

# Public Document Pack

## MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the CASTLE HOUSE, DUNOON on TUESDAY, 3 FEBRUARY 2015

**Present:** Councillor Alex McNaughton (Chair)

Councillor Gordon Blair	Councillor Bruce Marshall
Councillor Michael Breslin	Councillor Len Scoullar
Councillor James McQueen	Councillor Isobel Strong
Councillor Dick Walsh	

**Attending:** Charles Reppke, Head of Governance and Law  
Graeme Forrester, Area Committee Manager  
Pippa Milne, Executive Director, Development and Infrastructure Services  
Jim Smith, Head of Roads and Amenity Services  
David Clements, Improvement and Organisational development Programme Manager  
Hugh Blake, Asset Manager  
Paul Ashworth, Health and Fitness Manager  
John Gordon, CHORD Dunoon Regeneration Project Manager  
Douglas Blades, Public Transport Officer  
David Mitchell, Head Teacher, Dunoon Grammar School  
Muriel Kupris, Leisure and Youth Services Manager

### 1. APOLOGIES

Apologies for absence were intimated from:

Councillor Robert MacIntyre  
Jayne Lawrence –Winch, Area Manager, Adult Care

### 2. DECLARATIONS OF INTEREST

Councillor Gordon Blair declared a non-financial interest in relation to the Castle Lodge Gate House which was dealt with at Item 15 of this minute, citing friendship with an interested party. He left the room and took no part in the discussion of this item.

### 3. MINUTES

#### (a) BUTE AND COWAL AREA COMMITTEE - 2 DECEMBER 2014

The minute of the Bute and Cowal Area Committee of 2<sup>nd</sup> December 2014 was approved as a correct record.

#### (b) COWAL TRANSPORT FORUM 23 JANUARY 2015

The minute of the meeting of the Cowal Transport Forum of 23<sup>rd</sup> January 2015 was noted.

#### 4. PUBLIC AND COUNCILLOR QUESTION TIME

**Question:** Andy Anderson sought costs associated with a policy, referred to as one of 'planned obsolescence' of Castle Toward, for the last ten years along with an estimate for the next five years.

**Response:** Charles Reppke advised that Argyll and Bute Council do not have such a policy but that information could be sought from the Council's Strategic Finance department relating to costs associated with Castle Toward.

Karen Komurcu presented Councillor Walsh with a box containing a petition with 9,451 signatures supporting the Community buy out of Castle Toward, seeking to reduce the amount that Argyll and Bute Council will accept for the Castle Toward estate from £1,750,000 to £750,000.

**Question:** Karen Komurcu sought information as to whether Argyll and Bute Council had a plan for Castle Toward.

**Response:** Councillor Walsh stated that there is an opportunity to enhance the existing business case and that he supports sitting round a table with SCCDC as a partnership.

**Question:** Karen Komurcu asked if there is a plan for housing as part of development of Castle Toward.

**Response:** Councillor Walsh advised that if it was felt appropriate then housing could be included.

**Question:** Karen Komurcu queried whether housing had previously been an element of plans.

**Response:** Councillor Walsh responded that housing was considered in proposals developed in June 2014.

**Response:** Councillor Blair added that there would be the possibility to seek further information about this under the Freedom of Information Act.

**Question:** Councillor Marshall asked if there is any other company involved in discussions.

**Response:** Councillor Walsh advised that the Council is not involved in discussions with other companies regarding the sale of Castle Toward.

**Question:** Ken Barr queried why the Bute and Cowal Area Committee were not entitled to determine the disposal of Castle Toward, and further asked Mr Reppke to confirm there had been no other expressions of interest in the purchase of Castle Toward.

**Response:** Mr Reppke advised that the Council's Standing Orders are clear on the relevant delegations, and that he was not in a position to advise whether any other persons had expressed an interest in the purchase of Castle Toward.

**Question:** Alison Duncan queried the Council's actions should SCCDC withdraw from the buyout process.

**Response:** Charles Reppke advised that marketing of Castle Toward had ceased as an interest in community buyout had been expressed, and that if SCCDC were to withdraw further marketing of the property would be considered.

**Statement:** Dave Dewar stated that two Councillors have lost the support of the Community and in his view had two options: support the proposed community buy out or resign as Councillors.

**Statement:** Councillor Walsh advised that as Leader of the Council he has a responsibility for public funds and would always exercise judgement based on advice. The options which were available for consideration were reducing the asking price for the property or offering a loan to the community, and a loan had been determined to be appropriate. Councillor Walsh further reminded those present that he is accountable to the public and that is not disregarding public concern in the matter.

