Members agree that the procurement of an investment manager on discretionary basis commences in January 2014 with the aim of being completed in April 2014 and is based on a 70%/30% split between quality and price as part of the evaluation process.
- 2.4 Members agree the transitional arrangements set out in 3.17 and 3.18.

**3 DETAIL****Background**

- 3.1 The Council is trustee for a range of trust funds and charitable funds. The value of these funds ranges from low thousands of pounds to over £500,000. The Council has a duty to ensure it manages and invests these funds appropriately. A range of factors need to be taken into account in determining what is appropriate.

3.2 A review of investment management arrangements and options for future management of the investments of trust funds and charitable funds was submitted to the Council on 31 October 2013. Arising from consideration of the review the Council agreed to the following:

- A review of the investment objectives for each fund is undertaken.
- Funds with a value of less than £5,000 are invested in the Council Loans Fund as a short term deposit.
- Funds with a value of more than £5,000 and up to £10,000 are invested in a 3 year fixed term bond with the Council.
- Funds with a value of more than £10,000 and up to £100,000 are invested in a single pooled investment vehicle that has objectives in line with the investment objectives of the funds in question. These investments to remain in place for 3 years and then be reviewed.
- Although there are no funds currently in this category funds with a value of more than £100,000 and up to £250,000 in future would be invested in one or more pooled investment vehicles.
- Funds with a value in excess of £250,000 should be actively managed with a single investment manager appointed to manage all of these funds. The appointment will be on a discretionary basis which means the investment manager will buy or sell investments as required without seeking prior approval of the Council but within the parameters of the agreed investment objectives and policy. The appointment of an investment manager to be subject to a tendering process.
- Performance monitoring and assessment of the investment managers appointed on a discretionary basis is critical to the success of these arrangements. The performance management advisers are also to set out options on the initial proposed investment for funds of more than £10,000 and up to £100,000. If the Council had funds in the category of more than £100,000 and up to £250,000 then the performance management advisers would carry out the annual review and make recommendation on funds invested in a mix of pooled funds. The appointment of performance management advisers to be subject to tendering.
- A further review of investment management arrangements is to be carried out in 5 years time to assess the effectiveness of these arrangements and set out options and proposals for the future.

### **Investment Objectives and Investment Policies**

3.3 The investment objectives for each fund have been reviewed. The following paragraphs summarise the investment objectives for each category of funds and the proposed investment policies have been drafted and are attached as Appendices to this report. The format of the investment policies has been based on good practice guidance. The revised investment policy for Oban Common Good Fund was approved on 6 December whilst the revised investment policy for Campbeltown Common Good Fund has still to be considered by them.

3.4 Funds with a value of less than £5,000 – To ensure security of the funds by retaining the funds in house and achieve a return consistent with short term interest rates to reflect ready access to funds if required. This is a low risk approach aimed at securing the capital sum. See Appendix A for investment policy for all funds in this category.

3.5 Funds with a value of more than £5,000 and up to £10,000 – To ensure security of

funds by retaining funds in house and taking account of the amount involved to invest funds for a 3 year period to improve the rate of interest recognising this locks in the capital sum for a 3 year period. This is a low risk approach aimed at securing the capital sum. See Appendix B for investment policy for all funds in this category.

- 3.6 Funds with a value of more than £10,000 and up to £100,000 – To achieve a return that allows for annual income or reinvestment of unused income and achieves capital growth to maintain the real value of the fund. To allow a degree of risk taking but to manage that through spreading risk by use of a pooled investment vehicle. The use of a pooled investment vehicle will allow exposure in a managed way to investment with differing levels of risk but this is managed through the pooled nature of the investment. The investment will be long term in nature and whilst there is scope for the capital value to vary the objective is long term growth to maintain the real value of the fund and income generated. See Appendix C for investment policy for all funds in this category.
- 3.7 Funds with a value of more than £100,000 and up to £250,000 – There are currently no funds in this category. If it becomes clear that there will be funds in this category then a report setting out the proposed investment objectives and investment policy will be prepared for Council.
- 3.8 Funds with a value of more than £250,000 – There are 4 funds in this category Argyll Education Trust, Campbeltown Common Good Fund, Oban Common Good Fund and MacDougall Trust. The first 3 all have a requirement for annual income which needs to be maintained in real terms and also to achieve a degree of capital growth. They are all long term funds so there is scope for a degree of risk taking and a level of variation in the capital value from year to year is acceptable providing the longer term trend is one of achieving growth. The Macdougall Trust has no requirement for annual income at present so the focus will be on capital growth and again a degree of risk is acceptable along with variation in the capital value as long as the long term trend is of growth. The investment policies for these funds are attached as follows:
- Argyll Education Trust – Appendix D
  - Campbeltown Common Good Fund – Appendix E
  - Oban Common Good Fund – Appendix F
  - Macdougall Trust – Appendix G
- 3.9 It is a legal requirement to have a written investment policy where charities give investment managers discretionary powers. The investment policy must cover the remit and responsibilities of the investment manager and the principles the investment manager has to follow in taking investment decisions. Preparing the investment policy cannot be delegated to the investment manager but the investment policy can be prepared in consultation with the investment manager to help ensure it is workable and achievable.
- 3.10 An investment policy should contain the following information:
- General background information and financial objectives.
  - Investment powers.
  - Governance arrangements over investment decisions.
  - Investment objectives.
  - Risk attitude.
  - Asset classes that can be invested in.
  - The currency of investments and any restrictions.
  - Credit or counterparty risk.

- Liquidity requirements and the need to access funds.
- The time horizon for investments.
- Ethical investment requirements.
- The management arrangements for investment management.
- Reporting and review of investment manager and performance.
- Frequency of review of the investment policy.

### **Performance Management Advisor**

- 3.11 It was agreed at the Council meeting on 31 October that the Head of Strategic Finance would put in place a tendering process for the selection and appointment of a performance management adviser. The role of the performance management adviser would be as follows:
- To advise on the selection of an appropriate pooled investment vehicle for funds of more than £10,000 and up to £100,000.
  - For funds with a value of more than £250,000 reviewing the performance of the investment manager appointed on a discretionary basis and providing independent advice on the relative performance and how well the investment fund is being managed. The performance management advisor would review and report on the effectiveness of the investment manager.
  - In the circumstances where the Council had funds with a value of more than £100,000 and up to £250,000 then the performance management advisor would provide advice on the initial selection of pooled investment vehicles and also carry out an annual review with recommendations for any changes.
- 3.12 In broad terms a period of 3 months should be allowed for the procurement process to allow adequate time to comply with regulatory timescale and also for tenderers to prepare submissions, evaluation of the tenders and award of contract/mobilisation. It will also be important to ensure the evaluation criteria are developed appropriately and it is likely that quality will be a significant feature in the evaluation probably comprising 70% of the scoring system compared to 30% for price. On this basis the performance management advisor would be in place in April 2014. Proposals on the initial selection of a pooled investment vehicle for funds of more than £10,000 and up to £100,000 would follow their appointment.

### **Investment Manager**

- 3.13 It was agreed at the Council meeting on 31 October to appoint an investment manager for all funds with a value of more than £250,000. The investment manager would be appointed on a discretionary basis rather than the advisory basis on which they are currently appointed. This means they would have discretion to make changes to the investment portfolio (buy and sell investment holdings) without having to seek approval from the Head of Strategic Finance for each transaction. This does not mean the investment manager would be given a completely free hand as they would need to operate within the parameters of the investment objectives and investment policy for each fund.

- 3.14 The appointment of an investment manager will need to be subject to tendering and procurement procedures and these arrangements will now be put in hand. It was also agreed that a further review of the type undertaken be carried out in 5 years time to assess the effectiveness of the arrangements agreed. On this basis the investment managers would be appointed for a 5 year period. As far as a possible arrangements will be made to complete the procurement process in as short a timescale as possible but there will be a requirement to comply with regulatory timescales and also to ensure tenderers have an opportunity to prepare their submission. It will also be important to ensure the evaluation criteria are developed appropriately and it is likely that quality will be a significant feature in the evaluation probably comprising 70% of the scoring system compared to 30% for price.
- 3.15 The intention is to put all funds with a value of more than £250,000 forward as a set of funds that can be managed in a single contract albeit there may be slightly different investment objectives and policy. The purpose for this is to achieve some economies of scale in the tendering process whereby the fees for funds of around £3m may be proportionately less than for individual funds of a smaller amount.
- 3.16 In broad terms a period of 3 months should be allowed for the procurement process to allow adequate time for tenderers to prepare submissions, evaluation of the tenders and award of contract/mobilisation/handover. On this basis the new arrangements are likely to be in place around April 2014.

#### **Transitional Arrangements**

- 3.17 In terms of transitional arrangements then:
- Over the period January 2014 to March 2014 all funds with a value of more than £5000, and up to £10,000 will be moved into a 3 year fixed term bond with the Council.
  - No action will be taken in relation to moving funds with a value of more than £10,000 and up to £100,000 into a single pooled investment vehicle pending the appointment and advice on an appropriate pooled investment vehicle from the performance management advisor.
  - Barclays Wealth will no longer offer an advisory investment service from January 2014 and we will move to appoint them on a discretionary basis pending the conclusion of the procurement exercise for discretionary investment managers.
  - Where Barclays Wealth currently advise on funds with a value of more than £10,000 and up to £100,000 then the current investments will be retained pending the advice on a single pooled investment vehicle to be given by the performance management advisor following their appointment in April 2014.
- 3.18 Where funds currently have long standing investments in UK Government Bonds or Local Bonds these will be retained until they are due to mature or an opportunity to dispose of them arises that creates a net benefit to the funds in question.

## **4 CONCLUSIONS**

- 4.1 Revised investment policies for trust funds and charitable funds are set out in

the Appendices attached to this report. The timescales and key issues around procurement and appointment of a performance management advisor and investment manager are set out. Finally the report identifies how transitional issues will be dealt with.

## **5 IMPLICATIONS**

- 5.1 Policy – The broad framework for managing investments was agreed on 31 October this sets out how that will be taken forward.
- 5.2 Legal – Having investment policies agreed for funds is good practice and a legal requirement if funds are managed on a discretionary basis.
- 5.3 Finance – Not quantified but investment activity, the investment policies agreed and how investments are managed will have financial consequences.
- 5.4 Human Resources – None.
- 5.5 Equalities – None.
- 5.6 Customer Service – None.
- 5.7 Risk - Investment activity requires an assessment of risk. The development of investment policies sets out the risk appetite for each fund.

For further information please contact Bruce West, Head of Strategic Finance 01546-604151

Bruce West  
Head of Strategic Finance  
14 January 2014



**ARGYLL AND BUTE COUNCIL  
TRUST FUNDS AND CHARITABLE FUNDS WITH VALUE OF UP TO £5,000  
DRAFT INVESTMENT POLICY**

**1 Introduction**

1.1 Argyll and Bute Council inherited responsibility for managing a number of trust funds and charitable funds on local government reorganisation in 1996. A number of these funds have relatively small sums of money – Up to £5,000. Each fund has its own criteria for distribution of funds. Not all funds are able to make a distribution. The main objective in investing these funds is to secure the capital value of the fund, minimise risk and earn a commensurate rate of interest given value of funds and security considerations. This is best achieved by investing funds internally on short term deposit with the loans funds of Argyll and Bute Council.

**2 Investment Objectives**

2.1 To secure and maintain the capital value of the funds seeking to minimise any loss or risk to the capital sums.

2.2 To earn a return commensurate with the policy of securing and minimising the risk to the capital funds and the scale of funds available for investment.

2.3 To secure these objectives funds will be invested internally within the Council and deposited in the Council loans fund as short term deposits.

**3 Risk**

3.1 Attitude to risk

- To protect as far as possible the capital funds.

3.2 Assets

- Funds will be invested internally within the Council and deposited in the Council loans fund as short term deposits.

3.3 Currency

- The base currency of the investment portfolio is Sterling.
- No non sterling assets and no hedging is permitted.

3.4 Credit

- Funds will be invested internally within the Council and deposited in the Council loans fund as short term deposits.

**4 Liquidity Requirements**

4.1 There is not expected to be any short term call for capital or funds but given the small scale nature of the investments these should be invested as cash deposits.

4.2 The investment with the Council loans fund will ensure ready access if required.

**5 Time Horizon**

5.1 The funds are expected to exist in perpetuity and investments should be managed to meet the investment objective by protecting the capital sum.

5.2 Although long term funds given the small scale nature of the investments and the need to protect the security of the capital sum these should be invested as cash deposits with the Council loans fund.

**6 Ethical Investment Policy**

6.1 Not applicable.

**7 Management, Reporting and Monitoring**

7.3 The Head of Strategic Finance of Argyll and Bute Council will make arrangements to ensure a report is submitted for each fund on an annual basis. This report should include details of income, expenditure and value of funds.

**8 Approval and Review**

8.1 This Investment Policy Statement will be reviewed on an annual basis to ensure continuing appropriateness.

**9 Application**

9.1 This investment policy applies to the following trust funds and charitable funds.

Fund	Value £
KILMARTIN WAR MEMORIAL FUND	52.39
JAMES MCKECHNIES TRUST	84.44
MACALISTER TRUST	89.85
MRS MARY MILLAN BEQUEST	92.98
KILMORY LOCHGILPHEAD CHURCHYARD	158.89
MRS B MACEWANS TRUST	206.83
LATIMER MCINNES TRUST	237.37
HUTCHESON MEMORIAL TRUST	266.51
BETHIA WEIR BEQUEST	292.32
PIANO FUND DUNOON	340.81
SUNDRY TRUSTS	361.04
FISHER BEQUEST	375.09
ANNIE MCMILLAN BEQUEST	388.65
DUGALD MCPHAIL MEMORIAL FUND	415.72
TULLOCH LIBRARY DUNOON	441.81
MISS M M CAMERONS BEQUEST	456.16
MAY PATERSON TRUST	475.46
KILMORE & KILBRIDE	484.84
MISS L A COLVIL BEQUEST	488.36
BALLYHENNAN CHURCHYARD	493.60
KILMARTIN NEW BURIAL GROUND BEQUEST	500.14
CARDROSS WAR MEMORIAL	629.01
INVERARAY ENTERTAINMENTS TRUST	634.16

COATS BEQUEST INVERCHAOLIN	671.98
MISS MARY A MCNIVENS TRUST	672.05
MRS MARGARET LOCHHEAD BEQUEST	681.65
ANN JACKSONS BEQUEST	719.86
MISSES MACGILLVERYS BEQUEST	730.69
DUNOON & KILMUN CEMETERIES	759.47
ARCHIBALD BROWNS BEQUEST	767.17
JOHN MURRAY TRUST	883.46
MRS E MACDONALD	951.35
MISS CHRISTINA MCKAYS TRUST	1,482.20
BAILLIE GILLIES BEQUEST	1,584.96
NORMAN STEWART INSTITUTE	1,586.65
JANET GIBSONS BEQUEST	1,679.65
PROVOSTS BEQUEST ROTHESAY	1,693.33
JANE PATERSONS BEQUEST	1,791.15
JOHN LOGIE BAIRD PRIZE FUND	1,894.21
ARCHIBALD DOW BEQUEST	1,953.33
PROVOSTS RELIEF FUND INVERARAY	2,028.53
JAMES DUNCAN BEQUEST	2,159.35
MISS FLORA MCLUCAS BEQUEST	2,286.21
SUNDRY BEQUESTS - FORMER DUMBARTON CEMETERIES	2,751.67
CAMPBELL BEQUEST	2,799.90
BUTE EDUCATION	3,022.62
COALS FOR POOR - OBAN	3,217.26
CLYDESDALE AIR RAID DISTRESS FUND	3,443.72
MISS ANNIE DICKSON BEQUEST	3,598.53
MISS ANNIE MCLEANS TRUST	3,874.58
KIDSTON PARK	3,910.46
MCNEILL BEQUEST	4,049.18
MACALLISTER MORTIFICATION	4,317.41

**ARGYLL AND BUTE COUNCIL  
TRUST FUNDS AND CHARITABLE FUNDS WITH VALUE OF MORE THAN £5,000 AND  
UPTO £10,000  
DRAFT INVESTMENT POLICY**

**1 Introduction**

1.1 Argyll and Bute Council inherited responsibility for managing a number of trust funds and charitable funds on local government reorganisation in 1996. A number of these funds have relatively small sums of money – more than £5,000 and up to £10,000. Each fund has its own criteria for distribution of funds. Not all funds are able to make a distribution. The main objective in investing these funds is to secure the capital value of the fund, minimise risk and earn a commensurate rate of interest given value of funds and security considerations. This is best achieved by investing funds internally on a local bond fixed for 3 years with Argyll and Bute Council.

**2 Investment Objectives**

2.1 To secure and maintain the capital value of the funds seeking to minimise any loss or risk to the capital sums.

2.2 To earn a return commensurate with the policy of securing and minimising the risk to the capital funds and the scale of funds available for investment.

2.3 To secure these objectives funds will be invested internally within the Council and invested in a local bond with Argyll and Bute Council.

**3 Risk**

3.1 Attitude to risk

- To protect as far as possible the capital funds.

3.2 Assets

- Funds will be invested internally within the Council as a local bond.

3.3 Currency

- The base currency of the investment portfolio is Sterling.
- No non sterling assets and no hedging is permitted.

3.4 Credit

- Funds will be invested internally within the Council as a local bond.

**4 Liquidity Requirements**

4.1 There is not expected to be any short term call for capital or funds and this allows funds to be locked in to a 3 year bond.

**5 Time Horizon**

5.1 The funds are expected to exist in perpetuity and investments should be managed

to meet the investment objective by protecting the capital sum.

- 5.2 Although long term funds given the small scale nature of the investments and the need to protect the security of the capital sum these should be invested as a local bond with Argyll and Bute Council.

## **6 Ethical Investment Policy**

- 6.1 Not applicable.

## **7 Management, Reporting and Monitoring**

- 7.3 The Head of Strategic Finance of Argyll and Bute Council will make arrangements to ensure a report is submitted for each fund on an annual basis. This report should include details of income, expenditure and value of funds.

## **8 Approval and Review**

- 8.1 This Investment Policy Statement will be reviewed on an annual basis to ensure continuing appropriateness.

## **9 Application**

- 9.1 This investment policy applies to the following trust funds and charitable funds.

Fund	Value £
CAMPBELTOWN NEW BOOKS	5,562.39
LAMONT BEQUEST	5,656.29
ROBERT MCFIES TRUST	5,960.16
KILKERRAN CEMETERY	6,433.39
D A GREENLEES TRUST	6,873.51
MACKINNON LEDINGHAM BEQUEST	7,183.77
A T ROSS BEQUEST	8,009.58
CATHERINE MCCAIG MEMORIAL FUND	8,825.29

**ARGYLL AND BUTE COUNCIL  
TRUST FUNDS AND CHARITABLE FUNDS WITH VALUE OF MORE THAN £10,000 AND  
UPTO £100,000  
DRAFT INVESTMENT POLICY**

**1 Introduction**

- 1.1 Argyll and Bute Council inherited responsibility for managing a number of trust funds and charitable funds on local government reorganisation in 1996. A number of these funds have significant sums of money – More than £10,000 and up to £100,000. There are separate investment policies for fund with more than £100,000 of investments. Each fund has its own criteria for distribution of funds. Not all funds are able to make a distribution due to the nature of the criteria. The main objective in investing these funds is to maintain a balance between income and capital growth whilst seeking to protect the capital sum invested.
- 1.2 There is a requirement to balance the needs of current and future beneficiaries. The capital remains invested to provide for future beneficiaries and the income is available to spend on current beneficiaries or can be reinvested.
- 1.3 The Head of Strategic Finance of Argyll and Bute Council has been delegated the responsibility for making the necessary administrative arrangement in relation to the appointment and day to day management of the investments. Performance of the investment portfolio will be reported annually to Argyll and Bute Council.

**2 Investment Objectives**

- 2.1 The funds available for investment are invested to produce the best financial return within an acceptable level of risk.
- 2.2 The investment objective is to balance income and capital returns. The assets should be managed to at least maintain the real capital value of the funds whilst generating a sustainable level of investment income for distribution or reinvestment.
- 2.3 The capital value of the funds invested should be invested to ensure they grow at least in line with inflation in the long term but it is recognised that over the short term there may be variations to that trend.
- 2.4 Annual income should grow in line with inflation to maintain the real value of income available for distribution.

**3 Risk**

- 3.1 Attitude to risk
- In some cases the funds rely on the investment income to fund current activities. In other cases income provides a source of reinvestment. The stability of income is therefore important.
  - The key risk to the long term sustainability is inflation, and the assets should be invested to mitigate this risk over the long term.
  - It is understood that this is likely to mean that investment will be

concentrated in real assets and that the capital value will fluctuate.

- Annual volatility of the capital value can be tolerated as long as it can meet current expenditure from investment income and the longer term trend in capital values is to maintain the value of the investments (and inherent income potential) at least in line with inflation.
- To mitigate risk the funds will be invested through a single pooled investment vehicle.

### 3.2 Assets

- The funds will be invested in a single pooled investment vehicle. This will allow the funds to access a wider range of investments than would otherwise be the case. This will improve the prospect of achieving the required investment returns whilst also mitigating risk.
- Within the pooled investment vehicle assets can be invested widely. Asset classes could include cash, bonds, equities, property, hedge funds and private equity, commodities.
- A target strategic asset allocation as follows, which is set so as to achieve the overall long term investment objective to balance capital and income returns.
  - Equities 65% to 75%
  - Bonds 15% to 25%
  - Property, hedge funds, private equity and commodities etc 0% to 10% as part of a pooled investment vehicle
  - Cash 0 % to 10%

### 3.3 Currency

- The base currency of the investment portfolio is Sterling.
- Investment may be made in non-Sterling assets but only through the pooled investment vehicle and should not exceed 20% of the total investment portfolio value.
- Hedging is permitted but only through the pooled investment vehicle.

### 3.4 Credit

- The Endowment's cash balances should be deposited with institutions with a minimum rating of A- or invested in a diversified money market fund.
- Bond exposure should be focused on investment grade issuers.

## 4 Liquidity Requirements

4.1 This policy aims to balance the needs of current and future beneficiaries and as such aims to set a sustainable income target, whilst ensuring the capital is expected to grow in line with inflation over the long term.

4.2 There is no requirement for short term capital liquidity within the investment portfolio.

## 5 Time Horizon

- 5.1 The funds are expected to exist in perpetuity and investments should be managed to meet the investment objective and ensure this sustainability.
- 5.2 A long term investment time horizon can be adopted.

## 6 Ethical Investment Policy

- 6.1 The funds do not wish to impose any specific ethical investment policy however the selection of a pooled investment vehicle should consider the congruence of potential investments with the aims of the funds.

## 7 Management, Reporting and Monitoring

- 7.1 The funds will be invested in a single pooled investment vehicle. A performance management advisor will be appointed to assist in the selection of a single pooled investment vehicle. A triennial review of the single pooled investment vehicle will be carried out.
- 7.2 The Head of Strategic Finance at Argyll and Bute Council will make arrangements for monitoring of investment performance. At least annually Argyll and Bute Council will consider reports on investment performance and review return, risk and asset allocation taking into account performance against benchmarks and investment objectives.
- 7.3 The Head of Strategic Finance of Argyll and Bute Council will make arrangements to ensure a report is submitted to Argyll and Bute Council on an annual basis. This report should include a review of asset allocation strategy, performance, risk profile and consistency with the long term investment objective.

## 8 Approval and Review

- 8.1 This Investment Policy Statement was prepared by Argyll and Bute Council to provide a framework for the management of its investment assets. It will be reviewed on an annual basis to ensure continuing appropriateness.

## 9 Application

This investment policy applies to the following trust funds and charitable funds.

Fund	Value £
MARQUIS OF BUTE SILVER WEDDING DOWRY	10,095.22
J M HALLS BEQUEST	10,253.43
HELENSBURGH & FASLANE CEMETERIES FUND	10,835.43
JOHN PATERSONS TRUST	13,793.24
FLEMING BEQUEST	14,121.23
CLACHAN CEMETERY TRUST	18,625.34
SOCIAL WORK LOUDEN BEQUEST	21,851.70
JOHN OF LORN BEQUEST	24,036.69
KINTYRE YOUTH FUND	24,036.90



LIBRARY ENDOWMENT FUND	53,842.26
MISS AGNES ANGUS BEQUEST	57,950.03
MRS MELLORS BEQUEST	72,632.31
MCCAIG TRUST	80,320.63
GEORGE MELVILLE DUNCAN BEQUEST	87,195.99

**COUNTY OF ARGYLL EDUCATIONAL TRUST SCHEME, 1960  
DRAFT INVESTMENT POLICY**

**1 Introduction**

- 1.1 The Argyll Educational Trust is a scheme under the Education (Scotland) Acts, 1939 to 1956, for the future government and management of certain educational endowments in the County of Argyll. Formed by the amalgamation of fourteen individual endowments, the object of the fund is for the advancement of education for children and young people within the former County of Argyll. The Local Government (Scotland) Act 1994 passed responsibility for administering the Argyll Educational Trust to Argyll and Bute Council.
- 1.2 There are around £399k of funds available for investment based on current market values. These provide income for distribution by Argyll Educational Trust to give educational assistance to the children and young people of the former County of Argyll. Current income is around £12,000 per annum.
- 1.3 There is a requirement to balance the needs of current and future beneficiaries. The capital remains invested to provide for future beneficiaries and the income is spent on current beneficiaries.
- 1.4 Argyll Educational Trust delegates management of its investment portfolio to an investment manager on a discretionary basis. The Head of Strategic Finance of Argyll and Bute Council has been delegated the responsibility for making the necessary administrative arrangement in relation to the appointment and day to day management of the investment manager. Performance of the investment portfolio and investment manager will be reported on a quarterly basis to Argyll and Bute Council.

**2 Investment Objectives**

- 2.1 The funds of the Argyll Educational Trust available for investment are invested to produce the best financial return within an acceptable level of risk.
- 2.2 The investment objective is to balance income and capital returns. The assets should be managed to at least maintain the real capital value of Argyll Educational Trust whilst generating a sustainable level of investment income to support the existing levels of distribution in real terms.
- 2.3 The capital value of the funds invested (currently around £399k) should be invested to ensure they grow at least in line with inflation in the long term but it is recognised that over the short term there may be variations to that trend.
- 2.4 Annual income (currently around £12,000) should grow in line with inflation to maintain the real value of income available for distribution.

**3 Risk**

- 3.1 Attitude to risk
- Argyll Educational Trust relies on the investment income to fund current activities. The stability of income is therefore important.

- The key risk to the long term sustainability is inflation, and the assets should be invested to mitigate this risk over the long term.
- It is understood that this is likely to mean that investment will be concentrated in real assets and that the capital value will fluctuate.
- Annual volatility of the capital value of Argyll Educational Trust can be tolerated as long as it can meet current expenditure from investment income and the longer term trend in capital values is to maintain the value of the investments (and inherent income potential) at least in line with inflation.

### 3.2 Assets

- Assets can be invested widely according to the general power of investment and should be diversified by asset class. Asset classes could include cash, bonds, equities. Property, hedge funds and private equity, commodities and any other asset that is deemed suitable for investment must be through a pooled investment vehicle rather than direct investment in these assets.
- A target strategic asset allocation as follows, which is set so as to achieve the overall long term investment objective to balance capital and income returns.
  - Equities 65% to 75%
  - Bonds 15% to 25%
  - Property, hedge funds, private equity and commodities etc 0% to 10% as part of a pooled investment vehicle
  - Cash 0 % to 10%
- The Head of Strategic Finance of Argyll and Bute Council is responsible for appointing the investment manager.
- The investment manager is responsible for managing the investment portfolio taking account of the above asset allocation.
- Asset allocation will vary from this target, due to market movements. Formal rebalancing of the portfolio asset allocation occurs on an annual basis, unless Argyll Educational Trust believe it is prudent not to do so.

### 3.3 Currency

- The base currency of the investment portfolio is Sterling.
- Investment may be made in non-Sterling assets but should not exceed 20% of the total investment portfolio value.
- Hedging is permitted.

### 3.4 Credit

- The Endowment's cash balances should be deposited with institutions with a minimum rating of A- or invested in a diversified money market fund.
- Bond exposure should be focused on investment grade issuers.

## 4 Liquidity Requirements

4.1 Argyll Educational Trust aims to balance the needs of current and future beneficiaries and as such aims to set a sustainable income target, whilst ensuring the capital is expected to grow in line with inflation over the long term.

4.2 There is no requirement for short term capital liquidity within the investment portfolio.

## **5 Time Horizon**

5.1 Argyll Educational Trust is expected to exist in perpetuity and investments should be managed to meet the investment objective and ensure this sustainability.

5.2 A long term investment time horizon can be adopted.

## **6 Ethical Investment Policy**

6.1 Argyll Educational Trust does not wish to impose any specific ethical investment policy however the investment manager is required to consider the congruence of potential investments with the aims of Argyll Educational Trust.

## **7 Management, Reporting and Monitoring**

7.1 Argyll Educational Trust will appoint an investment manager to manage the investment portfolio on a discretionary basis. Managers are required to produce a valuation and performance report quarterly. This will be submitted to the next available meeting of Argyll and Bute Council.

7.2 The Head of Strategic Finance at Argyll and Bute Council will make arrangements for independent monitoring of investment performance. At least annually Argyll Educational Trust will consider reports on investment performance and review return, risk and asset allocation taking into account performance against benchmarks and investment objectives.

7.3 The Head of Strategic Finance of Argyll and Bute Council will make arrangements to ensure a report is submitted to Argyll and Bute Council on an annual basis. This report should include a review of asset allocation strategy, performance, risk profile and consistency with the long term investment objective.

## **8 Approval and Review**

8.1 This Investment Policy Statement was prepared by Argyll Educational Trust to provide a framework for the management of its investment assets. It will be reviewed on an annual basis to ensure continuing appropriateness.

**CAMPBELTOWN COMMON GOOD FUND  
DRAFT INVESTMENT POLICY****1 Introduction**

- 1.1 Campbeltown Common Good Fund is a historic fund established for the benefit of the citizens of the former burgh of Campbeltown. The Local Government (Scotland) Act 1994 passed responsibility for administering Campbeltown Common Good Fund to Argyll and Bute Council.
- 1.2 There are around £759k of funds available for investment based on current market values. These provide income for distribution by Campbeltown Common Good Fund to causes that are deemed to be of benefit to the citizens of the former burgh of Campbeltown. Current income is around £30,000 per annum.
- 1.3 There is a requirement to balance the needs of current and future beneficiaries. The capital remains invested to provide for future beneficiaries and the income is spent on current beneficiaries.
- 1.4 Campbeltown Common Good Fund delegates management of its investment portfolio to an investment manager on a discretionary basis. The Head of Strategic Finance of Argyll and Bute Council has been delegated the responsibility for making the necessary administrative arrangement in relation to the appointment and day to day management of the investment manager. Performance of the investment portfolio and investment manager will be reported on a quarterly basis to Campbeltown Common Good Fund.

**2 Investment Objectives**

- 2.1 The funds of Campbeltown Common Good Fund available for investment are invested to produce the best financial return within an acceptable level of risk.
- 2.2 The investment objective is to balance income and capital returns. The assets should be managed to at least maintain the real capital value of Campbeltown Common Good Fund whilst generating a sustainable level of investment income to support the existing levels of distribution in real terms.
- 2.3 The capital value of the funds invested (currently around £759k) should be invested to ensure they grow at least in line with inflation in the long term but it is recognised that over the short term there may be variations to that trend.
- 2.4 Annual income (currently around £30,000) should grow in line with inflation to maintain the real value of income available for distribution.

**3 Risk**

- 3.1 Attitude to risk
- Campbeltown Common Good Fund relies on the investment income to fund current activities. The stability of income is therefore important.

- The key risk to the long term sustainability is inflation, and the assets should be invested to mitigate this risk over the long term.
- It is understood that this is likely to mean that investment will be concentrated in real assets and that the capital value will fluctuate.
- Annual volatility of the capital value of Campbeltown Common Good Fund can be tolerated as long as it can meet current expenditure from investment income and the longer term trend in capital values is to maintain the value of the investments (and inherent income potential) at least in line with inflation.

### 3.2 Assets

- Assets can be invested widely according to the general power of investment and should be diversified by asset class. Asset classes could include cash, bonds, equities. Property, hedge funds and private equity, commodities and any other asset that is deemed suitable for investment must be through a pooled investment vehicle rather than direct investment in these assets.
- A target strategic asset allocation as follows, which is set so as to achieve the overall long term investment objective to balance capital and income returns.
  - Equities 65% to 75%
  - Bonds 15% to 25%
  - Property, hedge funds, private equity and commodities etc 0% to 10% as part of a pooled investment vehicle
  - Cash 0 % to 10%
- The Head of Strategic Finance of Argyll and Bute Council is responsible for appointing the investment manager.
- The investment manager is responsible for managing the investment portfolio taking account of the above asset allocation.
- Asset allocation will vary from this target, due to market movements. Formal rebalancing of the portfolio asset allocation occurs on an annual basis, unless Campbeltown Common Good Fund believe it is prudent not to do so.

### 3.3 Currency

- The base currency of the investment portfolio is Sterling.
- Investment may be made in non-Sterling assets but should not exceed 20% of the total investment portfolio value.
- Hedging is permitted.

### 3.4 Credit

- The Endowment's cash balances should be deposited with institutions with a minimum rating of A- or invested in a diversified money market fund.
- Bond exposure should be focused on investment grade issuers.

## 4 Liquidity Requirements

4.1 Campbeltown Common Good Fund aims to balance the needs of current and future beneficiaries and as such aims to set a sustainable income target, whilst ensuring the capital is expected to grow in line with inflation over the long term.

4.2 There is no requirement for short term capital liquidity within the investment portfolio.

## **5 Time Horizon**

5.1 Campbeltown Common Good Fund is expected to exist in perpetuity and investments should be managed to meet the investment objective and ensure this sustainability.

5.2 A long term investment time horizon can be adopted.

## **6 Ethical Investment Policy**

6.1 Campbeltown Common Good Fund does not wish to impose any specific ethical investment policy however the investment manager is required to consider the congruence of potential investments with the aims of Campbeltown Common Good Fund.

## **7 Management, Reporting and Monitoring**

7.1 Campbeltown Common Good Fund will appoint an investment manager to manage the investment portfolio on a discretionary basis. Managers are required to produce a valuation and performance report quarterly. This will be submitted to the next available meeting of Campbeltown Common Good Fund.

7.2 The Head of Strategic Finance at Argyll and Bute Council will make arrangements for independent monitoring of investment performance. At least annually Campbeltown Common Good Fund will consider reports on investment performance and review return, risk and asset allocation taking into account performance against benchmarks and investment objectives.

7.3 The Head of Strategic Finance of Argyll and Bute Council will make arrangements to ensure a report is submitted to Campbeltown Common Good Fund on an annual basis. This report should include a review of asset allocation strategy, performance, risk profile and consistency with the long term investment objective.

## **8 Approval and Review**

8.1 This Investment Policy Statement was prepared by Campbeltown Common Good Fund to provide a framework for the management of its investment assets. It will be reviewed on an annual basis to ensure continuing appropriateness.

**OBAN COMMON GOOD FUND  
DRAFT INVESTMENT POLICY****1 Introduction**

- 1.1 Oban Common Good Fund is a historic fund established for the benefit of the citizens of the former burgh of Oban. The Local Government (Scotland) Act 1994 passed responsibility for administering Oban Common Good Fund to Argyll and Bute Council.
- 1.2 There are around £1.25m of funds available for investment based on current market values. These provide income for distribution by Oban Common Good Fund to causes that are deemed to be of benefit to the citizens of the former burgh of Oban. Current income is around £50,000 per annum.
- 1.3 There is a requirement to balance the needs of current and future beneficiaries. The capital remains invested to provide for future beneficiaries and the income is spent on current beneficiaries.
- 1.4 Oban Common Good Fund delegates management of its investment portfolio to an investment manager on a discretionary basis. The Head of Strategic Finance of Argyll and Bute Council has been delegated the responsibility for making the necessary administrative arrangement in relation to the appointment and day to day management of the investment manager. Performance of the investment portfolio and investment manager will be reported on a quarterly basis to Oban Common Good Fund.

**2 Investment Objectives**

- 2.1 The funds of Oban Common Good Fund available for investment are invested to produce the best financial return within an acceptable level of risk.
- 2.2 The investment objective is to balance income and capital returns. The assets should be managed to at least maintain the real capital value of Oban Common Good Fund whilst generating a sustainable level of investment income to support the existing levels of distribution in real terms.
- 2.3 The capital value of the funds invested (currently around £1.25m) should be invested to ensure they grow at least in line with inflation in the long term but it is recognised that over the short term there may be variations to that trend.
- 2.4 Annual income (currently around £50,000) should grow in line with inflation to maintain the real value of income available for distribution.

**3 Risk**

- 3.1 Attitude to risk
- Oban Common Good Fund relies on the investment income to fund current activities. The stability of income is therefore important.
  - The key risk to the long term sustainability is inflation, and the assets



should be invested to mitigate this risk over the long term.

- It is understood that this is likely to mean that investment will be concentrated in real assets and that the capital value will fluctuate.
- Annual volatility of the capital value of Oban Common Good Fund can be tolerated as long as it can meet current expenditure from investment income and the longer term trend in capital values is to maintain the value of the investments (and inherent income potential) at least in line with inflation.

## 3.2 Assets

- Assets can be invested widely according to the general power of investment and should be diversified by asset class. Asset classes could include cash, bonds, equities. Property, hedge funds and private equity, commodities and any other asset that is deemed suitable for investment must be through a pooled investment vehicle rather than direct investment in these assets.
- A target strategic asset allocation as follows, which is set so as to achieve the overall long term investment objective to balance capital and income returns.
  - Equities 65% to 75%
  - Bonds 15% to 25%
  - Property, hedge funds, private equity and commodities etc 0% to 10% as part of a pooled investment vehicle
  - Cash 0 % to 10%
- The Head of Strategic Finance of Argyll and Bute Council is responsible for appointing the investment manager.
- The investment manager is responsible for managing the investment portfolio taking account of the above asset allocation.
- Asset allocation will vary from this target, due to market movements. Formal rebalancing of the portfolio asset allocation occurs on an annual basis, unless Oban Common Good Fund believe it is prudent not to do so.

## 3.3 Currency

- The base currency of the investment portfolio is Sterling.
- Investment may be made in non-Sterling assets but should not exceed 20% of the total investment portfolio value.
- Hedging is permitted.

## 3.4 Credit

- The Endowment's cash balances should be deposited with institutions with a minimum rating of A- or invested in a diversified money market fund.
- Bond exposure should be focused on investment grade issuers.

## 4 Liquidity Requirements

### 4.1 Oban Common Good Fund aims to balance the needs of current and future

beneficiaries and as such aims to set a sustainable income target, whilst ensuring the capital is expected to grow in line with inflation over the long term.

- 4.2 There is no requirement for short term capital liquidity within the investment portfolio.

## **5 Time Horizon**

- 5.1 Oban Common Good Fund is expected to exist in perpetuity and investments should be managed to meet the investment objective and ensure this sustainability.

- 5.2 A long term investment time horizon can be adopted.

## **6 Ethical Investment Policy**

- 6.1 Oban Common Good Fund does not wish to impose any specific ethical investment policy however the investment manager is required to consider the congruence of potential investments with the aims of Oban Common Good Fund.

## **7 Management, Reporting and Monitoring**

- 7.1 Oban Common Good Fund will appoint an investment manager to manage the investment portfolio on a discretionary basis. Managers are required to produce a valuation and performance report quarterly. This will be submitted to the next available meeting of Oban Common Good Fund.

- 7.2 The Head of Strategic Finance at Argyll and Bute Council will make arrangements for independent monitoring of investment performance. At least annually Oban Common Good Fund will consider reports on investment performance and review return, risk and asset allocation taking into account performance against benchmarks and investment objectives.

- 7.3 The Head of Strategic Finance of Argyll and Bute Council will make arrangements to ensure a report is submitted to Oban Common Good Fund on an annual basis. This report should include a review of asset allocation strategy, performance, risk profile and consistency with the long term investment objective.

## **8 Approval and Review**

- 8.1 This Investment Policy Statement was prepared by Oban Common Good Fund to provide a framework for the management of its investment assets. It will be reviewed on an annual basis to ensure continuing appropriateness.

**MACDOUGALL TRUST  
DRAFT INVESTMENT POLICY**

**1 Introduction**

- 1.1 The MacDougall Trust represents residual funds bequeathed for the provision of sheltered housing in the Ross of Mull. It was the balance of funds remaining after construction of the sheltered housing scheme in the Ross of Mull in the late 1970s. The funds have been deposited in Argyll and Bute Council's Loans Fund to date and with a withdrawal for some additional works a number of years ago the funds have grown to £606,000. Income has been reinvested each year and there is no immediate need to have income available for distribution. The Local Government (Scotland) Act 1994 passed responsibility for administering the MacDougall Trust to Argyll and Bute Council.
- 1.2 The MacDougall Trust delegates management of its investment portfolio to an investment manager on a discretionary basis. The Head of Strategic Finance of Argyll and Bute Council has been delegated the responsibility for making the necessary administrative arrangement in relation to the appointment and day to day management of the investment manager. Performance of the investment portfolio and investment manager will be reported on a quarterly basis to the MacDougall Trust.

**2 Investment Objectives**

- 2.1 The funds of the MacDougall Trust available for investment are invested to produce the best financial return within an acceptable level of risk.
- 2.2 The investment objective is to achieve capital growth as there is currently no requirement to have funds available for distribution. However it should be recognised that at some point there may be a requirement to have income available for distribution and the investment policy needs to be flexible enough to cope with this.
- 2.3 The capital value of the funds £606,000 should be invested to ensure they grow at least in line with inflation plus 2% in the long term but it is recognised that over the short term there may be variations to that trend. Some of this growth may be through reinvestment of income.

**3 Risk**

- 3.1 Attitude to risk
- The MacDougall Trust has no immediate requirement for income so the level and stability of income is not significant at this stage.
  - The key risk to the long term value of the fund is inflation and the assets should be invested to mitigate this risk over the long term.
  - It is understood that this is likely to mean that investment will be concentrated in real assets and that the capital value will fluctuate.
  - Annual volatility of the capital value of the MacDougall Trust can be tolerated as long as the longer term trend in capital values is to increase the value of the investments at least in line with inflation plus 2%.

3.2 Assets

- Assets can be invested widely according to the general power of investment and should be diversified by asset class. Asset classes could include cash, bonds, equities. Property, hedge funds and private equity, commodities and any other asset that is deemed suitable for investment must be through a pooled investment vehicle rather than direct investment in these assets.
- A target strategic asset allocation as follows, which is set so as to achieve the overall long term investment objective to balance capital and income returns.
  - Equities 75% to 85%
  - Bonds 5% to 15%
  - Property, hedge funds, private equity and commodities etc 0% to 15% as part of a pooled investment vehicle
  - Cash 0 % to 5%
- The Head of Strategic Finance of Argyll and Bute Council is responsible for appointing the investment manager.
- The investment manager is responsible for managing the investment portfolio taking account of the above asset allocation.
- Asset allocation will vary from this target, due to market movements. Formal rebalancing of the portfolio asset allocation occurs on an annual basis, unless the MacDougall Trust believe it is prudent not to do so.

3.3 Currency

- The base currency of the investment portfolio is Sterling.
  
- Investment may be made in non-Sterling assets but should not exceed 20% of the total investment portfolio value.
- Hedging is permitted.

3.4 Credit

- The Endowment's cash balances should be deposited with institutions with a minimum rating of A- or invested in a diversified money market fund.
  
- Bond exposure should be focused on investment grade issuers.

**4 Liquidity Requirements**

4.1 The MacDougall Trust has no immediate requirement for income or capital to be available for distribution. There is no need for the investment portfolio to hold significant liquid assets.

**5 Time Horizon**

5.1 The MacDougall Trust is expected to exist in perpetuity and investments should be

managed to meet the investment objective and ensure this sustainability.

5.2 A long term investment time horizon can be adopted.

## **6 Ethical Investment Policy**

6.1 The MacDougall Trust does not wish to impose any specific ethical investment policy however the investment manager is required to consider the congruence of potential investments with the aims of the MacDougall Trust.

## **7 Management, Reporting and Monitoring**

7.1 The MacDougall Trust will appoint an investment manager to manage the investment portfolio on a discretionary basis. Managers are required to produce a valuation and performance report quarterly. This will be submitted to the next available meeting of the MacDougall Trust.

7.2 The Head of Strategic Finance at Argyll and Bute Council will make arrangements for independent monitoring of investment performance. At least annually the MacDougall Trust will consider reports on investment performance and review return, risk and asset allocation taking into account performance against benchmarks and investment objectives.

