MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD on THURSDAY, 25 OCTOBER 2012

Present: Provost Isobel Strong (Chair)

Councillor Blair Councillor R G MacIntyre

Councillor Breslin Councillor Marshall Councillor Colville Councillor A Morton Councillor Corry Councillor E Morton Councillor Currie Councillor Mulvanev Councillor Dance Councillor Philand Councillor Devon Councillor Robb Councillor Freeman Councillor Robertson Councillor Glen-Lee Councillor Scoullar Councillor Donald Kelly Councillor Semple Councillor McAlpine Councillor Taylor Councillor McCuish Councillor Trail Councillor MacDonald Councillor Walsh Councillor MacDougall William Crossan Councillor D MacIntyre Alison Palmer

Councillor R E Macintyre

Attending: Sally Loudon, Chief Executive

Douglas Hendry, Executive Director of Customer Services Cleland Sneddon, Executive Director of Community Services

Sandy Mactaggart, Executive Director of Development and Infrastructure

Bruce West, Head of Strategic Finance

Charles Reppke, Head of Governance and Law Jim Smith, Head of Roads and Amenity Services Jane Fowler, Head of Improvement and HR

Lynn Finlay, HR Manager Tom Kerr, Senior HR Officer Dr Liz Cunningham, QI Manager

Ishabel Bremner, Economic Development Manager

The Provost announced to the Council that there would be a presentation at 12.00 noon by the President and Chief Executive of COSLA and that the Council would adjourn the Council meeting for this.

The Council congratulated Community Services staff on winning the "Most Innovative Partnership" award in partnership with NHS Highland and Alzheimer Scotland at the recent Scottish Dementia Awards.

The Council recorded their congratulations to all the young people who had taken part in the Royal National MOD.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Fred Hall, Anne Horn, David Kinniburgh, Donald MacMillan, Alex McNaughton and James McQueen; and from William Marshall, Teacher Representative.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTES

(a) Argyll and Bute Council - 20 September 2012

The Minutes of the Meeting of 20 September 2012 were approved as a correct record subject to the following amendments:-

Councillor Aileen Morton should be recorded as leaving the meeting after item 24 and not after item 23.

At item 26, decision number 1; the words "a project" should be removed and replaced with "Long and Winding Way".

At item 28, under amendment; the words "a non integrated" should be replaced with "an integrated".

(b) CHORD Programme Management Board - 3 October 2012

The Minutes of the CHORD Programme Management Board of 3 October 2012 were noted.

4. PRESENTATION BY REV. DANE SHERRARD ON THE GREEN PILGRIMAGE NETWORK

The Council heard a presentation by the Rev Dane Sherrard on the Green Pilgrimage Network partnership project with Luss Parish Church. There are currently 12 sites of religious pilgrimage across the world who are the first members of the Green Pilgrimage Network. The Network will undertake unique actions to address some of the environmental consequences of their visitors; Luss Parish Church is one part of the Network and the Council was invited to partner them in their endeavours. The Council also considered a report by the Chief Executive.

Decision

- 1. The Council welcomed and gave endorsement to Luss Parish Church as a member of the Green Pilgrimage Network.
- 2. Agreed that Council Officers identify how the objectives as outlined at paragraph 3.9 of the submitted report be progressed with other strategic partners.

(Ref: Report by Chief Executive dated 20 September 2012, submitted)

5. ELECTION OF TEACHER REPRESENTATIVES TO THE COUNCIL

The Council considered a report which outlined the nomination process for the appointment of two teacher representatives to sit as non-voting members on the Council for the purposes of items of business relating to the functions of the Council as an education authority.

Decision

The Council welcomed the outcome of the nominations and agreed that Alison Palmer, Arrochar Primary School and William Marshall, Dunoon Grammar School be appointed to sit as non-voting members on the Council.

(Ref: Report by Executive Director of Community Services dated 10 September 2012, submitted)

6. EXAMINATION RESULTS 2012

The Council considered a report which advised of the examination results for 2012 and compared Argyll and Bute with its family of five similar authorities as developed by Her Majesty's Inspectorate of Education (HMIE). They also noted the role of the Performance Review and Scrutiny Committee in such matters.