**Statement:** Dave Dewar stated that two councillors disagree with Councillor Walsh's view.

**Question:** Nicola Law queried why the Council is using as the basis for its position the valuation of Castle Toward provided by the District Valuer.

**Response:** Charles Reppke advised that this valuation was taken into consideration as the District Valuer had been appointed by the Scottish Government to provide a valuation as part of the community buyout process.

**Statement:** Nicola Law stated that a red book valuation had been prepared by Savilles and that this should be taken into consideration.

**Question:** Councillor Marshall queried whether the Campbeltown Town Hall had been valued at between £180,000 and £200,000 but that this asset had been handed to the community for nothing .

**Response:** Charles Reppke advised that he would check the valuation figure and confirm to Members because his recollection about his was not the same as the Councillor. At the end of the public and Councillor question time Mr Reppke confirmed that the District Valuer's valuation for Campbeltown Town Hall was zero.

**Statement:** Eileen Szykowiak stated that tax payers are currently paying to keep Castle Toward shut and that people are leaving Argyll and Bute. Ms Szykowiak further stated that there is something wrong with the running of the Council.

**Question:** Alison Duncan queried how many empty properties are currently held by the Council.

**Response:** Councillor Walsh advised that the Council maintains information on all assets it holds, and that the Council has an asset management strategy in place.

**Question:** Councillor Breslin requested clarity regarding the responses which had been given as to whether the Council had received notifications of interest in Castle Toward from parties other than from SCCDC.

**Response:** Charles Reppke advised that he did not know the answer to this question.

**Response:** Councillor Walsh advised that he is not aware of any other interested party.

It was declared by the Chair at this point that a point of order could not be taken by the floor.

**Question:** Councillor Strong requested detail as to the cost to Argyll and Bute Council of acquiring Castle Toward.

**Response:** Charles Reppke advised that Argyll and Bute Council acquired Castle Toward from Strathclyde Regional Council in 1996 as part of the

legislative process governing local authority re-organisation.

**Statement:** Councillor Strong responded that in her view Argyll and Bute Council had acquired Castle Toward without cost.

**Question:** Karen Komurcu asked for further information on the Council's strategic plan for Castle Toward, including for how long the Council are willing to have the building as an unused asset.

**Response:** Councillor McNaughton advised that it is likely that Castle Toward would be put on the open market if the proposed community buyout is not completed.

**Question:** Alistair McKinnon queried whether members of the public could see the strategic management plan, and asked who within the Council is responsible for the plan.

**Response:** Charles Reppke indicated that he was unclear about what was being asked. If the query was about a Strategic Master Plan for the Estate then this is possible under planning legislation and in theory can be progressed by a range of parties who might have an interest in seeing the land developed, it is not simply a matter for the Council.

**Question:** Alison Duncan queried why Castle Toward could not be handed over to SCCDC.

**Response:** Councillor McNaughton advised that this question had already been dealt with.

**Question:** Eleanor Stevenson asked why the Council wouldn't accept the offer which had been made and stop changing goal posts.

**Response:** Councillor McNaughton advised that this question had already been dealt with.

**Question:** Dave Dewar queried whether a letter from Alex Neil would influence thinking.

**Response:** Councillor Walsh acknowledged Alex Neil's interest in the matter and his knowledge of the right to buy process. He advised that he had already replied to the Minister

**Question:** Monty Phillips queried why the Council are using the valuation supplied by the District Valuer.

**Response:** Charles Reppke advised that the right to buy process needs to be followed, and reminded those present that the District Valuer had been appointed by the Scottish Government to undertake the valuation as part of the right to buy process.

**Question:** Councillor Breslin asked Mr Reppke if he agreed that all valuations are subjective.

**Response:** Mr Reppke responded that all valuations will include a subjective element, but noted that the District Valuer and all others suitably qualified undertake valuations within a professional framework.

**Statement:** Nicola Law advised that the importance of jobs in the area should not be forgotten.

**Question:** Councillor Marshall asked Councillor McNaughton whether he continued to support the community buyout.

**Response:** Councillor McNaughton advised that he continued to support the

buyout of the property by South Cowal Community Council, but could not support the sought reduction in sale price.

**Question:** Alistair McKinnon queried whether the Council borrow against the Council's property portfolio?

**Response:** Charles Reppke advised that this question would be most appropriately directed to the Council's Head of Strategic Finance for a response.