7.3 The Head of Strategic Finance of Argyll and Bute Council will make arrangements to ensure a report is submitted to the MacDougall Trust on an annual basis. This report should include a review of asset allocation strategy, performance, risk profile and consistency with the long term investment objective.

## **8 Approval and Review**

8.1 This Investment Policy Statement was prepared by the MacDougall Trust to provide a framework for the management of its investment assets. It will be reviewed on an annual basis to ensure continuing appropriateness.

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**ARGYLL AND BUTE COUNCIL****COUNCIL****CUSTOMER SERVICES****23<sup>rd</sup> JANUARY 2014**

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**SINGLE OUTCOME AGREEMENT ANNUAL REPORT 2012-13**

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**1. SUMMARY**

- 1.1. This report outlines the submission by Community Planning Partnerships (CPP) of Single Outcome Agreement (SOA) annual reports covering 2012-13.

**2. RECOMMENDATIONS**

It is recommended that Council:

- 2.1. Notes that the PRS Committee scrutinised and noted the SOA Annual Report 2012-13
- 2.2. Reviews the performance information contained in the SOA Annual Report 2012-13

**3. DETAIL**

- 3.1. The approach to SOA reporting this year continues to be based on the same scope as in previous years.
- 3.2. Previously there has been guidance published by Scottish Government on the key areas to focus on for the annual reports but none was issued in 2013.
- 3.3. The 2012-13 report brings to a close the Argyll and Bute Community Plan and Single Outcome Agreement 2012-13 and highlights the progress made towards the local and the national outcomes made by Argyll and Bute Community Planning Partnership. The report contains performance information on 15 of the 16 national outcomes that were included in the SOA.
- 3.4. Performance is set out against the success measures which underpin each of the national outcomes. Data and commentary has been provided by community planning partners.
- 3.5. The Performance Review and Scrutiny Committee considered the report at its meeting on 21 November 2013 and noted the report.

#### 4. CONCLUSION

- 4.1. The SOA annual report highlights performance by partners against the Argyll and Bute Community Planning Partnership local outcomes and 15 of the 16 national outcomes which were used in the Community Plan and SOA 2012-13.

#### 5. IMPLICATIONS

Policy None

Financial None

HR None

Legal Under the Local Government Scotland Act 2003, it is the duty of the local authority to make arrangements for the reporting to the public of the outcome of the performance of its functions.

Equal Opportunities None

Risk There is a risk to the council if it did not publish performance information that complies with its duties under the Act.

Customer Service Providing clear and accessible information to the public on council services and their performance is an important component of good customer service.

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Attachments:  
Community Plan and SOA Annual report 2012-13





Argyll and Bute  
**Community Plan**  
 and Single Outcome Agreement  
**Annual Report 2012-2013**

produced by the Argyll and Bute Community Planning Partnership  
 Nì sinn le chèile gach nì a tha nar comas  
 Realising our potential together

# Argyll and Bute Community Plan and Single Outcome Agreement

## Annual Report 2012-13

For further information contact:  
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## **Introduction**

The Argyll and Bute combined Community Plan and Single Outcome Agreement (SOA) 2012-13 was a one year plan which continued to ensure that Argyll and Bute contributes to the delivery of the Government's national outcomes and delivers better outcomes for our communities.

Argyll and Bute's SOA has been agreed by all members of the Community Planning Partnership (CPP). This includes elected members, public and private sector organisations and community and voluntary organisations.

The SOA binds partners in a joint agreement to deliver services collectively in the best interests of and in partnership with the communities and individuals in Argyll and Bute.

The Annual SOA report to the Scottish Government sets out how Argyll and Bute CPP has contributed towards the fulfilment of the Government Purpose and the National Outcomes.

This report presents performance information on progress towards the 16 National Outcomes and this is illustrated by a green/amber/red status at success measure level.

- Of the 137 measures that are in the combined Community Plan and SOA:
- 110 (80.3%) are green and have improved from the previous year *or* are exceeding the targets that have been set. In some cases, performance is moving steadily toward the long term target but has not yet reached it.
- 27 (19.7%) have seen performance fall or have not met the targets that have been set.

The report outlines progress against the national outcomes, and details the success measures that have been identified for each outcome. The report also contains supporting narrative relating to the performance of the success measures identified. The report is based on the available data for the financial year 2012/13.

## CPP Themes and National Outcomes

CPP Theme	National Outcomes
Argyll and Bute Community Planning Partnership	15 – Our public services are high quality, continually improving, efficient and responsive to local people’s needs.
Economy	1 – We live in a Scotland that is the most attractive place for doing business in Europe. 2 – We realise our full economic potential with more and better employment opportunities for our people. 3 – We are better educated, more skilled and more successful, renowned for our research and innovation.
Environment	10 – We live in well designed, sustainable places where people are able to access the amenities and services they need. 12 – We value and enjoy our built and natural environment and protect it and enhance it for future generations. 14 - We reduce the local and global environmental impact of our consumption and production.
Social Affairs	3 – We are better educated, more skilled and more successful, renowned for our research and innovation. 4 – Our young people are successful learners, confident individuals, effective contributors and responsible citizens. 5 – Our children have the best start in life and are ready to succeed. 6 - We live longer, healthier lives. 7 – We have tackled the significant inequalities in Scottish life. 8 – We have improved the life chances for children, young people and families at risk. 9 – We live our lives safe from crime, disorder and danger.
3 <sup>rd</sup> Sector and Communities	7 – We have tackled the significant inequalities in Scottish life. 11 – We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others. 13 – We take pride in a strong, fair and inclusive national identity.








## Economy

We need our people to have the right skills and attitudes to seize opportunities. We need to ensure that our economy is diverse, dynamic and highly adaptable with the ability to attract people of all ages to live and work here.



Local Outcomes	National Outcomes
<p>CPP 1 – Argyll and Bute has more businesses operating in the area, creating more jobs.</p> <p>CPP 2 – We have a skilled and competitive workforce capable of attracting employment to Argyll and Bute</p> <p>CPP 3 – We have contributed to an environment where existing and new businesses can succeed.</p> <p>CPP 4 – Our transport infrastructure adapts and develops to meet the social and economic needs of our communities</p>	<p>1 We live in a Scotland that is the most attractive place for doing business in Europe.</p> <p>2 We realise our full economic potential with more and better employment opportunities for our people.</p> <p>3 We are better educated, more skilled and more successful, renowned for our research and innovation.</p>

**Local Outcome 1 – Argyll and Bute has more new businesses operating in the area, creating more jobs.**








Ref	Lead Organisation	Success measures	Commentary	Status
CPP 01.01	Argyll and Bute Council	Number of job outcomes	In 2012-13, 481 customers secured employment through the Work Programme. To date the Employability Team and partner organisations have achieved 674 job starts and the service is one of the top sub-contractors for Working Links in terms of the provision of sustainable job outcomes. Indeed the Argyll and Bute Employability Team is currently second out of 14 of Working Links subcontractors in Scotland with regard to job entry rates and is achieving 71.5% in terms of job entries being converted to sustainable job outcomes.	 Green





CPP 01.02	Argyll and Bute Council	Number of referrals from Jobcentre Plus	The Argyll and Bute Employability Team and associated partners have now completed two full years of delivery in relation to the Work Programme (commenced on 1st June 2011, however for deliver purposes the years are ending at 31st March). Towards the end of year 2012-13 there has been a reduction in the number of referrals to the Work Programme, however this was to be expected as we moved to the end of year two of the programme. Referrals are now levelling off in terms of customer groups apart from the ESA group (Employment and Support Allowance), of which we are beginning to see more referrals coming through. This is being put down to the new readiness for work assessments being carried out, meaning more of those customers further removed from the jobs market are now being referred.	 Green
CPP 01.03	Argyll and Bute Council	No of business start-ups supported	This is the first time in Business Gateway's four years of operating in Argyll that the target for the number of start-ups supported was not achieved. For the year 2012-13, 115 start-ups were supported against a target of 143 (80% achieved).	 Red
CPP 01.04	Argyll and Bute Council	No of existing businesses supported	For the year 2012-13, 257 existing businesses have been supported against a target of 255 (100% achieved).	 Green
CPP 01.05	HIE	Number of account managed businesses supported	40 account managed businesses were supported in 2012-13 reaching the target set. Trading conditions have been challenging in many sectors including tourism and number of business investments have been delayed or deferred.	 Green






CPP 01.06	HIE	Number of social enterprises supported to increase social impacts	19 social enterprises supported to increase social impacts against a target of 15. The public funding environment remains challenging though we do have a number of successful and ambitious social enterprises that continue to flourish with appropriate support. HIE support is focused on those social enterprises with the greatest potential to grow and those in our most fragile communities.	 Green
CPP 01.07	HIE	Jobs created within fragile areas	Over 30 jobs were created against a target of 20 in 2012-13.	 Green

**Local Outcome 2 – We have a skilled and competitive workforce capable of attracting employment to Argyll and Bute.**






Ref	Lead Organisation	Success measures	Commentary	Status
CPP 02.01	Argyll and Bute Council	Increase the number of adults achieving learning outcomes through CBAL (Community Based Adult Learning).	In 2012-13, 124 adults achieved outcomes through CBAL against a target of 100.	 Green
CPP 02.02	Third Sector Partnership	Increase number of third sector staff upskilled to 210 by March 2013.	214 members of third sector staff were upskilled through training in 2012-13 against a target of 210.	 Green
CPP 02.03	Third Sector Partnership	Ensure personal confidence and development of individuals is improved through the delivery of 50 Community Based Training courses by March 2013.	The Third Sector Partnership delivered 86 CBT courses in 2012/13 against a target of 50.	 Green
CPP 02.04	Third Sector Partnership	Increase the number of volunteers or course participants finding employment through gaining skills to 12 by March 2013.	17 volunteers or course participants found employment through gaining skills in 2012-13.	 Green
CPP 02.05	Third Sector Partnership	Deliver 8 accredited courses/workshops by March 2013.	11 accredited courses/workshops delivered in 2012-13.	 Green
CPP 02.06	Third Sector Partnership	Deliver 28 unaccredited courses workshops by March 2013.	47 unaccredited courses/workshops delivered in 2012-13.	 Green
CPP 02.07	Economy CPP Thematic Group	Maintain the number of people in employment and self-employment rate (working age population, 16-64 years)	The number of people in employment decreased over the period of 2012-13 from 39,100 to 38,400. Over the same period the self-employment rate decreased from 12.2% to 12.1%.	 Red

CPP 02.08	Economy CPP Thematic Group	No of unemployed and long term unemployed	The number of unemployed at the end of 2012-13 was 1,908 which was slightly lower than the figure at the end of 2011-12 of 2,033. Similarly, the number of long term unemployed at the end of 2012-13 was 810 against a figure of 920 at the end of 2011-12.	 Green
CPP 02.09	Argyll and Bute Council	Increase number of employability customers securing employment for 6months+	In 2012-13, 481 customers secured employment through the Work Programme. To date the Employability Team and partner organisations have achieved 674 job starts and the service is one of the top sub-contractors for Working Links in terms of the provision of sustainable job outcomes. Indeed the Argyll and Bute Employability Team is currently second out of 14 of Working Links subcontractors in Scotland with regard to job entry rates and is achieving 71.5% in terms of job entries being converted to sustainable job outcomes.	 Green
CPP 02.10	Economy CPP Thematic Group	Increase in Youth Employment (16-24 years)	A youth employment summit was held in Oban in November which brought together a number of stakeholders including politicians, public sector partners, the business community and school pupils to ensure a joint partnership approach to youth employment issues.	 Green
CPP 02.11	Argyll College	Open new engineering training centre to provide general engineering but also specific renewable training	A new engineering centre was opened on 31 <sup>st</sup> October 2012 and the first students started on this date.	 Green

### Local Outcome 3 – We have contributed to an environment where existing and new businesses can succeed

Ref	Lead Organisation	Success measures	Commentary	Status
CPP 03.01	Argyll and Bute Council	% CHORD full business cases complete	Over the course of 2012-13, 8 business cases scheduled for completion were approved.	 Green
CPP 03.02	Argyll and Bute Council	Grants awarded to LEADER projects in rural areas of Argyll and the Islands	During 2012-13, an additional £1,410,647 funding was awarded bringing the total for the LEADER program to £8,178,508.	 Green
CPP 03.03	Argyll and Bute Council	Improve the speed and determination of planning applications.	The % of all planning applications processed within 2 months was 68.6% at the end of 2012-13 against a target of 70%.	 Red

## Local Outcome 4 – Our transport infrastructure adapts and develops to meet the social and economic needs of our communities




Ref	Lead Organisation	Success measures	Commentary	Status
CPP 04.01	Argyll and Bute Council	Planned roads repairs as a % of revenue budget	At the end of 2012-13, the planned road repairs as a % of the revenue budget was 89% against a target of 70%.	 Green
CPP 04.02	Argyll and Bute Council	Category 1 road defects repaired in accordance with the roads asset management plan	93.4% of reported Category 1 road defects were repaired by the end of the next working day in 2012-13 against a target of 90%.	 Green
CPP 04.03	Argyll and Bute Council	Average response time for completing of planned pre-salting of roads	At the end of 2012-13, the average response time for completion of planned pre-salting was 1.95 hours against a target of 2.5 hours.	 Green
CPP 04.04	Argyll and Bute Council	Street Lighting faults repaired in 7 days	92% of street lighting faults were repaired within 7 days in 2012-13 against a target of 88%.	 Green
CPP 04.05	Argyll and Bute Council	Streetscene - % overall street cleanliness	The cleanliness index achieved following inspection of a sample of streets and other relevant land at the end of 2012-13 was 75% against a target of 74%.	 Green

## Environment









Argyll and Bute is an area of great natural beauty and diversity. We have huge natural potential for energy generation, food and drink, leisure and tourism. We need to develop the area further, whilst protecting and enhancing what makes it attractive.

Local Outcomes	National Outcomes
<p>CPP 5 – The places where we live, work and visit are well planned, safer and successful, meeting the needs of our communities.</p> <p>CPP 6 – we contribute to a sustainable environment.</p> <p>CPP 7 – the full potential of our outstanding built and natural environment is realised through partnership working.</p>	<p>10 We live in well designed, sustainable places where people are able to access the amenities and services they need.</p> <p>12 We value and enjoy our built and natural environment and protect it for future generations.</p> <p>14 We reduce the local and global environmental impact of our consumption and production.</p>

**Local Outcome 5 – The places we live, work and visit are well planned, safer and successful, meeting the needs of our communities.**





Ref	Lead Organisation	Success measures	Commentary	Status
CPP 05.01	Environment Thematic Group	Limiting climate change and adapting to its effects	No new measure identified yet for the Community Planning Partnership. All partners are continuing to work at carbon reduction within their own respective organisations.	 Red
CPP 05.02	Argyll and Bute Council	% of building warrants responded to within 20 days	At the end of 2012-13, 95% of building warrants were responded within 20 days against a target of 80%.	 Green
CPP 05.03	Argyll and Bute Council	% of building warrants issued within 6 days	At the end of 2012-13, 97% of building warrants were issued within 6 days against a target of 80%.	 Green

## Local Outcome 6 – We contribute to a sustainable environment.

Ref	Lead Organisation	Success measures	Commentary	Status
CPP 06.01	Argyll and Bute Council	Reduction in Councils Carbon emissions.	Information to the end of 2012-13 shows carbon reduction of 4,337 tonnes CO2 per annum, highlighting an improvement on the 2011-12 end of year figure of 3,815 tonnes.	 Green
CPP 06.02	Argyll and Bute Council	% utilisation of light vehicle	The use of light vehicle fleet for 2012-13 was 65.4% against a target of 60%.	 Green
CPP 06.03	Argyll and Bute Council	Reduce the average subsidy per passenger accessing council funded public transport to £1.58	The average subsidy per passenger accessing council funded public transport was £2.75 in 2012-13 which is an increase from £2.55 at the end of 2011-12. The figures take account of seasonal fluctuations in bus passenger numbers.	 Red
CPP 06.04	Argyll and Bute Council	No of tonnes of Biodegradable Municipal Waste to landfill	In 2012-13, 20,902 tonnes of biodegradable municipal waste was sent to landfill against a target of no more than 21,500 tonnes.	 Green
CPP 06.05	Argyll and Bute Council	Increased Recycling ,composting and recovery rate for household waste	In 2012-13, 46% of waste was recycled and composted against a target of 40%.	 Green
CPP 06.06		All CPP MC meeting provide VC as an option	100% of CPP Management Committee meetings in 2012-13 were held with provision of VC facilities.	 Green
CPP 06.07	Argyll and Bute Council	Streetscene - % overall street cleanliness	The cleanliness index achieved following inspection of a sample of streets and other relevant land at the end of 2012-13 was 75% against a target of 74%.	 Green
CPP 06.08	Argyll and Bute Council	Improve the quality of drinking water from private water supplies	At the end of 2012-13, 98% of all category A water supplies met the EC standards against a target of 90%.	 Green



**Local Outcome 7 – The full potential of our outstanding built and natural environment is realised through partnership working**





Ref	Lead Organisation	Success measures	Commentary	Status
CPP 07.01	Loch Lomond and Trossachs National Park	Loch Lomond and Trossachs National Park Plan 2012-17 Approved	The Loch Lomond and Trossachs National Park Plan was approved by Scottish Ministers and launched by Cabinet Secretary for Rural Affairs and the Environment in June 2012.	 Green
CPP 07.02	CPP Env Thematic Group	Promote woodland creation and restructuring in accordance with the SFP through implementation of 2012 – 13 elements of strategic forestry plan	National woodland cover target is already achieved in Argyll and Bute.	 Green
CPP 07.03	Argyll and Bute Council	Core paths plan adopted	The Core Paths Plan has been submitted to the Scottish Ministers and, due to there being 138 outstanding objections; it has been passed to the Directorate for Planning & Environmental Appeals (DPEA) for a Local Inquiry. This is likely to take until the third quarter of FY 2013-14 because of the number of objections.	 Green
CPP 07.04	Argyll and Bute Council	Community benefit framework to secure social economic benefit for Argyll and Bute developed.	Draft concordats have been drawn up with Scottish Power Renewables and Burcot Wind. These have been examined by Legal Services and, following formal sign off by both parties, are awaiting confirmation of a launch date. In addition a concordat is also being drawn up with Scottish and Southern Energy and should be available in draft in FQ1 2013-2014. These new concordats reflect the increased payment per MW of £5,000.	 Red

## Social Affairs







We want to deliver the best services for our customers. To do this we need to have policies, protocols and processes that focus on our customers' needs. Our employees need to have the right skills and tools to do their jobs. We need to make the most of our resources by workign with our partners to deliver servcies in a different way.




Local Outcomes	National Outcomes
<p>CPP 8 – Our children are protected and nurtured so that they can achieve their potential.</p> <p>CPP 9 – Our people are supported to live more active, healthier and independent lives.</p> <p>CPP 10 – We work with our partners to tackle discrimination.</p> <p>CPP 11 – Vulnerable children and families are protected and are supported in sustainable ways within their communities.</p> <p>CPP 12 – Our young people have the skills, attitudes and achievements to succeed throughout their lives.</p> <p>CPP13 – The impact of alcohol and drugs on our communités, and on the mental health of individuals, is reduced.</p> <p>CPP 14 – The places where we live, work and visit are well planned, safer and successful, meeting the needs of our communities.</p>	<p>3 We are better educated, more skilled and more successful, renowned for our research and innovation.</p> <p>4 Our young people are successful learners, confident individuals, effective contributors and responsible citizens.</p> <p>5 Our children have the best start in life and are ready to succeed.</p> <p>6 We live longer, healthier lives.</p> <p>7 We have tackled the significant inequalities in Scottish life.</p> <p>8 We have improved the life chances for children, young people and families at risk.</p> <p>9 We live our lives safe from crime, disorder and danger.</p>

## Local Outcome 8 – Our children are protected and nurtured so that they can achieve their potential.


Ref	Lead Organisation	Success measures	Commentary	Status
CPP 08.01	Argyll and Bute Council	Maintain the percentage of care leavers with a pathway plan at 100%.	Throughout 2012-13, 100% of care leavers had a pathway plan.	 Green
CPP 08.02	Argyll and Bute Council	Increase the percentage of children on Child Protection Register (CPR) with a current risk assessment to 100%.	At the end of 2012-13, 96% of children on Children Protection Register had an up to date risk assessment showing a slightly improved level of performance from 94% at the end of 2011-12.	 Green
CPP 08.03	Argyll and Bute Council	Ensure the number of child protection repeat registrations remains at 0.	At the end of 2012-13, there were no children protection repeat registrations.	 Green
CPP 08.04	Argyll and Bute Council	Increase the percentage of children affected by disability receiving community based support to 80%.	At the end of 2012-13, 79% of children affected by disability were receiving community based support showing a slightly improved level of performance that was recorded in 2011-12 of 77%.	 Green

## Local Outcome 9 –Our older people live more active, healthier and independent lives.







Ref	Lead Organisation	Success measures	Commentary	Status
CPP 09.01	Argyll and Bute Council	Increase the number of enhanced Telecare packages to 370.	The number of enhanced Telecare packages at the end of 2012-13 was 402.	 Green
CPP 09.02	Argyll and Bute Council	Decrease the number of Adult Care unallocated cases after 5 working days to 50.	The number of Adult Care unallocated cases after 5 working days was 32 at the end of 2012-13.	 Green
CPP 09.03	Argyll and Bute Council NHS	Increase the percentage of older people receiving care in the community versus residential care or NHS continuing care beds to 70/30%.	At the end of 2012-13, 72% of older people were receiving care in the community.	 Green
CPP 09.04	Argyll and Bute Council	Increase the number of visits to Council Gyms per 1000 population to 125.	The number of visits to Council Gyms per 1000 population was 178 at the end of 2012-13.	 Green
CPP 09.05	Argyll and Bute Council	Increase the number of visits to Council pools per 1000 population to 200.	The number of visits to Council Gyms per 1000 population was 295 at the end of 2012-13.	 Green
CPP 09.06	NHS	Increase or maintain % of adults with good or very good self-perception of their health to 76%	76% of adults reported good or very good self-perception of their health against a target 76%. The next release of data at Argyll and Bute level will be in August 2013 through the Scottish Household Survey.	 Green


CPP 09.07	NHS	Increase or maintain self-reported life satisfaction (Likert scale 0 – 10, 0 being very dissatisfied and 10 being extremely satisfied)	The next release of data at Argyll and Bute level will be in August 2013 through the Scottish Household Survey. No data available since 2009/10.	 Green
CPP 09.08	NHS	Increase the number of people supported to be smoke free one month after planned quit date to 840.	The number of people supported to be smoke free one month after planned quit date was 1,012 at the end of 2012-13.	 Green
CPP 09.09	NHS	Increase the % of mothers breastfeeding	Overall, 30% of mothers' are breastfeeding their new-born children against a target of 36%.	 Red

**Local Outcome 10 – We work with our partners to tackle discrimination.**

Ref	Lead Organisation	Success measures	Commentary	Status
CPP 10.01	NHS	Deliver training on Lesbian, Gay, Bisexual and Transgender issues.	3 training courses were delivered by NHS on Lesbian, Gay, Bisexual and Transgender issues against a target of 2 in 2012-13.	 Green








**Local Outcome 11 – Vulnerable adults, children and families are protected and are supported in sustainable ways within their communities.**






CPP 11.01	Argyll and Bute Council	GIRFEC Increase the percentage of Looked After and Accommodated Children (LAAC) in Care over 12 months with a Plan for Permanence.  GIRFEC = Getting It Right For Every Child	At the end of 2012-13, 51% of LAAC in Care over 12 months had a plan for permanence against a target of 75%.  The Children and Families Service is collaborating with Centre for Excellence for Looked After Children in Scotland to review our approach to permanence. The approach will be incorporated into the LAC Plan. Key to the approach will be streamlining our processes, a program of staff training and improved arrangements for tracking each permanency case.	 Red
CPP 11.02	Argyll and Bute Council	GIRFEC Increase the percentage of Community Childminders Receiving Good or Above in Care Inspectorate inspections to 100%.	100% of active community childminders achieved the Care Inspectorate grading of “Good”, grade 4, or above during 2012-13 showing an improvement of 91% in 2011-12.	 Green
CPP 11.03	Argyll and Bute Council	Increase the percentage of Children on the Child Protection Register (CPR) with no Change of Social Worker	82% of children on the Child Protection Register had no change of social worker in 2012-13 against a target of 75%.	 Green
CPP 11.04	Argyll and Bute Council	Reduce the number of people awaiting free personal care (FPC) within their homes 0-4 weeks to zero.	There were no people awaiting Free Personal Care within their home for 0-4 weeks in 2012-13.	 Green
CPP 11.05	Argyll and Bute Council	Reduce the total number of delayed discharge clients within Argyll and Bute.	At the end of 2012-13, there were 13 delayed discharge clients within hospitals in Argyll and Bute against a year-end target of 20.	 Green
CPP 11.06	Third Sector Partnership	Increase the number of older people who are supported to live independently for longer through third sector interventions and support to 600.	At the end of 2012-13, there were 665 cases of older people supported to live independently through third sector interventions.	 Green

CPP 11.07	Third Sector Partnership	Increase the number of people engaged in activities and reporting improved mental health and well-being, over a minimum of 6 month period to 600.	At the end of 2012-13, there were 415 cases of people engaged in activities and reporting improved mental health and well-being. Individuals engaged in activities and reporting mental health and well-being are tracked over a 6 month period so the date of the assessment is dependent on the date of registration.	 Red
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**Local Outcome 12 – Our young people have the skills, attitudes and achievements to succeed throughout their lives.**








Ref	Lead Organisation	Success measures	Commentary	Status
CPP 12.01	Argyll and Bute Council	Curriculum for Excellence; basket of 7 indicators Increase the positive outcomes for pupils across Argyll and Bute.	Curriculum for Excellence is a basket of 7 indicators, all of which are on track	 Green
CPP 12.02	Argyll and Bute Council	Increase the percentage of S6 students attaining 1 or more subjects at level 7 or better to 17%.	21% of S6 students attaining 1 or more subjects at level 7 or better against the authority target of 17% and the national average of 16% in academic year 2011/12.	 Green
CPP 12.03	Argyll and Bute Council	Increase the percentage of S5 students attaining 5 or more subjects at level 6 to 13%.	11% of S5 students attaining 5 or more subjects at level 6 or better against the authority target of 13% and the national average of 13% in academic year 2011/12.	 Red
CPP 12.04	Argyll and Bute Council	Increase the percentage of S6 students attaining 5 or more subjects at level 6 or better to 23%.	27% of S6 students attaining 5 or more subjects at level 6 or better against the authority target of 23% and the national average of 25% in academic year 2011/12.	 Green
CPP 12.05	Argyll and Bute Council	Increase the percentage of S5 students attaining 3 or more subjects at Level 6 to 26%.	24% of S5 students attaining 3 or more subjects at Level 6 against the authority target of 26% and the national average of 27% in academic year 2011/12.	 Red
CPP 12.06	Argyll and Bute Council	Increase the percentage of S4 students attaining 5 or more subjects at Level 4 or better to 82%.	81% of S4 students attaining 5 or more subjects at Level 4 or better against the authority target of 82% and the national average of 80%.	 Red
CPP 12.07	Argyll and Bute Council	Increase the percentage of S4 students attaining 5 or more subjects at level 5 or better to 38%.	41% of S4 students attaining 5 or more subjects at level 5 or better against authority target of 38% and the national average of 37%.	 Green




CPP 12.08	Argyll and Bute Council	Ensure 3 school reviews are completed each quarter.	3 school reviews were completed in 2012-13. As a result of the theme of 'school review' being selected for the Validated Self-Evaluation (VSE), it was decided not to undertake any school review until the VSE was completed	 Red
CPP 12.09	Argyll and Bute Council	Increase the percentage of school leavers going to a positive destination to 87%.	The % of school leavers going to a positive destination was 90.1% against a target of 87% for academic year 2011-12.	 Green
CPP 12.10	Argyll and Bute Council	Increase the number of interactions between young people and youth services to 16,000 per year.	The number of interactions between young people and youth services was 17,944 in 2012-13.	 Green
CPP 12.11	Argyll and Bute Council	Increase the number of participants in activities that improve literacy and numeracy to 1200 per year.	The number of participants in activities that improve literacy and numeracy was 1251 in 2012-13.	 Green
CPP 12.12	Argyll and Bute Council	Increase the number of young people who are re-engaged with training or education following interventions from third sector to 30.	16 young people were re-engaged with training or education following interventions in 2012-13. The Third Sector Partnership embarked on their own projects to address these issues.	 Red

**Local Outcome 13 – The impact of alcohol and drugs on our communities, and on the mental health of individuals, is reduced.**

Ref	Lead Organisation	Success measures	Commentary	Status
CPP 13.01	NHS	Reduced incidence of hazardous alcohol consumption through delivery of Alcohol Brief Interventions (ABIs)	The cumulative figure for 2012-13 up to this stage was 1,145 showing an increase in numbers compared with 1,018 in 2011-12.	 Red
CPP 13.02	NHS	Reduce or maintain current rates of hospitalisation from alcohol related conditions to 1,117 per 100,000 population.	The rate of hospitalisation from alcohol related conditions decreased to 804/100,000 population in 2011/12 against performance of 825/100,000 population in 2010/11.	 Green
CPP 13.03	Argyll and Bute Council NHS	Increase the % of clients waiting less than 5 weeks from referral to appropriate drug or alcohol treatment to 90%.	The % of clients waiting less than 5 weeks from referral to appropriate drug or alcohol treatment has increased to 96% over the course of 2012-13 against a target of 90%.	 Green

Local Outcome 14 – The places where we live, work and visit are well planned, safer and successful, meeting the needs of our communities.				
Ref	Lead Organisation	Success measures	Commentary	Status
CPP 14.01	Argyll and Bute Council	Increase the percentage of Unpaid Work Orders (UWOs) commenced within 7 working days.	At the end of 2012-13, 85% of Unpaid Work Orders had commenced within 7 days against a target of 85%.	 Green
CPP 14.02	Argyll and Bute Council	Increase the percentage of Community Payback Order (CPO) supervision cases seen without delay (5 days).	At the end of 2012-13, the percentage of Community Payback order supervision cases seen without delay was 92% showing a continued level of performance from 2011-12.	 Green
CPP 14.03	Argyll and Bute Council	Increase the percentage of Breach Applications Successfully Completed to 100%.	100% of Breach Applications successfully completed by the end of 2012-13.	 Green
CPP 14.04	Argyll and Bute Council	Increase Homeless Priority Need Determinations.	100% of households assessed as homeless were determined as priority need for accommodation in 2012-13.	 Green
CPP 14.05	Argyll and Bute Council	Maintain the percentage of Positive Outcomes for Welfare Rights Clients.	At the end of 2012-13, the percentage of positive outcomes for Welfare Rights Clients was 72% against a target of 80%. The impact of Welfare Reform had a negative impact in relations to appeals outcomes.	 Red
CPP 14.06	Argyll and Bute Council	Ensure four Community Safety Forum Meetings take place every quarter.	In 2012-13, 16 Community Safety Forum meetings were held (four in each of the four admin areas) achieving the target set.	 Green

CPP 14.07	Argyll and Bute Council	Reduce or maintain the time to obtain permanent housing for priority needs households.	At the end of 2012-13 the time taken to obtain permanent housing for priority needs households was 41 weeks which highlights a significant improvement from the end of 2011-12 when the level of performance was 62 weeks.	 Green
CPP 14.08	Argyll and Bute Council	Increase the number of people accessing housing advice and information.	Over the period of 2012-13 there was a reduction in the number of homeless applications which has led to a reduction in the number of people approaching the service for advice. 636 people approached the service in FQ4 2011-12 and this dropped to 458 for FQ4 2012-13.	 Red
CPP 14.09	Argyll and Bute Council	Increase the percentage of anti-social cases resolved to 50%.	At the end of 2012-13, 55.6% of anti-social cases had been resolved against a target of 50%.	 Green
CPP 14.10	Strathclyde Police	Reduce the number of incidents involving crimes of violence to 122.	The number of incidents involving crimes of violence for 2012-13 was 78.	 Green
CPP 14.11	Strathclyde Police	To maintain the high detection rate for crimes of violence.	The detection rate for crimes of violence in 2012-13 was 100% against a target of 77.1%.	 Green
CPP 14.12	Strathclyde Police	To reduce the number of incidents of complaints / disturbances involving youths.	There were 359 incidents of complaints/disturbances involving youths against a target of 1070.	 Green
CPP 14.13	Strathclyde Police	To increase the number of speeding offences detected in an effort to positively influence driver behaviour.	The number of speeding offences detected in 2012-13 was 1,756 against a target of 713.	 Green



CPP 14.14	Strathclyde Fire and Rescue	Reduce the incidences of accidental dwelling fires by 5% each year to 2020.	The number of incidences of accidental dwelling fires in 2012-13 was 71 against a target of 144 and this measure has shown continuous improvement.	 Green
CPP 14.15	Strathclyde Fire and Rescue	Provide better advice and information on preventing fires by increasing the number of Home Fire Safety Visits by 10%.	The number of Home Safety Visits rose to 1,017 in 2012-13 against a target of 396.	 Green
CPP 14.16	Strathclyde Fire and Rescue	By working in partnership with local partners and businesses we will aim to provide 100% availability of Retained and Volunteer Duty Fire personnel.	At the end of the 2012-13, 92.5% of Retained and Volunteer Duty Fire personnel were available. The current availability rate of these personnel is regarded as one of the highest across the Western Service Delivery Area and should be commended.	 Red

## Third Sector and Communities


There are long distances between the places where we live, work and visit and some of our communities are very small. We need to find innovative ways of delivering services to make sure our communities are strong, resilient to change, fair and inclusive.

Local Outcomes	National Outcomes
<p>CPP 15 - We work with our partners to tackle discrimination</p> <p>CPP 16 - Our Third Sector and Community Councils have access to information and support, including training opportunities.</p> <p>CPP 17 – Our partners are able to be fully engaged in the way our services are delivered.</p> <p>CPP 18 – We engage with our partners, our communities and our customers to deliver.</p>	<p>7 We have tackled the significant inequalities in Scottish life.</p> <p>11 We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.</p> <p>13 We take pride in a strong, fair and inclusive national identity.</p>


## Local Outcome 15 – We work with our partners to tackle discrimination.

Ref	Lead Organisation	Success measures	Commentary	Status
CPP 15.01	NHS	(Number of) Third Sector organisations supported to develop equal opportunities policies	The Third Sector Partnership supported 33 organisations to develop equal opportunities policies against a target of 65. Organisations did not see this as a priority. The Third Sector Partnership worked with The Office of the Scottish Charity Regulator and The Equality and Human Rights Commission to raise awareness on equalities.	 Red
CPP 15.02	Third Sector Partnership	To increase the detection rate for domestic abuse crimes	At the end of 2012-13, the detection rate for domestic abuse crimes was 83% against a target of 78%.	 Green















CPP 15.03	Strathclyde Police	To maintain the high detection rate for racially motivated crimes and offences	At the end of 2012-13, the detection rate for racially motivated crimes and offences was 85% showing an improved performance against 81% in 2011-12. During the financial year there have been 27 reported incidents involving racially motivated crimes with 23 being detected. Of the remaining four crime reports, one is still under inspection, with the others relating to one vandalism involving graffiti, and two breach of the peace incidents. In all incidents, enquiries failed to trace additional witnesses or identify accused persons, with victims not knowing the identities of any suspects.	 Green
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**Local Outcome 16 – Our Third Sector and Community Councils have access to information and support, including training opportunities.**

Ref	Lead Organisation	Success measures	Commentary	Status
CPP 16.01	Argyll and Bute Council	Community benefit framework to secure social economic benefit for Argyll and Bute developed.	Draft concordats have been drawn up with Scottish Power Renewables and Burcot Wind. These have been examined by Legal Services and, following formal sign off by both parties, are awaiting confirmation of a launch date. In addition a concordat is also being drawn up with Scottish and Southern Energy and should be available in draft in FQ1 2013-2014. These new concordats reflect the increased payment per MW of £5,000.	 Red








CPP 16.02	Argyll and Bute Council	Three procurement workshops delivered per year	No procurement workshops were delivered in 2012-13. A training needs analysis of the sector was undertaken and a programme of training devised to match requirements and delivered through Supplier Development Programme.	 Red
CPP 16.03	Argyll and Bute Council	Procurement needs analysis of Third Sector, and appropriate training delivered	Needs analysis of Third Sector completed.	 Green
CPP 16.04	Argyll and Bute Council Third Sector Partnership	Step-by-step Guide to delivery of services by Social Enterprises produced	A step-by-step Guide produced with a revised launch date of final report and case studies of June 2013.	 Green
CPP 16.05	Argyll and Bute Council Third Sector Partnership	(Number of) training courses/hours delivered to the Third Sector	172 training courses were delivered to the Third Sector in 2012-13 against a target of 60.	 Green
CPP 16.06	Third Sector Partnership	Levels of bespoke training delivered to strengthen third sector (number organisations receiving)	211 organisations received bespoke training against a target of 150 in 2012-13.	 Green
CPP 16.07	Argyll and Bute Council Third Sector Partnership	Number of resources designed and supplied through TSP to upskill and advise sector	In 2012-13, 24 resources were designed and supplied to upskill and advise sector against a target of 30. The figure of 24 is for Argyll Voluntary Action only as this has not been a priority measure for other Third Sector partners	 Red
CPP 16.08	Argyll and Bute Council NHS	Increase in new applicants/projects for Third Sector and Health Improvement grants	There were 54 new applicants/projects for Health Improvement grants against a target of 42. There were 89 new applicants/projects for Third Sector grants against a target of 74.	 Green



CPP 16.09	Argyll and Bute Council Third Sector Partnership	(Number of) organisations given funding advice	In 2012-13, 872 organisations were given funding advice against a target of 400.	 Green
CPP 16.10	Argyll and Bute Council Third Sector Partnership	At least 100 Third Sector organisations report that the funding newsletter they receive is used to identify and apply for funding	In 2012-13, 202 Third Sector organisations reported use of the funding newsletter to identify and apply for funding against a target of 100.	 Green
CPP 16.11	Argyll and Bute Council	At least 100 organisations are using Grantnet to access funding opportunities.	In 2012-13, 273 organisations were using Grantnet to access funding opportunities against a target of 100.	 Green
CPP 16.12	Third Sector Partnership	Increased sustainability through leveraged funding (number posts protected)	In 20102-13, 23 posts were safeguarded by funding brought into Argyll and Bute against a target of 12.	 Green
CPP 16.13	Third Sector Partnership	Number of voluntary organisations assisted to start up	In 2012-13, 25 voluntary organisations were assisted to start up by the Third Sector Partnership against a target of 30. Six of the start-ups have taken longer than expected and are taking considerable time to come to fruition. Greater complexity has slowed some of these processes which meant the target could not be achieved by year end.	 Red
CPP 16.14	Third Sector Partnership	Improved levels of adherence to mandatory requirements – supported through advice, services (number interventions)	In 2012-13, there were 212 interventions against a target of 80.	 Green
CPP 16.15	Third Sector Partnership	Volunteer Awards delivered and attended by 100+ people from the Third Sector	The Volunteer Awards event was held on 8 June 2012 with a total of 109 attendees against a target of 100.	 Green

CPP 16.16	Third Sector Partnership	Number of people placed into volunteering/engaged in volunteering. These are then split between unemployed, over 65, people who declare a health issue and under 25	In 2012/13, 912 people were placed into volunteering or engaged in volunteering against a target of 1,400. However, there was a change in reporting which meant that only newly placed volunteers can be reported rather than the total number. The overall number for 2012-13 was 2,713.	 Green
CPP 16.17	Third Sector Partnership	Number of volunteer organisational opportunities – which gives picture of health of voluntary sector and number of available options	In 2012-13, there were 604 volunteer organisational opportunities against a target of 800.	 Red
CPP 16.18	Third Sector Partnership	Number of young people engaged with and completing awards for Millennium Volunteering (Saltire from March 2012)	In 2012-13, 304 young people were engaged and completed awards for Millennium Volunteering. The program changed in March 2013 to Saltire. This was a transition year and initially young people were not permitted to carry over MV hours into Saltire (98 young people were affected), resulting in 'losing' a number of young people and some schools opting out for a time. The national decision has been changed and there was an increase in FQ4.	 Red
CPP 16.19	NHS	Number of Third sector organisations accessing NHS provided health improvement training courses	In 2012-13, Third Sector organisations were able to access 25 NHS provided health improvement training courses against a target of 6.	 Green
CPP 16.20	Argyll and Bute Council Third Sector Partnership	(Number of) capacity building support sessions given to community groups	In 2012-13, 333 capacity building support sessions were delivered to community groups against a target of 40.	 Green

CPP 16.21	Argyll and Bute Council Third Sector Partnership	A shared Third Sector database is developed, initially for each partner.	A Third Sector central database has been developed and is available on Argyll and Bute Council's staff intranet for testing purposes. Full rollout of the database will commence in FQ1 13-14.	 Green
CPP 16.22	Argyll and Bute Council	Business skills workshops delivered in Argyll and Bute by Business Gateway are open to the Third Sector	100% of Business skills workshops delivered by Business Gateway are open to the Third Sector.	 Green
CPP 16.23	Third Sector Partnership	Number of social enterprises assisted to start up	In 2012-13, 24 social enterprises were assisted to start up against a target of 20.	 Green
CPP 16.24	Argyll and Bute Council	Increased number of social enterprise clients supported by Business Gateway	In 2012-13, 16 social enterprise clients were supported by Business Gateway against a target of 15.	 Green
CPP 16.25	Argyll and Bute Council	Argyll and Bute Council provides support to Third Sector clients via Asset Transfer process	In 2012-13, 3 potential asset transfers have been identified and a launch date has still to be confirmed.	 Green
CPP 16.26	Argyll and Bute Council	Achieve 50% of community councils responding to needs assessment survey	In 2012-13, 31% of community councils responded to the needs assessment survey.	 Red
CPP 16.27	Argyll and Bute Council	Deliver training to community councils for the top 4 priorities as identified by community councils in the needs assessment survey	In 2012-13, community councils were trained in 50% of the top 4 priorities (2 courses). Training has been delivered on Governance and an introduction to Community Engagement. Further Community Engagement outcomes have been developed and are being consulted on in terms of delivery. No training delivered in 2012-13 on Media Skills or Planning.	 Red

Local Outcome 17 – Our partners and communities are able to be fully engaged in the way our services are delivered.				
Ref	Lead Organisation	Success measures	Commentary	Status
CPP 17.01	Argyll and Bute Council	Number of ABC services implementing delivery in partnership with social enterprise through ABLSI – target 2	At the end of 2012-13, 2 Council services were delivered in partnership with social enterprise.	 Green
CPP 17.02	Argyll and Bute Council	Third Sector Asset Transfer process approved by Full Council and community launch event delivered	Third Sector Asset Transfer policy and process approved by full council on 20 <sup>th</sup> September 2012.	 Green
CPP 17.03	Argyll and Bute Council	Increase in attendance at Local Community Planning meetings by partners	At the end of 2012-13, there was 80% representation of partners at Area Community Planning Groups meetings against a target of 60%.	 Green
CPP 17.04	Argyll and Bute Council Third Sector Partnership	Use of Community Engagement resources and activities by communities	In 2012-13, 73 community engagement resources and activities were used by communities against a target of 62.	 Green

CPP 17.05	Argyll and Bute Council	Increased use of CPP Consultation Diary by partners	The use of the CPP Consultation Diary has increased over 2012-13 to 54. As this was a new measure for 2012-13, there was no target or benchmark available.	 Green
CPP 17.06	Third Sector Partnership	Number of 'Influencing Change – Involving to Devolving' events held	In 2012-13, there were 18 'Influencing Change – Involving to Devolving' events held against a target of 6.	 Green
CPP 17.07	Third Sector Partnership	Percentage increase in number of organisations participating in Third Sector Forums	In 2012-13, 186 organisations participated in Third Sector Forums against a target of 157.	 Green
CPP 17.08	NHS	Guided Self Help Workers are employed through Third Sector organisations	At the end of 2012-13, 100% of Guided Self Help Workers were employed through Third Sector organisations.	 Green
CPP 17.09	Argyll and Bute Council	4 community centre councils are actively supported in delivering services to their communities	The 4 main community centre councils for centres have all in partnership, applied for funding to appoint consultants to assist them in developing a plan which will generate income and enable them to become more sustainable.	 Green
CPP 17.10	Third Sector Partnership	Third sector demonstrates working in partnership through evidence of actions.	In 2012-13, the Third Sector worked together in partnership to deliver 46 actions against a target of 20.	 Green
CPP 17.11	Strathclyde Police	Maintain the high percentage of adults in Argyll and Bute who rate their neighbourhood as a good place to live	In 2012, 95% of respondents to the Strathclyde Police Public Consultation questionnaire rated their neighbourhood as a good place to live highlighting improved performance of 94% in 2011.	 Green

Local Outcome 18 – We engage with our partners, our communities and our customers to deliver best value services.				
Ref	Lead Organisation	Success measures	Commentary	Status
CPP 18.01	Argyll and Bute Council	Number of services which make appropriate changes to their policy or procedures as a result of the ABLSI project	Target met through ongoing work with (a) Coast and Countryside Trust (approved by Full Council in October 2012), (b) new Children and Families Grant Process (c) ArtsQuest (delivering music and cultural activity for schools). New work begun includes development of initial project plan for approval re-working with local third sector groups on seven projects to assist with new ways of delivering Street Scene activity as part of the service review.	 Green
CPP 18.02	Third Sector Partnership	Number of forums facilitated by TSP to ensure communities are better engaged	In 2012-13, the number of forum meetings facilitated by The Third Sector Partnership was 73 against a target of 60.	 Green



CPP 18.03	Strathclyde Police	Maintain the number of Police and Community (PAC) meetings held	In 2012-13, Strathclyde Police held 46 Police and Community meetings against a target of 44.	 Green
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**ARGYLL AND BUTE COUNCIL****COUNCIL****Development and Infrastructure****23 January 2014**

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**OUR ISLANDS: OUR FUTURE**

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**1.0 SUMMARY**

- 1.1 The Council at their meeting on 27 June 2013 discussed the Our Islands: Our future campaign being led by the Shetland, Orkney and Western Isles Councils to obtain greater extension of powers devolved to Scotland's islands. The Council agreed a motion *"that the Council enters into dialogue with the 3 islands Councils to put the case that the islands of Argyll and Bute should be part of this campaign so that all of Scotland's islands are part of this initiative and that the Council is represented and takes part in the islands conference in Orkney in September."*
- 1.2 At the 29 August 2013 meeting, the Executive Director of Customer Services provided an update in relation to the positive response from the island councils and also notification of the establishment of an Island Areas Ministerial Working Group.
- 1.3 Elected Members of the Council attended the Our Islands: Our Future conference held on the 19/20 September 2013 and from this it was concluded that direct involvement in this particular campaign would not be the most appropriate route for Argyll and Bute.
- 1.4 Whilst direct involvement in the Our Islands: Our Future campaign may not be considered appropriate, it is considered that there is a need to take forward its own island initiative which it is proposed could also include other Scottish island Councils. There is a risk that inequalities could arise between Scottish islands if the latter is not pursued.