Decision

The Council noted the results for 2012 and agreed to continue to support the work of schools in securing continuous improvement.

(Ref: Report by Executive Director of Community Services dated 20 September 2012, submitted)

At 12 noon the Provost ruled, and the Council agreed, to adjourn the meeting to allow for a presentation from the President and the Chief Executive of COSLA who had been engaging with the 32 Councils in Scotland following the Local Government Elections in May. Members were given the opportunity to pose questions after the presentation. The Provost thanked the President and the Chief Executive of COSLA for attending the meeting and the Council reconvened.

The Provost ruled, and the Council agreed, to adjourn for lunch at 12.45pm and to reconvene at 1.30pm.

Alison Palmer left the meeting at this point and did not return.

7. CURRICULUM FOR EXCELLENCE ANNUAL REPORT 2012

The Council considered a report which advised that each education authority has been asked to produce it's second annual report for the national Curriculum for Excellence Management Board to provide evidence of progress towards Curriculum for Excellence (CfE) entitlements.

Decision

The Council noted:-

- 1. The Education Services annual report.
- 2. The progress made by all sectors in CfE implementation.

(Ref: Report by Executive Director of Community Services dated 26 September 2012, submitted)

8. SCOTLAND'S SCHOOLS FOR THE FUTURE PHASE 3 - OBAN HIGH SCHOOL

The Council considered a report which advised of the outcome to the Council's recent application for resources under Phase 3 of the Scottish Government's Schools for the Future Programme. The bid was made to enable the redevelopment of Oban High School and the Council considered the next steps that will have to be taken should the decision be made to move forward with the project.

Decision

- 1. Noted the outcome of the bidding process.
- 2. Noted the steps that will have to be taken by the Council to further develop the project.
- 3. Instructed Officers to develop a business case for consideration as part of the budget process.
- 4. Agreed to confirm to the Scottish Future's Trust (SFT), the Council's acceptance in principle of the requirement to fund its share of the project costs subject to the outcome of the business case referred to above.

(Ref: Report by Executive Directors of Customer Services and Community Services dated 3 October 2012, submitted)

9. NEW CAMPBELTOWN GRAMMAR SCHOOL - SITE SELECTION

The Council considered a report which provided an update on the results of the agreed process for selecting a shortlist of possible sites for the new Campbeltown Grammar School to take to public consultation.

Decision

Noted the results of the process for selecting the shortlist of sites to take to public consultation and the proposed timetable for that consultation.

(Ref: Report by Executive Director of Community Services dated 25 October 2012, submitted)

10. EXTERNAL INSPECTION/AUDIT REPORTING: JANUARY - JUNE 2012

The Council considered a report which provided details of all external inspection / audit reports received across Argyll and Bute Council during the period 1 January 2012 to 30 June 2012.

Decision

Noted the contents of the report and the summary reports.

(Ref: Report by Chief Executive dated 16 September 2012, submitted)

11. ANNUAL REPORT BY AUDIT COMMITTEE FOR FINANCIAL YEAR 2011 - 2012

The Audit Committee, at it's meeting on 21 September 2012, had agreed the Annual Audit Report for 2011-12 and this was before the Council for consideration.

Decision

Noted and approved the Annual Audit Report for 2011-12.

(Ref: Report by Chair and Vice Chair of the Audit Committee dated 25 October 2012, submitted)

12. MANAGERS GUIDE TO IMPROVING EMPLOYEE PERFORMANCE

The Council considered a report which advised of the new Improving Employee Performance Policy which was developed in consultation with the Joint Trade Unions.

Decision

The Council noted the contents of the report and approved the Improving Employee Performance Policy.

(Ref: Report by Head of Improvement and HR dated 25 October 2012, submitted)

13. OFFICE CLOSURE - CHRISTMAS AND NEW YEAR

The Council considered a report which advised of the intention to close Council Offices for non-essential employees over the Christmas and New Year period and for those staff to use 3 days leave from the statutory entitlement which the Council uses to apportion public holidays.