**Question:** Councillor Blair queried whether this would be a missed opportunity for jobs and whether Cowal would lose eighty to ninety jobs.

**Response:** Councillor Walsh advised that the Council's decision was made with the intention of helping the community and that he wanted to bring jobs to the area.

## **5. AREA PLAN SCORECARDS**

The Committee considered a report proposing improvements to the Bute and Cowal Scorecard presented by the IOD Programme Manager. Two amendments to the scorecard by Members were noted.

### **Decision**

1. The Committee noted the contents of the report.
2. The Committee agreed subject to Members suggested amendments to adopt the recommended improvements to the Bute and Cowal Area Scorecard.
3. For the report to be brought back with changes to the April Area Committee.

(Ref: Report by IOD Programme Manager dated 3<sup>rd</sup> February 2015, submitted).

## **6. ROADS REVENUE BUDGET 2014 TO 2015 - FQ3**

The Head of Roads and Amenity Services provided a report following on from the report previously presented at the December Area Committee, containing information on road maintenance revenue activities being delivered in 2014/2015

### **Decision**

The Committee noted the report.

(Ref: Report by Roads Performance Manager dated 3<sup>rd</sup> February 2015, submitted).

## **7. COWAL BUS SERVICE**

### **(a) TOWARD/GLENFINART SERVICE**

The Public Transport Officer provided a report outlining the ongoing work relating to issues and possible solutions around the supported bus service 489 which runs between Toward and Glenfinart. The report also considered

the withdrawal by West Coast Motors of the commercial service 80 between Dunoon and Hunters Quay on 17 November 2014 and its effect on service 480 which runs between Upper Kirn and Dunoon Ferry Terminal.

**Decision**

1. The committee noted the report.
2. The Committee agreed the recommendations as outlined in 1.5 of the report.

(Ref: Report by Public Transport Officer dated 3<sup>rd</sup> February 2015, submitted).

**(b) ROTHESAY/PORTAVADIE/DUNOON SERVICE**

The Public Transport Officer provided the Committee with a verbal update on the progress of the issue surrounding the early bus service from Portavadie to Dunoon, informing the Committee that talks were ongoing with Caledonian MacBrayne for an extra sailing. He also informed Members that there was a possibility of creating an extra run through a local contractor and will keep Members updated of the progress on this matter.

**Decision**

1. The Committee noted the verbal update.
2. Members requested a further update to March Business Day.

(Ref: Verbal update by Public Transport Officer dated 3<sup>rd</sup> February 2015, submitted).

**8. SECONDARY SCHOOLS REPORT - DUNOON GRAMMAR SCHOOL**

The Head Teacher of Dunoon Grammar School thanked Members for their continuing support and presented a report which provided a 2014/2015 progress update as well as a statistical breakdown of achievements.

**Decision**

The Committee noted the report

(Ref: Report by Head Teacher, Dunoon Grammar School dated 3<sup>rd</sup> February 2015, submitted).

**9. SENSORY IMPAIRMENT PROGRESS UPDATE**

A report providing an update on the progress of reducing Sensory Impairment waiting lists and providing a good quality responsive service to those with a Sensory Impairment in Argyll was considered.

The Area Manager - Adult Care had intimated apologies for the meeting, so no additional update was provided.

**Decision**

1. The Committee noted the report.
2. Noted that the report should come back to March Business Day with

updated figures.

(Ref: Report by Area Manager – Adult Care dated 3<sup>rd</sup> February 2015, submitted).

## **10. ROTHESAY HARBOUR**

A report by Head of Economic Development and Strategic Transport was presented to Members and provided an update on the proposal to alter the governance model for the harbours within Argyll and Bute. It also provided Members with an update on the appointment of the Council's independent Designated person.

Members were informed that the Policy and Resources committee agreed the recommendation set out in the paper submitted on 18 December 2014 which was to recommend to full Council approval of the establishment of a harbour board as a sub-committee of the existing Economic Development and Infrastructure Committee for all Council owned ports and harbours

### **Decision**

1. The Committee noted the report.
2. The Committee noted the decision by the Policy and Resources Committee.

(Ref: Report by Head of Economic Development and Strategic Transport dated 3<sup>rd</sup> February 2015, submitted).

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

The Committee considered the following Notice of Motion submitted under Standing Order 13 which was proposed at the meeting by Councillor Michael Breslin and seconded by Councillor Bruce Marshall–

### **Motion**

The area committee notes with concern that Cllrs Walsh and McQueen voted for the motion at the December 2014 meeting of the Policy and Resources Committee and against Cllr Breslin's motion at the council meeting on 22 January. The area committee also notes with concern the vote against Cllr Breslin's motion by Cllr McNaughton on 22 January.