**2.0 RECOMMENDATIONS**

- 2.1 That Members agree to the following:
  - That the Council keeps a watching brief in regard to the *3 islands Councils* initiative;
  - That Members agree to the Council developing its own islands initiative including a position statement for our islands which outlines the key areas for support, including any increased resources and powers from the Scottish Government and UK Government;
  - That Members agree that the Council works with other Scottish Islands Councils to determine if there are common issues and areas of interest that can be developed in partnership;

- That Members agree to the Council setting up a short life working group consisting of up to 9 Members to investigate and to take forward the actions above and to meet with the Scottish and UK Government to present its own case in regard to our islands and their needs and to seek support and commitment; and
- If minded to approve the above recommendations, the Council nominates appropriate elected members to sit on the short life working group to progress the actions.

### **3.0 DETAIL**

- 3.1 The Our Islands: Our Future Conference was held in Orkney on 19/20 September 2013. It was attended by the Executive Director of Development and Infrastructure Services and Councillors McCuish and Currie.
- 3.2 A conference report is being prepared and is likely to be publically available in late January 2014.
- 3.3 The three councils have issued a position statement which identifies opportunities in relation to the development and extension of the powers which could involve:
- Resource-based – including control of the sea bed; development of Fishery Management Plans and Schemes of Assistance; The effective development of the world class renewable energy resources around the islands;
  - Location-based – including support to agriculture; sustainable transport: effective transport links to maximise Island resources; mainland/ island ferry services and inter-islands ferry services being commissioned, funded, operated and controlled from the islands to meet island needs;
  - Governance-based – including potential changes to fiscal arrangements to allow the islands to benefit more directly from the exploitation of local resources; recognition of the status of islands in the new Scottish Constitutional Settlement (regardless of the result of the referendum) and within the European Union Governance Framework; public sector reform with continued development of the integrated public authority concept; clarification of the role of HIE and any adjustment required to promote greater integration; possibility of extension of the principle of promotion of local legislation to other island areas, or in support of specific developments.
  - Culture based – including continued support for the Outer Hebrides as the heartland of the Gaelic language and for the promotion of the Orcadian and Shetlandic dialects and recognition of the Nordic aspect of the culture of the Northern Isles; further promotion of the disproportionately strong contribution of Scotland's islands to the culture, language, history and natural resource of Scotland.
- 3.4 The first meeting of the Islands Area Ministerial Working Group took place on 29 August 2013. Further meetings took place on 29 October

2013 and 21 November 2013. The Group will meet six times in total, and is working towards developing a prospectus outlining opportunities for island communities in the context of the referendum.

- 3.5 The Scottish Government has committed to bring forward a bill for an Islands Act following the independence referendum.
- 3.6 The councils have also met with the UK government on 14/15 October 2013 and again on 29 November 2013. The three Islands Councils and the Secretary of State for Scotland have agreed to work towards a Concordat to take forward the Our Islands Our Future initiative. Discussions are covering issues such as the development and management of island resources including renewable energy, oil and gas, fisheries and the Crown Estate. It was also confirmed that the Scotland Office would host a dedicated islands' desk.
- 3.7 As a result of attending the conference, it is considered that direct involvement in the Our Islands campaign is unlikely to be appropriate for Argyll and Bute Council however it is noted that any changes as a result of the campaign may create inequalities between the three councils' islands and other Scottish islands outwith the campaign. For this reason it is considered that the Council should develop its own initiative in close consultation with our island communities. In addition the Council would look to meet with other Scottish island councils to identify common areas of interest which can then be taken to Scottish and UK Governments for their consideration and support.

#### **4.0 CONCLUSION**

- 4.1 The Our Islands: Our Future campaign has the potential to change the powers and responsibilities for those islands within the Shetland, Orkneys and Western Isles. It would therefore be appropriate for the Council to maintain a watching brief on the initiative.
- 4.2 Some of the issues affecting the three councils will also apply to islands within Argyll and Bute but there may also be other issues that are applicable to our islands and it would be advantageous to identify the specific issues relating to our islands (in conjunction with neighbouring authorities which also have islands where appropriate). Once these issues have been identified they could be used as a basis for discussions with the Scottish and UK governments.

#### **5.0 IMPLICATIONS**

- |     |           |  |
|-----|-----------|--|
| 5.1 | Policy    | The development of a position statement and associated positive policy and resource support for our islands fits with the objectives of the SOA, EDAP and Local Development Plan which seek to deliver sustainable island communities. |
| 5.2 | Financial | None at this stage   |
| 5.3 | Legal     | None at this stage   |

- 5.4 HR A staff resource will be required to support the short life working group in identifying the issues and taking forward the actions.
- 5.5 Equalities None at this stage
- 5.6 Risk To do nothing may leave our island communities at a disadvantage as they would sit outwith the 3 islands initiative and potentially any benefit that comes from the Our Islands: Our Future campaign
- 5.7 Customer Service None at this stage

**Executive Director of Development and Infrastructure Services**

**For further information contact:** Audrey Martin, Development Projects and Renewables Manager

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**ARGYLL AND BUTE COUNCIL****Argyll and Bute Council****Development & Infrastructure Services****23<sup>rd</sup> January 2014**

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**Proposed Argyll and Bute Local Development Plan Next Steps**

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**1.0 SUMMARY**

- 1.1 This report concerns the representations duly made to the Proposed Argyll and Bute Local Development Plan (LDP) and goes on to outline the next stages of the process, including the examination stage, in accordance with the Planning etc. (Scotland) Act 2006.
- 1.2 Extensive consultations on the LDP have been carried out at previous stages starting with **5 visioning meetings** (1 for each area and 1 dealing with strategic issues) to determine the priorities of the plan; a **Call for Sites process** was then undertaken from January to March in 2010. **The Main Issues Report (MIR)** was published for public consultation from May to July in 2011 and an additional stage of consultation was carried out on new **Proposed Sites** from July to August 2012. The **Proposed LDP**, considered to be the settled will of the Council was published on the 4<sup>th</sup> of February 2013 to the 29<sup>th</sup> of April 2013 to allow people to make further representations which left unresolved will go forward for Examination. It should be noted that the intention of planning reform with regard to LDPs is to minimise delays in the process to enable a new plan to be approved within a 5 year cycle. Not having an up to date plan in place gives rise to legal challenge, costs to planning decisions and difficulty in the achieving the main objectives of the Council's Single Outcome Agreement (SOA).
- 1.3 **Appendix 1** contains a list of all the issues raised in terms of the content, policies and proposals with regard to the Proposed LDP. **Appendix 2** contains all the Schedule 4s that contain a summary of the representations and Council response. In addition, a summary of the main contents of the LDP is included in **Appendix 3** of this report and **Appendix 4** of this report contains the Statement of Conformity.

**2.0 RECOMMENDATIONS**

- 2.1 that Members note the process and next stages in progressing the Proposed Local Development Plan to the Examination Stage as set out below;
- 2.2 that Members endorse the views of the respective Area Committees with regard to the area specific representations made for their areas and further consider the strategic, general and policy representations

received to the Proposed Local Development Plan and agree the Council's recommended response to these issues raised in **Appendix 1** and detailed responses in the Schedule 4 forms in **Appendix 2**;

- 2.3 authorise Officers to submit to Scottish Ministers a request to establish the Examination process, together with all required documentation including the Schedule 4 forms; and to report back on the outcome of the Examination prior to the adoption of the Plan;
- 2.4 delegate authority to the Executive Director Development and Infrastructure to make any final checks to deal with technical accuracy of the Schedule 4 forms and respond to any information requests received from the Directorate for Planning and Environmental Appeals as part of the Examination process; and
- 2.5 approve the Statement of Conformity at **Appendix 4** for submission to Scottish Ministers prior to the Examination of the Plan.

### 3.0 DETAIL

- 3.1 The Planning etc. (Scotland) Act 2006 requires the Council to prepare a new Local Development Plan (LDP), which will replace the Argyll and Bute Local Plan and Structure Plan, and to review the Plan every 5 years. The previously agreed target for adopting the new Plan is October of 2014.
- 3.2 At the Council meeting on 20th December 2012 the Proposed Local Development Plan was endorsed as a basis for public consultation. The Proposed Plan and supporting Supplementary Guidance were published formally on the 4<sup>th</sup> February 2013 for 12 weeks' consultation until 5pm on 29th April 2013.
- 3.3 Consultations on the LDP have been carried out at previous stages with initially a series of visioning seminars. Next a Call for Sites process was undertaken from January to March 2010. The Main Issues Report was published for consultation from May until July 2011 and an additional stage of consultation was carried out on Proposed Sites from July until August 2012. A summary of the content of the plan can be found in **Appendix 3** of this report together with a hyper link to the plan.
- 3.4 Copies of representations in full are available on the council's web site or can be made available on request from Fergus Murray (email: [fergus.murray@argyll-bute.gov.uk](mailto:fergus.murray@argyll-bute.gov.uk) ).

### 4.0 NEXT STAGES

- 4.1 The next stage in the process of the Argyll and Bute Local Development Plan (LDP) is to consider a response to the representations received and identify those objections which are likely to be unresolved and would therefore go forward for



Examination by the Scottish Government's Directorate for Planning and Environmental Appeals. At the Examination process, the unresolved representations will be examined as issues rather than each representation responded to individually. The mandatory format for this is through Schedule 4 forms issued by the Department for Planning and Environmental Appeals. One Schedule 4 form should cover each issue and contain the following:-

- A summary of the unresolved representation
- The modification sought by the objector(if indicated)
- The Planning Authority's response

## **5.0. MODIFICATIONS TO THE PROPOSED PLAN**

- 5.1 In response to representations the Planning Authority can make non-notifiable modifications to the Local Development Plan which do not need to go through the Examination process. These include minor drafting and technical matters e.g. correcting spelling mistakes, omissions, updating references etc., in the final document.
- 5.2 In response to particular representations, very minor modifications can also be put forward in the Planning Authority's response in the Schedule 4. These may be for example to agree to an objector's suggested revised form of wording to a policy if it helps to improve its clarity and understanding. However, the Examination Reporter will still have the final say on whether these modifications come forward as recommendations to the Council following the Examination process.
- 5.3. In response to particular representations, the Planning Authority may decide to make notifiable modifications. These are modifications which remove or significantly alter any policies or any proposals set out in the Proposed Local Development Plan or introduce new policies or proposals into the Plan. In this instance, the Planning Authority is required to publish a Modified Plan and carry out further consultation for at least 6 weeks along with neighbour notification.
- 5.4 Any significant modifications to a development site allocated in the Proposed LDP - be it changes to allocated area, the density, the allocated use, or the removal or addition of a site, is considered notifiable and will require additional neighbour notification and consultation before being submitted for Examination.
- 5.5 Local Authorities are advised to avoid making pre-examination notifiable modifications. Scottish Government Circular 1/2009: Development Planning indicates: - "From the Proposed Plan stage, Scottish Ministers expect the authority's priority to be to progress to adoption as quickly as possible. Pre-examination negotiations and notifiable modifications can cause significant delay and so should not

be undertaken as a matter of course, but only where the authority is minded to make significant changes to the plan where clear alternatives have been made available and the key objectives of the plan are not undermined.

- 5.6 The Examination also provides an opportunity to change the plan, so if authorities see merit in a representation they may say so in their response to the Reporter, and leave them to make appropriate recommendations. However, if authorities wish to support a significant change to the plan, especially one that would entail further neighbour notification, this should be done by means of a pre-Examination modification. This would also open up the possibility of individuals again commenting on the whole plan.
- 5.7 A Modified plan could therefore result in up to 12 months' delay in submitting the Modified Plan to Scottish Ministers (due to dealing with the complex schedule 4) process with a subsequent delay in the adoption of the Plan which would then happen towards the end of 2015.
- 5.8 For these reasons, and to avoid holding up the entire Plan, it is proposed to proceed on the basis that no significant changes to the Plan are needed therefore there are no proposed notifiable modifications.

## **6.0 SUMMARY OF MAIN AREAS OF OBJECTION**

- 6.1 In total 552 separate representations were received to the proposed Local Development Plan from individuals, groups, private businesses and key agencies. All representations received have been placed on the Councils web site and will be submitted to Scottish Ministers in full. The principle areas of concern relate to the identification of individual sites for housing and other forms of development. By far the biggest area of objection in terms of these sites is in the Helensburgh, Shandon and Cardross areas in relation to Green belt release. Other main issues raised concern housing supply, wording of plan policies and Supplementary Guidance (that will be dealt with by another report to Council) renewables, particularly on shore wind, and to some extent aquaculture. The Council is also required to undertake a Habitats Regulations Assessment which is currently underway.

## **7.0. PROPOSED RESPONSE TO REPRESENTATIONS**

- 7.1 Development Policy staff have collated and assessed the unresolved representations and identified issues that require to be looked at by the Reporter. These issues have been identified in **Appendix 1** of this report. In response to these issues policy staff have prepared the Schedule 4 forms required by the Directorate for Planning and

Environmental Appeals. These can be found in **Appendix 2** of this report.

- 7.2 The Planning Authority's proposed response in the Schedule 4 forms includes where appropriate reasons for not modifying the Plan in response to the issue raised or allowing the reporter to make the decision. No modifiable modifications are considered to be necessary. The Planning Authority response does however recommend a number of minor modifications (non-modifiable) in response to representations the reasons for which are included in the Schedule 4s. It should be noted that the Reporter will receive all representations made in full in addition to the schedule 4s.
- 7.3 Any representations that indicate support for aspects of the Plan are not defined as unresolved issues and are largely not referred to in draft Schedule 4s. The exception is where a particular reason given for supporting the plan, is directly relevant to another party's reasons for objecting. In this situation, supports have been included.

## **8.0 NEXT STEPS**

- 8.1 The Area specific representations have been presented to the four area committees in the January cycle for them to approve. The full Council is asked to then endorse the views of the Area Committees and approve all schedule 4s relating to strategic and policy issues. The plan will then be submitted to the Scottish Government 6 weeks from final Council approval together with the schedule 4s and all other documentation including full copies of representations made.

## **9.0 THE EXAMINATION (PLI)**

- 9.1 The Examination is intended as the principal means of independently testing the issues arising from representations and has two main purposes:-
- § To assess whether or not the Planning Authority has conformed with its published Participation Statement (set out within the latest approved Development Plan Scheme); and
  - § To consider unresolved representations to the Proposed Local Development Plan.
- 9.2 Scottish Ministers expect the process from appointment of the Reporter to reporting back to the Council, to take 6 months. Their report will set out and give reasons for all their conclusions and recommendations on the issues, not on each individual representation, and also set out their assessment of the Planning Authority's conformity with its Participation Statement. Any recommendations requiring the Council to

make changes to the Plan as a result of the Examination will be binding.

- 9.3 All the following documents require to be submitted to the Directorate for Planning and Environmental Appeals:-
- 9.4 The completed Schedule 4 forms; Complete set of Core Documents  
Copies of all representations received in the prescribed period of consultation  
Copies of the Proposed Plan, Proposed Draft Action Programme, Monitoring Statement and all relevant Supplementary Guidance  
Strategic Environmental Assessment environmental report; Participation Statement within Development Plan Scheme and Statement of Conformity. It should be noted that representations made and proposed changes to the Supplementary Guidance elements of the plan will be reported back to the Council in March 2014.
- 9.5 Given the complex nature of the Schedule 4's, with cross referencing to other documents, additional checks may be necessary to ensure that all the representations are correctly referenced and any technical errors are picked up before they are submitted to Scottish Ministers. This will include a list of core documents for the Examination process. There is no opportunity to add or amend the Schedule 4's once they are submitted. It is recommended therefore that the final checks to deal with technical accuracy, and responding to Reporter's information requests to provide additional clarity, is delegated to the Executive Director of Development and Infrastructure.
- 9.6 Scottish Ministers expect the process from appointment of the Reporter to reporting back to the Council, to take 6 months. Their report will set out and give reasons for all their conclusions and recommendations on the issues, not on each individual representation, and also set out their assessment of the Planning Authority's conformity with its Participation Statement. Any recommendations requiring the Council to make changes to the Plan as a result of the Examination will be binding.

## **10.0 TIMESCALE AFTER THE EXAMINATION**

- 10.1 If the Council proceeds directly to Examination, the intended date of adoption for the Local Development Plan should be by October 2014.

## 11.0 STATEMENT OF CONFORMITY

11.1 In line with the Planning etc. (Scotland) Act 2006 Part 2 section 18 (4)(a) (i), the Council is required to submit a report to Scottish Ministers demonstrating that the Council has conformed to legislative requirements in relation to engagement. This report is submitted prior to the Examination to ensure the Reporter is satisfied that the arrangements for engagement with stakeholders, including the public following the publication of the Proposed Local Development Plan, are in accordance with the legislation and the Council's current Participation Statement. This is known as a Statement of Conformity and a copy is contained in **Appendix 4** of this report.

## 12.0 CONCLUSION

12.1 The responses to Proposed Local Development Plan have been processed, grouped in issues and placed in Schedule 4 forms as required by the Scottish Government. The Schedule 4 forms concerning strategic, general and policy issues are included in **Appendix 2** of the Report for Members' noting and approval. Following approval by the Council these forms together with all other required documents and information will be considered by the Council prior to being submitted to the Scottish Ministers with a request to establish the Examination process into all unresolved objections to the Argyll and Bute Local Development Plan.

## 13.0 IMPLICATIONS

**Policy:** The Proposed LDP once adopted will be the principal material consideration in the determination of submitted planning applications

**Financial:** The Council is required to pay for the Examination process based on the current unresolved issues a budget of up to £90k has been identified as an expected cost pressure for 2014/15 cost.

**Personnel:** None arising from this report

### **Equal Opportunities:**

Equality Impact Assessment screening and Strategic Environmental Assessment has been undertaken on the Proposed Local Development Plan. A draft Habitats Regulations

Appraisal is being undertaken on the Proposed Local Development Plan.

**Legal:** None arising from this report

For further information contact: Fergus Murray

Telephone: 01546 604278

## Appendix 3

### Argyll and Bute Local Development Plan

Land use spatial plan for the Council that replaces the current development Plan (Structure Plan and Local Plan);

1. The 2006 Planning Etc.(Scotland) Act requires the Development Plan to be up to date (renewed every five years);
2. In Argyll and Bute there is only a requirement for a Local Development Plan (LDP);
3. Has to ensure that there is a five year supply of effective housing land and ten years for business land;
4. Has to contain a clear settlement/spatial strategy;
5. Has to mitigate and address the impacts of climate change;
6. Has to be supported by all of the key agencies;
7. Has to be deliverable and realistic;
8. Has to be fully funded;

#### The Local development Plan is required to be:

- **Efficient** – up to date, responsive to change, providing certainty, identifying development opportunities;
- **Inclusive** – involvement of local people on local issues;
- **Integrated** – provides spatial dimension to national and local strategies, action plans including EDAP, REAP, Housing Strategy;
- **Fit for purpose** – supports high quality outcomes on the ground and addresses our area's issues in a challenging environment;
- **Sustainable** – fully supports sustainable economic growth;
- **Deliverable** – realistic and accompanied by an agreed action programme with our partners.

#### Local development Plan Vision

The overall vision for Argyll and Bute is one of an economically successful, outward looking and highly adaptable area, which enjoys an outstanding natural and historic environment, where all people, working together, are able to meet their full potential and essential needs, locally as far as practicable, without prejudicing the quality of life of future generations.

#### KEY OBJECTIVE A

To make Argyll and Bute's Main Towns and Key Settlements increasingly attractive places where people want to live, work and invest;

#### KEY OBJECTIVE B

To secure the economic and social regeneration of our smaller rural communities;

**KEY OBJECTIVE C**

To work in partnership with local communities in a way that recognises their particular needs to deliver successful and sustainable local regeneration;

**KEY OBJECTIVE D**

To support the continued diversification and sustainable growth of Argyll and Bute's economy with a particular focus on our sustainable assets in terms of renewables, tourism, forestry, food and drink, including agriculture, fishing, aquaculture and whisky production;

**KEY OBJECTIVE E**

To ensure the outstanding quality of the natural, historic and cultural environment is protected, conserved and enhanced;

**KEY OBJECTIVE F**

To meet our future housing needs, including affordable, throughout Argyll and Bute;

**KEY OBJECTIVE G**

To continue to improve Argyll and Bute's connectivity, transport infrastructure and associated networks;

**KEY OBJECTIVE H**

To optimise the use of our scarce resources, including our existing infrastructure, vacant and derelict land and reduce consumption;

**KEY OBJECTIVE I**

To address the impacts of climate change in everything we do and reduce our carbon footprint;

These Key Objectives in turn inform the key themes of the plan that contain the 11 core policies

- Protecting, conserving and enhancing our outstanding environment together
- Strengthening Our Communities Together
- Creating a sustainable and growing economy together
- Maximising our resources and reducing consumption together
- Improving our Connectivity Together

The plan also contains a settlement and spatial strategy that helps determine future housing and business development takes place in Argyll and Bute. Each of the Council's Administrative areas has its own spatial strategy and set of criteria to achieve. The plan is intended to help stimulate new business and housing activity within Argyll and Bute helping to grow our economy in a sustainable manner and our population in line with the overarching key objective of the Single Outcome Agreement. The plan can be found here on the Council's web site:-

<http://www.argyll-bute.gov.uk/ldp>



**Appendix 4:****Argyll and Bute Local Development Plan (LDP)****Statement of Conformity with the Participation Statement; January 2014.**

This Statement of Conformity has been prepared to meet Section 18 (4)(a)(i) of The Planning etc. (Scotland) Act 2006, which requires Planning Authorities to submit a report on the extent to which the authority has consulted and involved the wider public and how the authority has conformed with its current Participation Statement. In establishing the procedures for the Examination, Section 19(4) of the same Act requires the appointed person to firstly examine that the authority has conformed with the Participation Statement in respect of the Proposed Local Development Plan. Its purpose is to set out the steps taken by the Council as a Planning Authority to ensure all relevant parties were aware of, were consulted on, and had adequate opportunity to reply to documents published as part of the consultation process for the Proposed Local Development Plan and the Strategic Environmental Assessment Environmental Report.

The current Participation Statement within the latest Development Plan Scheme (dated March 2013), sets out when consultation will take place, who will be consulted and how this consultation will happen in the preparation of the Argyll and Bute Proposed Local Development Plan.

The Scheme outlines the current timetable and the statutory assessments undertaken on the Plan. It also contains an update on what engagement was carried out and the activities undertaken on the previous stages in preparing the Plan (Call for Sites and Comments, Main Issues Report, Further Consultation on Sites to be included in the Proposed Local Development Plan).

**Table 1:** Proposed Local Development Plan Consultation and Engagement Activities

<b>What we said we would do</b>	<b>What we did, when we did it, and who we consulted</b>
Newsletter - making newsletters available and utilising web- based social networking sites to disseminate information.	We published a newsletter during the consultation period of the Proposed LDP and used the Council's twitter account on a weekly basis to raise awareness of the consultation. Another newsletter was prepared and published on the Council's web site to explain the next steps in the plan process including the presentation of the schedule 4s to the Area Committees and Council in January 2014.
Press releases	We prepared various press releases for media outlets within Argyll and Bute.
Providing feedback forms online and in hard copies	We provided feedback forms on line to be downloaded, filled in and returned by

	<p>email (through a dedicated LDP mail box) or by post. We also prepared an on-line survey for people to fill in directly (185 replies) and send back directly through the Council's web site. We also made available paper copies of the feedback form for people to hand directly to planners at open meetings or post back to us.</p> <p>All submissions were acknowledged with a letter and a unique reference number created to aid tracking of the representation.</p>
Providing the scheme and documents online and in Council libraries.	We provided all documents online and placed paper copies in Council libraries and Council office buildings:
Published the Development Plan Scheme (DPS) (to include community groups, main agencies and consultation authorities, business groups, and so on). Giving information to Community Councils.	We advertised the DPS and wrote to Community Councils
Online versions of all phases of LDP documents provided. CD versions have been made available on request.	We have all phases of the LDP placed on the Council's web site at :- <a href="http://www.argyll-bute.gov.uk/ldp">www.argyll-bute.gov.uk/ldp</a> .
Public 'drop in' meetings where elements of the LDP can be discussed	We conducted a 3 month public consultation period starting on the 4 <sup>th</sup> February and ending on the 29 <sup>th</sup> April at 5 pm. We held 9 drop in days in venues around Argyll and Bute including Cardross; Lochgilphead; Oban; Dunoon; Campbeltown; Helensburgh; Rothesay; Tobermory and Bowmore between the dates of the 18 <sup>th</sup> and 25 <sup>th</sup> February;
Invited audience meetings / events where elements of the LDP can be discussed.	An additional 18 meetings with organisations such as community councils who made specific requests for planners to attend.
Sending e-mails to people who are on our database as interested parties in the LDP and utilise web based social networking forums.	We sent out 1,335 emails and letters to people on our LDP database; we sent out 2,616 letters to adjacent neighbours on development sites included within the LDP.
Publish the Proposed Local Development Plan and the Strategic Environmental Assessment Supplementary Report for public consultation.	The Proposed Local Development Plan went out for public consultation on the 4 <sup>th</sup> of February 2013 for a period of 3 months until 29 <sup>th</sup> April 2013.

<p>Notify the following groups:</p> <ul style="list-style-type: none"> <li>• Members of the public</li> <li>• Community Councils and other Groups</li> <li>• Private and public sector</li> <li>• Key consultation agencies</li> <li>• Scottish Ministers</li> </ul>	<p>A copy of the plan was sent to:</p> <ul style="list-style-type: none"> <li>• 49 Community Councils</li> <li>• 7 neighbouring Planning Authorities and the Loch Lomond and Trossachs National Park and 2 Strategic Joint Planning Committees.</li> <li>• 8 Key agencies and Scottish Ministers</li> </ul>
<p>Carry out appropriate Neighbour notification though the notification of owners, occupiers and neighbours within 20 metres of sites which the proposed plan specifically proposes to be developed.</p>	<p>A total of 2,616 neighbour notification letters were sent to neighbours of proposed development sites in the plan.</p>

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## Appendix I: Argyll and Bute Local Development Plan Strategic Policy Issues List

Issue No.	Location	Objections relate to:	Recommended Action
ISS015	Protection of Marine Areas Suitable for Aquaculture	LDP STRAT 1	Minor changes to LDP STRAT 1 to recognise the water environment subject to reporters assessment.
ISS400	Strategic Issue: Housing Land Supply	Chapter 2 housing land supply and LDP 8	No Change
ISS401	Strategic Issue: Key Settlements	LDP PROP 1	No Change
ISS402	Strategic Issue: Renewables	LDP 6 and Windfarm Policy Map	No Change
ISS600	POLICY LDP STRAT 1 Sustainable Development	LDP STRAT 1	No Change
ISS601	Policy LDP DM1 Development within the Development Management Zones	LDP DM1	No Change
ISS602	Policy LDP DM1 Development within the Development Management Zones (Aqua)	LDP DM1 - Aquaculture	Minor Changes subject to reporters assessment
ISS603	LDP PROP 1 THE SETTLEMENT PLANS	LDP PROP 1 THE SETTLEMENT PLANS	No Change
ISS605	LDP PROP 3 THE PROPOSED POTENTIAL DEVELOPMENT AREAS	PDA's	No Change
ISS606	Policy LDP 3 Supporting the Protection, Conservation and Enhancement of our Environment	LDP 3	No Change

ISS607	Policy LDP 4 Supporting the Sustainable Development of our Coastal Zone	LDP 4	Minor Changes subject to reporters assessment
ISS608	Policy LDP 5 Supporting the Sustainable Growth of Our Economy	LDP 5	No Change
ISS610	Policy LDP 8 Supporting the Strength of Our Communities	LDP 8	No Change
ISS611	Policy LDP 9 Development Setting, Layout and Design	LDP 9	No Change
ISS612	Policy LDP 10 Maximising our Resources and Reducing Our Consumption	LDP 10	Minor Changes subject to reporters assessment
ISS613	Policy LDP 11 Improving our Connectivity and Infrastructure	LDP 11	Minor Changes subject to reporters assessment
ISS615	General Comment –Plan Complexity		No Change
ISS616	Chapter 3 Protecting, Conserving and Enhancing our Outstanding Environment Together	Chapter 3 text	Minor Changes subject to reporters assessment
ISS617	Chapter 2 The Settlement and Spatial Strategy	Chapter 2 text and diagram	No Change
ISS618	Chapter 1 Introduction	Chapter 1 text	Minor Changes subject to reporters assessment
ISS619	Chapter 4 Creating a Sustainable and Growing Economy Together	Chapter 4 text	Minor Changes to add footnote subject to reporters assessment
ISS700	Chapter 9 Glossary, Key Environmental Features/Definition of Aquaculture		No Change



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# APPENDIX 2



<b>ISS015</b>	<b>Protection of marine areas suitable for aquaculture</b>	
<b>Development plan reference:</b>	<b>Chapter 1 - Policy LDP STRAT 1 (D427)</b>  <b>Chapter 4 – Creating a Sustainable and Growing Economy Together (D431)</b>  <b>Chapter 6 – Maximising Our Resources and Reducing Consumption Together (D432)</b>  <b>LDP 10 – Maximising our Resources and Reducing Our Consumption (LDP10 MARINE)</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<b>Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</b>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</b></p> <ol style="list-style-type: none"> <li>1. POLICY LDP STRAT 1 should include reference to the need to avoid the sterilisation of part of the marine area that may be suitable for aquaculture development as a sustainable development principle which supports material planning considerations of food security and socio-economic benefits, reflecting policy commitments set out in the UK Marine Policy Statement (<a href="#">Core Doc. XXX</a>).</li> <li>2. Safeguarding parts of the marine area most suited to marine aquaculture development should be listed as a Key Action for the Economy in CHAPTER 4 and referred to in the list of ways the LDP will enable sustainable growth of the renewables sectors in CHAPTER 6 (Maximising our Resources and Reducing Consumption Together).</li> <li>3. In the context of sustainability, food security, and the economic and social benefits that arise from aquaculture development, the safeguarding of prime marine areas where aquaculture is most suited is considered as important as safeguarding mineral resources or good quality agricultural land. This should be included in POLICY LDP 10.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</b></p> <ol style="list-style-type: none"> <li>1. Include reference in POLICY LDP STRAT 1 to the need to avoid sterilisation of parts of the marine area that may be suitable for aquaculture development.</li> <li>2. Add new bullet point to paragraph 4.8, 'To safeguard from inappropriate development those parts of the marine area most suited to aquaculture development.' Refer to the need to safeguard marine areas suitable for aquaculture in paragraph 6.2 (page 53).</li> <li>3. Add new bullet point to POLICY LDP 10, 'Safeguarding those parts of the marine area most suited to aquaculture development.'</li> </ol>		

**Summary of responses (including reasons) by planning authority:**

The above responses are asking the Council to safeguard marine areas that are suitable for aquaculture from other types of development which may impact on marine aquaculture. While the Council agrees that safeguarding aquaculture resource is as important as safeguarding tourism assets, mineral resources or avoiding good quality agricultural land where we can, the LDP cannot seek to protect marine aquaculture development or resource from other types of marine development which are not controlled by planning. The Council therefore concludes that it would be more appropriate for this aspiration to be considered through the development of future regional marine plans. The UK Marine Policy Statement (*Core Doc. XXX*) referenced by the objector identifies considerations that should be taken by marine planning authorities when developing marine plans and not planning authorities when developing Local Development Plans. In view of the foregoing the Council recommends no modification to paragraph 4.8 of the proposed LDP.

The LDP can seek to protect existing aquaculture development from new development requiring planning permission, through consideration of effects on other activities and seeking to protect the ecological quality of coastal waters which support aquaculture development. Policy LDP 10 already states that development proposals should minimise impact on the water environment and therefore the Council recommends no modification to this policy. This is further supported by SG, specifically Policy SG CST 1 – Coastal Development which states that:

*(I) No part of the development will have an adverse impact on existing development and activity; and*

*(K) 'The proposal will not adversely affect natural coastal processes or water quality or result in deterioration of the overall ecological status of coastal and transitional water bodies as classified by SEPA under the Water Framework Directive.'*

In relation to comments on Policy LDP STRAT 1 and Chapter 6 (page 53) the Council, if the Reporter was so minded, would be content with the following amendments which help complement and clarify the existing policy protection as stated above in Policy LDP 10 and Policy SG CST 1:

- Amend the last bullet of LDP STRAT 1 to include '*...impacts on land, and the water environment*'.
- Change 7th bullet in paragraph 6.2 of Chapter 6 to – '*Protecting important open spaces, safeguarding our better agricultural land from development and protecting the ecological quality of coastal waters.*'

**Reporter's conclusions:****Reporter's recommendations:**

<b>ISS400</b>	Strategic Issue: Housing Land Supply	
<b>Development plan reference:</b>	D414 - Housing D412 - Chapter 2 Paragraph 2.8 Delivering an Effective Housing Land Supply that Meets Local Need and Policy LDP 8 - Supporting the Stength of Our Communities	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Helensburgh and District Civic Society (00281)          Helensburgh Green Belt Group (00167)          Helensburgh Study Group (00166)          Helensburgh Community Council (00135)          CALA Homes (West) (01870)          Ms Suzanne McIntosh (01887)          Mr Mike MacKenzie MSP (00984)</p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>D414 - Helensburgh and District Civic Society (00281)</b>          We oppose the housing allocations in the LDP on the basis of the forecasts for population growth and household formation. We also oppose the chosen sites for the allocations, the insufficient allowances for infill in the town and the disregard of adventitious extra sites through changes of use. Therefore this comment may be seen as an objection to the whole policy of housing, and the way this issue is handled in the Plan.          In Scotland there is now a major sea change in the imbalances of population growth with a switch from a long-term North – South imbalance and movement towards a new East – West dynamic. In 1983-2003 for example, there has been a rise of between 0 and 5% rise in the various parts of Highlands and Islands Region, and a 5-10% rise in the North East region, while the West Region which includes Glasgow and N. Ayrshire has experienced falls of 1% to 10% and the Southwest Region falls of 1% to 5%.          These dramatic changes continue, and are projected to emphasize the East-West split over the coming years. The projections of population changes show changes in composition, a key feature being, the proportion of the elderly.          Overall these figures reveal a major decline of population in the western areas nearest to Helensburgh, and one which changes the shape of the population pyramid towards the elderly. These figures are supported by the GRO estimates of population in Helensburgh itself, which is also in decline, from 14,626 in 2001 to 13,660 in 2010, a decline of nearly 7%.          Following this population analysis, the projections for housing are not commensurate with the demand. A total demand for 9500 housing units and new land for 7450 units must be questioned. We are well aware that the council must provide for the likely demand for housing land, and that the plan figures will defended in terms of the phenomenon of greater household formation; this is conceded, and is due to more single people needing housing through longevity and breakup of families. We would emphasize first, the major factor of population decline; secondly the fact that we as a nation are entering a period of lower ease of access to credit such as mortgages; ad third a movement away from ownership of property as a form of saving or investment. These are longterm factors with just as much weight as</p>		

household formation. In fact, it is likely that household formation itself will be reduced as people seek ways of saving by not buying more separate property. All of these socio-economic factors are somewhat indeterminate. What we would maintain however is that to predict a major growth of housing need goes against the evidence in the area and in the country at large.

The balance of Affordable Housing seems to be lopsided, with only 15 units in Bute and Cowal, whereas 165 units are to be in Helensburgh. In general, the level of poverty is greater in remote rural areas (Bute and Cowal) than it is in more urban areas. These numbers need addressing.

Secondly, the population of pensioners, and especially the over 75 section, is growing rapidly. Given this trend, the location of housing on the edge of town is wrong. Such houses are likely to be larger, and to be built with car transport in mind. This is inappropriate for older people, who seek flats or smaller residences with good access to the centre of town. The planners should be pressing hard for the relocation of uses such as car showrooms, out to the edge so as to make way for these residences for a growing segment of the population.

**D414 - Helensburgh Green Belt Group (00167)**

The Helensburgh Green Belt Group (HGBG) refers to the analysis of housing needs, demand and allocations provided by the Helensburgh Study Group (HSG). In particular it agrees:

- a) that the number of houses in the Helensburgh allocations appears to be excessive;
- b) that Helensburgh is influenced by two Housing Market Areas (administratively Helensburgh & Lomond, but in terms of self-containment, a Rhu-Dumbarton-Balloch triangle) and that reduction in housing allocations for Helensburgh should be made to recognise the reality of the eastern triangular HMA, even if H&L is retained as the administrative HMA;
- c) that the Council's Housing Need and Demand Assessment has self-proclaimed approximations and assumptions and is subject regular reassessments so that it cannot be used as an inflexible basis of 10-year allocations in the Development Plan;
- d) contrary to its claim to be "highly flexible", the housing allocations appear not to be and there are angers in fixing specific sites as housing allocations to year 10 when circumstances may change;
- e) that allocations to year 5 are the most that should be site-specific and the year 10 projections should be through more general indications;
- f) that in-town vacant sites and sites due to become vacant are not "windfall" because they are known and should provide housing allocations;
- g) that significant external uncertainties will be resolved in the next two years (especially the release of 2011 census results for settlements and the outcome of the independence referendum affecting the Faslane Base) which could have implications for the H&L area, so that it is premature to make firm allocations now for year 10;
- h) that, since the now-public population changes by local authorities show increases in the east but decreases of about 3% in the west, including Argyll and Bute, the undefined "generous" add-on of housing numbers to the allocations (of perhaps 20%) may be valid in the east, they are not in the west of Scotland and should be much lower or none;
- j) that the mere doubling of the 5 year allocations to make a figure for 10 years in table 2,1 on page 21 of the LDP is a disturbing oversimplification;
- j) that a "wide choice" of housing is already available in the private sector for many categories of housing, as demonstrated by estate agent websites which show units of a types and prices available in large numbers.

In view of the above, the HGBG considers that site-specific allocations cannot be made beyond year 5 and that a more flexible, non-site-specific method should apply to year 10.

**D412 - Helensburgh Study Group (00166)**

The Helensburgh Study Group ('the Study Group') questions the seemingly high proposed LDP housing allocations for Helensburgh in total, and considers that more could be located

inside the town boundaries.

1. The A&BC Housing Need and Demand Assessment (HNDA) is cited (LDP para. 2.8.2) as the basis of the new build housing allocations. The HNDA is commendably open about the extent to which its calculations depend on assumptions, estimates and approximations. It states (page 232) : "It is important to note that this assessment is not a definitive "answer" to the question of housing needs and demand in Argyll and Bute, rather the assessment is a view of the broad scale of housing issues based on a range of prudent and judicious assumptions". The difficulty with the Proposed Local Development Plan (LDP) seems to be that housing allocations get made and mapped for year 10. The LDP states that it seeks to be "highly flexible" (para. 2.8.4), but if maps record allocated sites to year 10, it is difficult to see how it is flexible.
2. According to the A&BC Community Services, 75% of the affordable housing need can be met in situ - i.e. without new build allocations required.
3. The year 10 figures in Table 2.1 (page 21) of the PLDP are simply double the year 5 data. That seems to rather an inexact mode of calculation for allocations that will have practical impact.
4. The PLDP also gives "a wide range of housing choice" as a reason for housing expansion around Helensburgh. Internet lists of houses and apartments in the settlements of H&L show very extensive choice in the private sector, so that aim of choice is already achieved, except for housing association affordable housing, most of which can be met through repairs and upgrading.
5. Helensburgh's Housing Market Area (HMA) overlaps with that of Dumbarton and the Vale of Leven (D&VL). It has been argued in the past that Helensburgh is part of the HMA of D&VL. For the purposes of this submission, we accept the administrative arrangement by which H&L is the recorded HMA. However, we suggest that the strong interaction between Helensburgh and Greater Glasgow, including D&VL, affects the housing reality and should result in lower housing allocations. As the Arneil Johnston housing report (2007, page 4) states, "at 59% the Helensburgh and Lomond area cannot be described as self-contained".
6. The existing facility (Structure Plan, 2000, page 19) for 50 affordable homes in the green belt has never been taken up, indicating a possible lack of need.

In-town housing for Helensburgh the only allocation for in-town housing in Helensburgh in the proposed Local Development Plan (LDP) is at the old Academy site (H-AL 3/1 and H2007), while all other potential intown possibilities are ignored in favour of Green Belt sites. This appears to be contrary to Scottish Planning Policy (SPP) sections 80, 81 and 159 among others. Scottish Planning Policy (SPP) para. 80 advises "directing development towards existing settlements where possible". SPP 81 urges urban capacity studies; SPP 82 deals with infill sites; and SPP 84 points out that in-town housing will "minimise servicing costs". SPP 52 describes town centres as "a key element of the economic and social fabric of Scotland" and refers to a mix of uses, specifically mentioning homes and "integration with Residential areas". We agree with Sir Terry Leahy's recent statement that town centres should have "a mix of houses with the shops, community facilities and leisure venues" and he drew attention to housing that is affordable or sheltered.

SPP para. 159 states that one purpose of green belt is to "direct planned growth to the most appropriate locations and support regeneration". Although the Study Group accepts some limited green belt release, we consider that neglecting intown vacant sites in favour of green belt land on the town fringe of Helensburgh departs from best practice for the town's regeneration. This is especially so since opportunities exist for "further housing development within existing settlements, focusing on previously developed land and conversion of existing buildings and reviewing land currently allocated for uses other than housing . . . to inform the settlement strategy." (SPP para. 81). These would include :

- seven municipal buildings due to be vacated with the opening of the new Council offices soon at the old Clyde Street School (listed in the Helensburgh Advertiser 25.4.13, page 3);
- the list of vacant or soon-to-be-vacated sites in town listed in 5b below;
- the "broken teeth of Helensburgh" - formerly 3 or 4 storey traditional attached buildings in

the town centre which are now only one storey, but capable of building upwards for flats to the originally-designed level;

- other vacant sites or sites/buildings which could be converted.

The above are not windfall sites because their existence is known and in most instances the date at which they will be vacated is well within the LDP housing time span and some are vacant now.

The Study Group considers that currently vacant sites and sites known to be about to become vacant are not windfall sites. They should therefore be considered for housing allocations. The following are reasons.