Decision

- 1. Noted the contents of the report and agreed to implement the closure with effect from December 2013.
- 2. Agreed to remove the 2.00pm closure on the last working day before Christmas and New Year for office based employees with effect from December 2013, for the implementation of the Christmas and New Year Closure.

(Ref: Report by Head of Improvement and HR dated 25 October 2012, submitted)

14. BUDGET AND PLANNING FOR 2013-14

At the Council meeting in September, the Lead Councillor for Strategic Finance delivered his Autumn statement on the budgetary outlook. The Council considered a report which set out how it is proposed to take forward the planning and budget process for 2013-14 based on the approach outlined in the Autumn statement.

The Provost ruled and the Council agreed to adjourn the meeting for 10 minutes to allow for an amendment by Councillor Dick Walsh to be tabled.

Motion

Agreed the approach to developing the 2013-14 revenue and capital budgets, savings options and updating of service and corporate plans, as outlined in the report.

Moved Councillor James Robb, seconded Councillor Sandy Taylor.

Amendment

That the Council acknowledges that the local Government Finance Settlement announced in December 2011 covered the three year period to 2014-15 That the Council agrees that the approach to developing the Revenue Budget for 2013-14 should be based around the following areas:

- That a realistic 3 year view is taken of the Council's budgetary position having regard to all the known areas that will impact on budget, services and spend with an annual review over the 3 year period.
- That the Revenue budget be constructed on the basis of a detailed Revenue Budget for the financial year 2013-14 with a high level summary Revenue Budget for the financial years 2014-15 and 2015-16.
- That the construction of the Revenue Budget will have regard to any impact from advised population projections, available monies from National Government, National Pay Agreements, agreed provisions for inflation, available income from Council Tax, Grants and agreed charges for services.
- That the construction of the Revenue Budget in relation to staff costs should be based on a pay increase of 1% in both 2013-14 and 2014-15 followed by a pay increase of 2% for 2015-16. No incremental growth be provided for after 2014-15 as most or all staff will be at the top of the pay scale.
- That the construction of the Revenue Budget in relation to inflation uplifts for the financial years 2013-14 and 2014-15 should provide for inflation only where it is inescapable and unavoidable. For the period beyond 2014-15 a further review should progress as part of the annual revenue budget review process based along the same lines as agreed for 2013-14 and 2014-15 before any provisions are finally agreed.
- Cost and demand pressures be reviewed for the periods 2013-14/2014-15 and 2015-16 as part of the budget construction and discussion exercise. As part of this consideration be given to the requirements and allowances advised for the operating costs for Campbeltown and Dunoon new schools proposals, and for Broadband Pathfinder in 2014-15.
- The Revenue Budget be constructed on the basis of the commitment with Government to efficiency savings based on 2% of the prorata share of the Scottish Government departmental expenditure limit with an annual efficiency saving target of around £3.6m. This will have regard to the agreed service review programmes and previous budget decisions taken in February 2011 and 2012. The Council's agreed Corporate Improvement Plan should identify and deliver the options for future 2% efficiency savings.
- As part of the Council's budget discussions and as suggested in the Head
 of Strategic Finance's report, a Capital Plan should be constructed in a
 way that reflects the agreed Capital Plan in February 2012 with a
 commitment for spend until 2014-15. Beyond 2014-15 any agreed spend
 should be maintained within available and agreed capital provisions.
- In the preparation of the Council's budget for the 3 year period consideration should be given to the use of any revenue or capital reserves.
- That as part of the Revenue Budget process, Service plans are brought forward as part of the budget pack in January, that a revised Corporate Plan is brought forward in due course, that a programme of seminars is promoted for members, that an approach to budget consultation is brought forward in due course and that the draft budget timetable advised in the report at para 3.11 is accepted.

Moved Councillor Dick Walsh, seconded Councillor Ellen Morton.