These votes helped end the much wanted community buy out of Castle Toward. The area committee also notes the motion of no confidence agreed on Wednesday

14 January 2015 by South Cowal Community Council and endorses that motion, copy below.

South Cowal Community Council no longer has confidence in Cllrs Walsh and McQueen due to their vote on 18 December 2014 at the Policy and Resources Committee that effectively ended the proposed community buy out of Castle Toward. In addition to their opposition to the buyout, Cllr McQueen has never attended a South Cowal Community Council meeting and, since the community

buy

out was first proposed, Cllr Walsh has rarely attending South Cowal Community Council meetings. Their failure to attend the community council meeting this evening, 14 January 2015, is inexcusable.

It is with regret that the community council feels it necessary to pass this motion of

no confidence in Cllrs Walsh and McQueen but enough is enough.

Proposer: Councillor Breslin

Secunder: Councillor Marshall

### **Amendment**

That the Area Committee notes the views of South Cowal Community Council on this issue but also recognises that Councillors have a duty to exercise appropriate stewardship of public assets.

The Area Committee rejects the terms of the motion which appears to ignore due process and the principals of democracy.

Proposer: Councillor Walsh

Secunder: Councillor Scoullar

### **Decision**

On there being a equality of votes the Chair gave his casting vote for the amendment and the amendment was carried by 5 votes to 4 and the Committee resolved accordingly.

(Reference: Notice of Motion by Councillor Michael Breslin and seconded by Councillor Bruce Marshall, submitted)

The Committee 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 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.

## **12. REFURBISHMENT OF RIVERSIDE LEISURE CENTRE PROGRESS UPDATE**

The Leisure and Youth Services Manager presented a report to Members providing an update on the proposals for capital investment in the Riverside Leisure Centre, Dunoon.

### **Decision**

1. The Committee noted the report.
2. Noted that a further report be brought back to March Business Day outlining costs and survey results.

(Ref: Report by Leisure and Youth Services Manager dated 3<sup>rd</sup> February 2015, submitted).

## **13. KILMUN TOILETS**

The Asset Manager presented a report for Members consideration, advising of



the offers of purchase received in respect of the former public conveniences at Kilmum Pier, Kilmun.

**Decision**

1. The Committee noted the report
2. The Committee agreed the recommendation as outlined in 3.1 of the report.

(Ref: Report by Estates Surveyor dated 3<sup>rd</sup> February 2015, submitted).

**14. SPENCE COURT**

This report was withdrawn from the meeting, to be brought back at a later date.

Councillor Gordon Blair having declared a non financial interest in relation to the Castle Lodge Gate House Item 15, left the room and took no part in the discussion of the item.

**15. CASTLE LODGE GATE HOUSE**

The Head of Roads and Amenity Services provided a report updating Members on the current position of the proposed sale of the Castle Lodge Gate House.

**Decision**

1. The Committee noted the report.
2. The Committee agreed the recommendations as outlined in 2.1 of the report.

Councillor Breslin having moved an amendment that failed to find a seconder asked for his dissent to be recorded from the forgoing decision.

(Ref: Report by Head of Roads and Amenity Services dated 3<sup>rd</sup> February, submitted).

Councillor Gordon Blair returned to the room at item 16 Queens Hall CHORD update.

**16. QUEENS HALL - CHORD UPDATE**

The Regeneration Manager presented a report to Members, providing a three part comprehensive breakdown of reviews following the conclusion of the Queens Hall stage E end review.

**Decision**

1. The Committee noted the report.
2. The Committee agreed the recommendations as outlined in 1.2 of the report.
3. The Committee agreed a delegation should be given to the Executive Director – Development and Infrastructure Services to amend plans to include infrastructure to enable video-conferencing to take place in the

building once redeveloped, subject to the relevant costs being in line with the budget.

(Ref: Report by Regeneration Manager dated 3<sup>rd</sup> February 2015, submitted).

## **17. WOODEN PIER - PROJECT UPDATE**

The Regeneration Manager presented a report providing Members with an update on the proposed regeneration works to the wooden pier.

### **Decision**

1. The Committee noted the report.
2. The Committee agreed the recommendations as outlined in 1.2 of the report.

(Ref: Report by Regeneration Manager dated 3<sup>rd</sup> February 2015, submitted).