1. The Oxford Dictionary defines "windfall" in this sense as "a piece of unexpected good fortune". Its essence is being unexpected.
2. Planning Aid for Scotland (PAS) defines windfall sites as: "Development sites which are not identified through forward planning processes but become available for various ad hoc reasons." The LDP is a part of those formal planning processes and should include sites which do not appear unexpectedly on an ad hoc basis. In other words, known specific sites cannot be "kept up the sleeve" to become "windfall" later. The PAS definition continues: "Allowance for a certain level of windfall sites is usually made by planning authorities when calculating the forward supply of development land for which Development Plans will make provision." Thus housing allocations should be lowered in recognition that unexpected ad hoc sites may appear. The Study Group contends that known vacant sites are not 'ad hoc' or unexpected.
3. The SPP glossary definition of effective housing land supply (page 55) does include land "expected to be free of development constraints in the period under consideration, and will therefore be available for the construction of housing". Thus land which is vacant or is expected to be available is not windfall.
4. Para. 2.12.1 (page 22) of the Proposed LDP and the glossary (page 89) "definitions" of windfall development fail to include the crucial element of being unexpected. The weakness of their wording is that planners are seemingly granting to themselves the power to ignore vacant sites (or sites soon to be vacated) even though those sites could be considered for housing which would support regeneration in the town.
5. The Study Group lists vacant sites or sites known to become vacant in Helensburgh. They calculate, these could provide for between 100 and 200 housing units depending upon densities and circumstances, there is also potential for other in-town conversions to increase in-town residence.
6. The extent of green belt release could be greatly reduced and town regeneration improved by recognising that these sites are valid housing potential.

#### **D412 - Helensburgh Community Council (00135)**

This submission concerns Housing Need and Demand, but it is PART 1 of an integrated representation about housing for Helensburgh and should be read in conjunction with another Helensburgh Community Council (HCC) submissions on housing: Part 2 on housing proposals in the Plan. The HCC refers to the Scottish Planning Policy (abbreviated 'SPP') paragraphs 66-76 and to the Council's Housing Need & Demand Assessment and its Housing Strategy (abbreviated 'HNDA' and 'the Strategy').

The HNDA and the Strategy figures have limitations. The Plan does not sufficiently state the extent of uncertainty in the HNDA and the Housing Strategy in para. 2.8.2.. To quote the HNDA (page 232), 'It is important to note that this assessment is not a definitive "answer" to the question of housing needs and demand in Argyll and Bute, rather the assessment is a view of the broad scale of housing issues based on a range of prudent and judicious assumptions'. HNDA uses terms such as 'assume', 'predicated on', 'considered reasonable', 'evidence suggests', 'require further examination', 'it is likely that', 'difficult to predict', 'estimated', 'would suggest', 'difficult to engage meaningfully', 'projected', 'apparent crude surplus' and so on. Yet these are the foundation of the housing allocations in the Plan (para. 2.8.2).

The HNDA is based on 2010 data, though some goes back further (e.g. see HNDA, para.



11.3.4). They and the Plan appear not to allow for subsequent changes or data soon to appear - e.g. the settlement results of the 2011 Census. The data seem not to adequately include figures for MoD housing or for empty MoD units.

The Housing Strategy assumes (page 22) a decline in A&B population of 1% in the past decade. Census data, just released, show a decline of nearly 4%. As new data emerge, so Plan flexibility seems appropriate. (See section 5b below.) While HNDA figures are reconsidered annually and the Strategy is fully reviewed every 5 years, the Local Development Plan seems to be making fixed allocations ten years ahead (pages 21 and 67). Housing estimates are described as 'generous', a term that is not defined but, anecdotally, is taken to be a 20% add-on to allow for growth. The word 'generous' is taken from SPP Paras. 66 and 70) which perhaps reflects rising populations in the east of Scotland.

Recent Census figures for local authorities confirm growth in the east but show Argyll and Bute diminishing by 3.82% over the past decade. The 'generous' element would therefore not seem to be so justified for A&B.

There is a large amount of housing currently available. The website [rightmove.co.uk](http://rightmove.co.uk) shows over 400 houses/flats either for sale or to let in the Helensburgh and Lomond area, but the HNDA and Plan do not appear to allow for these in their calculations.

Housing Market Areas (HMAs) are integral to Strategy analyses, and H&L is treated as if it were a self-contained HMA. However, the H&L area does not adequately meet the criteria to be Helensburgh's HMA which is cross-border with West Dumbartonshire. Even if H&L is taken to be the administrative HMA, failure to allow for our effective HMA distorts housing figures.

Some Strategy data are expressed A&B-wide, but Helensburgh is distinctively different from rural A&B. That difference is sometimes not recognised - e.g. proportions of elderly people which are high in rural A&B but close to national average in Helensburgh.

Housing proposed for Helensburgh seems excessive. In addition to extensive new-build, the Plan is not flexible enough to allow for change, inter-area differences or the approximations described in the separate HCC paper on housing need. The HCC raises the following.

Proposed 665 new-build housing numbers for Helensburgh (1,125 for H&L) are huge, do not include existing houses to be renovated, would put strain on services and have not been sufficiently justified, in the view of HCC. A 'larger scale growth in Helensburgh' is advocated (para. 2.3.2) without adequate explanation in the Plan of why population growth is needed.

- The Strategy is a 5-year one, but the Plan is using the same base data (HNDA) for 10 Years by simply doubling the 5-year figures (see table 2.1, page 21). Pre-commitment to specific sites and dearth of flexibility seem unsatisfactory. The term 'highly flexible' (para. 2.8.4) seems inappropriate. SPP para. 70 states that planning authorities 'may' direct development to particular locations, though SPP para. 73 requires 5 years effective land supply at all times.

Therefore two categories of land supply would seem to be appropriate : for 5 years (more firmly designated) and for 10 years (less firmly designated).

- No houses have been allocated for the Rosneath Peninsula. Yet we are informed that the Peninsula is being considered as a self-contained HMA in the future. Failure to include the Peninsula in the housing allocations should be rectified in the opinion of HCC.

- Proposed housing allocations are insufficiently based on a vision for Helensburgh's future. In a separate submission, HCC has drawn attention to the inadequacy of the description of the town and its future given on page 10 (paras. 2.3.1 - 2.3.2).

- Sites which are vacant or will become vacant have been ignored in the housing allocations. That is in contradiction to SPP para. 80 which calls for 'directing development towards sites within existing settlements where possible'. (For details see 5b below.)

- Insufficient consideration has been given to the revival of Helensburgh town centre in allocating housing. Although infrastructure improvements are happening, there needs to be more retail and residential vitality in the town, including more housing in or near the town centre for elderly, young persons or others preferring access to transport and facilities. See SPP paras. 57- 61 and PAN 59 (especially page 25). Pushing houses to the periphery is

contrary to in-town revival. (See SPP para. 80.) Also, the Waitrose decision has put further strain on in-town retail. To counteract further town-fringe retail, HCC supports the proposal to allocate half of the remaining vacant business area for housing. (See 5b below.)

The HCC reasons for objection to the very high proposed allocations of new-build housing units for Helensburgh (and for the H&L area) may be summarised as a dearth of justification, inadequate recognition of the way that Helensburgh differs from the rest of A&B, insufficient vision for the town's future, too little consideration of existing and possible in-town sites and reliance on the convenience of greenbelt incursion contrary to SPP para. 159.

**LDP 8 – CALA Homes (West) (01870)**

The objector contends that Council needs to ensure that evidence has been prepared for the Proposed LDP confirming that they are establishing a generous housing land supply in compliance with the requirements of the SPP (as set by the Scottish Government).

The Objector states that the Council is required to maintain a 5 year effective housing land supply at all times (SPP, paragraph 73). The Proposed LDP presents a housing land requirement based on the evidence presented in the Argyll and Bute HNDAs (paragraph 2.8.2). This equates to 9,590 homes over the next 10 years or 959 homes per annum. This housing land requirement accords with SPP, paragraph 70. CALA Homes (West) (The Objector) supports the Council in adopting this housing land requirement of 9,590 homes over the Proposed LDP period.

In order to accord with SPP, the Council needs to prepare a housing land audit. This is the method to measure whether a supply of effective land for at least 5 years is being maintained at all times (SPP, paragraph 75). This will ensure that a continuing generous supply of land for house building is being provided.

The Council needs to assess the allocations prior to the LDP Examination in order to determine the effectiveness of allocations, seeking guidance from the house building sector where appropriate. This is in accordance with guidance set out in PAN 2/2010.

CALA Homes (West) (the Objector) supports the Council in identifying 7,450 homes for allocation over the Proposed LDP period.

The objector states that maintaining a 5 year Effective Land Supply at all times SPP requires the LDP to allocate land on a range of sites which are effective or capable of becoming effective to meet the housing land requirement up to Year 10, ensuring a minimum of 5 years effective land supply at all times.

The objector states that in order to evaluate whether the allocations would be sufficient to maintain a 5 years land supply at all times, the Council must programme the expected annual delivery from proposed allocations with the effective land supply and test whether this meets the housing land requirement. This work and evidence should form part of the Council's finalised position for the LDP Examination through a Housing Land audit.

The Council therefore needs to implement a policy mechanism to ensure that a 5 year housing land supply is maintained at all times as well as identifying a mechanism to measure compliance and ensure an effective housing supply at all times.

**D412 - Ms Suzanne McIntosh (01887)**

The effectiveness of the land supply is questioned in the light of the allocated number of units falling short of the required number and the over-reliance on windfall sites to make up the shortfall.

The tables of housing sites do not identify those sites which have been carried forward from

the last plan, those which have been allocated for in excess of 10 years nor given an explanation of why they have not come to fruition within that plan period.

An in-depth analysis of the reasons for an underperformance on sites coming forward to development stage has not been provided in the LDP or referred to yet this is critical to achieving the vision in the plan and reversing the trend of population decline.

In the light of the current economic climate sites of over 80 to 100 units are not attracting investment/ builders throughout Scotland and by the very nature of their size are ineffective as a result. There is no consideration of this fundamental in the plan.

No reference is made to the costs and impact of infrastructure delivery on the effectiveness of sites. In order to provide a robust means of addressing population decline a more in depth analysis of the housing allocations and an exploration as to why sites have not come forward needs to be undertaken as a matter of urgency.

**D414 - Mr Mike MacKenzie MSP (00984)**

Housing is important as it has a direct bearing on the most significant and fundamental problem that Argyll and Bute suffers from which is population decline. This in itself reduces economic activity and compounds the long term trend of socio-economic decline which in turn leads to even greater population loss. Insufficient housing allocations within the planning system have been extensively documented for some years as being an impediment to economic and population growth and sustainability and have been identified as a particular problem in rural areas. ( UK Barker Report, SG Firm Foundations report, MacKay Report, SP Rural Affairs Committee Report, The Rural Housing Question,( Satsangi, Gallent and Bevan ) ). For this reason there is a SG requirement to make provision within LDPs for a generous and effective housing allocation.

The Argyll and Bute Local Development Plan indicates a housing allocation sufficient for 7450 units over 10 years. It is suggested that this is enough to help reverse population decline but is below the figure of 9590 suggested in the Councils own Housing Needs and Demand Assessment (HNDA). There is a suggestion that this will be made up by better utilisation of empty stock but this seems unrealistic and it is unclear what policy mechanisms could effectively achieve this. It is acknowledged that this represents a significant increase over what was suggested in the Main Issues Report.

The Councils Local Housing Strategy ( LHS) indicates a growth in households due to a national tendency towards smaller households. The LHS suggests a 2.6% growth over the next decade an estimate which is well below the Scottish average. It is not clear why this should be the case. General Registers of Scotland suggest a Scottish average of around 9.2% over the same period and 23% over the period 2010- 2035.GRoS suggest only a 1% increase in households for Argyll and Bute over the period 2010-35. If this become reality then a very difficult and painful future awaits Argyll and Bute, and Argyll and Bute Council because economic performance and population will continue to spiral downwards and there will be consequent reductions in the Council's budget.

It is necessary for the LDP then to ensure that lack of and cost of housing does not inhibit population growth in order to at least maintain parity with the rest of Scotland. This parity must be achieved no matter how well the general economy performs. The background to this is not good. The last decade ( 2001-2011)saw a shortfall of housing in Argyll and Bute by comparison with the Scottish average of approximately 1130 houses, with only 2938 actually built. Only 3 of these years were post credit crunch and the remainder were therefore at the height of the housing boom. There is no credible explanation for this underperformance except an overly restrictive planning regime in terms of both policy and practice.

Keeping pace with the rest of Scotland will ( according to GRoS figures) require an increase in housing in Argyll of around 3812 units over the period of this LDP although GRoS suggest the population increase will be higher in earlier years and slow down thereafter, suggesting a greater housing requirement in the early years. Given that the LDP is predicated on the LHS and that the LHS assumes only a 2.6% household growth which equates to only 1077 households, then presumably delivering the necessary 3812 houses will require significantly

more housing allocations than are currently identified in the LDP. A pro-rata calculation would suggest a much larger number than is feasible, however, this logic suggests a significantly larger allocation than the current LDP allows.

The LHS strategy is heavily predicated on the Housing Needs and Demand Assessment (HNDA). This also assumes that the need will be for only a 2.6% increase of households and fails to take into account hidden demand in its various guises. It is also heavily reliant on existing and historical local housing market trends without any analysis of whether these represent any element of market failure. For example many communities have reached the critical point of decline whereby the Council recently ( 2011) proposed closing 26 ( one third of its primary schools ). This represents hard evidence of both market and policy failure and there is no evidence in the LDP of any policy initiatives designed to counteract this.

It is also necessary to ask how much of the current housing allocation proposed in the LDP is truly effective. It is not possible to answer this with reference to the LDP nor the associated documents , since insufficient information is provided to allow this analysis, and no robust critical evaluation of the effectiveness or failure of previous housing policy seems to have been undertaken.

Examination of the LDP maps reveals that many allocations included from previous development plans seem to have been included, some of which have remained undeveloped for many years. An analysis should be undertaken to identify allocations not built on for more than ten years, for whatever reason, and these should be excluded from the effective supply. A further analysis should be undertaken to examine which of the included allocations can only be unlocked with very significant infrastructure investments and may therefore be non-viable in the current economic climate. Another layer of analysis is required which looks at marketability of allocations which can only be developed by the private sector, acknowledging current economic and financial constraints. Unless this is done and involves genuine consultation and input from relevant stakeholders, the housing allocations cannot be said to be genuinely effective. A further problem is that many allocations are locked up in sites for 30 houses or more where the size of development alone suggest that these sites may not be viable. There is also a question over the distribution of the allocations since they do not seem to fully align with identified Housing Markey Area (HMA) demand nor with the need to maintain the socio-economic sustainability of particular communities. Primary school viability is only one aspect of this. Examination of the maps seems to merely represent general slight increases to settlement areas for many of the smaller settlements and villages and many have no increased allocations. Instead there is a heavy concentration of allocations around the main towns and especially the Dunbeg Corridor. This indicates a centralising trend around main towns and a corresponding lack of allocations necessary to maintain viable communities in rural areas.

#### **Modifications sought by those submitting representations:**

##### **D414 - Helensburgh and District Civic Society (00281)**

These figures require a major change in the size of the allocations of new housing, and a commitment to review the population figures and plan accordingly. Also, a review of the geography of the allocations, with a view to reducing the impact on the Green Belt. This should be combined with a greater effort to find more residential space in or near central Helensburgh, so as to reinvigorate this area. We think a key feature must be the firm positive emphasis on the centre of town, to complement other measures in the Chord project.

##### **D414 - Helensburgh Green Belt Group (00167)**

a) Create a system of flexibility in the allocations of land for housing so that, although housing to year 5 is site-specific, that for year 10 is recognised but not defined on maps. That would appear to meet the criteria given in section 73 of Scottish Planning Policy.

b) In part, relate the housing need and demand for the Helensburgh strip to the housing need and demand of Dumbarton and the Vale of Leven, thereby reducing the overall housing allocations in H&L.

- c) Separate out the housing need and demand for the Rosneath Peninsula which, by the Proposed Local Development Plan, has no housing allocations at all.
- d) Assess the vacant in-town sites and those known to become vacant in the period covered by the Proposed Local Development Plan, in accord with section 80 of Scottish Planning Policy. HGBG agrees with the Study Group submission on section 2.12.1 which argues that these are not "windfall" sites ..
- e) Halve the number of houses for H&L projected for year 10 in table 2.1 (page 21) and the table of housing allocations on page 67. For the reasons above, that would still meet the criterion of "generous" supply mentioned in paragraphs 66 and 70 of the Scottish Planning Policy (2010).
- f) Include a new section in the Local Development Plan about means to increase residential provision in and close to town centres.
- g) Accept the allocations for the old Academy site. Accept the now-reduced housing allocation for Cardross, though perhaps with reduced density. Accept the two Blairvadach sites for housing but reduce density.
- h) Divide the large part (about 5 ha.) of the business site to the east of Helens burgh which remains vacant into two parts, the part nearest to Waitrose to be allocated for housing to prevent further retail incursion and to protect in-town retail.
- i) Reduce the extent of Green Belt incursion substantially. However, HGBG would appreciate the opportunity to discuss which specific parts of the Green Belt should not be allocated for housing.
- G) Meet with us to discuss the above.

**D412 - Helensburgh Study Group (00166)**

1. Substantially reduce the number of houses for H&L projected for year 10 in table 2.1 (page 21) and the table of housing allocations on page 67.
2. Reference to a "generous" supply mentioned in paragraphs 66 and 70 of the Scottish Planning Policy (2010) and elsewhere might be recognised as (a) not defined, (b) not obligatory, (c) open to being quite low for a local authority which has a diminishing population, as the 2011 Census results for local authorities show for Argyll and Bute, West and East Dunbartonshire and Inverclyde.
3. While still accepting the administrative arrangement that H&L is designated as our HMA, reduce the housing allocations for the Helensburgh corridor to make allowances for housing of Dumbarton and the Vale of Leven.
4. Introduce housing allocations for the Rosneath Peninsula which, by the Proposed Local Development Plan, has no housing allocations at all. Reduce allocations for Helensburgh by that number.
5. Create a system of flexibility in the allocations of land for housing so that, although housing to year 5 is site-specific, that for year 10 is recognised but EITHER not defined on maps OR defined on maps with a different colour or designation from the year 5 allocations. That would appear to meet the criteria given in section 73 of Scottish Planning Policy.
6. Assess the **vacant in-town sites** and those known to become vacant in the period covered by the Proposed Local Development Plan, as outlined in the Study Group representation on in-town housing.
7. Since our proposals would imply a reduction of allocations outside the current town boundaries, we would be pleased to discuss where green belt retention would be most appropriate, especially at site H 2004 on Map 4 which is the second largest allocation for the whole of Argyll and Bute and the largest in H&L.
8. We ask that it be acknowledged ***that the proposed 665 new-build houses for Helensburgh is excessive in total and should be reduced.*** We also refer to our

other submissions which urge more in-town housing and less green belt incursion.

If A&BC has carried out an urban capacity study dealing with the categories of vacant and adaptable sites mentioned in 5a above, we are not aware of it. If it has not been done, the Study Group urges its rapid completion so that it can be included in the 5-10 year housing plan. These would help to provide for housing need and demand, meet the criteria of SPP 52, 80, 81, 82, 84 and 159 and (perhaps especially important) help to revive the town centre.

Some of the Helensburgh sites which are currently vacant or expected to be vacant are listed below, with estimated numbers of houses that might be allocated to them. Those housing estimates are based on medium-density assumptions. There may be other sites as well.

The addition of those numbers of housing units to the allocations given on page 67 of the PLDP and a counterpart reduction of allocations from Helensburgh's green belt would enable the HSG to withdraw its objection.

- Derelict vacant flats at Jutland Court : potential 40 housing units
- Currently being vacated Council depot above Hermitage Park : potential 10 houses
- Vacant site at north-east of Churchill Estate (**Note 1** below) : potential 25 / 30 houses
- Vacant site at Hood Court (currently subject to a planning application for 12 flats)
- Half of vacant business site (**Note 2** below) : potential 70 houses
- Aros Road site (**Note 3** below) : potential 12 houses or more
- Vacant MoD flats uphill from Aros Road (**Note 4** below) : 40 housing units or more
- Seven soon-to-be-vacated Council offices (unknown potential number of housing units)

Between them, depending on circumstances, use of vacant land might amount to between 100 and 200 housing units, thereby reducing pressure on the green belt around Helensburgh.

**Note 1.** The vacant site at the north-east corner of the Churchill Estate has, seemingly, been leveled for housing (two levels) but the current Local Plan designates it as Greenbelt. However, there is no current defensible boundary, whereas the Garrawy Glen and stream to its east would provide a defensible boundary. It is not used or tended. The HSG assumes it belongs to the MoD, but (as its present Greenbelt designation shows) that does not preclude redesignation for housing. Access would be simple. It is suggested that the woodland to its west and south should be retained as an Open Space Protection Area.

**Note 2.** Please see the separate Study Group representation entitled "Helensburgh business site".

**Note 3.** Aros Road is in Rhu. This site is allocated in the current Local Plan for 30 houses, but we understand that it has been removed from the PLDP due to a gas pipe running through it. However, the HSG assumes that this would not preclude some housing. That is why 12 housing units has replaced 30 in the assessment above, but 12 is a guess.

**Note 4.** Over 40 (the HSG is unsure of the precise figure) apartments have stood vacant on this MoD site for many years. The Study Group assumes that they could either be refurbished or replaced, whether for military or civilian use.

**IN ADDITION :** please see the separate Study Group representations on housing listed at the head of this submission.

**Conclusions.** The Study Group considers that the above are not windfall sites but should be included in the housing allocations. There may be other similar sites we have not identified.

1. Para. 2.12.1 (page 22) of the Proposed LDP and the glossary (page 89) re-define windfall development sites as "Development sites which are not identified through forward planning processes such as this LDP but become available unexpectedly for

various ad hoc reasons. Sites known to be vacant or known to become vacant during the 10 year span of this Plan are not windfall sites.”

2. Institute an urgent but thorough urban capacity study (as advocated in SPP para. 81) for Helensburgh in order to include the sites and means to provide in-town residential facilities for the benefit of the town. The Study Group's separate submission on in-town housing might contribute to that procedure.
3. Include the vacant and about-to-be vacant in-town sites in the allocations.
4. Reduce the extent of proposed green belt incursion accordingly.

#### **D412 - Helensburgh Community Council (00135)**

The HCC proposes the following.

1. Delete the words 'larger scale growth' from the fourth bullet point of para. 2.3.2 of the Plan's written statement and replace it with 'moderate and restrained growth in keeping with the fundamental character of Helensburgh'. Then greatly reduce the number of allocations, especially those outwith the current Helensburgh town boundary. See the HCC representation headed 'Housing proposals in the Plan'. HCC would be pleased to discuss specifics.
2. Since housing allocations are based on a range of assumptions and uncertainties and since the Plan itself aims to be 'highly flexible' (para. 2.8.4) and 'under annual review', a much more tentative approach might be taken regarding the land allocations. While there is a requirement to have a 5-year effective land supply (SPP para. 73) the allocations for 10 years in the Plan need modification and an element of flexibility to respond to changing circumstances rather than site-specific delineation. The HCC is willing to enter discussions about how this might be achieved. A mechanism must be found to avoid the excessive land designations currently offered in the Plan.
3. Table 2.1 on page 21 requires to be modified in the Helensburgh and Lomond row. It is noted that the Year 10 figures are simply a doubling of the year 5 figures which is a crude estimate, especially when the base HMA data are so uncertain. It may be better to remove the Year 10 figures and add a statement below that credible numbers cannot be identified that far ahead.
4. The Housing Allocations numbers of units for H&L on page 67 are similarly open to question and should be decreased substantially. See the HCC representation headed 'Housing proposals in the Plan'. HCC cross-refers to the Helensburgh Study Group's representation on housing.
  1. Delete the words 'larger scale growth' from the fourth bullet point of para. 2.3.2 of the Plan's written statement and replace it with 'moderate and restrained growth in keeping with The fundamental character of Helensburgh'. Adjust table 2.1 (page 21) and the allocations (page 67) downwards considerably.
  2. While there is a requirement to have a 5-year effective land supply (SPP para. 73) the allocations for 10 years in the Plan need to be less site-specific and an element of flexibility to respond to changing circumstances introduced. The HCC is willing to enter discussions about how this might be achieved.
  3. Carry out an urgent assessment, in conjunction with local community organisations, of intown sites which are currently vacant or which are known to become vacant in the 10-year span of the Plan. This would accord with SPP para. 80. The HCC offers the following as preliminary (not exhaustive) list with which such an investigation might start. (i) A&BC office land which will become vacant when offices are consolidated at the Clyde Street School site. (ii) Depot at the top of Hermitage Park and Walker's Rest which is almost entirely unused (iii) 42 empty housing units at Jutland Court. (iv) More than 40 empty housing units on Smuggler's Way. (v) Aros Road site, allocated in the current Local Plan for 30 houses but, we understand, unsuited to that number due to a gas pipe. Thus a lower number of houses (perhaps 12) on that site. (vi) Site seemingly leveled for housing (two levels) at the north-east corner of the Churchill Estate, currently greenbelt, but illogically so according to the Helensburgh Green Belt Group which has previously recommended its use for housing in

accordance with the current Structure Plan para. 3.19. (vii) NOTE : HCC supports the allocation of the old Academy site, the two parts of the Blairvadach area already designated, and, with possibly less density, the modified Cardross allocation, noting that the allocations have already been reduced by one-third in December 2012.

4. Other in-town options to be considered in such an investigation might include vertical development where previous 3 or 4 storey buildings are now single-storey ('broken teeth'), greater facility to convert unused or charity shops to residential use, and other means doubtless known to planners. Also use of part of the large vacant business site for residential purposes, to protect town centre retail. HCC cross-refers to the Helensburgh Study Group's representation on housing.

**LDP 8 – CALA Homes (West) (01870)**

The objector recommends that a new Policy is inserted into the as follows

**LDP HL1 – HOUSING LAND FLEXIBILITY**

The Council shall maintain a five years' effective housing land supply at all times to meet the housing land requirement of 9,500 housing solutions over a 10 year period. This will be monitored by an annual housing land audit. For this purpose the Council may grant planning permission for the earlier development of sites which are allocated or phased for a later period in the LDP.

Other sites for housing development proposals within the Development Management Zones may granted planning permission to maintain a five years' effective housing land supply if allocated or phased site cannot be developed earlier. These new housing developments need to meet the criteria set out in Policy LDP DM 1.

The Objector further recommends that the following amendments are made to Paragraph 2.8.4 after "Argyll and Bute"

"Policy LDP HL1 sets out the mechanism to maintain a 5 year effective land supply at all times."

And, the addition of the words "through a housing land audit" after the word "review"

**D412 - Ms Suzanne McIntosh (01887)**

Consideration should be given to the above.

**D414 - Mr Mike MacKenzie MSP (00984)**

None stated.

**Summary of responses (including reasons) by planning authority:**

**D414 - Helensburgh and District Civic Society (00281)**

**D414 - Helensburgh Green Belt Group (00167)**

**D412 - Helensburgh Study Group (00166)**

**D412 - Helensburgh Community Council (00135)**

The Housing allocations made in the plan have been informed by the Argyll and Bute Housing Need and Demand Assessment (HNDA). Paras 67 to 69 of SPP (see core document xxxx) confirm that the Scottish Government expects HNDA's to provide the evidence base for defining housing land supply targets in local housing strategies and allocating land for housing in development plans. The Argyll and Bute Housing Need and



Demand Assessment (see core document xxxx) has been approved as robust and credible, by the Scottish Governments Centre for Housing Market Analysis. SPP para 67 also advises that where the housing need and demand assessment is considered robust and credible by the Scottish Government, the approach used will not normally be considered at the development plan examination. The approved housing need and demand assessment indicates that there is a need for 9500 housing solutions over a ten year period, the methodology used to determine this followed the recommendations of the Centre for Housing Market Analysis, and has included surveys to assess the needs of existing and newly forming households, an assessment of the housing market and cross tabulation with census and GROS outputs. The assessment that the plan should seek to make provision for up to 7450 new housing units, has included an allowance for those existing households whose need could be addressed through *in situ* alterations, and also takes into account the responses the consultation on the Main Issues Report which indicated that the Council should seek as far as practicable to meet in full the assessed requirements. The ten year period reflects the time required to address the back log of housing needs identified in the HNDA, and is consistent with the requirement in SPP that a minimum of 5 years housing land supply should be available at all times, where as a result of the timescale of LDP process a minimum of an additional 2-3 years supply is advised. This approach also helps to give greater long term certainty to green belt boundaries as advocated in SPP para 162 (see core document xxxx). The HNDA has also looked in detail at the proportion of affordable and market housing required in each of the councils 9 housing market areas. These Housing Market Areas have been defined following analysis of the local housing system across Argyll and Bute and remain the same as those accepted by the reporters at the inquiry in to the Argyll and Bute Local Plan (see core document xxxx chapter 2.4). In the context of Argyll and Bute the HNDA assessment of housing market areas reveals that Helensburgh and Lomond is one of the most self contained. There are a number of factors which determine the level of need for affordable housing, and while average household incomes in Bute and Cowal may be lower than Helensburgh and Lomond, so are average house prices, this means that a greater proportion of households are able to meet their needs in the market in Bute and Cowal than Helensburgh. This combined with the greater availability (increased turnover) of existing social rented homes means that new build requirement for affordable homes in Bute and Cowal is much less than Helensburgh.

While it is acknowledged that the proportion of the population over 75 is increasing, many are choosing and are able to live in their existing homes for longer, while some may seek smaller more easily accessible homes in the centre of town, the opportunities to deliver these, are limited. The Housing Land Audit (see core document xxxx), identifies that for Helensburgh and Lomond as a whole the capacity of both large and small scale windfall opportunities is 179 units, of these, 50 are within the Helensburgh settlement area. There will no doubt be other opportunities for further windfall development (such as the some of the sites identified by the objectors) in the Helensburgh area during the lifetime of this plan, however the rate at which these might emerge cannot be predicted. If they do come to fruition then these windfall sites are a bonus which add to the flexibility of the plan and can help to contribute to ensuring a generous supply of housing is available. However, windfall sites by their very nature cannot be relied upon so there is therefore a need to make additional allocations in locations that are, or can be made accessible by a variety of means.

#### **LDP 8 – CALA Homes (West) (01870)**

The Council will comply with the SPP to deliver an effective five year housing supply at all times. The Council already does this through specific housing numbers identified on clearly identified Allocations, PDAs and windfall development within acceptable sites within the Development Management Zones. The Council has published a Housing Land Audit in March 2013 and has consulted with Developers (**Core Doc. Ref. xxx**). This document shows clear programming for housing land release and the Council is committed to reviewing this document annually to ensure that an effective housing land supply is continuously delivered

throughout Argyll and Bute. The council can see no value to adding an additional policy statement as proposed by the Objector or amend Paragraph 2.8.4 of the plan's Written Statement to refer to the new policy.

In terms of the proposed addition of the words "housing land audit" in Paragraph 2.8.4 the Council would be content, if the reporter was so minded, to include a reference here to the housing land audit as it would add clarity to the intentions of the plan.

**Ms Suzanne McIntosh (01887)**

The Council does not accept the Objectors arguments with regard to the effectiveness of the housing sites. The Council has conducted a Housing Land Audit (**Core Doc Ref xxx**) and consulted with the housing industry and the Scottish Government with no objections raised. Allocations, some partially implemented have been carried forward from the current Local Plan (**Core Doc. Ref. xxxx**) which is standard planning practice given the current plan is still considered to be up to date. These Allocations have been clearly identified in the plan as they retain the same reference number with new allocations having new distinct references given to them.

The carrying forward of allocated housing sites that have not been fully developed into a future plan is normal planning practice where the council still considers these sites to be effective. The Council has committed to undertaking a Housing Land Audit on an annual basis to measure the sites' effectiveness. This information will be used to undertake future reviews of the plan and bring forward additional sites where necessary to maintain an effective housing supply.

The Housing Land Audit together with the published allocation schedules in the Written Statement and the published Draft Action Programme contains considerable information on a wide range of sites ranging from a single dwelling unit to sites with a capacity in excess of 100. At the Main Issues Report (MIR) (**Core Doc. Ref. xxx**) Stage the issue of increasing density on appropriate sites was put forward to help with economies of scale and making best use of available land and this received strong public support. This resulted in a number of sites having a higher density applied in the Proposed LDP including a number of sites being taken forward from the current Local Plan.

The Council also does not agree that larger sites are failing to be implemented and the objector has provided no evidence to substantiate this claim. Argyll and Bute has helped take forward larger sites of over 80 houses in numerous locations including Lochgilphead (former high school site and at Baddens) and with the Oban settlement area. The phased development of sites at Dunbeg Corridor (50 houses on site with a further 25 committed at this stage) has started with infrastructure support committed through the agreed Lorn TIF.

The Council considers therefore the availability of the Housing Land Audit that will be renewed on an annual basis provides the in depth analysis of the housing allocations requested by the objector (01887) and as such considers that no amendment be made to the Proposed LDP.

**Mr Mike MacKenzie MSP (00984)**

The Scottish Government recognises the importance of housing provision in Local Development Plan's and requires housing land provision within them, to be informed by a Housing Need and Demand Assessment (HNDA). The Scottish Governments Centre for Housing Market Analysis (CHMA), oversees the preparation of HNDA's by local housing authorities. HNDA's are required to be signed off by CHMA as robust and credible, once they have been signed off as such then the outputs from this are not normally subject to

inquiry. The Argyll and Bute HNDA (see core document xxxx) has been approved as robust and credible by the CHMA. The figure of 9590 contained in the HNDA is the number of households who are projected to have a need or demand for housing over a 10 year period. This figure does not take into account, the number of households who can have their requirements met by the existing housing supply either through re lets or resale of existing housing. The policy of reduction of HNDA need is quite explicit in both HNDA & Local Housing Strategy (LHS) and was approved by Scottish Government & CHMA – up to 75% of unmet need does not require new build solutions and the last 2 years of implementing LHS have upheld this, with substantial reduction in homeless figures and also a drop in waiting list. The figures identified for the housing allocations in the LDP takes these into account, and are more than generous.

The LHS/HNDA does not prescribe levels growth or set any kind of target for population or household increases. They do however, consider the levels of household growth indicated by GROS/NRS, and it is these figures which were used in both the HNDA and LHS. The General Registers of Scotland figures for population and household projections are estimates and reflect a wide range of demographic indicators. The Local Development Plan has little control over these indicators, and in particular, the attribution of migration in and between authorities in Scotland.

The HNDA included a specially commissioned household survey and does take in to account various types of hidden demand, calculations for newly forming households, rolled forward for 10 years, expressed demand from existing households and hidden households are also included in the calculations, as is demand from in-migration. Housing does have an important role in sustaining and generating growth, but other factors are perhaps more important, such as birth rates and mortality, or a healthy economy and employment opportunities. Reference to the Councils 2011 consultation exercise in relation to school closures does not equate to housing market or housing policy failure. The schools included in the consultation exercise were in a wide variety of communities, some of which had a wide range of housing allocations and opportunities within them, while other communities had fewer.

We have conducted a housing land audit (see core document xxxx) of all of the existing and proposed housing allocations. The audit provides a programme for the delivery of sites, and this has been prepared in conjunction with the owners/developers of sites included within it. Factors such as the availability of infrastructure are taken in to account in the audit, as is the general marketability of sites. In identifying allocations and the size that individual allocations should be, the plan has had regard to, and sought to balance, the opportunities provided by the physical characteristics of the land, size of settlement, demands of infrastructure and servicing, potential for economies of scale, and capacity of the local construction industry; in a way which provides opportunities to meet the housing needs and demands of Argyll and Bute in the most effectively.

The HNDA identifies 9 Housing Market Areas (HMA's) across Argyll and Bute. These HMA's have been accepted by the CHMA as the basis for the HNDA and have been signed off as robust and credible. The LDP seeks to make the required levels of provision as far as possible within each HMA. In making provision across each HMA, the LDP has sought to build upon the socio-economic strengths of communities, for example by identifying key rural settlements where there are generally a broad range of facilities, services, and employment opportunities available, and reflect the proposed settlement strategy which seeks to promote a sustainable development pattern.

The decline in economically active populations is not confined to rural areas. Those rural areas which are identified as economically fragile in the LDP, are those which have been identified by Highlands and Islands Enterprise. The LDP seeks to provide a positive

framework for sustainable economic development throughout the plan area, and within the Economically Fragile areas SG LDP BUS 5 allows for a variation in the scales of development considered acceptable.

**Conclusions**

In view of all the above the Council recommends that no modification to the proposed LDP be undertaken as a result of these objections made to the proposed LDP.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS401</b>	<b>Strategic Issue - Key Rural Settlements</b>	
<b>Development plan reference:</b>	<b>Strategic Issue - Key Rural Settlements</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Helensburgh and District Civic Society (00281)</b>  <b>Mr Allan Macaskill (00264)</b>  <b>Cairndow Community Council (00120)</b>  <b>Rosneath Peninsula West Community Development Trust (01257)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Helensburgh and District Civic Society (00281)</b></p> <p>The Objector is opposed to the concept of Key Settlements in the plan be utilised as growth centres as opposed to 1970s planning concept that sought to retain local services in at least one village or community in the face of a falling population. In particular, the arrangement of those on the Kilcreggan Peninsula seems to be misguided. First, the Objector contends that there are too many of them, including Cove, Kilcreggan, and Rosneath, with Garelochhead on the border. This looks dangerously like declaring all the villages of the area to be Key, which defeats the idea of collecting resources and investment.</p> <p><b>Mr Allan Macaskill (00264);</b></p> <p>The Objector contends that Key Rural Settlements are missing including Ellenabeich, Balvicar, Kilchrenan, Kilmelford, Dalavich, Connel, North Connel and Bridge of Orchy.</p> <p>The objector also points out that smaller settlements in Mid Argyll have been included as Key Rural Settlements even though they are smaller.</p> <p><b>Cairdow Community Council (00120)</b></p> <p>Expression of support for the inclusion of Cairndow as a Key Rural Settlement in the plan.</p> <p><b>Rosneath Peninsula West Community Development Trust (01257)</b></p> <p>Expression of support for the intention to steer significant new developments to particular areas, including the local Key Rural Settlements including Cove and Kilcraggan (see Paragraph 1.6.2 of the LDP Written Statement).</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>Helensburgh and District Civic Society (00281)</b></p> <p>The objector requests either the explaining of the role of these settlements and the difference in meaning from the original applied many years ago, or, preferably, going back to this original understanding which would entail reduction in number of Key Rural Settlements and attention to their geography, so as to make them the central settlement in a group which is</p>		

reducing in the provision of services, and provide a "strongpoint" where these services will continue.

**Summary of responses (including reasons) by planning authority:**

**Helensburgh and District Civic Society (00281); Mr Allan Macaskill (00264);**

The concept of Key Rural Settlements is not related to the 1970s planning concept the objector refers to in his objection. The concept of Key Rural Settlements was consulted on as part of the Main Issues Report (MIR) (Core Doc. Ref. xxx) and this received widespread support from people who responded to the consultation. The opportunity to object to the inclusion or omission of settlements was at the MIR stage and letters of representation were submitted for the settlements identified by objector (00264) and there were no objections for the inclusion of key settlements in the Helensburgh and Lomond area. In terms of Kilmelford the community objected to the inclusion of this settlement as a Key Rural Settlement and as a consequence of this the settlement was removed from the list. Other communities such as Cairndow held votes on whether their community should be included as a key rural settlement and we have taken account of this to inform the plan. See representation (00120).

The settlements referred to by objector (00264) Ellenabeich, Balvicar, Kilchrenan, Kilmelford, Dalavich, Connel, North Connel and Bridge of Orchy (all in Lorn) all scored low on the matrix established to inform the contents of the MIR. No representations were made to have them included at the MIR stage by their respective communities and consequently they have not been included. It should be noted that development will still be possible in these communities but generally at a smaller scale which is generally more suited to their capacity to accommodate additional growth.

Key Rural Settlements are "small settlements that offer a range of services and some potential for up to medium scale growth, including delivery by masterplans and or community led action plans." They were selected using a matrix that scored each settlement for suitability on capacity to absorb additional development, presence of affordable housing, key rural services and sources of employment land or buildings. In these settlements up to medium scale development is permitted provided it satisfies all relevant policies and supplementary guidance of the LDP.

The idea behind the identification of Key Rural Settlements is to try to help focus more significant growth in communities with some capacity to successfully absorb new development and at the same time help sustain rural services that are under pressure of being lost and help stop the drift of our rural population to the Main Towns and Key Settlements.

The Council considers that the objectors have not provided any compelling evidence or credible alternative to change the stance towards the Key Rural Settlements which is considered by the Council to be a key part of the settlement strategy that was fully consulted on at the MIR stage of the plan process. Consequently, the Council cannot support any amendment to the plan based on these objections.

**Reporter's conclusions:**

**Reporter's recommendations:**

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<b>ISS402</b>	LDP 6 - Supporting the Sustainable Growth of Renewables	
<b>Development plan reference:</b>	LDP 6 - Supporting the Sustainable Growth of Renewables  (See also representations made to LDP 5)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Coriolis Energy (01968)  E.ON Climate Renewables (01932)  Burcote Wind Ltd. (02129)  SSE (02128)  Infinergy (01915)  Scottish Power (02127)  RWE npower Renewables (02126)  RES UK and Ireland Limited (01007)  Banks Renewables (01905)  PI Renewables (01934)  RSPB (00040)  Mr Damon Kenneil (02011)  Scottish Natural Heritage (01587)  Scottish Salmon Producers Organisations (01118)  Helensburgh Study Group (00166)  Helensburgh Green Belt Group (00167)  Mr and Mrs Metcalfe (01748)  Mrs GH Dalton (01520)  Ms Moira McClymont (02035)  Mr Andrew Russell (02070)  Ms Agnes Wilkie (02099)  Mr Cameron McClymont (02033)  Mr Phil Connor (01963)  Mr John Cowan (01973)</p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<b><u>General Policy and Wind Map Objections</u></b>		
<p><b>Coriolis Energy (01968)</b></p> <p>In paragraph 185 of SPP local authorities are directed to 'ensure that the development plan or supplementary guidance clearly explain the factors that will be taken into account in decision making on all renewable energy generation developments'. In paragraph 4.11.4 of the LDP 6 justification the LDP sets out that the while the Council supports the growth of renewables there is a need to protect and conserve other aspects of the landscape, natural and built heritage and communities from 'potential adverse impacts as a result of proposed renewable energy developments'.</p>		



This wording is inconsistent with national planning policy guidance and the general recognition that it is 'significant adverse impacts' that must seek to be avoided or mitigated through the further growth of renewable energy development. Elsewhere in the LDP written statement reference is made to 'significant adverse impacts'. It is important in policy interpretation terms that there is a consistent policy approach for assessing levels of impacts or effects introduced through wind energy development.

#### **LDP 6 - E.ON Climate Renewables (01932)**

Objection to LDP 6 on the basis that the SPP actually requires spatial frameworks to be prepared for developments over 20 MW generating capacity (rather than referring to turbine height), albeit authorities may incorporate wind farms of less than 20 MW in their spatial frameworks if considered appropriate. It is therefore queried why such an approach, based on turbine height, has been used. The policy then notes that the spatial strategy identifies:

- Broad Areas of Search;
- Protected Areas; and
- Potentially Constrained Areas.

These definitions / terminology differ from that identified within SPP and the PPSF. The corresponding definitions are:

- Areas of search (stage 3 of the PPSF)
- Areas requiring significant protection (stage 1 of the PPSF); and
- Areas with potential constraints (stage 2 of the PPSF).

The Wind Farm Policy Map defines these areas and is available on the council's website. However, the map should form an integral part of the statutory LDP, and specifically the Written Statement rather than the Supplementary Guidance. This requirement is stipulated within the PPSF where it makes reference to Circular 1/2009 Development Planning. E.ON considers that the most appropriate place to situate the map would be at pages 40 / 41 of the Written Statement and reference to the map should also be explicitly made within policy LDP 6.

It is also requested that the methodology relative to the spatial framework and the associated map be fully explained within this section of the LDP. In this respect, the PPSF deals with the preparation of spatial frameworks. It states that "Stages 1, 2 and 3 will normally be map based." Such a map based approach would be very useful in understanding the methodology employed by the council on a step-by-step basis. Further commentary and suggestions in relation to the approach taken and how it relates to the PPSF is provided below.