The requisite number of Members required the vote to be taken by calling the roll, and Members voted as follows –

Motion

Councillor Gordon Blair Councillor Michael Breslin Councillor Mary Jean Devon Councillor George Freeman Councillor Louise Glen Lee Councillor Donald Kelly Councillor John McAlpine Councillor Roderick McCuish Councillor Iain MacDonald Councillor Robert E MacIntvre Councillor Robert G MacIntyre Councillor Douglas Philand Councillor James Robb Councillor Elaine Robertson Councillor John Semple Councillor Isobel Strong Councillor Sandy Taylor Councillor Richard Trail

Amendment

Councillor Rory Colville
Councillor Maurice Corry
Councillor Robin Currie
Councillor Vivien Dance
Councillor Alistair MacDougall
Councillor Duncan MacIntyre
Councillor Bruce Marshall
Councillor Aileen Morton
Councillor Ellen Morton
Councillor Gary Mulvaney
Councillor Len Scoullar
Councillor Dick Walsh

Decision

The Motion was carried by 18 votes to 12 and the Council resolved accordingly.

(Ref: Report by Head of Strategic Finance dated 25 October 2012, submitted)

15. SERVICE LEVEL AGREEMENT WITH SKILLS DEVELOPMENT SCOTLAND

The Council considered a report which advised that the Council, with input from appropriate Community Planning Partners with a skills development remit, had developed a Service Delivery Agreement (SDA) with Skills Development Scotland (SDS) to provide a clear focus for ongoing partnership working for the skills development agenda across Argyll and Bute for 2012-13.

Decision

- 1. The Council approved the Service Delivery Agreement which provides a focus for partnership working with Skills Development Scotland.
- 2. Agreed that the Council sign the agreement with Skills Development Scotland.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 25 October 2012, submitted)

16. AUDIT SCOTLAND REPORT - MAINTAINING SCOTLAND'S ROADS - FOLLOW UP WORK

The Council considered a report which provided the background to the Council's consideration of the proposed Roads Asset Management and Maintenance Strategy and Winter Maintenance Policy developed by Audit Scotland.

Decision

The Council noted the Audit Scotland Report.

(Ref: Report by Executive Director of Development and Infrastructure Services dated September 2012, submitted)

17. ROADS ASSET MANAGEMENT AND MAINTENANCE STRATEGY

The Council considered a report which advised of the proposed Roads Asset Management and Maintenance Strategy which sets up the Council's proposed approach towards ensuring the Value For Money is achieved in terms of where, why and how the Council will target its financial resources.

Decision

The Council -

- 1. Approved the Roads Asset Management and Maintenance Strategy pro-term.
- 2. Approved the establishment of a Short Life Working Group comprising of Councillors John Semple, Mary Jean Devon and Robert G MacIntyre from the Administration; and Councillors Duncan MacIntyre and Ellen Morton from the Opposition Groups.

(Ref: Report by Executive Director of Development and Infrastructure Services dated September 2012, submitted)

18. ROADS RECONSTRUCTION PROGRAMME 2012/13 - UPDATE

The Council considered a report which advised of the progress being made with regard to the delivery of the Roads Reconstruction Programme for 2012-13.

Decision

The Council noted the progress of the Roads Reconstruction Programme for 2012-13.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 25 October 2012, submitted)

19. DRAFT POLICY FOR COUNCIL CONTRIBUTION TOWARDS BRINGING PRIVATE ROADS UP TO ADOPTABLE STANDARD

The Council considered a report which proposed a policy for bringing unadopted roads up to an adoptive standard.

Decision

The Council approved the policy criteria for bringing unadopted roads, footways and streetlighting infrastructure up to an adoptable standard as set out in the submitted report.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 25 October 2012, submitted)

20. WINTER MAINTENANCE POLICY 2012/13

The Council considered a report which introduced the Winter Maintenance Policy for 2012-13 which remained largely unchanged from the previous year, other than amendments to the section dealing with the provision of grit bins.

Decision

The Council approved -

- 1. The 2012-13 Winter Maintenance Policy at Appendix 1 to the submitted report.
- 2. The Salt Use Reduction and Preservation of Stocks Protocol at Appendix 3 to the submitted report.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 25 October 2012, submitted)

Councillor Elaine Robertson and Councillor Vivien Dance and left the meeting at this point.

