

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER, KILMORY,  
LOCHGILPHEAD  
on THURSDAY, 21 JANUARY 2010**

**Present:** Provost William Petrie (Chair)

Councillor Chalmers	Councillor Mackay
Councillor Colville	Councillor MacMillan
Councillor Dance	Councillor McNaughton
Councillor Freeman	Councillor McQueen
Councillor Hay	Councillor Marshall
Councillor Horn	Councillor Morton
Councillor Daniel Kelly	Councillor Mulvaney
Councillor Donald Kelly	Councillor Reay
Councillor MacAlister	Councillor Robertson
Councillor McAlpine	Councillor Scoullar
Councillor McCuish	Councillor Semple
Councillor McIntosh	Councillor Simon
Councillor D MacIntyre	Councillor Strong
Councillor R Macintyre	Councillor Walsh

**Attending:** Sally Loudon, Chief Executive  
Nigel Stewart, Director of Corporate Services  
Andy Law, Director of Operational Services  
Susan Mair, Head of Legal and Protective Services  
Bruce West, Head of Strategic Finance  
Jane Fowler, Head of Improvement and HR

The Provost ruled, and the Council agreed, that the business dealt with at item 11 of this minute be taken as a matter of urgency by reason of the need for the Council to appoint a Returning Officer before the forthcoming UK Parliamentary Election.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillors Currie, Kinniburgh, Macdonald, Nisbet, Philand and Robb.

**2. DECLARATIONS OF INTEREST**

Councillor Ellen Morton declared a financial interest in relation to the report on Licensing of Booking Offices for Taxi and Private Hire Car Firms: Civic Government (Scotland) Act 1982 which is dealt with at item 5 of this minute because her husband runs a taxi business.

**3. MINUTES**

(a) 26 November 2009

The Council approved the Minutes of the Council Meeting of 26 November 2009 as a correct record.

(b) 22 December 2009

The Council approved the Minutes of the Council Meeting of 22 December 2009

as a correct record.

#### **4. PROCUREMENT STRATEGY**

The Executive, at its meeting on 17 December 2009 had considered the new Procurement Strategy to run from 2009 to 2012 and agreed to recommend to the Council to approve the Strategy.

##### **Decision**

Approved the new Procurement Strategy to run from 2009 to 2012.

(Ref: Extract from the Executive of 17 December 2009 and report by Director of Corporate Services dated 20 October 2009, submitted)

#### **5. LICENSING OF BOOKING OFFICES FOR TAXI AND PRIVATE HIRE CAR FIRMS: CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

The Planning, Protective Services and Licensing Committee, at its meeting on 16 December 2009 had considered a report by the Head of Legal and Protective Services which advised that a change in licensing regime now required taxi and private hire car booking offices to be licensed. The Committee recommended to the Council to impose a fee for applications for Licensing of Booking Offices.

##### **Decision**

Agreed that a fee of £100 be imposed in respect of applications for Licensing of Booking Offices.

(Re: Extract by the Planning, Protective Services and Licensing Committee of 16 December 2009 and report by the Head of Legal and Protective Services dated 16 December 2009, submitted)

#### **6. CUSTODIAL SENTENCES AND WEAPONS (SCOTLAND) ACT 2007: LICENSING OF KNIFE DEALERS**

The Planning, Protective Services and Licensing Committee, at its meeting on 16 December 2009 considered a report by the Head of Legal and Protective Services which advised that a change in licensing regime now required knife dealers to become licensed. The Committee recommended that the Council impose a fee for an application for a knife dealer licence.

##### **Decision**

Agreed that given the requirement to advertise applications for knife dealers licences, the appropriate fee for an application of this type be set at £425 for a three year period.

(Ref: Extract by the Planning, Protective Services and Licensing Committee of 16 December 2009 and report by the Head of Legal and Protective Services dated 16 December 2009, submitted)

#### **7. LOCAL GOVERNMENT PENSION SCHEME CHANGES 2008/2009 - EMPLOYER DISCRETIONS**

The Council suspended Standing Order 16, and considered a report by the Chief Executive regarding Local Government Pension Scheme changes.

**Decision**

1. Agreed the draft amended policy on discretions at Appendix One to the report, the amendments to the flexible retirement procedure at Appendix Two and the internal disputes resolution procedure at Appendix Three of the report.
2. Agreed that the application of discretions is monitored for equalities purposes and reported on an annual basis.

(Ref: Report by the Chief Executive dated 21 January 2010, submitted)

**8. VACANCY ON THE ECONOMY POLICY AND PERFORMANCE GROUP**

Councillor Gary Mulvaney had tendered his resignation from the Economy Policy and Performance Group.

**Decision**

Agreed to appoint Councillor Andrew Nisbet to fill the vacancy on the Economy Policy and Performance Group.

(Ref: Report by Director of Corporate Services dated 18 December 2009, submitted)

**9. VACANCY ON THE ARGYLL AND BUTE LICENSING BOARD**

Councillor Rory Colville had tendered his resignation from the Argyll and Bute Licensing Board. The vacancy required to be filled by a Member of the Regulatory Cohort.

**Decision**

Agreed to appoint Councillor Al Reay to fill the vacancy on the Argyll and Bute Licensing Board.

(Ref: Report by the Director of Corporate Services dated 18 December 2009, submitted)

**10. VACANCIES ON COMMITTEES AND OTHER BODIES**

Councillor Douglas Philand had tendered his resignation from the Alliance of Independent Councillors, from the Executive, as Depute Spokesperson for Arts and Culture and as Chair of the Organisation Development Policy and Performance Group.

**Decision**

1. Agreed that Councillor Donald MacMillan be appointed as a Member of the Executive.
2. On a vote between the nomination of Councillor Mackay and Councillor Nisbet, Councillor Mackay was appointed by a substantial majority to be the Chair of the Organisational Development Policy and Performance Group.
3. Agreed to appoint Councillor Mackay to be the Depute Spokesperson for Arts, Culture and Leisure and to sit on the outside bodies as detailed within the report

with the exception of STRAMASH to which an appointment was made.

(Ref: Report by the Director of Corporate Services dated 8 December 2009, submitted)

**11. REPRESENTATION OF THE PEOPLE ACT 1983 AS AMENDED - APPOINTMENT OF RETURNING OFFICER**

The Council considered a report which asked the Council to appoint with immediate effect an Officer to be the Returning Officer in terms of Section 41 of the Representation of the People Act 1983.

**Decision**

In terms of Section 41 of the Representation Act 1983 the Council appointed the Chief Executive to be the Returning Officer.

(Ref: Report by Director of Corporate Services dated 15 January 2010, submitted)