Section 4.11 of the Written Statement is the justification for policy LDP 6. It is considered that the justification should make reference to the Scottish Government's commitment and associated targets in relation to generating 100% of Scotland's electricity demand equivalent by 2020. This should also note that on 30 October 2012 a new interim target was announced and renewable generation should account for the equivalent of 50% of Scottish demand by 2015. Both targets should be noted within the LDP.

#### **LDP 6 – PI Renewables Ltd. (01934) Burcote Wind Ltd. (02129); SSE (02128)**

The objectors' contend that the drafting of this policy is of a significant concern. The drafting of the policy is found to be contrary to the policy advice within SPP, despite the stated recognition at para 4.12 of the proposed LOP that the policy is drafted in accordance with

SPP.

The policy explicitly provides support for development proposals where there are no significant adverse effects" on a number of environmental resources as referenced within the policy. At paragraph 187 of SPP it states that a "planning authority should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed" (emphasis added). This particular part of SPP does not provide any form of presumption against development that would result in a significant adverse environmental effect. The test set out within SPP is whether environmental effects can be satisfactorily addressed (paragraph 187). Considering the vast number of planning decisions on commercial scale wind energy development proposals (both at Local Authority and Scottish Government level) it is clear from those planning **decisions that** a development proposal is capable of being found in accordance with SPP whilst still resulting in significant adverse environmental effects. The SPP policy test is whether such effects are acceptable or not. On this basis, the policy drafting is considered to be inconsistent with SPP and the statement at paragraph 4.12 of the LDP in that the policy conforms to SPP is unacceptable. In short, it is unrealistic to require wind energy developments to have no significant adverse effect on landscape character and visual amenity. Significant adverse effects will almost inevitably arise and their presence does not automatically imply that the effects will be unacceptable.

**LDP 6 - Infinergy (01915)**

This policy states that the Council will support renewable energy development where they are consistent with sustainable development and it can be adequately demonstrated that there is no significant adverse effect upon environmental receptors. As per the commentary provided in relation to Policy STRAT 1, it is misleading to state that it must be demonstrated that there are no significant adverse effects before support can be given. This is especially pertinent when considered alongside paragraph 4.11.1 of the Proposed LDP, where it is stated that "the Council is keen to ensure that Argyll and Bute continues to make a positive contribution to meeting the Scottish Government's targets for renewable energy generation".

It is also acknowledged that the Council has prepared a spatial framework strategy for wind energy development of over 50 metres in height to blade tip. It is understood that this 50 metres is based upon findings contained within the Argyll and Bute Landscape Wind Energy Capacity Study, however we believe that this merits a more detailed explanation.

**LDP 6.-. Scottish Power (02127)**

The objector welcomes the clear support stated for renewables but we note that the test applied is can be adequately demonstrated that there is no significant adverse effect. This test, along with Policy LDP 3 and SG LDP REN 3, would set a very high barrier to many forms of renewable energy development, on and offshore. We suggest that the test applied should be where environmental and cumulative impacts can be satisfactorily addressed as laid out in SPP paragraph 187. We would also suggest a specific statement of support for community renewables (see comments to LDP 5).

**LDP 6 - RWE npower Renewables (02126)**

RWE NRL are supportive of these policies as they recognise the importance of the onshore wind farm industry in contributing to the success of the local economy in the Argyll and Bute Council area. Whilst wind farm proposals should be given consideration on an individual basis, it is important to acknowledge the economic advantages of a growing regional renewable energy industry.

Equally, it is important to provide a justified and transparent policy framework for determining applications for onshore wind farms, in order for these economic advantages to be realised, in particular through addressing the issues we have raised in relation to the Wind Farm Policy Map. We recommend that these economic policies should be a key consideration in determining planning applications for wind farms, as development of onshore wind is an important element in the on going success of the economy in the Argyll and Bute Council area.

**LDP 6 - RES UK and Ireland Limited (01007)**

RES finds Policy LDP6 generally supportive of renewable energy development there are some important contentions with the Scottish Government's national planning policy guidance we would wish to highlight.

1. The policy identifies two classes of search area for turbines based on height at 50m-80m and >80m.

This would appear to be based on the referenced "Argyll & Bute Onshore Wind Landscape Capacity Study" (LCS) and whether the landscape can accommodate this height of turbine. Such an assessment should be made during the development management process whereby the LCS would be a material consideration for the determination of planning applications.

2. The Council's spatial framework for wind farms generally accords with Scottish Planning Policy's (SPP) three staged approach, as supplemented by the online guidance. However, there is one important contention in respect of the "Areas Requiring Significant Protection" which are in accordance with the land use designations specified in SPP with the exception of the inclusion of SNH areas of search for wild land. Based on the current SPP policy we would therefore object to the inclusion of SNH areas of search for wild land within the Areas Requiring Significant Protection.

3. In accordance with SPP's three staged approach land use designations relating to historic environment, regional and local landscape and natural heritage, tourism and recreational interests, communities, aviation and defence interests and broadcasting installations should be considered in

Potentially Constrained Areas. It would appear that the draft LDP has taken a more broad brush approach which goes beyond such designations and that there are some areas within proposed Potentially Constrained Areas that could alternatively be included within areas of search. The policy focuses on guiding developers towards broad areas of search. However, areas excluded from the broad areas of search which are considered 'potentially constrained' may not be constrained as per the SPP's three stage approach and thus should be subject to assessment for acceptability through the development management process.

4. The policy states "for all wind farms, regardless of scale, the issues raised by the following must be satisfactorily addressed". It is unclear to what 'satisfactorily addressed' means. With all large wind turbine projects there will always be some form of environmental impact and it is for the determining body to decide if those impacts are acceptable for the development proposed. It is not reasonable to require all individual impacts of a development to be 'satisfactory' or neutral as may be the council's intention by 'satisfactorily addressed'.

**LDP 6 – Banks Renewables (01905)**

The reasons for the height criteria chosen are not clear and appear somewhat arbitrary. We are concerned that such an approach is overly prescriptive and can oversimplify the highly technical nature of wind turbine developments where other attributes such as numbers, capacity or most crucially design in the landscape should be given consideration. This is contrary to SPP and we would urge you to change this policy (and the supplementary guidance) to acknowledge that height alone should not be used to presume acceptability of location in your spatial development strategy for wind farms. Every proposal should be judged on its own merits.

### **Landscape Capacity Study**

We are concerned that disproportionate emphasis is being placed on the Argyll and Bute Landscape Wind Energy Capacity Study dated March 2012 prepared for the Council and SNH by Carol Anderson and Alison Grant, Landscape Architects.

With regard to site specific proposals, too much significance may be placed on the overall "capacity" that has been assigned to each Landscape Character Type as expressed in the section entitled Guidance on Development. Statements such as "there is no scope to accommodate the large typology in this character type" are necessarily generalised to apply to the overall area of the LCT but in our view the danger is that could be read as definitive judgements without looking closely enough at the detailed factors which underlie this conclusion. On the other hand, the "Sensitivity Assessment" section for each LCT, which includes a more fine grained level of analysis, picks up relatively effectively and efficiently much of the variation in landscape and visual sensitivity and value which occurs across each type. While it is acknowledged that it is not intended to apply at site specific level, this information is at a much more appropriate level to contribute to the "appraisal of individual wind farm and wind turbine proposals" and we believe that this should be clearly explained and emphasised.

### **Application to Spatial Strategy/Framework**

We also wish to flag up that landscape capacity is only one of a number of aspects which need to be taken into account into consideration when drawing up the proposed spatial framework and there is a risk that the existence (and content) of the Study may lead to landscape capacity being given undue emphasis.

In this regard it is worth noting that landscape capacity is not explicitly identified as a constraint or consideration in the updated 2012 Scottish Government guidance "Process for preparing spatial frameworks for wind farms"  
<http://www.scotland.gov.uk/Resource0040/00400726.pdf>

In addition, this document includes the statement that "Areas of search ought not to be reduced in extent by factors beyond those identified in the SPP three-stage approach. It would be inappropriate for example to restrict areas of **search on the basis of a perceived sensitivity to wind farm development in locally significant non-designated natural heritage areas**. Such considerations are more appropriately dealt with at development management stage where mitigation might be possible through careful siting and design."

The section above which we have highlighted in bold type applies to the great majority of the Landscape Character Types in Argyll and Bute outwith the National Park and National Scenic Areas and the subsequent sentence emphasises our previous point regarding landscape sensitivity being more appropriately dealt with at a project proposal level. The same guidance identifies matters relating to regional and local landscape and natural heritage designations as Stage 2 constraints where proposals will be considered on their individual merits against identified criteria. This again reinforces our view that landscape sensitivities

are in themselves an inappropriate category of criterion with which to define "no-go" areas for specific development typologies.

We believe that landscape sensitivities should only be used at Stage 2 to inform the criteria against which individual proposals will be assessed.

**LDP 6 - RSPB (00040)**

Objection to the policy as the broad areas of search for windfarms and wind turbine development are based principally on an Argyll-wide landscape assessment and not potential impacts on biodiversity. It appears the map does not consider bird sensitivities outwith designated sites, despite important species and habitats occurring throughout Argyll and Bute and policy SG LDP ENV1 stating that consideration should be given to a broad range of species.

Further details of our objection are contained within our response to SG LDP REN 1 on a separate form.

**LDP 6 - Mr Damon Kenneil (02011)**

Objection to the wind farm policy map on the grounds that it opens the way for more applications that take no account of the fact that areas, previously designated as unsuitable, are included. The objector asserts that the map fails to take into account the damage to the landscape, and thus the damage to the local economy that ill thought out development of windfarms, particularly in the Northern part of Kintyre, would cause. The map also encourages applications from organizations that are motivated by financial gains, to such an extent, that the damage to the quality of life, for the people living in the areas, is ignored.

**Scottish Natural Heritage (01587)**

It is unclear how the extent of the Broad Areas of Search have been informed by the Capacity Study Particularly their boundary and extent. For example, in Kintyre the Capacity Study refers to specific sensitivities at the northern and southern ends of the interior hills.

Constraints/ sensitivities include the more complex knolly hills south of Lussa Loch (Southern Kintyre) and development affecting the hill edges which is relevant to Northern Kintyre.

Similarly, for example, the Broad Area of Search at Knapdale extends to the coastal edge and the NSA boundary where there is likely to be heightened sensitivity. It is also unclear how cumulative impacts will be taken into account. There are often issues of large scale wind energy development impinging on adjacent small scale, more sensitive character types and the coast. Although the sensitivities of each landscape character type and its relationship to adjacent areas is taken into account in the Capacity Study; the sensitivity of adjacent character types and their sensitivity to, for example, the effects of large scale turbines in close proximity will not be apparent from this Windfarm Policy Map and may be open to misinterpretation.

The Broad Areas of Search for both >80m and 50-80m turbine tip height are too large in terms of the Capacity Study, which clearly states that the restriction of the landscape being impacted on should dictate the height of turbines, not the location of the turbines. Hence the peripheral parts of these two policy zones are unlikely to be able to sustain this size of wind turbines on landscape grounds due to impacts on neighbouring landscape character areas.

The Protected Areas have not included consideration of any areas where the cumulative impact of existing and consented wind farms limit further development, in line with Scottish Government advice on locational strategies for wind energy. This in turn could affect the extent of Broad Areas of Search. Account should be taken of offshore wind energy

developments in the assessment of cumulative landscape impacts.

There is a need to consider how this policy map will be reviewed and updated, especially in the light of any further wind farm consents.

The Broad Areas of Search do not take into account the potential constraint of birds, particularly golden eagle. A golden eagle core territory should be considered a Potentially Constrained Area. In addition, you should be aware that the Habitat Regulations were reviewed in 2012 and under Regulations 3A(8), 3A(2), 3A(3) and 3A(6) new duties were introduced in relation to wild bird habitat which have implications for Local Authorities. In short the amendments include;

- The objective is the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in Scotland in implementation of Article 3 of the Wild Birds Directive (including by means of the upkeep, management and creation of such habitat, as appropriate), having regard to the requirements of Article 2 of that Directive.
- In considering which measures may be appropriate for the purpose of securing or contributing to the objective in paragraph (3), regard may be had to economic and recreational requirements.
- So far as lies within its powers, a competent authority must use all reasonable endeavours to avoid pollution or deterioration of habitats of wild birds in Scotland.

These various activities are largely “wider countryside” in nature and sit alongside measures being taken within the network of Special Protection Areas. As such proposals will need to be screened for likely significant effect on wild bird habitats in addition to the existing Habitat Regulation provisions in the HRA. We note that the wind farm map currently only takes into account landscape constraints.

#### **LDP 6 - Scottish Salmon Producers Organisations (01118)**

##### Reference to existing marine planning policy

Although not covered by the Proposed LDP, the National Marine Plan and the Offshore Renewable Energy Plans being developed by the Scottish Government ought to be referred to in this policy given the potential impacts on :- the environment locally; other land uses; and, more particularly, aquaculture. The potential conflicts between marine renewables and aquaculture development ought to be managed through proper planning mechanisms, including the LDP.

#### **Helensburgh Green Belt**

#### **LDP 6 - Helensburgh Study Group (00166)**

The Helensburgh Study Group (‘the Study Group’) supports lines 3 to 10 of section 4.11.4 of the Proposed Local Development Plan which refers to ‘protecting and conserving our outstanding environment’ and most, but not all, of Policy LDP 6 on page 40 of the Written Statement. It also notes the discussion of wind turbines in the Supplementary Guidance, including SG LDP REN 2 concerning wind turbines up to 50 metres high (SG page 43). The Study Group has read the conclusions of the Argyll and Bute Landscape Wind Energy Capacity Study of March 2112, especially pages 38 - 45 and Character Type Key Map - 5. Open Ridgeland.

With regard to possible proposals for wind turbines close to Helensburgh, there appears to be tension between the above and the terms of Policy LDP 3 on page 27 of the LDP Written Statement, categories (A) through to (D). Also, the amount of new evidence emerging

concerning the inefficiency of wind turbines, their shorter-than-claimed effective life, the additional release of carbon dioxide when constructed on peat soil and other data questioning the value of wind turbines has presumably emerged since the wording of the A&B Council's Proposed LDP was drawn up. The Study Group recognises the difficulties of preparing a Local Development Plan section which is subject to rapidly changing evidence. Yet it considers that adaptation would be appropriate.

#### **LDP 6 - Helensburgh Green Belt Group (00167)**

The objector states that the arguments against wind turbines close to settlements are increasing and the special significance of the two main hills behind Helensburgh has been emphasised by the Ironside Farrar Report on Green Belt landscape (pages 16-17) as integral to its setting. Controversy is also increasing about subsidies to local communities close to wind farms helping to impose adverse impact on neighbouring communities.

#### **Loch Awe Area**

#### **LDP 6 - Mr and Mrs Metcalfe (01748)**

Objection to the Wind Farm Capacity Map and areas of search for wind farms relating to Loch Awe and Lochavich for reasons below. Bearing mind that Landscape study states 'There is no scope to accommodate the large typology in this character type, and scope to accommodate medium size typologies is likely to be limited to areas where they would not intrude into skylines overlooking Loch Awe, or into key views to and from the Loch, its islands, historic features and panoramas of the mountains' – nonetheless, Loch Awe and surrounding areas are being viewed by developers as having capacity for very large wind farm developments despite the existence of three, two of which have applications pending for (in essence) large and potentially damaging extensions i.e. Ardconnel for An Suidhe from RWE and Musdale for Carraig Gheal from Infinis. Effects if approved, will be to further industrialise the increasingly vulnerable ridges, lower sides and wider environments of Loch Awe. Costs to this area from losses of habitat, sensitive environments and to the tourist economy would rapidly become unsustainable. Already the previously unbroken skylines are lost to the moving intrusion of An Suidhe and Carraig Gheal turbines, as are areas of natural beauty, and increasingly important sensitive habitats.

LDP6 4.11.4 states :- 'Whilst the council seeks to support the further development of renewables throughout Argyll and Bute There is also a need to take a sustainable approach by protecting and conserving our outstanding environment, including our landscape and protected species, our local communities and other sectors of our economy from potential adverse impacts as a result of proposed renewable energy developments'. As maps on pages 15 & 39 show Loch Awe as a 'Tourism Development Area,' that statement conflicts completely with the designation of both sides of Loch Awe Broad Areas of Search on the windfarm policy map. Attention must be also be given to losses due to FCS plantations and activities. These are badly underestimated as impacts for Loch Awe are already being felt from the policy of granting exclusive rights of search to major wind power developers throughout the FCS estates. Due to permitted development rights, FCS avoid certain areas of normal planning requirements for access roads to wind farms through FCS land. This 'avoidance' affects public participation issues.

Lochavich is fully subject to Type 7 constraints, and should be re-classified as Type 7a, with the glen & the Inverliever Ridge being included in a Protected Area due to its compatibility with the Type 7a definition of Craggy Upland with Settled Glens, together with that of areas with a more complex landform, e.g. irregular craggy ridges, steep slopes, narrow valleys and

areas with a particularly intricate pattern of lochans and rocky knolls which would be highly sensitive to all development whether sited directly within these areas or nearby. Community Benefit offers attached to applications used not be a material consideration, but such offers are now commonly made public before or together with applications, so the ability to resist this appears to have vanished with the planning system being left poorer as a result. Pressure on those Councillors with the ability to overturn planning decisions, is obvious. As claims surrounding emissions savings and benefits can't be quantified or proven, where does this leave the validity of either offering or expecting communities to accept such payments? At best it provides very questionable short term gain - but in the long term, pain from construction of excessive numbers of developments.

Public Health: The UK Government is a signatory to the Rio Declaration which requires the Precautionary Principle to be invoked where there is uncertainty about the safety and wellbeing of human kind, animals and plant life. Compliance with this legal duty would mean the prohibition of wind turbines near to people's dwellings and the introduction of a wide buffer zone until such time as the scientific evidence confirms there is no risk to human health. Under present Broad Area of Search, and within current and proposed plans, the Community of Dalavich and others are expected to endure the unavoidable sight and sound of turbines, as any consented within the nearby Wind Farm Policy Map Broad Area of Search will be nearer than those already only too visible. This raises the problems of property blight, negative tourism effects and most importantly, the increasingly documented and reported adverse health effects to near neighbours from wind turbines. Direct links below will help to demonstrate reasons for concern:- see this link for full appreciation of issues driving the longer term pathophysiology.

Sound energy of all frequencies are potentially damaging to health from long enough and high enough dosage of exposure. What aren't known, are current household exposures from existing developments. Frey Haddon Report Tissue changes with ILFN exposure Internoise 2012 conference Clear evidence exists for night time noise, both audible (ie greater than 200 Hz) and low frequency noise (20 - 200Hz). Acousticians agree re levels of disturbance/annoyance than higher frequencies at the same SPL. Also existing is Steven Cooper's 1985 later evidence that wind turbine generated infrasound can travel 10 km, measuring emissions 8km from the out of sight but audible 3MW turbines. Those acoustic emissions were clearly measured. Therefore a more robust adherence to the precautionary principle is required, especially in respect of human health. Ignoring information/known facts could open a liability for damages in the future. Internationally recorded adverse effects relating to both human and animal physiology should be recognised within PLDP3.

Reports attached :- Health Canada Comments (Peer reviewed) Sept.7. 2012.  
Wind turbine noise and health: Special issue of Bulletin of Science, Technology & Society Horse Evidence. T.Curto Wind Turbines.

Inverliever ridge: Lochavich is fully subject to Type 7 constraints and should be re-classified as Type 7a with the glen & the Inverliever Ridge being included in a Protected Area. Its compatibility with the Type 7a definition renders it highly sensitive to all development whether sited directly within these areas or nearby. Lochavich hosts a British Geological Survey Seismology station, chosen for its particular suitability, requiring ring fencing from seismic disturbance for a minimum radius of 10 kilometres. Such stations are of national importance for earthquake monitoring. Argyll is a known 'hot spot' for earthquakes (strongest recorded Scottish Earthquake- Argyll. 1880. Mag.5.2) Hence our need for such monitoring. The existence of this station is therefore a material consideration/constraint for wind farm applications within or on the fringes of the 10 kilometre zone - affecting the planned Infinis s.36 Musadale proposal and extension to Carriag Gheal wind farm. Protection for the landscape, sensitive habitats and other considerations of



communities and households within this radius would result.

The designation 'Area of Local Landscape Importance' which applied to Lochavich and the Inverliever ridge has been removed, but all the conditions leading to a refusal of a previous wind farm application remain, being magnified with the cumulative effects of Carraig Gheal and An Suidhe developments. The Inverliever ridge is marked as a Potentially Constrained Area within a Broad Area of Search but developers will be led to believe that this can be safely ignored due to confusing maps.

The landscape Study Appendix Report and the Guidance on Development confirm that the steep slopes, small hills, and skyline ridges forming the immediate backdrop and setting to Loch Awe, Loch Avich and its settled fringes should be avoided for new wind farm developments. This is totally incompatible with the Windfarm Policy Map. It is also beyond unacceptable to inflict this permanent level of uncertainty/stress upon anyone, especially a vulnerable resident known to be suffering from MND.

Impacts are important when considered in relation to areas of natural heritage interests. E.g. where the impact of a wind farm within a preferred area is completely beyond the capacity of Another adjacent and/or sensitive area to accommodate such as the Inverliever ridge. Removal of the Broad Area of Search from the PLDP is further justified as it shares Characteristics with Stacain/Glen Shira. Our representations to this Consultation will hopefully help to produce an improved LDP.

**LDP 6 - Mrs GH Dalton (01520)**

The objector was under the impression that after commenting on the draft local plan consultations that I attended in Lochgilphead that the Inverliever ridge was safe from windfarm developments. Scottish Power was refused permission in 2005 as their application for 16 turbines on this ridge broke the planning regulations. I attended the Kilchrenan and Dalavich community council meeting on 2 April 2013 where maps from the Council's website were displayed. The colour codes are confusing and it's not clear which shade of pink indicates an area of Broad Search or area of Potential Constraint. It appears the Council have changed the original designations of Loch Awe and the Inverliever ridge as this area was last described as Very Sensitive Countryside and a local landscape of Importance. The landscape has not changed so why has its designation?

These gentle uplands that frame Loch Awe – Avich are rich in their peatlands, known territory for support raptors and lochans for the divers. It is an accessible area for tourists to enjoy on foot, bicycle or car. The John Muir Trust in November 2012 reported in a survey that 26% of tourists won't return to areas with wind farm developments. It is important to protect these areas from development as the heights of turbines increase and therefore would be even more out of scale, imposing and intrusive.

The established wind farms on Loch Awe side are already having a greater visual effect on the communities than first anticipated. The cumulative effect on more development will turn this area into an industrial zone and have an unacceptable adverse effect on communities and homes. The objector states that they were approached by the British Geological Survey and asked if we would be prepared to become a possible broadband recording station for earthquake monitoring. Their tests proved satisfactory and we now have their equipment installed on our land. One of the reasons they came here was that there were no wind farms nearby. This is vital monitoring information for the MOD and earth movements requires a peaceful area. The outlying homes and communities of people who live in this area now face the increasing push by developers to grab land where they can. We will lose confidence in our Councillors if they slip in their duty to protect us, the economy and the landscape.

**Kintyre Wind Policy Map Objections**

**LDP 6 - Ms Moira McClymont (02035)**

Objection to the wind farm policy map referred to in LDP6. The broad area of search in Kintyre is too large and compromises the development pattern which has already been established and approved on the Kintyre peninsula. The map includes area specifically referred to in the 2012 Argyll and Bute Wind energy capacity study as being unsuitable for wind farm development, areas highly visible from all tourist access routes to the peninsula which has a fragile economy more and more dependent on tourism. If approved it will result in an increase in speculative development applications which will result in a significant number of working hours devoted to preparing, examining, reviewing, processing these applications.

**LDP 6.-. Ms Agnes Wilkie (02099)**

Objection to the wind farm policy map referred to in LDP6 and SG LDP REN1 (Wind farm and wind turbine development over 50 metres). The broad area of search in Kintyre is too large and does not accord with the Argyll & Bute Wind Energy Landscape Capacity Study which specifically refers to the "more complex smaller scale hills and occasional narrow glens on the fringes of this broad upland plateau" as being unsuitable for large wind turbines. The "views to the mountains of Arran from the B8001" are also mentioned as a constraint.

**LDP 6.-. Mr Cameron McClymont (02033)**

Objection to the wind farm policy map referred to in LDP6 and SG LDP REN1 (Wind farm and wind turbine development over 50 metres). The broad area of search in Kintyre is too large and does not accord with the Argyll & Bute Wind Energy Landscape Capacity Study which specifically refers to the "more complex smaller scale hills and occasional narrow glens on the fringes of this broad upland plateau" as being unsuitable for large wind turbines. The "views to the mountains of Arran from the B8001" are also mentioned as a constraint. The wind farm policy map should clarify matters not reintroduce the possibility of development to areas already indicated as unsuitable. Generally the new wind farm policy map opens up the whole area of the Kintyre to speculative planning applications that if approved will destroy the natural beauty and tourism industry throughout the area. Applications will swamp the local planning departments and SNH and will dominate the lives of all those effected.

**LDP 6.-.Mr Phil Connor (01963)**

The wind farm policy map is designed to identify areas where A+BC believe wind farms are sustainable and suitable for development. The broad area of search for turbines greater than 80m stretching down the spine of Kintyre is one such area. I would support wind farm development in this area as long as the few residents are not plagued by developments too close to their properties. I would go further and suggest that the Authority should actively try and match developers with land-owners in order that developments are carried forward as efficiently as possible. However, the map fails in its' purpose by identifying large areas in Kintyre which are 'potentially constrained'. What does this statement mean and how does it help to guide developers and prevent them from wasting huge sums of money on failed planning applications and how does it give residents in these areas the peace of mind that their quality of life and property values are not going to be ruined by developments too close to where they live. The 'potentially constrained' area alongside the B8001 is one such region and is the site of the proposed Freasdail development. Areas like this should be protected because they are important tourist routes, the B8001 is extremely busy, particularly in the summer with tourists from the Arran Ferry and the Carradale road. This area is ideal for

tourist development and would be ruined by the presence of a windfarm.

**LDP 6 - Mr John Cowan (01973)**

I strongly feel that there should be a complete moratorium upon any wind turbine developments larger than 20Kw situated anywhere south of Campbeltown and the A843 to Machrihanish. Otherwise, if we allow industrial sized turbines absolutely everywhere, then what are we protecting? South Kintyre and the Mull is a major historical landscape and a developing tourist destination. Both sides in the wind farm debate can quote statistics supposedly proving their point of view as regards effects upon both tourism and residents. But, when it comes down to it, it is surely wrong to allow turbines to appear upon absolutely all of our precious scenery? Let us have some areas designated as allowable for wind turbines, whilst others are kept free. The rest of Kintyre is already covered – there is only this one bit left!

**LDP 6 - Mr Andrew Russell (02070)**

I am very concerned about the considerable extension to the area in North Kintyre in which windfarm development could be permitted. The new category "Broad Area of Search" appears to replace the earlier categories of "Sensitive" and "Very Sensitive" Countryside and the contrast in direction of policy, from one of extreme caution - fully justified in my view - to one of encouragement for proposals, as indicated in supplementary guidance SG LDP REN1.

The pattern of windfarm development in Kintyre is now well established, with turbines set well back from the downward sloping escarpments, on the highest ground, and there is still plenty of undeveloped land of this type. The new category, "Broad Area of Search" for machines over 80 metres in height includes ground of a completely different character, including not just the higher ground but also extending to land sloping generally downwards towards the sea, and towards the Skipness Road in the north. The area in this category is far too large.

Furthermore, the 2012 Argyll & Bute Wind Energy Capacity Study, on which the ink is barely dry, emphasises the need to protect the "more complex smaller scale hills and occasional narrow glens on the fringes of this broad upland plateau" as well as the "views to Arran from the B8001". The new windfarm map includes areas specifically referred to in the document as being unsuitable for this kind of development. Residents like us are naturally confused and concerned by such a radical contradiction in policies, over such a short time.

The new category would, include the site of the highly controversial Freasdail Windfarm, now under consideration by the planning authority. In addition to objections from my household (which are even more valid in respect of the new map), SNH has commented on Freasdail "that the scale and design of the proposal cannot be accommodated in this sensitive pivotal location at the north end of Kintyre without significant adverse impacts." The letter also repeats my pint above that "the introduction of Freasdail will compromise the development pattern which has been established on the Kintyre peninsula."

I would refer you to the Environmental Impact Statement (EIS) accompanying the Freasdail proposals. Though drawing bizarre conclusions from its own analysis, the analysis acknowledges significant, in some cases very significant, adverse effects on a whole range of sensitive receptors along the length of West Loch Tarbert, particularly on the north shore where we live. These include the ferry route down the entire loch and all exposed lengths of the Kilberry Road. SNH has also commented on the potential adverse effects on these sites in trenchant terms. The point I am making is that if Freasdail attracts these comments and objections, so do large parts of the new Broad Area of Search in North Kintyre. The plan contravenes existing policies in such a fundamental way that one wonders whether the left hand in the planning authority knows what the right hand is doing. It is not as though existing

policies are old or outdated, either.

In summary, I ask that the Broad Area of Search in North Kintyre in the new draft Local Plan is reviewed and made to shrink back from the sensitive downward sloping land on both sides of the peninsular, and from land where turbines are close to and visible from coastal settlements. Generally the plan should accord with what is already established, with Cour being the northern marker for Windfarm developments, and projects being confined to the higher ground. This will avoid further divisive and unnecessary conflicts over planning applications on unsuitable sites.

#### **Modifications sought by those submitting representations:**

##### **LDP 6 - Coriolis Energy (01968)**

None stated see above.

##### **LDP 6 - E.ON Climate Renewables (01932)**

LDP Recommended Change 2: Policy LDP 6 should refer to the Wind Farm Policy Map and the map should be fully integrated into the LDP's Written Statement. Details of the methodology for preparing the map should be provided, ideally via a three-stage map based approach.

##### **LDP 6 - PI Renewables Ltd. (01934); Burcote Wind Ltd. (02129); LDP 6 - SSE (02128)**

In order to achieve a position whereby the policy would be in accordance with SPP, as well as the Scottish Governments wider renewable energy policy framework, it is recommended that the word 'unacceptable' is placed before the word "significant" within the 5th line of the policy.

##### **LDP 6 - Infinergy (01915)**

None stated see above.

##### **LDP 6 - Scottish Power (02127)**

None stated see above.

##### **LDP 6 - RWE npower Renewables (02126)**

RWE NRL have the following suggestions to improve the usability of this Map as a working policy document.

- The Wind Farm Policy Map should include background mapping in order for the different areas to be accurately defined. Without a background map the Map is a weak working document for both wind farm developers and members of the public.
- We suggest that the Map boundaries are ill defined, in part due to the absence of background mapping, but also due to the scale used which lacks detail. We suggest that that the finalised Wind Farm Policy Map should have background mapping at a helpful scale, and be more detailed.
- We suggest that once published the Wind Farm Policy Map should be available in GIS format, in order for this to be a usable working document.

**LDP 6 - RES UK and Ireland Limited (01007)**

1. Turbine heights should not be controlled in such a prescriptive manner; the landscape and visual capacity for each project should be assessed as part of the development management process, whilst considering the "Argyll and Bute Onshore Wind Landscape Capacity Study" (LCS).

2. SNH areas of search for wild land should not be included within the areas requiring significant protection. In addition, SG LDP ENV 9 should be amended so that development within or adjacent to wild land should only be resisted by the Council where the effects on the wild land are considered unacceptable for the development. It is for the determining body to decide if those effects are acceptable or not considering all aspects of the development. It is suggested that the following is incorporated into ENV 9 (as is currently included at ENV 13) 'unless it is adequately demonstrated that any significant adverse effects on the wild land are clearly outweighed by social, economic or environmental benefits of national or regional importance'.

3. The spatial framework should be reconsidered in terms of the potentially constrained areas identified, increasing the areas of search in some locations and at the very least give recognition that sites within 'potentially constrained areas' will be determined upon their own merits and the development management process used to assess whether a project is acceptable, rather than a prejudice to development from the outset. Not taking this approach may potentially cause confusion with the public and give false impressions as to what areas might be developed.

4. It should be considered that it is for the decision maker to decide and justify on whether those effects of a development are acceptable in the planning balance. The wording "satisfactorily addressed" should be removed.

**LDP 6 – Banks Renewables (01905)**

The second paragraph should be changed to say over 50 metres and up to around 130 metres to tip. Reference to SG LDP REN 1 should also be reworded to say the same.

Wind Farm Policy Map and its key also need changed to reflect this.

**LDP 6 - RSPB (00040)**

None stated see above and objection to SG LDP REN 1

**LDP 6 - Mr Damon Kenneil (02011)**

Exclude from the map all parts of Kintyre North of Tayinloan, and all parts of Knapdale between Kilberry and Torinturk.

**Scottish Natural Heritage (01587)**

The Broad Areas of Search should be consistent with the advice contained in the Capacity Study.

There should be a cross-reference to the paragraph in the Capacity Study which explains how this study should be used and its limitations. It should be made explicit that any map can only be indicative, given the variation of sensitivity within landscape character types and the constantly changing cumulative situation which will need to be re-evaluated.

To reflect the guidance in the Capacity Study, the extent of the Broad Areas of Search should be graduated on the periphery in terms of colour from the Potentially Constrained Zone with a reduced area of solid pure >80m and 50m - 80m zone colour. Alternatively there should be a clear statement in the key to the map that the capacity for wind turbine size is dictated by area of impact and not location, so the Broad Areas of Search are likely to be smaller than depicted in the map.

A statement should be included that Broad Areas of Search have not taken into account any bird sensitivities (whether or not qualifying features of Special Protection Areas elsewhere) which may in practice be a constraint on development. In particular any Golden Eagle Core Territories located within the Broad Areas of Search should for policy purposes be regarded as a Potentially Constrained Area instead.

We recommend the wind farm map is reviewed to take account of wild bird interests. In doing so you may find the 2006 RSPB/SNH report Bird Sensitivity Map to provide locational guidance for onshore wind farms in Scotland a useful tool to add the wild bird constraint to the wind farm map. This will result in a map that guides developers to areas which not only fits in with the Argyll & Bute Landscape Wind Energy Capacity Study (2012) but also brings this part of the plan inline with the revised Habitat Regulations.

#### **LDP 6 - Scottish Salmon Producers Organisations (01118)**

Reference to existing marine planning policy

Reference to relevant marine policy in Policy LDP 6

#### **LDP 6 - Helensburgh Study Group (00166)**

Suggested addition 1 : Reference might be made to frequency of viewing of wind turbines. While supporting the protection of wild areas, the LDP might add that countryside close to main settlements is especially sensitive because of the frequency with which turbines would be seen every day if they are visible from near and in towns. That would be in keeping with the European Landscape Convention (to which the UK is a signatory), with the Scottish Landscape Forum's report (2007) and with pages 16-17 of the Ironside Farrar Green Belt Landscape Study for Argyll and Bute Council (2010).

Suggested addition 2 : Give recognition to emerging new evidence and modify the LDP by adapting the Wind Farm Policy Map area behind Helensburgh and Rhu to be entirely pale blue (Protected Areas). Also, it is suggested that the land north of Rhu and Helensburgh up to the boundary of the National Park, from Aldownick Glen in the west to the main road from Helensburgh to Loch Lomond in the east be designated as Greenbelt and Local Nature Conservation Site.

Suggested addition 3 : More emphasis should be given to the matter of visibility of turbines from other areas and authorities such as from across the Clyde and from the National Park. Suggested addition 4: The Association for the Protection of Rural Scotland has recently Proposed adoption of "substantial" visual buffer zones between wind turbines and protected areas such as National Parks, local landscape areas, Greenbelts and a list of other valued land. That might be considered as a general policy by Argyll and Bute Council.

#### **LDP 6 - Helensburgh Green Belt Group (00167)**

1. At present most of the land behind around Helensburgh and Rhu is designated as "Protected Area" (pale blue). It is proposed that all land around and beside

Helensburgh and Rhu be designated as "Protected Area".

2. Reference might also be made to the frequency-of-viewing test. Due to astute lobbying as well as sound arguments, the move to protect wild areas has gathered pace. While supporting that, we consider that it has overshadowed the extent to which turbines are viewed by many people daily on sites close to settlements. Frequency of viewing might be added to Policy LDP 6 as a strong criterion for refusing wind farms.

We support the policy advocated by the Association for the Protection of Rural Scotland to adopt substantial visual buffer zones between wind turbines and protected areas such as Green Belts

That might be included in Policy LDP 6, but with a minimum (but not a maximum) distance between turbines and protected areas. That minimum might be 10 km.

ATTACHMENT: Attached to this submission are copies of pages 1 and 3 of the April 2013 edition of the HGBG newsletter Greenery (No. 37) which are relevant to this topic. They assess the rapidly changing evidence about wind turbines and the potential relevance to proposals for Helensburgh.

#### **Loch Awe Area**

##### **LDP 6 - Mr and Mrs Metcalfe (01748)**

1. Removal of areas of search for wind farms around Loch Awe & Lochavich due to adverse risks to health & environmental impacts.

2. Protection for existing BGS seismic monitoring stations from new wind farms within a 10km radius.

3. Revision of effects from permitted development applications by FCS for access routes to wind farm developments.

##### **LDP 6 - Mrs GH Dalton (01520)**

Change the designation of the Inverliever ridge from a potential constraint area within the Broad Area of Search to a Protected Area and enlarge to each side of the actual ridge.

##### **LDP 6 - Ms Moira McClymont (02035)**

Revise the area of search in line with the already approved Argyll and Bute energy landscape capacity study.

##### **LDP 6 - Mr Andrew Russell (02070)**

I would like to see the Broad Area of Search in North Kintyre made much smaller, so as to exclude land generally visible from coastal settlements and from the Skipness Road. Land sloping generally down to the sea on either side of the peninsular should be excluded. Cour should be the northern marker for Windfarm development, and sites between it, Beinn an Tuirc and Deucheran Hill be used as a model for future projects.

##### **LDP 6 - Ms Agnes Wilkie (02099)**

The wind farm policy map should clarify matters not reintroduce the possibility

of development to areas already indicated as unsuitable.

**LDP 6 - Mr Cameron McClymont (02033)**

Wind farm policy map should be removed or substantially revised

**LDP 6 - Mr Phil Connor (01963)**

Change the Wind Farm Policy map to show areas for development and increase the amount of protected areas around tourist routes and properties. 'Potentially constrained' is a ridiculously vague statement which helps neither developers or residents.

**LDP 6 - Mr John Cowan (01973)**

None Stated see above.

**Summary of responses (including reasons) by planning authority:**

**Coriolis Energy (01968)**

Policy LDP 6 states that the Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there is no significant adverse effect. As such the policy is entirely consistent with the objectors interpretation of SPP. Para 4.11.4 refers to potential adverse impacts in a generic sense, it will be the planning assessment against Policy LDP 6 which will determine whether potential impacts are significant adverse impacts or not.

**E.ON Climate Renewables (01932), - Infinergy (01915), - RES UK and Ireland Limited (01007)**

Para 189 of Scottish Planning Policy (see core document **xxxx**) states “Authorities may incorporate wind farms of less than 20 megawatts generating capacity in their spatial framework if considered appropriate.” In the context of Argyll and Bute taking to account both existing and potential renewable energy developments, and the landscape capacity study which was used to develop the windfarm policy map the Council considered it appropriate to extend the spatial framework to include proposals for windfarms which could have outputs of less than 20 megawatts, as it considers that the impacts (particularly cumulative) are influenced by turbine height, and number of turbines, and not the output from them.

**E.ON Climate Renewables (01932)**

The wind farm policy map forms part of the proposals maps for the Proposed Local Development Plan, and therefore forms an integral part of the Local Development Plan as required by SPP Para 189.

The methodology for the spatial framework as detailed in the windfarm policy map is as set out in paragraphs 189 to 191 of SPP and follows the approach as set out in the online guidance (see production **xxxx**). In the interests of brevity the methodology is not set out in the LDP, although reference to the LDP maps such as Our Outstanding Natural Environment, and Growing our Economy Together will confirm the methodology used.

The Council is keen to ensure that Argyll and Bute continues to make a positive contribution to the renewable energy targets set by the Scottish Government and this is stated in para 4.11.1 of the plan. However, these targets have changed from time to time, and are set at a



national level, acknowledgement of specific national targets for particular periods of time, would add little to the positive framework set by the plan. Indeed the online guidance (see core document **xxxx**) states “*No renewable energy targets have been set for local authority areas and judgments about the proportionality of an authority’s contribution to the achievement of national targets are not a relevant consideration*”.

**PI Renewables Ltd. (01934); Burcote Wind Ltd. (02129); SSE (02128); Infinergy (01915); Scottish Power (02127)**

The Council does not agree with the objectors assertion that significant adverse effects will almost inevitably arise, nor that Para 187 to 191 of Scottish Planning Policy seek to promote wind farm developments regardless of significant impacts. Para 187 refers to “where...environmental and cumulative impacts can be satisfactorily addressed” but it also refers in its concluding sentence to “ the location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised. Para 190 refers to the extent of constraints and the factors which should be satisfactorily addressed to enable development to take place, and Paragraph 191 which refers to areas of search where there are no significant constraints still recognises that within these areas site may be constrained by other natural heritage interests, including habitats of high nature conservation value. Accordingly it is considered that SPP seeks to avoid windfarm developments which would have a significant impact, and that were significant impacts are identified through an EIA process that these are mitigated, such that their impacts are no longer assessed as significant.

**Scottish Power (02127)**

The Council is keen to support community renewable development initiatives and will seek to promote this through its renewable energy action plan, however, the impacts on the wider environment from a community renewables scheme is no different than a commercially promoted one, in planning policy terms it is therefore not considered appropriate to make a distinction between the type of ownership of proposed turbines.

**RWE npower Renewables (02126); RES UK and Ireland Limited (01007)**

The Council welcomes the general support expressed for the Wind Farm Policy Map, the map has been developed in accordance with SPP paras 189 to 191 and following the advice contained in the online guidelines published by the Scottish Government. The protected areas comprise the international and national designations such as SPA, SSSI and National Scenic Areas, the Broad Areas of Search are those areas outwith the protected areas which the Argyll and Bute Landscape Wind Energy Capacity Study (WECS), (see core document **xxxx**) had identified as of medium sensitivity to large scale wind turbine development , and the Potentially constrained areas include those landscape typologies which the WECS assessed as being of high-medium or above sensitivity to large scale wind turbine development, plus those landscape typologies which were of medium sensitivity, but were included within a Tourism Development Area as defined by the proposed local development plan. Tourism being one of the factors which the Scottish Government’s online guidance requires to be taken into consideration when preparing spatial development plans for wind turbines. In so doing the Council has sought to recognise the significant economic contribution which both the renewable energy industry and the tourist industry make to the economy of Argyll and Bute including the economic advantages that sustainable growth in both of these industries can provide. This approach is recognised in policy LDP 5 which seeks to support the development of new industry and business which helps deliver sustainable economic growth where both tourism and renewables are identified as main potential growth sectors as well as the renewables policy LDP 6. Supplementary Guidance also provides further advice on the factors which the Council will take into consideration when

assessing planning applications SG LDP REN1 and SG LDP REN 2 being the most relevant to wind turbine developments (see Core Document xxxx) and confirms that proposals outwith Broad Areas of Search will be subject to assessment for acceptability through the development management process. It is SG LDP REN 1 which refers to "for all wind farms, regardless of scale, the issues raised by the following must be satisfactorily addressed", and this follows the form of wording recommended by the Reporters following the last Local Plan inquiry (see core document xxxx chapter xxxx)

#### **LDP 6 - RES UK and Ireland Limited (01007)**

The identification of Areas Requiring Significant Protection follows the methodology advocated in SPP 2010. The Council has specifically not included SNH areas of search for wild land in this process. Closer examination of the extant of existing international and national designations such as SPA, SSSI, and National Scenic and the areas of search proposed for wild land proposed by SNH, will reveal that those areas proposed as wild land in Argyll and Bute are almost entirely contained within one or more, of those designations which SPP para 189 states should be used to define protected areas.

#### **LDP 6 – Banks Renewables (01905)**

In order to inform the assessment of wind turbine applications and to guide the preparation of policy on such developments the Council commissioned a landscape capacity study, the study assessed the sensitivity of landscapes to accommodate four different windfarm/wind turbine typologies, these being differentiated in terms of height of turbine to blade tip. The Argyll and Bute Landscape Wind Energy Capacity Study (WECS), (see core document xxxx) seeks to develop an approach to wind turbine developments which recognises the effect which cumulative impacts, can have on the capacity of areas to accommodate them. By adopting an approach based on scale of turbine relative to scale of landscape, and promoting a consistent correlation between the two, greater capacity to accommodate them can be achieved. This is reflected in the wind farm policy map which accompanies the Proposed Local Development Plan, where the extent of the Broad Areas of Search for wind turbines over 80 metres is greater than the broad areas of search in the Windfarm Policy Map which accompanies the adopted Local Plan, and with an additional area identified, adjacent to the Knapdale National Scenic area as a broad area of search for turbines between 50m and 80m high.