Provost Isobel Strong left the meeting at this point and Depute Provost Douglas Philand took the Chair. Councillor Robert E MacIntyre left the meeting at this point.

21. WINTER WEATHER READY COMMUNICATIONS PLAN 2012/13

The Council considered a report which introduced the Winter Weather Ready Communications Plan 2012-13 devised by the Communications and Web Teams and the Community Resilience Project Team.

Decision

The Council -

- 1. Noted the Winter Weather Ready Communications Plan which will deliver accurate and up to date information during periods of severe weather to members of the public, elected members, schools and partner organisations.
- 2. Instructed services to support the effective operation of the Plan by implementing the approved procedures.

(Ref: Report by Head of Improvement and HR dated September 2012, submitted)

22. CHARLES AND BARBARA TYRE TRUST: APPOINTMENT OF GOVERNORS

The Council considered a report which advised that the Charles and Barbara Tyre Trust had written to the Council seeking agreement for the appointment of two governors to the Board of the Charles and Barbara Tyre Trust.

Decision

The Council agreed –

1. To the appointment of Mrs Mary Smith (Tarbert) and Mrs Isabella Soudan (Lochgilphead) to act as Governors on the Board of the Charles and Barbara Tyre Trust.

2. To receive a report on all trusts that the Council has an involvement with to a future meeting.

(Ref: Report by Executive Director of Customer Services dated 12 September 2012, submitted)

Councillor John McAlpine left the meeting at this point.

23. BOUNDARY COMMISSION 6TH REVIEW - UK PARLIAMENTARY CONSTITUENCIES 2012

The Council considered a report which provided an update on the ongoing 6th Review of UK Parliamentary Boundaries with reference to the Argyll and Bute Constituency.

Motion

To note the proposed changes and agree that a recommendation to the Boundary Commission that the Constituency be renamed as Argyll and the Isles.

Moved Councillor Mulvaney, seconded Councillor Morton.

Amendment 1

To note the proposed changes and agree that a recommendation to the Boundary Commission that the Constituency be renamed as Earra Ghaidheal (Argyll in Gaelic).

Moved Councillor Robin Currie, seconded Councillor Mary Jean Devon.

Amendment 2

To note the proposed changes and agree that a recommendation to the Boundary Commission that the Constituency be renamed as Earra Ghaidheal agus Bhoid (Argyll and Bute in Gaelic).

Moved Councillor Dick Walsh, seconded Councillor Louise Glen Lee.

Decision

Following a show of hands vote the Motion was carried by 16 votes; with Amendment 1 receiving 5 votes and Amendment 2 receiving 4 votes.

(Ref: Report by Executive Director of Customer Services dated September 2012, submitted)

24. PA23 BID

The Bute and Cowal Area Committee at it's meeting on 2 October 2012, recommended to the Council to support the PA23BID initiative. The Council considered the second Business Improvement District (PA23 Dunoon) Business Plan for the PA23 Dunoon area which required to have Council support prior to the formal submission of the Business Plan to the Council and the Scottish Government.

Decision

The Council agreed -

- That subject to due diligence by Strategic Finance, Support and Customer Services, Governance and Law and Development and Infrastructure, the Executive Director of Development and Infrastructure will respond on whether to support or veto the formal submission from PA23 when received, in consultation with the Leader, Depute Leader, Chief Executive and the Executive Director of Customer Services.
- 2. That subject to the Council's support and a successful ballot the Council will provide £12.605k per annum for five years in terms of the Council's contribution (based on its property holdings) to the annual levy of c.£129k.
- 3. That subject to the Council's support and a successful ballot that Council will provide a financial contribution of £15K per annum for five years from the Dunoon CHORD budget that is aligned with the CHORD objectives for the redevelopment of the Queens Hall and the regeneration of Dunoon. The release of this funding will be subject to an annual agreement of the related programme of PA23 activity.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 25 October 2012, submitted)

25. PROCUREMENT REFORM BILL - CONSULTATION

The Council considered the draft response together with a report which advised that the Scottish Government had published its consultation on the Procurement Reform Bill on 9 August 2012.