The three stage approach advocated in SPP states in para 190 that planning authorities should consider areas designated for their regional and local landscape or natural heritage value, as well as tourism and recreation interests, and likely impacts on communities; it is these factors which the council has taken in to consideration when designating the potentially constrained areas.

#### **LDP 6 - RSPB (00040)**

The Windfarm Policy Map has been prepared in accordance with the advice in SPP paras 189 to 191 (see Core Document xxxx) this enables authorities to include national and internationally designated sites within the protected areas category. Neither the SPP or the on line guidance (see core document xxxx) permit areas of search to be limited by the presence of non-designated natural heritage interests, which are considered to be more appropriately dealt with at development management stage, where mitigation measures might be appropriate.

#### **LDP 6 - Mr Damon Kenneil (02011)**

The Windfarm Policy Map reflects the advice and guidance contained within SPP and the

Scottish Governments Online guidance. It has sought to recognise the importance of tourism to the Argyll and Bute economy by excluding those areas identified as Tourism Development Areas in the Local Development Plan from the Broad Areas of Search as such an approach is permitted by the SPP. Much of the acceptability of any development is based on individual design and sighting, the supplementary guidance which accompanies this plan provides more detailed policies which allow an assessment of these to be made as part of the development management process.

### **Scottish Natural Heritage (01587)**

The methodology for the spatial framework as detailed in the windfarm policy map is as set out in paragraphs 189 to 191 of SPP and follows the approach as set out in the online guidance (see production xxxx). The findings of Argyll and Bute Landscape Wind Energy Capacity Study (WECS), (see core document xxxx) was one of the factors which was taken in to consideration in defining the Broad Areas of Search, with those landscape typologies identified as medium sensitivity or lower for turbines over 50 metre and over 80 metres to tip height, considered suitable for inclusion, further sieve mapping of potential constraints as advised by SPP and online guidance (such as Tourist Development Areas) was then applied. In addition those areas which have designations forming the criteria for identification as protected areas are also excluded. This means that the Broad Areas of Search do not correspond with the landscape typologies identified as of lower sensitivity in the WECS, and are smaller in extent. The windfarm policy map is intended to provide strategic guidance to potential windfarm developers, any proposed development would be subject to much more detailed assessment, including consideration against the more detailed landscape sensitivities and descriptions contained within the WECS, where impacts on adjacent landscape character types would be taken into consideration.

The windfarm policy map has sought to indicate where there are currently operational or consented wind farms, the issue of cumulative impacts is currently under further consideration, and the Council has commissioned a study which will help to inform this in due course. The windfarm policy map will be reviewed and updated as part of the LDP review process, in advance of this a Cumulative Impact Study and associated mapping could be approved by the Council as a Technical Appendix, to be taken into consideration when applications for windfarm / wind turbine development are made.

Neither the SPP or the on line guidance (see core document xxxx) permit areas of search to be limited by the presence of non-designated natural heritage interests, which are considered to be more appropriately dealt with at development management stage, where mitigation measures might be appropriate. The duties of the Habitat Regulations with regard to wild bird habitat will be addressed by the Council through its Habitats Regulation Appraisal of Plans process, and are supported in this plan through Policy LDP 3 (see core document xxxx).

### **LDP 6 - Scottish Salmon Producers Organisations (01118)**

While the draft National Marine Plan and draft Offshore Regional Locational Guidance for marine renewables have been considered when developing the Proposed LDP these documents are still undergoing public consultation by Scottish Government and are therefore not yet finalised and approved. The only reference that can be added to section 4.12 (Policy LDP 6) is Sectorial Marine Plan for Offshore Wind Energy in Scottish Waters, published in 2011 - Reference - BLUE SEAS – GREEN ENERGY A Sectorial Marine Plan for Offshore Wind Energy in Scottish Territorial Waters (2011). In terms of managing potential conflicts between marine renewables and aquaculture development through proper planning mechanisms, the LDP SG AQUA 1 considers the potential for new aquaculture development to impact on areas of marine renewable resource or renewable development. It would be for

future regional marine plans to manage the potential conflict from marine renewable development affecting aquaculture development or resource.

**LDP 6 - Helensburgh Study Group (00166); Helensburgh Green Belt Group (00167)**

The Local Development Plan policy on renewables and the Windfarm Policy Map reflects the advice and guidance contained within SPP and the Scottish Government's online guidance. This specifically does not allow for additional constraints or buffer zones to be identified beyond protected areas as advocated by the study group (00166). Many of the issues raised concerning the acceptability of any specific development is based on individual design and siting, and the supplementary guidance which accompanies this plan provides more detailed policies which allow an assessment of these to be made as part of the development management process, however issues such as efficacy of turbines in terms of output or operational lifespan are not matters which the planning process is designed to adjudicate.

**Mr and Mrs Metcalfe (01748); Mrs GH Dalton (01520); Ms Moira McClymont (02035); Mr Andrew Russell (02070); Ms Agnes Wilkie (02099); Mr Cameron McClymont (02033); Mr Phil Connor (01963); Mr John Cowan (01973)**

The council has developed the renewable energy policy and the Windfarm Policy Map in accord with the SPP and online guidance from the Scottish Government. It has taken into account those factors which the SPP and online guidance recommend be used when preparing a spatial strategy for windfarms with regard to the identification of Protected Areas, Potentially Constrained Areas, and Broad Areas of Search. Some of the issues raised, such as the efficacy of turbines, and their effect on public health are beyond the scope of the planning system or the LDP process. Many of the issues raised by objectors have been taken in to consideration as far as they are able, or are more appropriately dealt with through the development management process, where detailed assessment of impacts can be assessed, and alternatives and mitigation measures can be fully explored. The Supplementary Guidance which accompanies this plan contains more detailed policy guidance which can be used to assess proposals for wind turbine development together with other material considerations such as the detailed technical advice on landscape provided by the Argyll and Bute Landscape Wind Energy Capacity Study (core document xxxx).

**Conclusions**

In view of all the above the Council recommends that no modification to the proposed LDP be undertaken as a result of these objections made to the proposed LDP.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS600</b>	<b>Policy LDP - STRAT1 – Sustainable Development</b>	
<b>Development plan reference:</b>	<b>Policy LDP - STRAT1 – Sustainable Development</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>E.ON Climate Renewables (01932)</b>  <b>PI Renewables Ltd. (01934)</b>  <b>Burcote Wind Ltd (02129)</b>  <b>CALA Homes (West) (01870)</b>  <b>Scottish Power (02127)</b>  <b>Ms Fiona Baker (01895)</b>  <b>Infinergy (01915)</b>  <b>SSE (02128)</b>  <b>Coriolis Energy (01968)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>	<b>Policy LDP - STRAT1 – Sustainable Development</b>	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LDP STRAT 1 - E.ON Climate Renewables (01932)</b></p> <p>The objector contends that a new additional criterion should be considered that refers to an in-principle support for development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed on a proposal specific basis. This would be in general accordance with paragraph 187 of SPP.</p> <p><b>LDP STRAT 1 - PI Renewables Ltd. (01934); Burcote Wind Ltd (02129); SSE (02128)</b></p> <p>The objectors contend that in terms of policy criterion E, it is recommended that there should not be a policy presumption against the use of locally important good quality agricultural land but that the presumption should be against development that would sterilise good quality agricultural land. The Objector recommends that this is integrated within a re-drafting of this policy criterion.</p> <p><b>LDP STRAT 1 - CALA Homes (West) (01870)</b></p> <p>The objector contends that this policy needs to acknowledge that sustainable development, accessible by public transport, can be delivered equally on both brownfield and greenfield land. Accessibility is about location and not the nature of the site to be developed.</p> <p>Sustainable development is about locations which have walkable distances to local services and amenities (1,600m or no more than 20 minute walk) and the presence of bus services within 400m of the new development.</p> <p><b>LDP STRAT 1 - Scottish Power (02127)</b></p> <p>The objector contends that clarity is required on the commitment to "avoid the use of locally important good quality agricultural land". In particular, we would point out that an onshore wind farm typically takes no more than 2% of total land within its boundaries, but can add</p>		

significantly to the economic sustainability of an agricultural unit. We also note and welcome in principle the requirement to complete a sustainability check list. But we would argue that the draft checklist is flawed in that it addresses only local issues. This would automatically prejudice projects which are designed to produce national/international environmental and social benefits such as large scale renewable energy development whose prime purpose is to mitigate climate change.

A checklist which examined local, regional, national and international aspects of sustainable development would be more valuable. (These comments also apply to Policy LDP 10 - Maximising our resources and reducing our consumption).

**LDP STRAT 1 - Ms Fiona Baker (01895)**

The Objector contends that this policy is contravened by the proposals for Helensburgh and Lomond in particular points b, c, e, g, h and i. The LDP does not avoid agricultural land or avoid recreational space or respect landscape character and built environment.

**LDP STRAT 1 - Infinergy (01915)**

The objector contends that part (e) of the policy states that Argyll and Bute Council are to adopt avoiding "the use of locally important good quality agricultural land" as a determination consideration. We would seek a caveat to this, as whilst preserving good quality agricultural land is important, it must be weighed up against competing needs and as such 'locally important' land should not necessarily be given precedent over development which might be in the national interest. Further, it is not stated or cross-referenced to what constitutes "locally important good quality agricultural land". Whilst we do not disagree that important agricultural land should be preserved, we believe that simply because a seemingly arbitrary classification is awarded to it, this should not preclude its development where appropriate.

The objector further contends in relation to part (h), this contains one of a number of instances throughout the Proposed LDP and the Supplementary Guidance relating to the use of the term "significant adverse effects". Part (h) states that Argyll and Bute Council would adhere to the principal of avoiding "significant adverse impacts on biodiversity, natural and built heritage resources" when considering development proposals. Whilst this is perhaps an understandable stance to take, the word 'significant' should not be employed within a planning context. Given that many developments, wind energy in particular, will be supplemented by EIA, then the inevitable consequence of an Environmental Statement (ES) is that some effects will be significant, particularly relating to landscape and visual assessment. This is inevitable given that an ES provides evidence based on the 'worst case' scenario, and in landscape and visual terms this is based on an assumption that the visual impact of a wind farm is negative when in fact the concept is subjective. In this regard it is worth noting Section 25 of the Town and Country Planning Act (Scotland) 1997, which states that a decision by the Planning Authority must be made in accordance with the Development Plan unless material considerations suggest otherwise. This suggests that in essence, the skill of the planner should be to weigh up the competing positive and negative aspects of any development proposal and apportion an appropriate weight to these aspects when making a decision.

As such, the use of the term 'significant' within Policy LDP Strat 1 and throughout The Proposed LDP and Supplementary Guidance is misleading and when taken in the context of EIA does not allow a planner to comply with the spirit of Section 25 of The Town and Country Planning Act (Scotland) 1997.

**LDP STRAT 1 - Coriolis Energy (01968)**

The objector contends that in Paragraph 1.6.1 of the LDP Written Statement an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

**Modifications sought by those submitting representations:**

**LDP STRAT 1 - E.ON Climate Renewables (01932)**

The Objector recommends that Policy LDP STRAT 1 should make reference to an in principle support for development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed.

**LDP STRAT 1 - PI Renewables Ltd. (01934); Burcote Wind Ltd (02129)**

The objector requests that the presumption should be against development that would sterilise good quality agricultural land and that this is integrated within a re-drafting of this policy criterion.

**LDP STRAT 1 - CALA Homes (West) (01870)**

The objector recommends that criterion b) of this Policy is amended as follows

Criteria b) Make efficient use of available vacant and/or derelict land including appropriate buildings or make efficient use of greenfield land in an accessible location close to existing facilities and infrastructure.

The objector further recommends that the following concluding sentence is added to this Policy as follows: The Council will consider the development of both brownfield and greenfield sites so long as it meets the sustainable development principles set out in this policy and accords with other relevant LDP polices.

**LDP STRAT 1 - Scottish Power (02127)**

The checklist needs to examine local, regional, national and international aspects of sustainable development would to make it more valuable.

**LDP STRAT 1 - Ms Fiona Baker (01895)**

None stated.

**LDP STRAT 1 - Infinergy (01915)o;**

The objector requests an amendment to point (e), or justification text which states:

"Avoid the use of locally important good quality agricultural land (inserting appropriate cross reference to definition of locally important) unless there is considered to be an alternative land use which offers equal or greater sustainable benefits".

The objector further requests that within Policy LDP STRAT 1, the words "significant adverse impacts" are removed and replaced by "unacceptable effects". This should apply to the Proposed LDP and Supplementary Guidance in their entirety.

**LDP STRAT 1 - SSE (02128)**

The objector contends that the presumption should be against development that would sterilise good quality agricultural land.

**LDP STRAT 1 - Coriolis Energy (01968)**

The objector requests that in Paragraph 1.6.1 of the LDP Written Statement an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

**Summary of responses (including reasons) by planning authority:**

**E.ON Climate Renewables (01932)**

The Council does not wish to address the needs of specific developments through LDP STRAT 1. . Detailed policy advice for on-shore wind is dealt with through LDP Policy 5 and 6 together with associated SG.

**LDP STRAT 1 - CALA Homes (West) (01870)**

The Council is keen to encourage a sustainable approach to development, and while it accepts that sustainable locations can be those which are accessible by public transport, and are within walking distance to local services and facilities, however, it considers that for the most part, brownfield sites are more likely to meet these criteria than greenfield locations. Land is a finite resource, and previously developed brownfield land should where possible be considered in advance of greenfield sites.

**LDP STRAT 1 - Scottish Power (02127)**

The Council considers that LDP STRAT 1 and its associated criteria takes into account local, regional, national and international impacts and as such cannot support any amendment to the policy as a result of this representation.

**LDP STRAT 1 - Ms Fiona Baker (01895)**

The Council rejects the arguments put forward by the Objector in terms of STRAT 1 and criteria b, c, e, g, h and I in relation to the development proposals for Helensburgh and Lomond.

Taking each criteria in turn the Council has a presumption in favour for development in the settlement areas subject to the satisfaction of all relevant policies and SG of the Proposed LDP. This includes taking forward new development on derelict sites and the re-use of derelict buildings. The need to identify locations on greenfield sites adjacent to the boundary of existing settlements has been done in order to fulfil the housing requirements as set out in the Argyll and Bute Housing Needs and Demand Assessment (Core Doc. Ref. (xxx) that has been formally approved by the Scottish Government. The inclusion of these allocations will help to grow the main population centres of Helensburgh and Cardross that have a range of services available including retail, schools, health centres, libraries etc. All of the allocations in the plan are within easy walking distance of these types of facilities and close to public transport corridors including rail lines/stations and bus routes. The allocations are also located in locations where adequate infrastructure is in place for water and sewerage facilities and avoid designated sites for nature. In addition, the chosen sites respect the landscape character of the area, avoid areas at risk of flooding and achieve sufficient economies of scale to deliver much needed affordable housing in the local area.

In terms of criteria e) wherever possible the Council has tried to avoid the loss of good



agricultural land but when considering new development. For example, housing Allocations in Helensburgh and Lomond are located on the brownfield Hermitage site, the Helensburgh Golf Course, the former Dobbie's garden centre site at Ardencaple and at Blairvaddach utilising a predominately brownfield site and historic house. There are however insufficient sites available in the Helensburgh and Lomond area to meet the requirements of the Housing Needs and Demand Assessment (Core Doc. Ref. xxx) and regrettably a number of greenfield sites with current agricultural use are required to be allocated for housing. LDP STRAT 1 consequently seeks to take a balanced view taking all of the criteria listed when decisions are taken on the acceptability or otherwise of a proposal. On this occasion the Council made the decision that in order to help achieve a number of the Key Objectives of the plan including A and F together with meeting the requirements of our agreed housing targets with the Scottish Government locally important agricultural land will have to be developed on this occasion.

**LDP STRAT 1 - Infinergy (01915); SSE (02128); PI Renewables Ltd. (01934); Burcote Wind Ltd (02129); SSE (02128);**

The Council wishes to point out that LDP STRAT 1 does not include the words presumption against and can see no advantage in referring to the term "sterilise" in criteria e) that deals with agricultural land. The Council is also mindful of the limited amount of land taken up through on shore wind energy developments and also acknowledges that the development of on-shore wind can help support the viability of agricultural units in Argyll and Bute. That said, the Council cannot support any amendment to e) on the basis of this objection.

**LDP STRAT 1 - Coriolis Energy (01968)**

The Council considers that the inclusion of the words "reducing our carbon footprint" is sufficient with regard to the challenges we face in delivering sustainable development as such cannot support any amendment to LDP STRAT1 as a result of this proposed objection and suggested amendment to the LDP.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS601</b>	<b>LDP – DM1 - Development within the Development Management Zones</b>	
<b>Development plan reference:</b>	<b>LDP – DM1 - Development within the Development Management Zones</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Burcote Wind Ltd. (02129)</b>  <b>CALA Homes (West) (01870)</b>  <b>The Mountaineering Council of Scotland (00375)</b>  <b>Mr George Paton (01776)</b>  <b>Sportscotland (01865)</b>  <b>Scottish Power (02127)</b>  <b>SSE (02128)</b>  <b>Helensburgh Green Belt Group (00167)</b>  <b>Scottish Sea Farms (00920)</b>  <b>Scottish Salmon Producers Organisations (01118)</b>  <b>RSPB (00040)</b></p> <p>(See also Strategic <b>ISS402</b> that deals with objections raised to renewables)</p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Burcote Wind Ltd. (02129)</b></p> <p>Insofar as this policy addresses 'Very Sensitive Countryside' BWL supports the position that renewable energy related development is to be encouraged within Very Sensitive Countryside. The objector also considers that Area Capacity Evaluations would not be appropriate to undertake for wind energy development that is subject to Environmental Impact Assessment.</p> <p><b>CALA Homes (West) (01870)</b></p> <p>The objector contends that this policy needs to acknowledge the requirements set out in Scottish Planning Policy (SPP). SPP requires local development plans to ...identify the housing land requirement and allocate a range of sites which are effective or capable of becoming effective to meet these requirements up to year 10 beyond the predicted year of plan adoption, ensuring a minimum of 5 years effective land supply at all times. Local development plans outwith city regions should also provide an indication of the possible scale and location of housing land up to year 20 (paragraph 73). Further, planning authorities should ensure ...supply of effective land for at least 5 years should be maintained at all times (paragraph 75).</p> <p>SPP also requires that green belt ...inner boundaries should not be drawn too tightly around the urban edge, but where appropriate should create an area suitable for planned development between the existing settlement edge and green belt boundary (paragraph 162). The Council therefore needs to acknowledge SPP's policy requirements in setting out the policy framework in Policy LDP DM1.</p> <p><b>The Mountaineering Council of Scotland (00375)</b></p>		

The objector contends that it is inconsistent to describe areas as "very sensitive countryside" with, as stated in the glossary, "extremely limited ability to successfully absorb development" but then to state that within such areas "encouragement (my emphasis) shall be given to" renewable energy and telecommunication development, even with the weasel qualification "on appropriate sites".

**Mr George Paton (01776)**

The objector contends that the inclusion of the sentence "There is a presumption against development that seeks to extend an existing settlement into the Countryside Zone." is unnecessary and it removes the test of appropriateness otherwise available when assessing development against policy LDP DM1 (E). If the sentence is to be retained it is therefore becomes incumbent on the Planning Authority to publish the criteria against which settlement boundaries are assessed and defined.

This assessment and application needs to be undertaken and published for all settlement boundaries. This assessment would then demonstrate that the defined boundaries are justifiable, defensible and also illustrate what visual or environment harm would be caused by development outwith the defined boundaries. The inclusion of the above sentence removes the ability of any prospective developer to challenge the settlement boundary line without being given the defence "is it where it is", all boundaries need to be clear and well defined. Clarity and openness of the decision process is required.

**Sportscotland (01865)**

The objector considers that clause (F) applying to very sensitive countryside should be amended to allow for outdoor sport and recreation development compatible with and requiring a specific location within this zone. This would bring the policy into line with the policy intent of the SPP which advocates a positive approach to new development in rural areas and the need to encourage growth and diversification. It would also bring the policy into line with the approach taken in clause (G) of Policy DM1 which recognises the locational needs of some forms of outdoor sport development in the green belt, another sensitive zone. We do not propose that all forms of outdoor sport development will be appropriate in the very sensitive countryside but do consider that some types of development will be compatible.

**Scottish Power (02127)**

Expression of support

**SSE (02128)**

Expression of support with the caveat that the ACE process should not apply to on shore wind developments.

**Helensburgh Green Belt Group (00167)**

The objector contends that there is a problem regarding wind turbines. Latest evidence suggests that they are inefficient, have a life of less than the 25 years originally assumed, require mounting maintenance after 10 years, release carbon dioxide in construction and installation (especially on peat soil), are getting ever larger in height, are multiplying in worrying numbers are increasingly criticised for adverse effects on landscapes, and a range of other adverse aspects, while alternative forms of renewable energy are improving. The wording of Policy PDP DM 1, sub-section (F) regarding Very Sensitive Countryside is closely similar to that in the 2002 Structure Plan's STRAT DC 6. Yet circumstances have altered

greatly since 2000, as indicated above. It is no longer logical to retain wind turbines in a category that claims to be very sensitive. There may be reason to reconsider telecommunication masts as technology increases, but we do not have sufficient evidence to make a recommendation. The objector refers to their separate submission on renewable energy.

Expression of support for the Green Belt designation.

**Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)**

Representations have identified that Policy LDP DM1 should make reference to aquaculture development.

**RSPB (00040)**

LDP DM 1 F (i) – objector suggests that more detail/guidance is needed here on what type/scale of renewables development would be appropriate and what assessments would be required to be submitted with any planning applications as opportunities for sustainable development are likely to be limited.

**Modifications sought by those submitting representations:**

**Burcote Wind Ltd. (02129)**

None stated see above

**CALA Homes (West) (01870)**

The objector recommends that criterion G) of this Policy is amended as follows

(vii) Housing development on the edge of settlements where it can be demonstrated that :

There is existing housing need and demand;  
A 5 year effective land supply is not maintained at all times;  
The development is in a sustainable and accessible location;  
The development is in scale and kind to the existing built environment;  
The inner boundary of the Green Belt is tightly drawn against the settlement edge; and  
Provides essential infrastructure to make the site effective.

**The Mountaineering Council of Scotland (00375)**

Remove (F)(i) and (F)(ii) from DM I

**Mr George Paton (01776)**

The removal of the sentence in question.

**Sportscotland (01865)**

Clause (F) should be amended to add an additional sub clause (iv) small scale outdoor sport and recreational development.

**Scottish Power (02127)**

None stated

**SSE (02128)**

None stated

**Helensburgh Green Belt Group (00167)**

It is suggested that the words "(i) Renewable energy related development" be removed from Policy LDP DM 1, sub-section (F) and be replaced by "(i) Renewable energy related development other than wind turbines." - or some other wording that meets the reasons given.

**Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)**

There should be a reference to aquaculture development in Policy LDP DM1.

**RSPB (00040)**

See above

**Summary of responses (including reasons) by planning authority:**

**Burcote Wind Ltd. (02129)**

The ACE process is and will not be applicable to on shore wind proposals.

**CALA Homes (West) (01870)**

The Council has published a Housing Land Audit (HLA) (Core Doc Ref. xxx) and consulted with the housing industry on it with no objections received. The HLA contains a full breakdown of the programming for all development sites in the LDP including windfall sites. The HLA will be updated each year and where it is demonstrated that the Council is not maintaining an effective five year supply of housing land additional land will be brought forward on a fully justified basis. Given this the Council considers that the proposed amendment to policy DM1 as suggested by the objector would undermine the settlement strategy that has been clearly set out in the LDP and also remove the certainty that the LDP offers to local communities, infrastructure providers, Key Agencies and indeed other Developers when they are making their investment decisions. Consequently the Council can see no merit in amending the LDP due to this objection.

**The Mountaineering Council of Scotland (00375)**

The Council recognises that there are some types of development which have a specific locational or operational need, such as telecommunications developments and also renewable energy schemes. Proposals for such developments will also require to be assessed against the other policies of the plan including LDP 3, LDP 5, and LDP 6 and the Windfarm Policy Map as appropriate.

**Mr George Paton (01776)**

The Council does not agree with the objection raised by (01776). The settlement boundaries in the proposed LDP have been informed by the current Argyll and Bute Local Plan (Core Doc. Ref. xxx) that clearly identifies settlement boundaries for each settlement. These settlement boundaries were identified by qualified planners taking into account key features

of the settlement including its settlement pattern, presence of natural features and defensible boundaries. The settlement areas identified are often generous to allow for new development at an appropriate scale and the restriction placed on development adjoining the settlement edge provides considerable certainty in the decision making process and deters applications based on continued rounding off arguments that can sometimes lead to undesirable forms of development such as ribbon development.

The Council is committed to regular review of the Local Development Plan as per statutory guidelines. As part of this process (call for sites stage) developers, landowners and their agents have the ability to include sites for development that could involve the expansion of a settlement boundary. Where a site has not been included by the Council in its role as Planning Authority there is also a right to object to the plan at the MIR and Proposed LDP stage. Objector (01776) has done this and his objection is currently being dealt with in Issue **xxx**.

### **Sportscotland (01865)**

The Council acknowledges that outdoor sport and recreation takes place in the Very Sensitive Development Management Zone very often with no need for a planning consent or any form of development for example hill walking or mountain biking. The Council also acknowledges that it has listed possible developments in (F) that are associated with the natural resources of the area such as renewable energy. Consequently, given the Council is supportive of the sustainable growth of tourism and associated recreational activity such as hill walking etc. the Council would be content, if the Reporter was so minded, to include the amendment to Clause (F) to add an additional sub clause (iv) small scale outdoor sport and recreational development as suggested by the objector. The Council considers that this will aid the clarity of the plan and better support Key Objectives B and D.

### **Scottish Power (02127); SSE (02128)**

The ACE process is and will not apply to on-shore wind.

### **Helensburgh Green Belt Group (00167)**

The objector's opinion on the merits of on shore wind would be better addressed at a national level and not through the LDP process. That said, the Council still considers that it is appropriate to mention the possibility of on shore wind being sited in the Very Sensitive Development Management Zone as it often is associated with upland and mountain areas where there is sufficient wind to make a wind farm economically viable. These zones were established through the Structure Plan (Core Doc. Ref. xxx) and the Argyll and Bute Local Plan (Core Doc. Ref. xxx) and not changed in the Proposed LDP.

Siting on shore wind farms in the Very Sensitive Countryside Development Management Zone, which the Council acknowledges, has limited capacity to successfully absorb development is subject to strict control and site selection that is informed by landscape capacity studies, all relevant policies (LDP 5 and 6) and Supplementary Guidance of the plan (SG LDP REN1 and 2) together with the Wind Energy Proposals Map that forms part of the LDP's Proposals Maps. A number of objections to these policies and the wind energy proposals map are being dealt with under Strategic Issue 402.

The Council considers that these Policies and SG together with the wind energy Proposals Map are the principal tools to help determine planning applications for on shore wind and not the presence of the Very Sensitive Development Management Zone. On shore wind development does on accession happen in this zone given the presence of wind resource and the Council considers that it would be disingenuous of the plan not to acknowledge this

in LDP DM 1. Consequently the Council can see no merit in amending the plan to take account of the objections raised by (00167).

**Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)**

Policy LDP DM1 guides development within Development Management Zones which cover land and not marine waters. In relation to aquaculture related development this policy can therefore only guide onshore aquaculture development.

The Council considers that part F (iii) of Policy LDP DM1 identifies exceptions for development within Very Sensitive Countryside or Isolated Coast which could apply to development which directly supports aquaculture as an established activity. In view of the foregoing the Council recommends no modification to the proposed LDP.

**RSPB (00040)**

The Council considers that the detail of what is or what is not appropriate for renewable energy is dealt through LDP 6, the Wind farm Policy Map and associated SG. (F) (i) in Policy LDP DM 1 simply states that renewable energy developments might be considered acceptable in Very Sensitive Areas on appropriate sites as they correspond to upland areas where most renewable energy developments are proposed. (H) of LDP DM 1 states that Developments are also subject to all other policies and supplementary guidance of the Local Development Plan. Consequently, the Council does not consider that an amendment of this policy should be made on account of this representation.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS602</b>	<b>Aquaculture</b>	
<b>Development plan reference:</b>	<b>Chapter 1 – Introduction</b> <b>Chapter 2 - Settlement and Spatial Strategy</b> <b>Chapter 4 – Creating a Sustainable and Growing Economy Together</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<b>Scottish Sea Farms (00920)</b> <b>Scottish Salmon Producers Organisations (01118)</b>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<u>CHAPTER 1 (D425) - Recognition that LDP covers marine waters for aquaculture development</u>		
<b>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)</b> The LDP identifies itself as a 'land use planning document' and does not identify that the plan and the Council's role as a planning authority also covers aquaculture development extending into the marine area out to 3 nautical miles.		
<u>CHAPTER 1 (D425) - Referencing relevant documents, policies and strategies</u>		
<b>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)</b> Representations ask that the LDP make reference to a number of national and European policy documents and strategies which are considered important to setting the context for aquaculture development.		
<u>CHAPTER 2 (D428) - Reference to economic importance of aquaculture</u>		
<b>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)</b> Both representations identifying that there is no reference in Chapter 2 of the LDP to the importance of aquaculture to the future economy of the Oban Lorn and the Isles and the Mid Argyll, Kintyre and the Islands planning areas.		
<u>CHAPTER 1 (D425) - Sustainability checklist</u>		
<b>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)</b> The requirement for medium and large scale development to complete a Sustainability checklist is identified in paragraph 1.8.2 in Section 1 of the Proposed LDP. Objectors have stated that medium and large scale should be defined in this paragraph.		
<u>CHAPTER 4 (D430) - Aquaculture Industry Locations</u>		
<b>Scottish Salmon Producers Organisations (01118)</b> The 'Growing Our Economy' spatial diagram on page 39 of the LDP identifies 'Key		



Aquaculture Industry Locations'. The representation states that it is not clear whether these locations represent existing developed or undeveloped sites or suggested locations where new aquaculture development would be encouraged.

**Modifications sought by those submitting representations:**

CHAPTER 1 (D425) - Recognition that LDP covers marine waters for aquaculture development

**Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)**

Include appropriate reference in Chapter 1 (Introduction) to the fact the LDP also deals with aquaculture development in the marine environment.

CHAPTER 1 (D425) - Referencing relevant documents, policies and strategies

**Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)**

That reference is made to relevant UK documents including the Marine (Scotland) Act 2010 (Core Doc. XXX); 'A Fresh Start' The Renewed Strategic Framework for Scottish Aquaculture (Core Doc. XXX), The National Food and Drink Policy (Core Doc. XXX) and UK Marine Policy Statement (Core Doc. XXX) and relevant European policies and strategies such as 'Building a Sustainable Future for Aquaculture' (European Commission COM (2009)162) (Core Doc. XXX). The references to UK and European documents should be made in Chapter 1 (paragraphs 1.3.6 & 1.3.8) of the LDP and UK documents in the Policy LDP 5.

CHAPTER 2 (D428) - Reference to economic importance of aquaculture

**Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)**

Sections 2.4 and 2.5 of the Proposed LDP should refer to the importance of aquaculture to the future economy of the area.

CHAPTER 1 (D425) - Sustainability checklist

**Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)**

A clear definition of 'medium' and 'large' scale development to be identified.

CHAPTER 4 (D430) - Aquaculture Industry Locations

**Scottish Salmon Producers Organisations (01118)**

Clarification on what 'Key Aquaculture Industry Locations' are.

**Summary of responses (including reasons) by planning authority:**

CHAPTER 1 (D425) - Recognition that LDP covers marine waters for aquaculture development

While the LDP does include policy relevant to marine aquaculture development it is acknowledged that it would be worthwhile identifying that the LDP also covers aquaculture in the marine environment in Section 1 of the LDP.

The Council would be content in the interests of clarity, if the Reporter was so minded, to amend paragraph 1.1.1 to – *'The Argyll and Bute Local Development Plan (henceforth referred to as the LDP) is a planning document focussing on land use and aquaculture development in marine and fresh water, that sets out a settlement strategy and spatial framework for how the council wants to see Argyll and Bute develop to 2024 and beyond, excluding the area of Argyll and Bute covered by the Loch Lomond and Trossachs National Park that has its own plan.'*

CHAPTER 1 (D425) - Referencing relevant documents, policies and strategies

Paragraphs 1.3.6 and 1.3.8 are designed to identify the main national strategies and policies and international legislation which is relevant to a range of economic sectors, not just aquaculture. Policy LDP 5 covers a wide range of economic sectors and the Council does not consider it appropriate to reference every relevant policy document for each sector in the

justification of this policy.

The Council considers that the individual UK and European policy documents which are requested by objectors to be referenced in the LDP would be more appropriately referenced in the relevant SG documents, in particular LDP SG CST 1 and LDP SG AQUA 1. These SG documents already reference the majority of these documents.

Issue **ISS607** recommends an amendment to paragraph 1.3.6 of the Introduction to include the Marine (Scotland) Act, as relevant national legislation which the LDP has taken account of and an amendment to make reference to the UK Marine Policy Statement in the justification of Policy LDP 4.

In view of the foregoing the Council recommends no modification to the proposed LDP.

CHAPTER 2 (D428) - Reference to economic importance of aquaculture

If the Reporter is so minded, the Council would be content with the inclusion of the following statement to paragraphs 2.2.1, 2.4.1 and 2.5.1 in order to more clearly define the economic importance of aquaculture in Bute and Cowal, Oban, Lorn and the Isles and Mid Argyll, Kintyre and the Islands – *Potential for sustainable growth of a well established aquaculture industry including marine sites, and supporting onshore hatcheries and processing.*

In the interest of clarity, **Issue ISS608** recommends an amendment to the LDP which will add a footnote defining the different food and drink sectors wherever 'Food and Drink' is listed in the LDP. Food and Drink is mentioned in Section 2.5 and the inclusion of a footnote defining aquaculture as a food and drink sector will highlight the economic importance of aquaculture.

CHAPTER 1 (D425) - Sustainability checklist

Section 1.8.2 of the LDP identifies the requirement for a sustainability checklist to be completed for medium and large scale development. The representations from objectors ask for medium and large scale to be defined in relation to aquaculture development. As the planning application information requirements for aquaculture development are detailed and most finfish development requires EIA it is not intended for the Sustainability Checklist to apply to aquaculture development. The Council therefore recommends no modification to the proposed LDP in relation to definition of scale for aquaculture development.

CHAPTER 4 (D430) - Aquaculture Industry Locations

The 'Key Aquaculture Industry Locations' identified in the 'Growing our Economy' diagram on page 39 of the LDP are showing where the industry is focussed at present and so represents areas where developed and to a lesser degree undeveloped sites exist. The Council agrees that the diagram is not clear in this respect, and in the interest of clarity would be content, if the Reporter was so minded, to amend the key for Aquaculture to 'Existing Key Aquaculture Industry Locations'.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS603</b>	<b>LDP PROP 1 - The Settlement Plans</b>	
<b>Development plan reference:</b>	<b>LDP PROP 1 - The Settlement Plans</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Mr Euan MacLachlan (01170)</b>  <b>Mr and Mrs David and Janice Cowan (00287):</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LDP PROP 1 - Mr Euan MacLachlan (01170)</b></p> <p>General expression of support for the policy.</p> <p><b>LDP PROP 1 - Mr and Mrs David and Janice Cowan (00287).</b></p> <p>Objection to large scale housing proposed for the green belt in Helensburgh and Lomond. The Objectors contend that this will be a grave misjudgement of strategy. How can such a strategy assist to revitalise the currently deteriorating town centre and make full use of the many potential housing and retail developments currently existing within the town centre envelope.</p> <p>How can such a strategy have been created when you indicate that the predicted population of this area will decrease from 26,050 in 2010 to 24,850 in 2023 and that there are a large amount of unsold properties in the area?</p> <p>The objectors also draw attention to “the potential disaster which could hit the area in 2014 if the Scottish people vote for a nuclear free independent Scotland.”</p> <p>The objectors contend that none of these real situations, which have been very well understood for the past five years, have been embraced in the Proposed Local Development Plan.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>LDP PROP 1 - Mr and Mrs David and Janice Cowan (00287).</b></p> <p>The objectors request a Local Development Plan which addresses these important matters.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		

**LDP PROP 1 - Mr and Mrs David and Janice Cowan (00287).**

The level of allocations in the LDP for Helensburgh and Lomond has been determined by the housing needs identified through the Argyll and Bute Housing Needs and Demand Assessment that has been endorsed by the Scottish Government (Core Doc. Ref. xxx). This document identifies a need for 1,200 units to be provided during the plan period in the Helensburgh and Lomond area which is being achieved in the plan through the identification of a network of housing Allocations, PDAs and windfall development in all of the development management zones.

While the Council acknowledges the negative population trends for Helensburgh and Lomond the Council wishes to counter these trends by providing a generous supply of new housing land within the settlement boundaries on previously used sites wherever it can and elsewhere on greenfield locations that are adjacent to the existing settlement boundary, close to public transport and active travel routes and also key public and private facilities such as schools and retail facilities. The Council notes in Oban Lorn and the Isles that this area's population has grown by 6% in the same period as Helensburgh and Lomond's population has fallen. The Council considers that one of the main reasons for this has been a historic and sustained constrained land supply as a result of the Green Belt's boundary being tightly drawn around the settlements of Helensburgh, Rhu, Cardross and Shandon.

The Council considers that the projected decline in total population is a real threat to the economic and social viability of the area (including Helensburgh and Lomond that has experienced the sharpest falls in population) with a potential to adversely impact on the economy/wealth creation, workforce availability and efficient service delivery. The overall objective of the Council's Single Outcome Agreement/Community Plan (SOA) (Core Doc Ref. xxx) that has been approved by the Scottish Government for the 10 years to 2023 is "Argyll and Bute's economic success is built on a growing population." (see page 12 of the SOA). This outcome is in turn entirely supportive of the 6 national policy priorities set out in the national guidance on community planning and will also see Argyll and Bute contribute to the national outcomes for Scotland. The LDP can assist this overall outcome in a number of ways including providing for a generous supply of land for new housing sites in places where people want to live through the proposed LDP. A stable and growing local population will also help sustain Helensburgh's Town Centre which the Council is investing in excess of £6 million in public realm improvements (through CHORD) with further funds allocated to refurbish the former East Clyde Street Centre for Council offices and regenerate the pier with flood defences, new community facilities, improved car parking and retail space (See Production Ref. xxx – Helensburgh Pier Masterplan).

Helensburgh and its neighbouring communities have real potential for growth to assist in meeting the overall objective of the SOA. The lack of available land to allow the building of new housing at a larger scale has been a significant factor in the current population decline and this LDP proposes to tackle this by having sufficient housing allocations to meet our housing needs and contribute to retaining and growing our population.

The location of these allocations have also been guided by a landscape capacity study (Core doc. Ref, xxx) and are supported by private developers who responded for a call for sites to inform the contents of the Main Issues Report (MIR) and then the Proposed LDP. The plan also supports the redevelopment of windfall sites as suggested by the objectors but these are too limited to meet all of our housing needs.

The people of Scotland are not voting for a "nuclear free" independent Scotland in 2014 they are taking part in a national referendum that concerns the question over whether Scotland will become an independent country or remain part of the United Kingdom. The question over the future of the Faslane Base has yet to be determined and while the current Scottish

Government have published their intentions to remove Trident from Faslane by 2020 this will be subject to a further decision on whether the people of Scotland wish to agree to this or not. The Scottish Government have also identified Faslane to be the home of the Scottish Navy in the event of a yes vote in the independence referendum. Again, this will be subject to future decisions outwith the scope of this LDP.

In any case this LDP will be reviewed by 2019 (prior to 2020) in line with current legislation requirements and that this will provide a further opportunity to revise the plan in terms of housing supply.

**Conclusion**

Given all of the above and the fact the objectors have not provided any alternative to the delivery of providing a sustainable future for Helensburgh and Lomond the Council cannot support any change to the Proposed LDP based on these objections.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS605</b>	<b>LDP PROP 3 - The Proposed Potential Development Areas</b>	
<b>Development plan reference:</b>	<b>LDP PROP 3 - The Proposed Potential Development Areas</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146);</b>  <b>Mr John Whiston (01833);</b>  <b>Scottish Natural Heritage (01587):</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146)</b></p> <p>Comment recorded regarding the PDAs in Tarbert “We look forward to seeing the “mini-briefs” for the PDAs when they are available and hope that they will indicate how their development will link in with the adjacent Housing and Business allocations, as well as the Areas For Action to the north and south of the town of Tarbert.”</p> <p><b>Mr John Whiston (01833)</b></p> <p>The objector contends that the identification of Potential Development Areas runs contrary to the certainty which is sought through the Plan-led system. The purpose of consulting upon and promoting a Local Development Plan is to allow those parties who will be affected by development proposals in the Plan to comment on the proposals and to know what land will come forward for what type of development over the life of the Plan.</p> <p>It is clear from the Plan that PDAs are not required to meet the effective land supply requirement as this is done through the proposed Allocations. It is not, therefore, clear what status PDAs are to have. Are they only to be developed once the proposed Allocations have been built out? If that is the case then LDP PROP 3 requires to make this clear and to specify the circumstances in which the land will be released.</p> <p>The objector is concerned that development briefs have not been prepared for each PDA and that there is a risk that PDAs are given development plan status through adoption of this LDP without members of the public having been given the opportunity to comment upon the use or range of uses considered appropriate, the constraints that need to be resolved or the main LDP policies and supplementary guidance that will be taken into account if these sites are to come forward.</p> <p>The objector further contends that none of the PDAs can therefore be included in the LDP at this time as the definition of Potential Development Areas on page 87 of the Plan makes it clear that insufficient work has been done at this stage to be able to confirm that these sites are appropriate for development.</p> <p>Identification of the sites and the current wording of the related policy will consequentially give the PDAs a "preferred" status for development purposes which is inappropriate when the issues have not been clearly explored through the LDP examination.</p>		

**Scottish Natural Heritage (01587)**

The objector contends that PDAs in the current Local Plan are viewed as equivalent to gaining outline planning permission (planning permission in principle). Therefore there is resistance later by developers to carrying out further surveys etc. to establish whether planning permission can be granted, especially as regards the possible presence of protected species. This text does explain that constraints exist for PDAs and that mini development briefs apply for each PDA site which presumably set out development factors and developer requirements, such as the need for protected species surveys and mitigation plans. However given past difficulties in regard to PDAs and protected species, we believe specific mention should be made of this.

**Modifications sought by those submitting representations:****Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146)**

None stated

**Mr John Whiston (01833)**

The Objector seeks the removal of the Potential Development Areas and related Policy LDP PROP 3 from the LDP. Failing that, full information requires to be exhibited for each of the PDAs and time given to objectors to comment thereon. Furthermore, Policy LDP PROP 3 then requires to be amended to specify the circumstances in which the PDAs will be released for development and when.

**Scottish Natural Heritage (01587)**

The Objector requests that a sentence be added after need to be taken into account as follows:- Identification as a PDA does not for example remove the need for a species survey and if necessary mitigation plan to accompany a planning application where the site habitat is considered likely for protected species to be present.

**Summary of responses (including reasons) by planning authority:****Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146)**

The Council notes the comments from (00146) and will continue to work with the community council to bring forward development in Tarbert in a co-ordinated way.

**Mr John Whiston (01833);**

The Potential Development Areas (PDAs) are a concept that has been carried forward from the current Local Plan (**Core Doc. Ref. (xxx)**). The Council makes it clear in Paragraph 2.11.1 that "PDAs are areas where the specific development opportunities may be supported through the life of this LDP where known constraints can be overcome." The PDAs help provide considerable certainty in the plan by identifying the potential uses clearly in the schedules of the Proposed LDP's Written Statement for each of the Council's four administrative areas in a similar manner to the Allocation Schedules, the Areas For Action and Traffic/Road Development Actions. These schedules have all been subject to public comment and objection over a three month period, including by individuals, groups and the Key Agencies such as SEPA and SNH. The Mini briefs will also be published prior to the adoption of the plan for a six week period to allow plan stakeholders to comment on their content with regard to identified constraints. The Mini briefs for the PDAs have been informed by comments received during the three month public consultation on the proposed LDP. Once known constraints have been overcome PDAs can be developed prior to Allocations. The Council notes that the objector (01833) is also objecting to PDA 1002 that is being dealt with under issue ISS025.

PDA's are all subject to these constraints being satisfactory addressed together with all relevant policies and SG of the LDP before they are considered to be effective. There are 31 new PDA's in the proposed LDP with the remainder being carried forward from the current Local Plan.

The PDA's have proved highly useful in helping to deliver a generous supply of housing and business land that supports the aims of the Scottish Government and the Council as expressed in the Single Outcome Agreement/Community Plan. (Core doc. Ref. (xxx) in terms of delivering the document's overall key objective of achieving sustainable economic growth and reversing population loss. The PDA's also allow for a co-ordinated approach to development of a particular area as all PDA's are subject to requiring a masterplan to inform their development when a detailed consent only covers part of the site in question. This ensures that the best use of the land is made.

**Scottish Natural Heritage (01587)**

The Council makes it clear in Paragraph 2.11.1 that "PDA's are areas where the specific development opportunities may be supported through the life of this LDP where known constraints can be overcome." They do not have outline planning status and have never been treated in this manner by the Council. PDA mini briefs have been prepared for all PDA's and included in the Draft Action Programme that has been subject to six weeks of consultation after being informed by comments received during the proposed plan stage including comments by SNH. To comply with SG requirements the mini briefs will also be subject to a further six week public consultation prior to the adoption of the proposed LDP. Where requested the need for additional surveys or taking into account protected species have been included in the mini brief. The PDA's are a valuable tool to bring additional flexibility in the land supply for Argyll and Bute and also supports the Scottish Government's call for a generous supply of developable land. Consequently, the Council can see no justification for any amendments to Paragraph 2.11.1 of the LDP Written Statement.

**Conclusion**

The PDA's have proved highly useful in helping to deliver certainty and a generous supply of housing and business land that supports the aims of the Scottish Government and the Council as expressed in the Single Outcome Agreement/Community Plan. (Core doc. Ref. (xxx) in terms of delivering the document's overall key objective of achieving sustainable economic growth and reversing population loss. The Council has committed to publish the mini briefs for the PDA's prior to the adoption of the plan and this should address objector (01833) concerns. Given all of the above the Council proposes to make no amendment to the Proposed LDP.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS606</b>	<b>Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment</b>	
<b>Development plan reference:</b>	<b>Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Scottish Natural Heritage</b> (01587)  <b>Isle of Coll Community Council</b> (00002)  <b>Royal Society for the Protection of Birds</b> (00040)  <b>Scottish Power</b> (02127)  <b>Sportscotland</b> (01865)  <b>Infinergy</b> (01915)  <b>Mr And Mrs P S Metcalfe</b> (01748)  <b>Mrs G H Dalton</b> (01520)  <b>Helensburgh Green Belt Group</b> (00167)  <b>Scottish Salmon Producers Organisations</b> (01118)</p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Scottish Natural Heritage</b> (01587)  The Objector contends that Clause (D) of Policy LDP 3 states that development proposals will not be supported where they have a significant adverse effect on the special qualities or integrity of designated sites. This does not tally with policy wording in Scottish Planning Policy (SPP) (<b>Core Doc. Ref. xxx</b>) for international and national designated sites (i.e. Natura 2000, Ramsar, NSAs, SSSIs, NNRs) which refers instead to avoidance of adverse effects on site integrity or special qualities (see paragraphs 134 and 137 of SPP).</p> <p><b>Isle of Coll Community Council</b> (00002)  Coll Community Council requests that Argyll and Bute Council include the words "Dark Skies" in policy LDP3 and that the Council adopts the Lighting Management Plan as a supplementary guidance note.</p> <p><b>Royal Society for the Protection of Birds</b> (00040)  Para 3.4 - Quite how the LDP will facilitate the LBAP is unclear as the focus seems to be on protecting sites, species and habitats from impacts rather than delivering positive measures and outcomes for biodiversity. This should be clarified.</p> <p>Para 3.6 - We suggest an additional objective is added to consider potential cumulative impacts of windfarms on the natural environment to ensure the delivery of sustainable renewable energy development.</p> <p>The objector suggests text is added to support developer contributions towards projects which contribute towards national and local biodiversity objectives. This approach would be consistent with Section 126 of SPP which highlights that 'where possible, planning authorities should seek benefits for species and habitats from new development including the restoration of degraded habitats'.</p>		

The objector considers that this is essential as 'sustainable economic growth' is a key element of the plan however the impacts of this development may not always be possible to mitigate on site as a planning condition. Contributions towards enhancement work off site may be required and would meet the tests set out by Planning Circular 1/2010. See also our comments on SG LDP PG1.

**Scottish Power (02127)**

The Objector supports the broad aims of this policy but as worded it does not, in our view, adequately address the central challenge described above. A strict interpretation of this policy would be that it lays down a set of absolute tests which would in effect rule out development which might be of significant benefit in achieving economic growth without assessing the relative merits of development against adverse impacts, nor would it allow for mitigation (which is specifically allowed for in EIA regulations), derogation or compensation. It also gives little guidance relating to how to balance short term adverse environmental impact against long term environmental benefits.

We also consider that this policy needs to be stress tested against Policy LDP 5 (Supporting the sustainable growth of our economy) which states that the Council will help deliver economic growth ... by taking full account of the economic benefits of any proposed development ... SPP paragraph 6 states that the planning system has a critical balancing role to play when competing interests emerge in the consideration of future development.

It is essential to recognise that planning issues, by their very nature, will often bring differing interests into opposition and disagreement and the resolution of those issues will inevitably disappoint some parties. The planning system cannot satisfy all interests all of the time. It should, however, enable speedy decision making in ways which are transparent and demonstrably fair. The objector does not feel that LDP 3 does not adequately reflect this balancing role

**Sportscotland (01865)**

We note the reference to the precautionary principle in this policy. It is essential that a fully understood and consistent approach is taken to the application of the precautionary principle. To this end we recommend that a definition of the precautionary principle and how it will be applied is given in the development plan. We support the advice of paragraph 132 of the SPP which • clarifies that the principle should only be applied to nationally or internationally significant landscape and natural heritage resources

- clarifies its application only where there is sound evidence for believing that significant and irreversible damage will occur
- stresses the need for its application to be justified
- highlights the requirement to look at modifications to a proposal which could negate the need to apply the precautionary principle.

We support the advice of the SPP on the precautionary principle and that the principle should not be used to unnecessarily impede development and that where the principle is applied, i.e. on the basis of uncertainty, research should be commissioned to remove that uncertainty. We do not consider that uncertainty forms a strong basis for decision making, especially in the longer term.

It should also be noted that the precautionary principle was developed to apply to the natural environment; it is not clear therefore how applicable the principle is to the built or human environment as detailed in the policy?

**Infinergy (01915)**

The objector contends that the phrasing of Policy LDP 3 is immediately negative and

presumes against development, stating "a development proposal will not be supported when it". We believe that this is counter-productive to encouraging sustainable development which is outlined as a main objective of the policy, and as such is contrary to SPP paragraph 33, which states that "planning authorities should take a positive approach to development".

Part (B) of Policy LDP 3 states that "a development proposal will not be supported when it does not protect, conserve or where possible enhance the established character and local distinctiveness of the landscape". As per our comments in relation to Policy LDP Strat 1, the way in which this policy is worded may potentially discriminate against wind energy development. Although great effort is employed in designing a wind farm so that effects are kept to a minimum, there are effects inherent to the construction and operation of wind farms upon visual amenity. The valency of such effects is open to interpretation, however as stated for the purposes of EIA this must be assessed as being negative. Therefore, to presume against a development because, despite significant effort to design a wind farm in accordance with good practice, it does not 'protect' the landscape and visual amenity of the area (in some opinions) is ultimately unjust. We believe that the negative wording of the overall policy contributes to this, and instead it may be more prudent, pro-development and in accordance with SPP paragraph 33 if part (B) of Policy LDP 3 was worded in a way which suggests that 'there would be a presumption in favour of development where the established character and local distinctiveness of the landscape is respected'.

In relation to the long list of supplementary policies to LDP 3, although the rationale for containing multiple policies as supplementary guidance may be taken as a de-cluttering exercise, in reality it leads to a confused reality whereby multiple documents require to be referenced simultaneously.

The objector believes it would be easier if several of the policies contained within the Supplementary Guidance document were transferred into the Proposed LDP for ease of reference. Of these policies listed within Policy LDP 3, many would be expected to form part of a Local Plan or LDP, such as those concerned with ecological impacts of development proposals, and we see no reason for 'relegating' them to another document.

We are pleased to see that paragraph 4.3 of page 35 of the Proposed LDP cites renewables as a major growth sector supported by the LDP. It further states that "it is imperative for the LDP to take a more flexible approach to ensure that economic opportunities can be fully realised". However, this positive aspiration is somewhat negated by what we interpret as a negative and restrictive Policy LDP 3.

As per the 'Key Actions' contained within section 4.8 of the Proposed LDP we are welcoming of Argyll and Bute Council's intention to update and implement the Argyll and Bute Renewable Energy Action Plan, and we hope that it may borrow from the positive aspirations contained for renewable energy within the Proposed LDP. However in the intervening period and beyond, despite the LDPs explicit support for renewables, as per our comments throughout this representation we believe that policy could do more to assist in this aim.

**Mr And Mrs P S Metcalfe** (01748)

See Renewables Issue (xxx)

**Mrs G H Dalton** (01520)

See Renewables Issue (xxx)

**Helensburgh Green Belt Group** (00167)

Expression of support.

**Scottish Salmon Producers Organisations** (01118)

Policy LDP3 should include a reference to balancing considerations, such as the social and economic benefits of development, which might outweigh a significant impact on the built, human and natural environment.

**Modifications sought by those submitting representations:**

**Scottish Natural Heritage (01587)**

The Objector requests that to avoid confusion Clause (D) should be sub-divided between (i) international and national, and (ii) local designated sites, with the policy wording for the former being that a development proposal will not be supported when it has an adverse effect etc., with the policy wording for the latter being that a development proposal will not be supported when it has a significant adverse effect etc.

**Infinergy (01915)**

The negative wording of the overall policy contributes to this, and instead it may be more prudent, pro-development and in accordance with SPP paragraph 33 if part (B) of Policy LDP 3 was worded in a way which suggests that ‘there would be A presumption in favour of development where the established character and local distinctiveness of the landscape is respected’.

**Summary of responses (including reasons) by planning authority:**

**Scottish Natural Heritage (01587);**

The Council considers that this proposed amendment to the policy at (D) as suggested by the Objector (01587) would not alter the intention of the policy statement but rather aid its clarity in terms of dealing with international/national sites and between locally designated sites. The Council would have no objection, if the Reporter was so minded, for this amendment to be made with (D) being amended to read

(D) has an adverse effect, including cumulative effect, on the special qualities or integrity of international and national designated natural and built environment sites.

And the creation of a new clause (E) in Policy LDP 3 that states:-

(E) has a significant adverse effect, including cumulative effect, on the special qualities or integrity of locally designated natural and built environment sites.

**Isle of Coll Community Council (00002)**

The Council does not consider amending the plan at Policy LDP DM 3 to include the term “dark skies” is appropriate. The Council notes and is supportive of Coll being awarded dark skies status and this will instead be communicated to the development management staff to take into account this issue when planning applications are being considered on the island of Coll.

**Royal Society for the Protection of Birds (00040)**

The council does not consider that this policy is the right place to insert requirements for planning gain relating to the natural environment. The Council does work with developers in terms of planning

We seek a clear definition of the a definition of the precautionary principle and how it will be applied based on the policy intent of the SPP. This definition should either come in the glossary of the development plan, in the SG or in the justification to Policy LDP3.

**Mr And Mrs P S Metcalfe (01748)**

See Renewables Issue (xxx)

**Mrs G H Dalton** (01520)

See Renewables Issue (xxx)

**Scottish Salmon Producers Organisations** (01118)

The Council considers that this balance is already provided by other LDP policies that would also need to be considered for any development proposal, including other relevant economic policies such as Policy LDP 5. Accordingly the Council recommends no modification to the proposed LDP as account of this representation.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS607</b>	Coastal Development and marine planning	
<b>Development plan reference:</b>	<b>LDP 4 – Supporting the Sustainable Development of our Coastal Zone</b>  <b>Chapter 1 – Introduction</b>  <b>Chapter 3 – Protecting, Conserving and Enhancing Our Outstanding Environment Together</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<b>Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</b> <b>Mr Andy Robinson (Royal Society for the Protection of Birds) (00040)</b> <b>Ms Nicola Abrams (Scottish Environment Protection Agency) (00981)</b> <b>Mr C Gerrard (Sport Scotland) (01865)</b> <b>Mr Robert Reilly (Scottish Sea Farms) (00920)</b>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority’s summary of the representation(s):</b>		
<p><u>POLICY LDP 4 – Supporting the Sustainable Development of our Coastal Zone</u></p> <p><b>Royal Society for the Protection of Birds (00040)</b></p> <ul style="list-style-type: none"> <li>Consider that the items listed in paragraph 3.9.5 of Policy LDP 4 are key issues rather than criteria and that this should be clarified in the policy.</li> <li>List of ‘other relevant documents’ identified in Policy LDP 4 should include forthcoming Regional Marine Plans.</li> </ul> <p><b>Scottish Environment Protection Agency (00981);</b> Support expressed for the references to the Argyll and Clyde RBMP Area Management Plans and the reference in 3.9.5 for applications for coastal development to meet criteria relating to flood risk and ecological status.</p> <p><b>Scottish Salmon Producers Organisations (01118)</b></p> <ul style="list-style-type: none"> <li>Policy LDP4 should set out the principles for locational guidance in any aquaculture supplementary guidance, as required by SPP (<b>Core Doc. XXX</b>).</li> <li>Policy LDP 4 should contain references to the Draft National Marine Plan (<b>Core Doc. XXX</b>), UK Marine Policy Statement (<b>Core Doc. XXX</b>) and other relevant policy documents.</li> <li>The word ‘would’ is missing from paragraph 3.9.4.</li> </ul> <p><u>CHAPTER 3 – Protecting, Conserving and Enhancing Our Outstanding Environment Together</u></p> <p><b>Royal Society for the Protection of Birds (00040)</b></p> <ul style="list-style-type: none"> <li>List of ‘other relevant documents’ identified in Policy LDP 4 should include forthcoming Regional Marine Plans.</li> </ul> <p><u>Relationship between marine and terrestrial planning</u></p>		

**Sport Scotland (01865)**

In relation to Policy LDP 4 and supporting SG (SG LDP CST 1), Sport Scotland question whether there is a need for a more specific policy and guidance on the interaction between marine and terrestrial planning. Such a policy could consider the impacts on the terrestrial environment from marine development, including coastal landscapes, coastal processes and access. The representation states that Sport Scotland are unsure whether such policy consideration is needed in the LDP or whether this should be covered by policy in forthcoming regional marine plans.

**Scottish Salmon Producers Organisations (01118); Scottish Sea Farms (00920)**

The LDP can guide only aquaculture development in marine waters, but future regional marine plans will guide not only aquaculture planning decisions but also all other decisions by public authorities on activities at sea. The Council will be obliged to determine aquaculture planning applications according to the LDP and appropriate marine plans unless relevant considerations indicate otherwise. The existence of two plans for fish farm development raises two concerns:

- (i) Potential for conflicting policy between the LDP and the appropriate marine plans and;
- (ii) Risk of an uneven playing field between fish farming and other marine development if the different standards are applied in the marine plan and in the LDP.

**Royal Society for the Protection of Birds (00040)**

- Reference should be made in paragraph 1.3.6 of the Introduction to the LDP, to the Marine Act (**Core Doc. XXX**) which requires local authorities to make decisions on applications in accordance with the relevant marine plans.
- Suggest the final sentence of paragraph 3.5 is updated to reflect the importance of the marine environment in a European context, not just the UK. The marine environment includes areas of search for SACs and SPAs, as well as proposed MPAs. This paragraph should stress the fact that any development in coastal locations should be sustainable.

**Modifications sought by those submitting representations:**POLICY LDP 4 – Supporting the Sustainable Development of our Coastal Zone**Royal Society for the Protection of Birds (00040)**

- Clarification that items listed are key issues not criteria. Item '(k) Marine Planning' should be changed to 'Demonstrates compliance with the relevant marine plan'.
- Identify forthcoming Regional Marine Plans under 'Other relevant documents' in Policy LDP 4.

**Scottish Environment Protection Agency (00981);**

None stated

**Scottish Salmon Producers Organisations (01118)**

- LDP to set out principles for locational guidance in any aquaculture supplementary guidance.
- Policy LDP 4 should contain references to the Draft National Marine Plan (**Core Doc. XXX**), UK Marine Policy Statement (**Core Doc. XXX**) and other relevant policy documents.
- Correction of typo on page 31, paragraph 3.9.4.

CHAPTER 3 – Protecting, Conserving and Enhancing Our Outstanding Environment Together**Royal Society for the Protection of Birds (00040)**

Update paragraph 3.5 of Chapter 3 to reflect importance of marine environment in a European context and stress the fact that any development in coastal locations should be sustainable.

Relationship between marine and terrestrial planning

**Sport Scotland (01865)**

Content with whatever decision the Council makes.

**Scottish Salmon Producers Organisations (01118); Scottish Sea Farms (00920)**

The Proposed LDP to set out how any policy conflicts should be resolved and, to ensure a level playing field between aquaculture and other offshore activities, do so by giving preference to policies in the marine plans, once they have been adopted.

**Royal Society for the Protection of Birds (00040)**

Reference should be made in paragraph 1.3.6 of the Introduction to the LDP, to the Marine Act (**Core Doc. XXX**) which requires local authorities to make decisions on applications in accordance with the relevant marine plans.

**Summary of responses (including reasons) by planning authority:**

POLICY LDP 4 – Supporting the Sustainable Development of our Coastal Zone

a) *Policy criteria*

It is the Council's view that the list in paragraph 3.9.5 are criteria and not 'key issues' and therefore no change is required. To provide further clarity the Council would be agreeable, if the reporter was so minded, to amend criteria '(k) marine planning' to read 'consistency with relevant marine plans', as sought by objector (**00040**).

b) *Setting principles for Aquaculture SG*

This objection from SSPO/Scottish Sea Farms focusses on the Scottish Planning Policy (SPP) (**Core Doc. XXX**) requirements for marine aquaculture. Policy LDP4 covers development on land and not marine aquaculture, although would be relevant to onshore fish farms, oyster farms or land-based infrastructure to support aquaculture. The SPP requirement for spatial guidance is therefore not relevant to this policy. It is however relevant to Policy LDP 5, which does set out the principles for which SG may give further guidance and identifies relevant SG which provide the mechanisms for delivery of this policy.

If the reporter is so minded, the Council recommends the following changes to Policy LDP3 in order to provide greater clarity on the principles for relevant SG and to improve clarity over which LDP policy sets the framework for Aquaculture Development:

- Move text from paragraphs 3.9.5 and 3.9.6 into the policy wording
- Remove reference to SG AQUA 1 in the policy wording
- Remove list of 'Other relevant documents' from policy as covered by new policy text (3.9.6)

c) *Reference to UK Marine Policy Statement and Marine Plans*

The Council will need to take account of the National Marine Plan, which is consistent with the UK Marine Policy Statement and any future regional marine plans when making planning decisions which may affect the marine environment. Therefore, if the reporter is so minded, the Council is content in the interests of accuracy to amend Policy LDP 4 to replace 'marine spatial plans' with 'National Marine Plan and forthcoming Regional Marine Plans' to the end of the last sentence of the policy (**Production X**).



d) *Correction of typo*

The representation from objector (01118) correctly identifies a missing word in the justification of Policy LDP 4 (paragraph 3.9.4). If the reporter is so minded, the Council supports the suggested correction, adding the word 'would' to the first sentence of this paragraph – *'The Coastal Development Strategy, as supplementary guidance, sets out through a range of Development Criteria, where coastal development would, or **would** not, be acceptable and the types of development that might be accommodated.'*

e) *Definition of Coastal Zone*

The Council has incorrectly defined the 'Coastal Zone' in this policy, which was mistakenly taken from a description of the geographical area to be covered in a Coastal Development Strategy which is currently in preparation. The area defined for this strategy extended to 1km inland to allow a consistent approach to presentation of maps and data but was not intended to be a hard and fast definition of a coastal zone and therefore a definition of a zone within which Policy LDP 5 applies.

The influence of the coast can penetrate far in land in some areas and not so in others. In terms of assessing individual development proposals adjacent to the coast, planning officers will make a judgement as to whether Policy LDP 5 applies. Considerations in determining the landward limit of the coastal zone will include the extent to which it is affected by coastal processes, the intervisibility between land and sea, and the potential for development to adversely affect the special qualities of the coast.

Proposed LDP representations on PDA 1002 (Issue no. ISS025) highlight uncertainty as to when Policy LDP5 applies and the Council would not like any confusion to remain. If the reporter is so minded the Council would be content with the following change to the definition of the Coastal Zone in Policy LDP5 and SG CST 1 to correct this error and improve clarity over when this policy would apply.

*Coastal Zone definition in policy – Strip of land between Mean Low Water Springs (MLWS) and a maximum of 1km landwards. In many cases the coastal zone will extend only a short distance inland, and this distance depends on whether the land exerts an influence on the uses of the sea and its ecology, or the land uses and ecology are affected by the sea. Whether this policy applies to a particular development application is at the discretion of the Council's Planning Department.*

CHAPTER 3 (D429) – Protecting, Conserving and Enhancing Our Outstanding Environment Together

In response to the requested modification of paragraph 3.5, the Council considers that there is no need to state that development has to be sustainable as this is inferred by the second last sentence of this paragraph. The Council would be content in the interests of clarity, if the reporter was so minded, to amend the last sentence in paragraph 3.5 to read - *'Similarly the marine environment is one of the richest in terms of biodiversity in the UK and Europe, in order to reflect the importance of marine environment in a European context.'*

Relationship between marine and terrestrial planning

a) *Consideration of land-based impacts from marine development*

The Council does not consider it appropriate for the LDP to include policy which considers land-based impacts from marine development, with the exception of marine aquaculture development which is under planning control. The SG chapter on Aquaculture Development (SG LDP AQUA 1) considers and identifies potential land based impacts from marine aquaculture development. The forthcoming Coastal Development Strategy

as SG, will consider this relationship and will identify potential land based impacts that could result from marine development which the Council would wish to see considered in the development of Regional Marine Plans and relevant marine licensing decisions. In view of the foregoing the Council recommends no modification to the proposed LDP.

*b) Policy conflict between LDP and marine plan policies*

The Council considers that it is more appropriate for the Coastal Development Strategy (in preparation) as SG, to provide guidance on how any policy conflicts between the LDP and relevant marine plans will be addressed.

Scottish Government thinking has progressed since publication of the Proposed LDP with a draft Marine Planning Circular (Core Doc. XXX) published for public consultation in (August 2013) which provides specific guidance and additional clarity on the relationship between marine and terrestrial planning, as defined in the Marine (Scotland) Act (Core Doc. XXX). The most relevant paragraphs of this document (13; 22; 32 & 33) clearly identify a two-way process where both planning processes work together to deliver consistent policy where possible and plans that are equally compatible with each other.

The Council does not agree that preference should be given to marine plan policies. Marine plans and LDPs have an equal footing and Argyll and Bute Council will work with marine planners to ensure marine plans and policies are consistent with our own policy and where issues arise agreement will be reached and our own SG can be amended if appropriate. In view of the foregoing the Council recommends no modification to the proposed LDP.

*c) Reference to Marine (Scotland) Act*

The Proposed LDP has taken account of the Marine (Scotland) Act (Core Doc. XXX) which is particularly relevant to aquaculture development. The Council therefore would be content in the interests of accuracy, if the Reporter was so minded, for the amendment suggested by objector (XXXX) to be made, with the second sentence of paragraph 1.3.6 being amended to read:

*The LDP also takes account of planning advice notes (PANs), other national strategies including the government's economic strategy and relevant national legislation such as the Climate Change (Scotland) Act (2009), Nature Conservation (Scotland) Act 2004 and Marine (Scotland) Act (2010).*

**Conclusion**

The Council would be content to include the above amendments to the Proposed LDP, if the Reporter is so minded, as they are not considered to be a material change in policy direction, but have been accepted in order to bring additional clarity to; and will improve the accuracy of the LDP.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS608</b>	<b>LDP 5 – Supporting the Sustainable Growth of Our Economy</b>	
<b>Development plan reference:</b>	<b>LDP 5 – Supporting the Sustainable Growth of Our Economy</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Scottish Salmon Producers Organisations (01118)</b>  <b>Tarbert and Skipness Community Council (00146)</b>  <b>Scottish Power (02127)</b>  <b>Helensburgh Community Council (00135)</b>  <b>Royal Society for the Protection of Birds (00040)</b>  <b>Scottish Sea Farms Ltd (00920)</b>  <b>RWE npower Renewables (02126)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LDP 5 – Scottish Salmon Producers Organisations (01118)</b></p> <p>Welcomes the Council's support for the fish farming industry as expressed in Section 4 and Policy LDP 5.</p> <p>Page 35. Para. 4.3 contains the first reference to food and drink industries so the definition of this "(includes agriculture, aquaculture, fishing and whisky)" should appear here.</p> <p><b>LDP 5 – Tarbert and Skipness Community Council (00146)</b></p> <p>Tarbert and Skipness Community Council consider Tarbert to be a key tourist destination, not only because of the wide range of services but also because of the newly repaired, community-owned royal castle and the expansion of the harbour for pleasure craft. The Community Council understand that appreciate that official figures do not necessarily show this as few establishments are registered with Visit Scotland. Figures from the harbour board show that the growing number of pontoons now attract 3,500 visiting boats a year (i.e. approx 10,500 people) plus a further 1,000 sailors for the Scottish Series. Also there are 115 boats permanently moored here by people from outwith the area. Between Easter and September 20122 the counter installed at the newly-repaired castle of Robert the Bruce showed 40,000 visitors. Some of these will have come down the same way and be counted twice and some, of course, will have been local. An adjusted figure is 14,000 visitors to the castle during the season.</p> <p>Tarbert Community Council fully supports the proposal for a Tourism Development Area in and around Tarbert and Skipness as well as the West Loch.</p> <p><b>LDP 5 – Scottish Power (02127)</b></p> <p>Scottish Power supports this policy. They suggest, however, that there should be specific support for community businesses, including community renewable energy projects. They</p>		

state that this form of development has proved to be very successful in harnessing economic growth to support the retention and growth of our population. This would also support LDP Policies 6, 8 and 10. Scottish Power also point out that any community benefit funds (normal practice for onshore windfarms and supported and encouraged by Argyll and Bute Council) are not material in planning terms.

**Helensburgh Community Council (00135)**

The objector states that the small reference in the LDP to tourism in Argyll & Bute in general and Helensburgh and Lomond in particular is inadequate and does not do justice to the important contribution this sector makes to the economy and employment of Argyll and Bute. The objector considers that the LDP takes little no account of the wide range of the varied tourist offerings across. The objector considers that Helensburgh and its surrounding areas should be differentiated from the rest of Argyll and Bute.

Reasons for the importance of tourism have been highlighted, including:-

- Failure to make new investment and build on existing economic strengths causes decline, stagnation and decay.
- Tourism brings trade to accommodation providers, local retailers, restaurants, cafes and other local businesses. It does not challenge the town's essential character and brings money directly to the town.
- Tourism touches many facets of the local economy creating jobs at all levels.
- Helensburgh's tourism offering in many ways is different from elsewhere in Argyll & Bute. (On the edge of the Scotland's largest conurbation, proximity to the National Park, established attractions, town centre shops, basic tourism, growing network of local paths giving many miles of safe walking and cycling.

**RSPB (00040)**

The words 'but must be balanced against environmental impacts' should be added to the end of this paragraph. The importance of the area's environment to tourism should be emphasised, particularly wildlife tourism on islands such as Mull. The objector suggests a wording change to 'well-sited, environmentally sustainable renewable energy related development' in the first sentence. It is important that Spheres of Influence and Key Ports are properly assessed, as well as offshore development.

**RWE npower Renewables (02126)**

Expression of support. Recommend that these economic policies should be a key consideration in determining planning applications for wind farms, as development of onshore wind is an important element in the on-going success of the economy in the Argyll and Bute Council area.

**Scottish Power (02127)**

Support expressed for this policy. We would suggest, however, that there should be specific support for community businesses, including community renewable energy projects. This form of development has proved to be very successful in harnessing economic growth to support the retention and growth of our population.

**Modifications sought by those submitting representations:**

**LDP 5 – Scottish Salmon Producers Organisations (01118)**

Definition of food and drink required.

**Scottish Sea Farms Ltd (00920)**

Definition of food and drinks industry made available

**LDP 5 – Tarbert and Skipness Community Council (00146)**

The Community Council suggest the Council add a star to the Map on Page 39 of the Written Statement indicating that Tarbert has a Key Tourist Attraction.

**LDP 5 – Scottish Power (02127)**

None stated see above.

**LDP 5 - Helensburgh Community Council (00135)**

Much greater recognition be given in the LDP to the importance tourism makes to the overall economy of Argyll and Bute. Helensburgh and Lomond current and potential tourist offering is so distinct that it should be given its own section within the LDP.

**RWE npower Renewables (02126)**

None stated.

**Summary of responses (including reasons) by planning authority:**

**LDP 5 – Scottish Salmon Producers Organisations (01118)**

The Council considers that food and drink is a well-recognised industry in Scotland including aquaculture but to strictly define it in terms of what it contains could give rise to problems and for that reason the Council considers that there should be no definition in the plan.

**LDP 5 – Tarbert and Skipness Community Council (00146)**

The Key Tourist Attractions, shown as stars on the “Growing our Economy Together” Diagram in the Written Statement were derived from information in the Visitor Attraction Monitor 2009 prepared for Visit Scotland (Production Ref XXX). Their purpose is to highlight the tourism resource across the area and they were used, in part, to derive the boundaries of the Tourism Development Areas which have related policy in the PLDP and Supplementary Guidance. In themselves they do not have any related policy. Tarbert is situated within a Tourism Development Area. Given the evidence of the scale of the attractions, supplied by the Community Council, the Council would be content, if the Reporter was so minded, to add an icon to the economy map on page 39 of the Written Statement to indicate Tarbert as a Key Tourist Attraction.

**LDP 5 – Scottish Power (02127)**

The Council makes no distinction between community and commercial on shore wind as they are both assessed equally in terms of the plan’s wind farm map, policies and SG as required by the SPP (Production Ref XXX). More detailed responses with regard to objections received to Policy LDP 6 Supporting the Sustainable Growth of Renewables is dealt with in Strategic Issues ISS402 and ISS609.

**LDP 5 – RSPB (00040)**

The Council considers that there is no need to add additional words here as the plan does seek to balance environmental, social and economic needs by requiring to take into account all relevant policies and SG of the plan. Any additional text will simply lead to a larger document which is against the thrust of Government guidelines on the length of any plan. The issue of spheres of influence is dealt elsewhere in the schedule 4s (Ref xxx) and our key Ports are already established and have no need for further assessment. Offshore development will be properly assessed as and when proposals come forwards. The spheres of influence do not give any presumption in favour of renewable energy applications in the areas covered by the spheres.

**LDP 5 - Helensburgh Community Council (00135)**

The importance of tourism to the economy of Scotland is recognised in the Government's Economic Strategy (Core Document Ref XXX) and Scottish Planning Policy (Core Document Ref XXX). The particular significance of this sector for Argyll and Bute is noted in the Single Outcome Agreement (Core Document Ref XXX) and the Economic Development Action Plan (Core Document Ref XXX). The Monitoring Report (Core Document Ref XXX) highlights the degree of importance of this sector within Argyll and Bute. The PDLP sets out 5 potential main growth sectors of which one is tourism. (Core Document Ref XXX). Tourism is supported in policy LDP 5 in the PLDP which also links to 3 further Supplementary Guidance policies.

The distinctive importance of Helensburgh and Lomond as a visitor destination is specifically noted in Chapter 2 of the PLDP para 2.3.2 (Core Doc ref XXX), related to its proximity to the Glasgow conurbation, its outstanding natural and built heritage, its role in tourism relating to being adjacent to the Loch Lomond and the Trossachs National Park and as a day tripper destination and the green networks. Helensburgh and Lomond Area contains a Tourism Development Area as identified in the "Growing our Economy Together Diagram" in the PLDP.

It should also be noted that the information supplied by the community council in their representation will also help inform the formation of specific tourist strategies for the Helensburgh and Lomond area and specific actions for the local Economic Development Action Plan that the Council is currently working on.

Consequently, to ensure that the PLDP remains a focussed and effective document, a balance is required in terms of the detail included. It is considered that tourism is dealt with effectively by the plan and that the specific local characteristics relating to Helensburgh and Lomond have been highlighted within the PLDP. In view of the above it is considered that no change is required to the Local Development Plan in respect of this objection.

**RWE npower Renewables (02126)**

These policies and associated SG are a key consideration in the determination of applications for windfarms as are all other relevant policies and SG of the PLDP.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS610</b>	<b>LDP 8 – Supporting the Strength of Our Communities</b>	
<b>Development plan reference:</b>	<b>LDP 8 – Supporting the Strength of Our Communities</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>CALA Homes (West)) (01870)</b>  <b>Ms Suzanne McIntosh (01887)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LDP 8 – CALA Homes (West) (01870)</b></p> <p>The objector contends that Council needs to ensure that evidence has been prepared for the Proposed LDP confirming that they are establishing a generous housing land supply in compliance with the requirements of the SPP (as set by the Scottish Government).</p> <p>The Objector states that the Council is required to maintain a 5 year effective housing land supply at all times (SPP, paragraph 73). The Proposed LDP presents a housing land requirement based on the evidence presented in the Argyll and Bute HNDA (paragraph 2.8.2). This equates to 9,590 homes over the next 10 years or 959 homes per annum. This housing land requirement accords with SPP, paragraph 70. CALA Homes (West) (The Objector) supports the Council in adopting this housing land requirement of 9,590 homes over the Proposed LDP period.</p> <p>In order to accord with SPP, the Council needs to prepare a housing land audit. This is the method to measure whether a supply of effective land for at least 5 years is being maintained at all times (SPP, paragraph 75). This will ensure that a continuing generous supply of land for house building is being provided.</p> <p>The Council needs to assess the allocations prior to the LDP Examination in order to determine the effectiveness of allocations, seeking guidance from the house building sector where appropriate. This is in accordance with guidance set out in PAN 2/2010. CALA Homes (West) (the Objector) supports the Council in identifying 7,450 homes for allocation over the Proposed LDP period.</p> <p>The objector states that maintaining a 5 year Effective Land Supply at all times SPP requires the LDP to allocate land on a range of sites which are effective or capable of becoming effective to meet the housing land requirement up to Year 10, ensuring a minimum of 5 years effective land supply at all times.</p> <p>The objector states that in order to evaluate whether the allocations would be sufficient to maintain a 5 years land supply at all times, the Council must programme the expected annual delivery from proposed allocations with the effective land supply and test whether this meets the housing land requirement. This work and evidence should form part of the Council's finalised position for the LDP Examination through a Housing Land audit.</p> <p>The Council therefore needs to implement a policy mechanism to ensure that a 5 year</p>		



housing land supply is maintained at all times as well as identifying a mechanism to measure compliance and ensure an effective housing supply at all times.

**LDP 8 – Ms Suzanne McIntosh (01887)**

The objector questions the effectiveness of the land supply in light of the allocated number of units falling short of the required number and the over-reliance on windfall sites to make up the shortfall. In addition, the tables of housing sites do not identify those sites which have been carried forward from the last plan, those which have been allocated for in excess of 10 years nor given an explanation of why they have not come to fruition within that plan period.

An in-depth analysis of the reasons for an underperformance on sites coming forward to development stage has not been provided in the LDP or referred to yet this is critical to achieving the vision in the plan and reversing the trend of population decline.

It is considered that in the light of the current economic climate that sites of over 80 to 100 units are not attracting investment/builders throughout Scotland and by the very nature of their size are ineffective as a result of the economic climate. There is no consideration of this fundamental in the plan.

In addition, in relation to infrastructure delivery, costs and impact on the effectiveness of sites no reference is made.

**Modifications sought by those submitting representations:**

**LDP 8 – CALA Homes (West) (01870)**

The objector recommends that a new Policy is inserted into the as follows

**LDP HL1 – HOUSING LAND FLEXIBILITY**

The Council shall maintain a five years' effective housing land supply at all times to meet the housing land requirement of 9,500 housing solutions over a 10 year period. This will be monitored by an annual housing land audit. For this purpose the Council may grant planning permission for the earlier development of sites which are allocated or phased for a later period in the LDP.

Other sites for housing development proposals within the Development Management Zones may granted planning permission to maintain a five years' effective housing land supply if allocated or phased site cannot be developed earlier. These new housing developments need to meet the criteria set out in Policy LDP DM 1.

The objector further recommends that the following amendments are made to Paragraph 2.8.4 after "Argyll and Bute"

"Policy LDP HL1 sets out the mechanism to maintain a 5 year effective land supply at all times."

And, the addition of the words "through a housing land audit" after the word "review"

**LDP 8 – Ms Suzanne McIntosh (01887)**

In order to provide a robust means of addressing population decline a more in depth analysis of the housing allocations and an exploration as to why sites have not come forward needs to

be undertaken as a matter of urgency.

**Summary of responses (including reasons) by planning authority:**

**LDP 8 – CALA Homes (West) (01870)**

The Council will comply with the SPP to deliver an effective five year housing supply at all times. The Council already does this through specific housing numbers identified on clearly identified Allocations, PDAs and windfall development within acceptable sites within the Development Management Zones. The Council has published a Housing Land Audit in March 2013 and has consulted with Developers (Core Doc. Ref. xxx). This document shows clear programming for housing land release and the Council is committed to reviewing this document annually to ensure that an effective housing land supply is continuously delivered throughout Argyll and Bute. The council can see no value to adding an additional policy statement as proposed by the Objector or amend Paragraph 2.8.4 of the plan's Written Statement to refer to the new policy.

In terms of the proposed addition of the words "housing land audit" in Paragraph 2.8.4 the Council would be content, if the reporter was so minded, to include a reference here to the housing land audit as it would add clarity to the intentions of the plan.

**LDP 8 – Ms Suzanne McIntosh (01887)**

The Council does not accept the objector's arguments with regard to the effectiveness of the housing sites. The Council has conducted a detailed Housing Land Audit (Core Doc Ref xxx) and consulted with the housing industry and the Scottish Government with no objections raised. Allocations, some partially implemented have been carried forward from the current Local Plan (Core Doc. Ref. xxxx) which is standard planning practice given the current plan is still considered to be up to date. These Allocations have been clearly identified in the plan as they retain the same reference number with new allocations having new distinct references given to them. The same is applicable for PDAs.

The carrying forward of allocated housing sites that have not been fully developed into a future plan is normal planning practice where the council still considers these sites to be effective. The Council has committed to undertaking a Housing Land Audit on an annual basis to measure the sites' effectiveness. This information will be used to undertake future reviews of the plan and bring forward additional sites where necessary to maintain an effective 5 year housing supply at all times.

The Housing Land Audit together with the published allocation schedules in the Written Statement and the published Draft Action Programme (Core Doc Ref xxx) contains considerable information on a wide range of sites ranging from a single dwelling unit to sites with a capacity in excess of 100. At the Main Issues Report (MIR) (Core Doc. Ref. xxx) Stage the issue of increasing density on appropriate sites was put forward to help with economies of scale and making best use of available land and this received strong public support. This resulted in a number of sites having a higher density applied in the Proposed LDP including a number of sites being taken forward from the current Local Plan.

The Council also does not agree that larger sites are failing to be implemented and the objector has provided no evidence to substantiate this claim. Argyll and Bute has helped take forward larger sites of over 80 houses in numerous locations including Lochgilphead (former high school site and at Baddens) and with the Oban settlement area. The phased

development of sites at Dunbeg Corridor (50 houses on site with a further 25 committed at this stage) has started with infrastructure support committed through the agreed Lorn TIF.

The Council considers therefore the availability of the Housing Land Audit that will be renewed on an annual basis provides the in depth analysis of the housing allocations requested by the objector (01887) and as such considers that no amendment be made to the Proposed LDP on account of this objection.

**Reporter's conclusions:**

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**Reporter's recommendations:**

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<b>ISS611</b>	<b>LDP 9 - Development Setting, Layout and Design</b>	
<b>Development plan reference:</b>	<b>LDP 9 - Development Setting, Layout and Design</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<b>Helensburgh Community Council (00135)</b>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LDP 9 - Helensburgh Community Council (00135)</b></p> <p>The objector contends that Argyll &amp; Bute Council's Sustainable Design Guidance is a widely acclaimed document which takes Scottish Government policies on building layout and design and applies them across A &amp; B.</p> <p>Tiree apart, however, the Council document is one size fits all and fails to recognise the wide range of different settlements within A&amp;B many with their own design heritage and characteristics. To fill this gap for Helensburgh HCC has produced its own Helensburgh Design Statement and Helensburgh Landscape Statement which translate Scottish Government and the Council's design guidance policies into the design characteristics it wishes to see for the town – architecture which is distinctive, varied and which integrates with the local landscape etc.</p> <p>Helensburgh was a New Town in the early 19th century and its legacy today is an outstanding array of Victorian and Edwardian buildings along with significant Art Nouveau and Arts &amp; Craft work. Bland, developer led, “could be anywhere” uniformity in style and detail is not part of this heritage. The common language running through them is that they are within an architectural tradition incorporating a range of styles, materials and ornamentation that sits comfortably within its own local and West of Scotland landscapes.</p> <p>Many of Scotland's finest architects of the time have left their mark on Helensburgh - William Leiper, A.N. Paterson, Alexander “Greek” Thomson, Sir Roland Anderson, John Honeyman, M. H. Baillie Scott, Robert Wemyss and William Spence. Charles Rennie Mackintosh's world renowned masterpiece, the Hill House. Is Helensburgh's crown jewel. What makes Helensburgh unique is its combination of architectural scale and variety within a fine south facing landscape setting over the River Clyde. The distinctive street grid pattern contrasts with the “country park” ambience of the private gardens and wide tree lined streets. For these reasons the area surrounding the Hill House and an extensive part of upper Helensburgh were awarded Conservation Areas status in 1971 and 1994.</p> <p>Unfortunately most post 1918 development has not maintained this tradition. Rather than individual plots being developed singly developments in Helensburgh have tended to be of a larger scale and developer led. What they have put up has been uniform and bland. It is rarely distinctive and is of a “could be anywhere” design. It is clear for all to see that it has proved impossible for the planning authorities to secure a standard of design excellence from developers which carries forward the heritage of past and applies it to developments of today.</p>		

On the other hand where buildings have been developed singly or in small numbers they often do have a stand out quality of design excellence about them.

**Modifications sought by those submitting representations:**

**LDP 9 - Helensburgh Community Council (00135)**

The objector recommends that to turn around the erosion of its design excellence A&BC produces a separate Sustainable Design Guide for Helensburgh. This to be based on SG LDP Sustainable Setting and Design Principles of new Housing in Settlements and SG Argyll & Bute Sustainable Design Guides.

**Summary of responses (including reasons) by planning authority:**

**LDP 9 - Helensburgh Community Council (00135)**

The Council notes the comments submitted by the objector (00135) but would like reassert our view that the very diversity of the architecture in Helensburgh does not lend itself to a specific design guide. As the objector refers to in his submission to the Proposed LDP the Council has prepared specific design guides for particular locations such as Tiree (Core Doc. Ref xxx) and the Ross of Mull where there is a distinct architectural identity that can be followed i.e. Tiree's black house and its modern variations.

That said, the Council's design policy (LDP 9) and SG, including our suite of award winning, generic design guides (**Core Doc Ref. (xxx)**) call for a "high standard of appropriate design" to be applied throughout Argyll and Bute with specific advice offered on aspects such as dealing with large and small scale residential, incorporating renewable energy and undertaking works in the context of the historic environment. The Council will continue to apply this policy and the SG together with national design policy to Helensburgh taking full account of designated sites such as Helensburgh's two outstanding conservation areas but does not see the merit of taking forward a specific design guide for the town.