Decision

The Council -

- 1. Noted the context of the report.
- 2. Approved the response as detailed in the submitted report as the Council's formal response to the Scottish Government's consultation on the Procurement Reform Bill.

(Ref: Report by Executive Director of Customer Services dated 3 September 2012, submitted)

Councillor James Robb and Councillor Richard Trail left the meeting at this point.

26. EXTENSION OF THE LIFE OF THE HUNTERSTON AND TORNESS NUCLEAR POWER STATIONS

The Bute and Cowal Area Committee at its meeting on 2 October 2012 considered the terms of a Notice of Motion with regard to the Hunterston and Torness Nuclear Power Stations and had recommended their decision to the Council for consideration.

Motion

That no action be taken.

Moved Councillor McCuish, seconded Councillor Breslin.

Amendment

In terms of Standing Order 14 the following Notice of Motion was before the Council for consideration -

Following the news recently released that the Scottish Government intends to permit the

lives of two ageing nuclear power station to be prolonged until 2033, Bute and Cowal Area Committee recommends to Argyll and Bute Council that it.

1. Notes with grave concerns that:

- (a) An expert report published very recently by the ten strong group of Nuclear Free Scottish Councils (N.F.S.C), says that Ministers are wrong to allow Torness and Hunterston to continue running for two more decades.
- (b) Hunterston B station is already older than most of the reactors which were closed by the German Government, following the Fukushima disaster last year.
- (c) The German Government intends that usage economies will cut demand there for electricity by ten percent to meet these closures, while in Scotland we are expecting a rise in usage of ten percent.
- (d) The author of the report Pete Roche, who is an expert policy advisor to the (N.F.S.C), warns that "Milking Scottish reactors dry is another way of maximising the chances of an accident as these reactors get older and more decrepit".

2. Recommends that the Council,

- (a) Acknowledges the potential future danger from an ageing Hunterston B, as indicated in the expert report, to the people of Argyll and Bute, especially Bute and Cowal which are only six and ten miles distant, respectively.
- (b) Expresses its deep concerns on the potential future adverse health implications for the people of Bute and Cowal in particular and Argyll and Bute also Scotland generally.
- (c) Agrees to object in the strongest possible terms to the Scottish Government and to represent those terms to the First Minister Alex Salmond.

Proposed by Councillor L Scoullar Seconded by Councillor J R Walsh

The requisite number of Members required the vote to be taken by calling the roll and Members voted as follows –

Motion	Amendment	No Vote
Councillor Gordon Blair Councillor Michael Breslin Councillor Mary Jean Devon Councillor George Freeman Councillor Louise Glen Lee Councillor Donald Kelly Councillor Roderick McCuish Councillor lain MacDonald Councillor Robert G MacIntyre Councillor Gary Mulvaney Councillor Douglas Philand Councillor Sandy Taylor	Councillor Rory Colville Councillor Robin Currie Councillor Alistair MacDougall Councillor Duncan MacIntyre Councillor Ellen Morton Councillor Len Scoullar Councillor Dick Walsh	Councillor Maurice Corry Councillor Aileen Morton Councillor John Semple

Decision

The Motion was carried by 12 votes to 7 with 3 no votes; and the Council resolved accordingly.

(Ref: Recommendation by the Bute and Cowal Area Committee of 2 October 2012, 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 Paragraph 9 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

27. PROPOSED WASTE MANAGEMENT STRATEGY FOR COMPLIANCE WITH THE SCOTTISH GOVERNMENT ZERO WASTE PLAN AND WASTE (SCOTLAND) REGULATIONS 2012

The Council considered a report which set out a proposed strategic approach towards Waste Management within Argyll and Bute to ensure compliance with the Scottish Government's Zero Waste Plan and the Waste (Scotland) Regulations which came into force on 17 May 2012.

Decision

- 1. The Council approved the proposed Waste Management Strategy as set out at section 5.0 of the submitted report.
- 2. The Council approved the publication of the Waste Management Strategy with the exception of sections 5.6 and 8.0 of the submitted report as both contain commercially confidential information.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 25 October 2012, submitted)