Given all the above the Council does not see any merit in an amendment to the plan being made through this objection.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS612</b>	<b>Policy LDP 10 – Maximising Our Resources and Reducing Our Consumption</b>	
<b>Development plan reference:</b>	<b>Policy LDP 10 – Maximising Our Resources and Reducing Our Consumption</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Coriolis Energy (01968)</b> <b>SEPA (00981)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LDP 10 - Coriolis Energy (01968)</b></p> <p>The objector contends that the policy context of Paragraph 6.1 of the Written Statement seeks to ensure that carbon sinks (i.e. peat lands) are protected. Policy LDP 10 details that the Council will support all development proposals that seek to maximise (renewable) resources where they 'avoid the disturbance of carbon rich soils'. Clear reference is required at this point linking the statement to the detailed policy contained in SG LDP ENV 11 'Protection of Soil and Peat Resources', which sets out to clarify this statement further.</p> <p><b>LDP 10 - SEPA (00981)</b></p> <p>The objector seeks the removal of the reference to "Area Waste Plans" in the action "To support the development of the area Waste Strategy by examining its land use implications and the subsequent investigation of the identification of sites for appropriate facilities." Identified on page 54 of the LDP Written Statement.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>LDP 10 - Coriolis Energy (01968)</b></p> <p>Include a direct reference in Policy LDP 10 to SG LDP ENV 11.</p> <p><b>LDP 10 - SEPA (00981)</b></p> <p>Replace "Area Waste Plans" with "Zero Waste Plan".</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>The Council agrees with the objector (01968) and, if the Reporter is so minded, would be content if SG LDP ENV 11 is referenced in Policy LDP 10 – Maximising Our Resources and Reducing Our Consumption in the interests of clarity and accuracy.</p> <p>The Council agrees with the Objector (00981) and if the Reporter is so minded, would be content with the substitution of the words "Area Waste Plan" with "Zero Waste Plan" in the third action identified on page 54 of the LDP Written Statement in the interests of accuracy.</p>		
<b>Reporter's conclusions:</b>		

<b>Reporter's recommendations:</b>

<b>ISS613</b>	<b>LDP 11 - Improving our Connectivity and Infrastructure</b>	
<b>Development plan reference:</b>	<b>LDP 11 - Improving our Connectivity and Infrastructure</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Scottish Canals</b> (01926):  <b>Scottish Government</b> (01930)  <b>Tarbert and Skipness Community Council</b> (00146)</p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LDP 11 - Scottish Canals</b> (01926)</p> <p>The objector states that the Map – Improving our Connectivity Pg. 63 should highlight the Crinan Canal in the key as an important piece of infrastructure in addition to being recognised as part of a Sea Kayak Trail which Scottish Canals support.</p> <p><b>LDP 11 - Scottish Government</b> (01930)</p> <p>The Proposed Plan includes a map on page 63, Chapter 7 entitled 'Improving our connectivity'. It includes a 'proposed vehicle ferry route' and 'improved passenger ferry route' between Campbeltown and Ballycastle. The Proposed Plan text does not refer to this route and it is not included within any Policy or within the Action Programme or Supplementary Guidance, therefore details surrounding the delivery of the new and improved routes are unknown.</p> <p>The Scottish Government has published the Scottish Ferry Services Ferries Plan (2013-2022): The Ferries Plan, which outlines the strategic guidance for the provision of ferry services in Scotland over the next 10 years. A proposed new vehicle and improved passenger ferry route between Campbeltown and Ballycastle are not included within The Ferries Plan.</p> <p>The Proposed Plan includes a map on page 63, Chapter 7 entitled 'Improving our connectivity'. The map includes references to 'improving strategic roads' and 'improving railways' with the map highlighting trunk road and rail lines and some local roads within the entire Council area. This representation refers to the trunk roads and rail lines elements only. The Proposed Plan text does not refer to these improvements and they are not included within any Policy or within the Action Programme or Supplementary Guidance, therefore details surrounding the nature, delivery or the funding of any improvements to the strategic road and rail network are unknown.</p> <p><b>LDP 11 - Tarbert and Skipness Community Council</b> (00146)</p> <p><b>Verbatim Comment:</b></p> <p>We are pleased to see both Kennacraig and Claonaig ferry terminals on the map as "Enhanced Vehicle Ferry Terminals" but suggest that the road between them be considered as a "Strategic Road" requiring Improvement.</p>		



**Modifications sought by those submitting representations:****LDP 11 - Scottish Canals (01926):**

The Map – Improving our Connectivity Pg 63 should highlight the Crinan Canal in the key as an important piece of infrastructure in addition to being recognised as part of a Sea Kayak Trail which Scottish Canals support.

**LDP 11 - Scottish Government (01930)**

The Scottish Government recommends that the inclusion of a 'proposed vehicle ferry route' and 'improved passenger ferry route' between Campbeltown and Ballycastle should be removed from the 'Improving our connectivity' map on page 63, Chapter 7. The Proposed Plan provides misleading information to the public and stakeholders as it does not provide any detail on the delivery or funding of the proposed and improved ferry routes anywhere within the Proposed Plan, yet their wording and inclusion within the map strongly suggests that they will be provided.

The Scottish Government recommends that the inclusion of reference to 'improving strategic roads' and 'improving railways' should be removed from trunk roads and railways on the 'Improving our connectivity' map on page 63, Chapter 7. The Proposed Plan provides misleading information to the public and stakeholders as it does not provide any detail on the nature, delivery or the funding of the improvements within the Proposed Plan, or that any such work would require to be discussed and approved by Transport Scotland. Yet, the inclusion of this wording within the map strongly suggests that widespread and unknown improvements to the trunk road and rail network will be provided.

**Summary of responses (including reasons) by planning authority:****LDP 11 - Scottish Canals (01926)**

The Council would be content, if the Reporter was so minded, to amend the connectivity map to include the Crinan Canal.

**LDP 11 - Scottish Government (01930)**

The Council has included details on key infrastructure improvements relating to both road and rail in its Draft Action programme that has been sent to the Scottish Government for further comments.

The Council would like to point out that there is a clear committed programme of investment by the Scottish Government to improving the Trunk roads. For example, continued investment on the A83 and the Rest and be thankful; the removal of a single carriageway at Pulput Rock (A82); the Crianlarach by-pass etc. The Council would like to refer the Reporter to the published NPF3 ([Core Doc. Ref xxx](#)) that contains a number of references to the improvement of the key trunk roads entering Argyll and Bute including the Trunking of the A83 to Campbeltown.

The Council also wishes to retain the Ballycastle link within the plan as this remains an aspiration of the Council. The Council wishes to point out that a link to Adrossan (summer only) for vehicular traffic has now been established and a passenger link has been established between Campbeltown and Ballycastle. The Council acknowledges that the Ballycastle vehicular ferry link has no committed funding but wishes to still retain this aspiration in the connectivity map given its importance to the people of Kintyre and beyond.

The Council would be content, if the Reporter is so minded to include the words aspirational

in the key of the Connectivity Map to acknowledge that funding has not yet been secured to make the Campbeltown to Ballycastle vehicular ferry link a reality but remains a key aspiration of the Council.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS615</b>	<b>General Comment –Plan Complexity</b>	
<b>Development plan reference:</b>	<b>General Comment –Plan Complexity</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>D404 - Mr and Mrs David and Janice Cowan (00287)</b>  <b>D404 - Mike MacKenzie MSP (00984)</b>  <b>D404 - Eilean Eisdeal (00205)</b>  <b>D404 - Ms Suzanne McIntosh (01887)</b>  <b>D404 – Mr Derek Prestwell (02062)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>D404 - Mr and Mrs David and Janice Cowan (00287)</b>  These objectors contend that the plan is much too detailed and complex for the layperson to readily understand and that it is also a hugely time consuming exercise which makes accurate and meaningful feedback extremely difficult.</p> <p><b>D404 - Mike MacKenzie MSP (00984)</b>  This objector states that the problems in providing a meaningful and strategic response to the Argyll and Bute Local Plan (LDP) are many and manifest. It is his view that the document is largely subjective and it is therefore difficult to relate to specific outcomes; it is written in fairly dense planners jargon which makes it inaccessible and difficult for anyone other than professional planners to scrutinise effectively; and, in order to properly understand the LDP, it is necessary to read a multitude of other referenced documents which are similarly inaccessible. He goes on to state that this prevents meaningful engagement and thus fails as a consultation exercise, except perhaps at the most local level, which is assisted by referencing the local maps and since Scottish Government policy is to move towards a plan led system and to encourage meaningful consultation and positive engagement in the preparation of Local Development Plans, then it fails the test of meeting this basic policy requirement of LDPs.</p> <p><b>D404 - Eilean Eisdeal (00205); Ms Suzanne McIntosh (01887)</b>  Taking the proposed LDP in the round and looking at the documents as a whole we find that they have become unworkably large. We appreciate that the area to be covered is extensive in terms of the plans but question why there is a written statement of intent, plus a separate proposals map and the SPG doc. The SPG doc appears to focus very much on control rather than how the Planning Authority is to achieve its aims in the vision statement in the plan. As such the plan to our mind has become so large that it is becoming unworkable. We are well versed in using development plans daily from all over Scotland and feel that this point has to be made. A more streamlined plan will be read and understood as a key planning tool in achieving your vision by many more people than the plan in its current form.</p> <p><b>D404 – Mr Derek Prestwell (02062)</b>  The objector contends that the population of A&amp;B is falling and economic and population increase should be made a priority with each planning application determined on its merits removing the situation where targeted land suddenly increases in value and more importantly it increases the flexibility for planning officers and the planning department.</p>		

**Modifications sought by those submitting representations:****D404 - Mr and Mrs David and Janice Cowan (00287)**

None stated.

**D404 - Mike MacKenzie MSP (00984)**

None stated.

**D404 - Eilean Eisdeal (00205); Ms Suzanne McIntosh (01887)**

Consideration should be given to a more visually based document and more streamlined text.

**D404 – Mr Derek Prestwell (02062)**

The objector requests the removal the maps and zoned areas or if this is not possible double at least the size of available land for housing and economic development as a mechanism for promoting growth.

**Summary of responses (including reasons) by planning authority:****D404 - Mr and Mrs David and Janice Cowan (00287); Mike MacKenzie MSP (00984); Eilean Eisdeal (00205); Ms Suzanne McIntosh (01887); D404 – Mr Derek Prestwell (02062)**

The Council does not agree with these objections to the Local Development Plan (LDP). The issues that are required to be included within a LDP to cover an area as large and varied as Argyll and Bute are many and complex. That said, the Council has made every effort to slim down the content of the plan to make it an accessible, easy to follow, document for all stakeholders. Where planning jargon has been used it has been explained in the Plan's glossary and the Council note that no specific examples have been provided by the objectors to illustrate their points in relation to the plan's complexity and furthermore, no specific modifications have been suggested to improve the plan's clarity or reduce the detail of its contents.

Planning is a plan led system used to make decisions about the future development, and the use of land in our towns, cities and countryside. Development plans should be deliverable, up-to-date and set out a long-term spatial strategy, including policies and proposals that provide greater clarity for stakeholders on how planning outcomes can be achieved. Section 15 of The Town and Country Planning Act (Scotland) 1997 Chapter 8 as amended by The Planning etc. (Scotland) Act 2006 (**Core Doc Ref. (xxx)**), requires LDPs to contain a spatial strategy, this being a detailed statement of the planning authority's policies and proposals as to the development and use of land. Outside SDP areas (which is the case for Argyll and Bute's LDP), LDPs must also contain a vision statement. Vision statements should provide a realistic expression of what the plan area could be like in 20 years time and a useful springboard for the spatial strategy of the plan. Planning authorities may also include any other matters in the plan that it considers appropriate.

Section 15(4) of the Act allows LDPs to contain any maps, diagrams, illustrations and descriptive material the planning authority think appropriate, but regulation 8 requires the inclusion of a proposals map to illustrate the plan's policies and proposals spatially and allow the specific location of proposals to be accurately identified.

Planning therefore considers where development should happen, where it should not and

how development affects its surroundings. The system balances competing demands to make sure that land is used and developed in the public's long-term interest. This is done in the LDP through a series of proposal maps, policies and supplementary guidance.

The LDP settlement strategy seeks to deliver sustainable levels of growth by steering significant development to our existing settlements, where the bulk of our essential services, employment opportunities, community facilities and infrastructure assets are available.

The LDP settlement and spatial strategy clearly sets out where new development of different scales should be and should not be located which provides people with certainty in making their investment decisions on making a place their home or creating employment opportunities. The plan recognises the importance of sustainable economic development in attracting more people to live in Argyll and Bute and has included a number of new initiatives from the current Development Plan to enable further economic development. They include the creation of:-

- Tourism Development Areas where major new tourism projects are guided to in the plan;
- Economic fragile areas where appropriate development of any scale that can be demonstrated to have significant economic or social benefits is supported;
- Renewable energy spheres of influence where recognition is given that the plan may have to change to respond to developments in the off shore renewable industry, subject to formal amendment;
- Five strategic business areas (Faslane; Lochgilphead, Kilmory; Machrihanish; Sandbank; and Dunstaffnage, Dunbeg) where larger scale industrial growth is expected and taken forward through a masterplan approach;
- The implementation of the Lorn TIF project;
- The implementation of the Maritime Change Project
- The implementation of CHORD (area regeneration and town centre enhancement schemes for Campbeltown; Helensburgh, Oban, Rothesay and Dunoon).
- The enhancement of essential infrastructure including our ports, ferries, roads, air links, water and waste water treatment, digital connectivity and electricity grid;

The LDP also sets out over 330 development sites (Allocations and PDAs) in the Proposals Maps and Written Statement schedules that highlight opportunities for new development to take place including business and industry, tourism, mixed use, minerals and housing sites.

Not having the maps as requested by the objector would mean the authority cannot comply with regulation 8. Doubling the size of development areas without any form of justification or associated action programme to help achieve growth on that scale would be undeliverable and unsustainable.

The Council therefore considers that the LDP, as proposed, has a clear and succinct vision that informs its 9 key objectives, which in turn informs the spatial and settlement strategy for each of our 4 administrative areas, 5 key policy themes and the 11 policy statements that help deliver the vision and key objectives that have been determined, through extensive consultation, to address the main issues we collectively face.

The Council recommends no modification to the proposed LDP.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS616</b>	<b>Chapter 3 Protecting, Conserving and Enhancing our Outstanding Environment Together</b>	
<b>Development plan reference:</b>	<b>Chapter 3 Protecting, Conserving and Enhancing our Outstanding Environment Together</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
RSPB (00040)		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>RSPB (00040)</b></p> <p>3.4 Quite how the LDP will facilitate the LBAP is unclear as the focus seems to be on protecting sites, species and habitats from impacts rather than delivering positive measures and outcomes for biodiversity. This should be clarified.</p> <p>3.6 Objector suggests an additional objective is added to consider potential cumulative impacts of windfarms on the natural environment to ensure the delivery of sustainable renewable energy development.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>RSPB (00040)</b></p> <p>See above</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>RSPB (00040)</b></p> <p>The Council seeks to implement the LBAP in numerous ways including ensuring it is taken into account through the planning application process and application of relevant policies, designated sites for nature and associated SG. There are also a list of actions not objectives at 3.6 which include actions that help facilitate the LBAP. The Council would be content however to add an additional <u>action</u> at 3.6 to reflect the fact the Council is preparing a cumulative impact study regarding on-shore renewable energy that will be in place prior to the adoption of the LDP.</p> <p>“To prepare a cumulative impact study for on shore wind renewable energy”</p>		
<b>Reporter's conclusions:</b>		

**Reporter's recommendations:**

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<b>ISS617</b>	<b>Chapter 2 The Settlement and Spatial Strategy and Supplementary Guidance</b>	
<b>Development plan reference:</b>	<b>Chapter 2 The Settlement and Spatial Strategy and Supplementary Guidance</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>RSPB (00040)</b>  <b>Eilean Eisdeal (00205)</b>  <b>Scottish Natural Heritage (01587)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>RSPB (00040)</b></p> <p>Concerned that a precedent is set for the development of offshore wind in a location that has not been through HRA. The current wording suggests that an offshore wind project will be acceptable at this location. Potential effects on European sites (onshore and offshore) therefore need to be considered as part of the HRA of the LDP to ensure compliance with the Conservation (Natural Habitats, &amp;c.) Regulations 1994 (as amended).</p> <p><b>Eilean Eisdeal (00205)</b></p> <p>The diagram appears to include Seil but not Easdale in its tourism development area annotation. Clarity on whether it is intended to include Easdale is requested. You will note that the success of the island's village hall activities and local businesses is dependent on tourism. Eilean Eisdeal is of the view that the annotation should also include Easdale.</p> <p><b>Scottish Natural Heritage (01587)</b></p> <p>There is no symbol on the Spatial Strategy maps for green networks for the Main Towns (see Policy SG ENV 8 and supporting text in the Supplementary Guidance).</p> <p>Para 2.7.1 This paragraph provides supporting text for the policy (LDP DM1) of Development Management Zones. We are concerned that Natura 2000 areas are sometimes zoned within the Countryside Zone (CZ) rather than Very Sensitive Countryside (VSC) since in practice they should receive the highest level of protection within the plan. We note that the policy also states that all other policies will apply, and this will include for example Policy LDP3. However we believe that paragraph 2.7.1 should include some explanation of the basis for identifying CZ and VSC (which we presume is primarily linked to topography and remoteness) and should reinforce for Natura 2000 sites in particular that any development proposal must satisfy the Habitats Regulations.</p> <p>Para 2.11.1</p> <p>Our experience on past occasions under the current Local Plan has been that zonation of an area in the plan as a Potential Development Area (PDA) is viewed as equivalent to gaining outline planning permission (planning permission in principle). Therefore there is resistance later by developers to carrying out further surveys etc to establish whether planning</p>		

permission can be granted, especially as regards the possible presence of protected species. This text does explain that constraints exist for PDAs and that mini development briefs apply for each PDA site which presumably set out development factors and developer requirements, such as the need for protected species surveys and mitigation plans. However given past difficulties in regard to PDAs and protected species, we believe specific mention should be made of this.

**Modifications sought by those submitting representations:**

**RSPB (00040):**

We suggest re-wording of this section to ensure consistency with SPP. i.e. take account of the fragility of the island economies and the areas outstanding natural environment to ensure that any offshore renewables energy proposals that come forward are sustainable. We would like it noted that these areas (Inner Hebridean Islands) equate with the areas of the highest biodiversity importance and highest density of designated sites within Argyll and Bute and accommodating the emerging offshore renewables industry may not be achievable without significant impacts on biodiversity.

The LDP should highlight the uncertainty in the location of future offshore wind development and be updated based on the outcome of the consultation on the Sectoral Plans.

The map on page 39 shows Tiree & Coll, Islay etc within a large renewables sphere of influence. The specific map for Mid Argyll (page 16) seems to lack these zones, The specific map for Mid Argyll (page 16) seems to lack these zones, whereas the Oban Lorn and the Isles maps show them (pages 14 & 15). This should be rectified.

2.4.2 & 2.5.2 suggested rewording of fifth objective to reflect national policy on renewables (SPP paragraph 184) which highlights the need to 'guide development to appropriate locations'. Paragraph 11 emphasises the statutory duty on development plans to contribute to sustainable development.

'A greener place with community led smaller scale renewable energy projects and suitably located larger scale commercial wind, wave and tidal projects'.

Suggested addition of an additional objective to recognise the contribution of the area's outstanding natural environment to tourism and therefore its importance to supporting the long-term sustainable economic growth of these areas.

**Eilean Eisdeal (00205)**

Consideration should be given to a more visually based document and more streamlined text.

**Scottish Natural Heritage (01587)**

Text added to paragraph 2.7.1 along the lines of "Since the division between Countryside Zones and Very Sensitive Countryside is based on topography and remoteness [or whatever criteria are in fact more relevant] rather than the sensitivity of natural, built and cultural heritage features, it is essential that wherever located, any development proposal should comply with policies relating to the protection of our outstanding environment. In particular any development proposal that would have a likely significant effect on a Natura 2000 site will be subject to a Habitats Regulations Appraisal as well as an Area Capacity Evaluation (see

Policy SG LDP ENV 2)".

Para 2.11.1

Add a sentence after "need to be taken into account" as follows "Identification as a PDA does not for example remove the need for a species survey and if necessary mitigation plan to accompany a planning application where the site habitat is considered likely for protected species to be present".

#### Summary of responses (including reasons) by planning authority:

##### **RSPB (00040)**

Renewable energy spheres of influence have been identified where recognition is required that the plan may have to change to respond to developments in the off shore renewable industry, subject to formal amendment. It carries no presumption in favour of renewable energy development either off shore or on shore but rather recognises that formal changes to plan may have to be made at some future date to deal with changing requirements in terms of infrastructure provision or to accommodate additional population. Off shore renewable energy is at its early stages and subject to change and uncertainty. For example, the recent decision by Scottish Power Renewables to delay the Argyll Array off Tiree to a period considerable beyond the lifespan of this LDP. Nevertheless, the Council considers it important to raise these possibilities in the plan which supports the Council's Renewable Energy Action Plan (Core Doc. Ref. xxx) and will correct the error on the MAKI spatial map that omitted the sphere of influence from the Campbeltown area (the specific map for Mid Argyll (page 16 of the Written Statement)). Consequently, the Council can see no merit in altering the fifth objective of 2.4.2 and 2.5.2 to reflect national policy on renewables as this is dealt with elsewhere in the plan that deals with renewable energy i.e. LDP 6 and associated SG. The council intends to publish SG on the Spheres of Influence that will take account of the issues raised by the objector and will be subject to further consultation.

In terms of 2.4.2 and 2.5.2 the Council considers that these bullet points are aspiration in nature in terms of the spatial strategy for each area and are not policy statements. Renewable energy developments are dealt with by policy LDP 6 and associated SG where they determine renewable energy developments on the basis they will be sited on appropriate locations. Both Lorn and Mid Argyll, Kintyre and the Islands already enjoy a high number of tourists visiting our outstanding natural environment. Consequently we see no need to establish an additional bullet point here to recognise this fact.

##### **Eilean Eisdeal (00205)**

While the Council fully recognises that Easdale has an important tourist function the Council does not intend to recognise the island as a Tourism Development Area as it is unlikely that the island has capacity for a major new tourism development. That said, the Council remains supportive of smaller scale developments on the island for tourism such as the hall which also serves as a valued community asset.

##### **Scottish Natural Heritage (01587)**

The Council would be content , if the Reporter was so minded, to add a symbol on the spatial strategy maps to show green networks for each of main towns. This will be taken forward through SG.

The Very Sensitive Countryside Zone boundaries have not been altered in the LDP. They remain as per the adopted Argyll and Bute Local Plan (**Core Doc XXXX**). The Countryside

Zone proposed by the LDP is an amalgamation of both the Countryside Around Settlement Zone and the Sensitive Countryside Zone as designated in the adopted Local Plan. Both Very Sensitive Countryside and Countryside Zones are policy zones which set out a general stance for development and are not development sites. As such any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). In particular, Policy LDP3 and associated SG provide significant protection for the natural environment, generally, and adequate safeguards to designated sites such as Natura 2000 sites. Therefore, the Council considers that the existing Very Sensitive Countryside and Countryside Zone boundaries should remain unaltered in the Proposed LDP, as the Council considers that there are appropriate environmental safeguards contained within the LDP policies and SG to protect environmentally designated sites from development that would have an adverse impact. The Council is currently working on a Habitats Regulations Appraisal for the LDP, in consultation with SNH to resolve SNH concerns.

All PDAs within the LDP are accompanied by Mini Development Briefs that outline additional requirements that must be addressed for development proposals to be considered. SNH have identified many specific Allocations and PDAs where they have wish additional information such as species surveys / mitigation plans to be required. These have been included within the Mini Development Briefs. In addition, all development proposals, including those made for Allocations and PDAs are subject to all other policies in the LDP and associated Supplementary Guidance (SG). In particular, Policy LDP3 and associated SG provide significant protection for the natural environment, generally. The Council takes the view that amending the text as requested by SNH is therefore superfluous.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>ISS618</b>	<b>Chapter 1 Introduction</b>	
<b>Development plan reference:</b>	<b>Chapter 1 Introduction</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Scottish Salmon Producers Organisations (01118)  RSPB (00040)  Helensburgh Community Council (00135)</p>		
<b>Provision of the development plan to which the issue relates:</b>	<b>Chapter 1 Introduction</b>	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>D406 - Scottish Salmon Producers Organisations (01118)</b>  Within the first three paragraphs on page 1 of the LDP the text should make it clear that the Plan is prepared under the terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006, and, once adopted, that it must be reviewed every five years. This is important legal and contextual information about the requirements of the legislation and the status of the Plan.</p> <p>Paragraph 1.4.2 should refer to the requirements of Section 25 of the T&amp;CP(Scotland) Act 1997. i.e. "...the determination (of planning applications and any other determinations under the planning acts) shall be made in accordance with the plan unless material considerations indicate otherwise."</p> <p>Para. 1.5 should refer to known, imminent, policy and legislative changes, eg. the Draft National Marine Plan, the Draft National Planning Framework 3 and the current Review of Scottish Planning Policy, all of which could require changes to be made to the Proposed Plan before adoption.</p> <p>Para. 1.6.2 should state that achieving growth will depend not only on 'land supply' but also on the adoption, adherence to, and consistent use of, policies and guidance designed to deliver good decision making.</p> <p><b>D406 - RSPB (00040)</b></p> <p>1.3.8 Paragraph 1.3.8 indicates that the whole of Argyll and Bute is a designated site of international importance. We suggest minor re-wording to 'Argyll and Bute is an important area for biodiversity and includes designated sites of international importance and as such....'</p> <p>The objector suggests also highlighting Areas of Search for SACs and SPAs, as well as proposed MPAs, which will need to be considered for any offshore consents, which in turn influence development proposals (and consents by Argyll and Bute Council) onshore.</p> <p>The objector contends that section 1.6 is very focused on economic growth and fails to recognise that protecting and enhancing the environment is fundamental to achieving sustainable development. Scottish Planning Policy (SPP, paragraph 33) recognises that the protection and enhancement of the quality of the natural and built environment as an asset for that growth, not an afterthought. We suggest that re-wording is required to emphasis this.</p>		

Objective D refers to 'sustainable assets' however does not mention natural heritage assets such as golden eagles, corncrake etc. which are also important for the long-term sustainability of the local tourist economy. These should be included.

1.8 Policy LDP Strat 1 – part H – should also refer to 'enhancement' as well as conservation of the natural environment (in line with SPP paragraph 33).

We suggest reference is made to the protection of peat as an important carbon store in line with Section 230 of SPP.

1.8.2 We welcome the need for a sustainability checklist by developers. We suggest examples of what constitutes 'exceptional circumstances' should be given.

#### **D406 - Helensburgh Community Council (00135)**

NB : Throughout this representation from the HCC uses the terms Helensburgh , the Helensburgh Corridor (Cardross-Shandon) and Helensburgh & Lomond (H&L) will be used. They are not interchangeable as some issues and concerns raised in this representation we see applying to Helensburgh alone, some to the Helensburgh Corridor and some to H&L as a whole

The key recurring theme throughout the HCC representation is that the draft LDP does not recognise the position of Helensburgh (and Lomond) within Argyll & Bute (A&B). In many instances the draft LDP reads as a one size fits all document treating A&B as a single entity. While individual settlements elsewhere in A&B have their own concerns and opportunities those for Helensburgh are of a different scale and magnitude from elsewhere.

It is often reported Helensburgh and Lomond occupies just 3% of the land area of A&B and has just under 30% of its population. Helensburgh is by far the largest town in A&B.

Developed as a commuter town for Glasgow it faces east it has long been part of the greater Glasgow conurbation - for transport, health, higher education, hospital care, arts/sport/leisure, major retail shopping and much more. Also its economy is radically different from other Key Towns in A&B :

- Around 50% of its working residents do so out with the town, mainly in Greater Glasgow
- It enjoys historically low unemployment.
- RN Faslane/Coulport contains Scotland's single biggest industrial complex and one of Europe's largest military bases. The RN's Maritime Change Project will expand significantly both the military and civilian workforce there and this will have a major economic knock on impact on Helensburgh & Lomond (H&L), and elsewhere.
- Its tourist offering and potential is very different from the rest of A&B based around large numbers of day visitors.
- Helensburgh is seen as one of Scotland's most beautiful and desirable towns in which to live with easy road and rail access to Glasgow, quality housing, a wonderful landscape setting and a rich heritage famous sons and daughters (Helensburgh Heroes).

KEY OBJECTIVE A : HCC supports this objective. Helensburgh should press ahead with its town centre regeneration programme, in particular with its Masterplan for the Pier Site Area. (see F below)

KEY OBJECTIVE E : the protection of Helensburgh's two Conservation Areas and its surrounding Green Belt is paramount. They must be managed in a way that they are preserved and enhanced at every opportunity. The production of a Management Plan for the Conservation Areas is long overdue.

KEY OBJECTIVE F : economically active individuals and families require high quality housing

of a design and layout which is distinctive and varied, but which also sits well with Helensburgh's outstanding architecture and local landscape. Could-be-anywhere, off the shelf, developer-led design is inappropriate and would be counter productive. It would not be consistent with realising Helensburgh's development potential or the need to attract and retain dynamic individuals in the 20-35 age group. In this context initiatives such as Gareth Hoskins EXPO housing concept for the old Academy sites should be grasped at every opportunity.

Highlighting these distinguishing features argues for Helensburgh/the Helensburgh Corridor (Cardross – Shandon) /Helensburgh & Lomond in planning terms as different from the rest of A&B. Not for the sake of being different or to argue for any kind of special treatment. But because they are different. Their unique position within A&B has to be recognised and given far greater emphasis in the draft LDP than is there at present.

HCC has argued in the past for the unique position of Helensburgh/the Helensburgh Corridor /H&L as a whole to be recognised and treated as such in A&BC key strategic and policy documents. This has always been turned down mainly on the grounds if this was agreed/conceded then the other three administrative areas might well argue for the same. They should be.

In terms of area A&B, with a coastline longer than that of France, is one of the largest councils in Scotland. It has many island communities with their own special own economic and other requirements and potential. This variety and diversity should be recognised throughout the LDP. In particular in Key Policy Theme – Creating a Sustainable and Growing Economy Together with each of four areas being treated and written up separately. This would give much greater clarity and focus to their future development The LDP would be become a much more practical and usable document with residents and businesses (existing & start-ups) able to identify with and engage with it in realising the development potential and opportunities of their area and locale.

**D406 - Coriolis Energy (01968)**

The Objector states that it is commendable that the LDP recognises that a Key Challenge for planning is to, 'address the impacts of climate change in everything we do and reduce our carbon footprint' (KEY OBJECTIVE I). However, in 1.6.1 an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

**Modifications sought by those submitting representations:**

**D406 - Scottish Salmon Producers Organisations (01118)**

None requested

**D406 - RSPB (00040)**

The Objector requests that the text within Paragraph 1.3.8 be re-worded to read 'Argyll and Bute is an important area for biodiversity and includes designated sites of international importance and as such....'

The Objector requests that Policy LDP Strat 1 – part H – should also refer to 'enhancement' as well as conservation of the natural environment (in line with SPP paragraph 33).

The Objector requests that reference is made to the protection of peat as an important carbon store in line with Section 230 of SPP.

The Objector requests that examples of what constitutes 'exceptional circumstances' should be given relating to sustainability checklist requirements.

**D406 - Helensburgh Community Council (00135)**

The LDP is written on an Area by Area basis.

**D406 - Coriolis Energy (01968)**

The Objector requests that in paragraph 1.6.1 an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

**Summary of responses (including reasons) by planning authority:**

**D406 - Scottish Salmon Producers Organisations (01118)**

Every attempt has been made to reduce the length and complexity of the proposed PLDP to ensure that it retains clarity and focus. The Council is of the view that these proposed additions are superfluous.

**D406 - RSPB (00040)**

The Council does not see in any value of changing paragraph 1.3.8 as it is of the view that it is clear as it is.

The Council is of the view that the objector's suggestion that the LDP also highlight Areas of Search for SACs and SPAs, as well as proposed MPAs is premature at the present time. If and when these designations come to pass then the LDP policies and SG are sufficient to ensure their protection.

The Council is of the view that the LDP when read as a whole places significant emphasis on protection of our environmental assets and that that these proposed additions are superfluous.

The Council has no objection to the amendment of this policy, should the Reporter be so minded, so that part H – also refers to 'enhancement' as well as conservation of the natural environment.

The Council is of the view that the LDP when read as a whole places sufficient emphasis on the protection of peat as an important carbon store in line with Section 230 of SPP. This is achieved through Policy LDP3 and associated SG LDP ENV 11.

The Council is of the view that the Objector's requests that examples of what constitutes 'exceptional circumstances' should be given relating to sustainability checklist requirements is superfluous.

**D406 - Helensburgh Community Council (00135)**

The PLDP does recognise the unique characteristics of Helensburgh and Lomond by creating a specific spatial approach for the area in the plan together with identifying settlement plans for each settlement and also identifying the Green belt which is unique to this area.

While the Council recognises the issues raised by the Community Council and notes the support expressed for some of the key objectives of the plan it cannot agree to writing the plan on a area by area basis as this would make the plan too complex and lengthy. It would also be against the stance of the Scottish Government which calls for LDPs to be succinct as possible and deal with the main issues for the area with additional detail contained in supplementary documents that support the PLDP.



The Council considers therefore the PLDP strikes the right balance with addressing the different issues faced by our diverse communities while at the same time creating a document that focuses attention on the main points of difference and key actions to address identified challenges we face. Consequently the council considers the plan identified the unique characteristics of Helensburgh and cannot support any change to the PLDP based on this objection.

**D406 - Coriolis Energy (01968)**

The Council does not object, should the Reporter be so minded, to the addition of the phrase 'help support the transition to a low carbon economy' in paragraph 1.6.1.

**Reporter's conclusions:**

**Reporter's recommendations:**

ISS619	Chapter 4 Creating a Sustainable and Growing Economy Together	
Development plan reference:	Chapter 4 Creating a Sustainable and Growing Economy Together	Reporter:
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr Robert Reilly (Scottish Sea Farms) (00920)  Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Definition of 'Food &amp; Drink' industries and 'Aquaculture</u>  <b>Mr Robert Reilly (Scottish Sea Farms) (00920); Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</b>  'Food and Drink' industries, which include aquaculture, are defined in paragraph 4.4 of the Proposed LDP, but first referred to in paragraph 4.3. Representations are asking for the definition to be moved to paragraph 4.3.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><u>Definition of 'Food &amp; Drink' industries and 'Aquaculture</u>  <b>Mr Robert Reilly (Scottish Sea Farms) (00920); Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</b>  Definition of 'Food and Drink' industries to be made available.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Definition of 'Food &amp; Drink' industries and 'Aquaculture</u>  The term 'Food and Drink' is used in a number of Chapters of the LDP and is first referenced on p6 (Objective D) and then on page 17 (2.5.1), both without a definition. The Council would be content in the interests of clarity, if the reporter was so minded, to include a footnote on each page where 'Food and Drink' is mentioned which would define the individual food and drink industries, including aquaculture. The footnote would read – 'Includes agriculture, fishing, aquaculture and whisky industries'.</p>		
<b>Reporter's conclusions:</b>		
<b>Reporter's recommendations:</b>		

<b>ISS700</b>	<b>Chapter 9 Glossary, Key Environmental Features/Definition of Aquaculture</b>	
<b>Development plan reference:</b>	<b>Chapter 9 Glossary, Key Environmental Features/Definition of Aquaculture</b>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Helensburgh Community Woodlands Group (01766)</b>  <b>Scottish Sea Farms (00920)</b>  <b>Scottish Salmon Producers Organisations (01118)</b></p>		
<b>Provision of the development plan to which the issue relates:</b>		
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Helensburgh Community Woodlands Group (01766)</b></p> <p>The objector contends that the designation of 'Key Environmental Features' would be strengthened in the glossary with further wording in the definition.</p> <p><b>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)</b></p> <p>The 'Glossary' should contain a definition of 'Aquaculture'.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>Helensburgh Community Woodlands Group (01766)</b></p> <p>The objector requests that the words "Any pressure to develop these features will be resisted." should be added to the definition of Key Environmental Assets</p> <p><b>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)</b></p> <p>The 'Glossary' should contain a definition of 'Aquaculture'.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Helensburgh Community Woodlands Group (01766)</b></p> <p>The Council rejects this argument put forward by the objector as the correct place to establish a policy stance is within the clearly identified policy statements and supplementary guidance of the LDP where key environmental features such as ancient and semi natural forest, SSSIs, LNRs and suchlike are duly considered. Creating an additional policy statement in the glossary has the potential to add confusion to both the LDP and the planning process and should be avoided. The Council requests that this proposed amendment be rejected by the Reporter.</p> <p><b>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)</b></p> <p>The Council would be content in the interests of clarity, if the Reporter was so minded, to include the following definition of aquaculture in the Glossary.</p>		

“Aquaculture - The artificial rearing and husbandry of aquatic organisms; fish, shellfish and seaweed. Aquaculture development currently under planning control includes marine and freshwater finfish or shellfish farming; and onshore development such as hatcheries, depuration facilities and land based salmon farms.”

**Reporter’s conclusions:**

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**Reporter’s recommendations:**

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ARGYLL & BUTE COUNCIL

ARGYLL AND BUTE COUNCIL

CUSTOMER SERVICES

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EXTRACT OF MID ARGYLL, KINTYRE AND THE ISLANDS AREA COMMITTEE  
HELD ON 4 DECEMBER 2013

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#### 10 (b) UNADOPTED FOOTPATH - LOCHGILPHEAD

The MAKI Area Committee considered a report providing the detail of an un-adopted section of footway adjacent to the old ambulance depot, Lochgilphead. The report also provides an estimated cost of treatment to bring the footpath up to a standard which the Council would find acceptable for adoption purposes.

#### Decision

Agreed:

1. To note the report
2. To recommend to Council for approval to implement upgrading works to enable the footpath to reach a standard acceptable for adoption purposes, with funding being taken from the allocation for Mid Argyll Maintenance Budget.

(Reference: Report by Head of Roads & Amenity Services, dated 8 November,

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**ARGYLL & BUTE COUNCIL**

**Mid Argyll, Kintyre and the Islands Area  
AREA COMMITTEE**

**DEVELOPMENT &  
INFRASTRUCTURE SERVICES**

**4 DECEMBER 2013**

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**PRIVATE FOOTPATH:- UN-ADOPTED SECTION OF FOOTPATH ADJACENT TO THE  
OLD AMBULANCE DEPOT, LOCHGILPHEAD**

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**1. SUMMARY**

- 1.1 This report provides details of an un-adopted section of footway adjacent to the old ambulance depot, Lochgilphead. The report also provides an estimated cost of treatment to bring the footpath up to a standard which the Council would find acceptable for adoption purposes.

**2. RECOMMENDATIONS**

- 2.1 That the Area Committee considers how they would like to progress with the un-adopted section of footpath and make any representations to Council in this respect in accordance with Council Policy attached at Appendix 1.

**3. BACKGROUND**

- 3.1 Lochgilphead Community Council has requested that the Council considers adopting a sixty-five metre section of footpath between the C37 Manse Brae / Hospital Road and the gates of the former Lochgilphead High School. This section of footpath was originally owned by Argyll & Bute Council and maintained by the Education Department as it mainly served the former High School. The section of footpath was included in the sale of the former Lochgilphead High School to Fyne Homes Ltd. The footpath and adjacent land is now jointly owned by Fyne Homes and M & K MacLeod Ltd.
- 3.2 Both of the current owners are happy to see the section of footway adopted for the good of the community and have asked the Council to take part in a joint venture. Fyne Homes will fund the installation of street lighting and M & K MacLeod will remove the existing pedestrian railings, if the Council agrees to surface the footway. Roads & Amenity Services consider this proposal as both acceptable and sensible as the footpath will connect to a recently constructed adoptable standard footway connecting to the UC16 Willow Brae Lane.
- 3.3 Section 1 of the Road Scotland Act places a duty on a roads authority to maintain all roads entered in their "List of Public Roads". In this context a "public road" means a road maintained at public expense. (A road is defined as any way over which there is a public right of passage. A road can be a right of way without being publicly maintained). The same section of the Act permits a road authority to add roads to the List of Public Roads. Section 16 of the Act requires the authority to add a road to its List of Public Roads (i.e. to adopt it) once it has been made up to the required

standard, as specified by the authority, if requested to do so by the requisite number of frontagers, or if it has been improved under section 13(5) of the Act. Once on the List of Public Roads the Council has a duty to maintain the road. Argyll and Bute has an adopted road network of some 2330km. There are also some 87.5km of un-adopted roads within Argyll and Bute. The adoption of roads over time has increased the authority's liability for maintenance whilst providing a marginal benefit in terms of GAE calculated by the Scottish Government.

3.4 The approved policy criteria for bringing un-adopted road up to an adoptable standard is detailed in Appendix 1. Section 14 of the Roads Scotland Act (1984), permits the roads authority to pay "the whole or part of any expenditure" incurred in making up the road. This is a permissive power under the 84 Act; there is no duty on the authority to do this. The Council can therefore, in exceptional circumstances, consider the adoption of a road, footway or associated street lighting, if deemed by the Council to be in the public interest.

### 3.5 **Financial Considerations:-**

The Council can contribute as a frontager towards the costs of upgrading roads, footways and street lighting to and adoptable standard. In exceptional circumstances, and on the basis of a Business Case, the Council could consider funding, in part or in full, the costs of upgrading roads, footways and lighting schemes. In such exceptional circumstances, the source of funding will require to be clearly identified and must have Council approval.

### 3.6 **Footpath Description**

A site location map is attached in Appendix 2 to assist.

- a) The un-adopted section of referred to is shown highlighted in red. The footway measures 65.00 metres x 1.70 metres.
- b) The section of footway already constructed to adoptable standard by the developer is shown highlighted in yellow.

### 3.7 **Estimated Costs**

The estimated cost details the level of commitment to allow consideration to be made to the extent the works are likely to impact on the Roads Reconstruction Budget.

Estimated Work package :-

The works detailed include the taking up of the existing surface and providing a new surface to current standards. The estimated cost is £3,500.00.

## 4. **CONCLUSION**

4.1 This report provides details of the footpath at the old ambulance depot in Lochgilphead. Details of the costs of improvements towards adoption are included to allow the Area Committee to consider its options.



**5. IMPLICATIONS**

5.1	Policy	As per Road Adoption Policy agreed at Council 25 October 2012.
5.2	Financial	Financial implications as detailed in the report above.
5.3	Legal	Legal issues are covered in the report above.
5.4	HR	None
5.5	Equalities	None known
5.6	Risk	The Council holds a register of 87.5km of unadopted roads in Argyll & Bute. Audit Scotland has identified the requirement for the Council to focus expenditure on maintaining its existing network of roads. Any expansion of responsibilities beyond the existing adopted network puts the Council's ability to effectively maintain its adopted network at risk.
5.7	Customer Services	None known

Appendix 1 – Council Policy for Adoption of Roads

Appendix 2 – Site Plan

Jim Smith

**Head of Roads & Amenity Services**

8 November 2013

**For further information contact:** Stewart Clark, Roads Performance Manager,  
Tel: 01546 604893

Appendix 1

**1.0 POLICY CRITERIA FOR BRINGING UNADOPTED ROADS UP TO ADOPTIVE STANDARD**

1.1 Section 14 of the Roads Scotland Act (1984) permits the roads authority to pay “the whole or part of any expenditure” incurred in making up the road. This is a permissive power under the 84 Act; there is no duty on the authority to do this.

1.2 The Council can therefore, in exceptional circumstances, consider the adoption of a road, footway or associated street lighting, if deemed by the Council to be in the public interest.

1.3 For consideration for adoption, the existing unadopted road should meet the following criteria :-

- i) The road would require to be directly linked to the existing network of roads already on the List of Roads.
- ii) Land necessary for the provision of turning area, passing places, drainage works, etc to enable the road to be brought up to adoptable standard, would be provided at no cost to the Council.
- iii) The road should be brought up to a standard proportionate to its anticipated use and the anticipated volume and type of traffic, and to a specification whereby the road should not require any maintenance other than routine cyclic maintenance in the first 15 years following its adoption.

1.4 Policy Criteria for Council funding of the cost of upgrade works:-

- i) Under anything other than exceptional circumstances frontagers would be expected to meet the full cost of making up the road to an adoptable standard. This requirement would in normal circumstances be effected through the provisions set out within Section 13 and 16 of the Roads Scotland Act (1984)
- ii) In exceptional circumstances, where significant public benefit can be demonstrated the Council could contribute towards the cost of bringing a road up to adoptable standard, and in certain cases meet the full costs. Any such consideration would require to be supported by a Business Case and would require full Council approval.
- iii) The same principles apply to any consideration of Council funding, in part or in full, the cost of bringing street lighting and footways up to an adoptable standard.

1.5 Financial Considerations:-

The Council can contribute as a frontager towards the costs of upgrading roads, footways and street lighting to and adoptable standard. In exceptional circumstances, and on the basis of a Business Case, the Council could consider funding, in part or in full, the costs of upgrading roads, footways and lighting

schemes. In such exceptional circumstances, the source of funding will require to be clearly identified and must have Council approval.

Appendix 2 – Site Plan

