

**MINUTES of MEETING of POLICY AND RESOURCES COMMITTEE held in the COUNCIL
CHAMBER, KILMORY, LOCHGILPHEAD
on THURSDAY, 21 AUGUST 2014**

Present:

Councillor Dick Walsh (Chair)

Councillor Robin Currie	Councillor Gary Mulvaney
Councillor Vivien Dance	Councillor Douglas Philand
Councillor Bruce Marshall	Councillor James Robb
Councillor Roderick McCuish	Councillor Len Scoullar
Councillor Aileen Morton	Councillor Isobel Strong
Councillor Ellen Morton	Councillor Sandy Taylor

Also Present:

Councillor Gordon Blair	Councillor John MacAlpine
Councillor Michael Breslin	Councillor James McQueen
Councillor George Freeman	

Attending:

Sally Loudon, Chief Executive
Douglas Hendry, Executive Director – Customer Services
Pippa Milne, Executive Director – Development and Infrastructure Services
Bruce West, Head of Strategic Finance
Charles Reppke, Head of Governance and Law
Jane Fowler, Head of Improvement and HR
Judy Orr, Head of ICT and Support Services
Jim Smith, Head of Roads and Amenity Services
Fergus Murray, Head of Economic Development
Mike Casey, Project Officer
Donald Kelly, Legal Services Manager
Ishabel Bremner, Economic Development Manager

The Chair advised of two requests he had received under Standing Order 22.1, from Councillors Breslin and Blair, to speak and vote in respect of item 23 of the agenda (Castle Toward). The Chair ruled that he would permit Councillor Breslin to speak and vote on the item as it directly affected his ward. The Chair ruled that he would permit Councillor Blair to speak on the item but not vote as it was not a particular issue affecting his ward.

The Chair further advised that, as had been his practice, if any Member present, not on the Committee, wished to speak on any item on the agenda then he would permit this also.

The Chair welcomed Anne Cairns of Audit Scotland to the meeting advising that she was in attendance to assist with the presentation of item 11 of the agenda (Audit Scotland Risk Assessment of Housing Benefit). The Chair ruled and the Committee agreed to change the order of the agenda to allow consideration of this item after item 2 (Declarations of Interest) to allow Anne Cairns to speak to this item and leave the meeting given the distance that she needed to travel. This item is dealt with at item 3 of this Minute.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Donald Kelly, Duncan MacIntyre and John Semple.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. AUDIT SCOTLAND RISK ASSESSMENT OF HOUSING BENEFIT

A report was considered that advised that Audit Scotland had undertaken a Housing Benefit Risk Assessment as part of their national risk assessment programme. The report also advised that the Council had submitted an action plan to mitigate the risks that had been identified during the Audit. The Action Plan had been accepted by Audit Scotland and no further scrutiny was required.

Decision

The Committee -

1. Noted the content of the Audit Scotland Risk Assessment report on the Council's performance in Housing Benefit Administration and the associated action plan.
2. Noted Audit Scotland's view that there had been significant progress made by the Council and recorded the Committees' appreciation of the work done by staff.

(Reference: Report by Executive Director – Customer Services dated 8 August 2014, submitted)

4. MINUTES

The Minutes of the meeting of the Policy and Resources Committee held on 15 May 2014 were approved as a correct record.

5. FINANCIAL REPORTS MONITORING PACK

The Committee considered the financial reports monitoring pack as at the end of June 2014. There were seven reports which formed the pack including the revenue budget report, monitoring of efficiency savings, up to date 15/16 budget, monitoring of financial risks, reserves and balances, capital plan monitoring and treasury monitoring.

Decision

The Committee noted –

1. The revenue budget monitoring report as at 30 June 2014.
2. The progress towards the 1% efficiency savings target for 2014-15 and 2015-16.
3. The updates to the 2015-16 budget as at 30 June 2014.
4. The current assessment of the Council's financial risks.

5. The overall level of reserves and balances and note the monitoring of the earmarked reserves.
6. The capital plan monitoring report as at 30 June 2014.
7. The treasury monitoring report as at 30 June 2014.

(Reference: Report by Head of Strategic Finance dated 16 July 2014 and financial monitoring reports pack, submitted)

6. FEES AND CHARGES 2014-15 - FERRIES, PIERS AND HARBOURS

The Committee gave consideration to a report that requested a change to two charges within ferries, piers and harbours for 2014-15.

Decision

The Committee agreed to revise two charges within ferries, piers and harbours for 2014-15 as follows –

1. All vessels operating a scheduled ferry or pleasure service per gross registered tonne (staffed pier) – charge for 2014-15 to be changed to 8.24p per tonne.
2. All vessels operating a scheduled ferry or pleasure service per gross registered tonne (unstaffed pier) – charge for 2014-15 to be changed to 8.24p per tonne.

(Reference: Report by Head of Strategic Finance dated 29 July 2014, submitted)

7. USE OF GENERAL FUND RESERVE

A report which set out options for the use of the free balance on the general fund reserve was considered. The report was provided in response to a request by the Council in February 2014 to bring a report to the August meeting of the Policy and Resources Committee. The options, depending on the decision of the Policy and Resources Committee, would be developed into more detailed proposals by Officers.

Decision

The Committee –

1. Agreed the use of the free balance on the general fund be directed exclusively to the theme of economy and jobs and proposals to increase income / reduce costs for the Council.
2. Agreed that further investigation be carried out on the scope to undertake further borrowing which would create further investment in the areas set out at 1 above and which would not result in a net increase in the burden on the Council's revenue budget.
3. Noted that officers would investigate the decisions taken at 1 and 2

above and bring a more detailed report back to the October meeting of the Policy and Resources Committee.

Councillor James Robb who had moved an amendment which failed to find a seconder requested that his dissent be recorded from the foregoing decision.

(Reference: Report by Head of Strategic Finance dated 12 August 2014, submitted)

8. NEW SCHOOLS REDEVELOPMENT PROJECT- CAMPBELTOWN, OBAN AND KIRN

The Committee considered a report providing an update on the issue of the New Project Requests to HubNorth Scotland Ltd in respect of the new Campbeltown Grammar School and Oban High School; and for the new Kirn Primary School.

Decision

The Committee –

1. Noted the content of the paper with regard to the issue of and the content of the NPR's for the new Campbeltown Grammar, Oban High and Kirn Primary schools.
2. Authorised the Executive Director, Customer Services, to take such steps as are necessary by negotiation or if required by instituting appropriate court action to secure vacant possession of the land presently occupied by various parties and used as garage sites at Kintyre Park, Campbeltown, shown delineated within the boundaries coloured red on the plan forming Appendix 1 to the report by the Executive Director.
3. Authorised the Executive Director, Customer Services, to take such steps as are necessary by negotiation or if required by instituting appropriate court action to secure vacant possession of the land presently used as horse grazing and purposes associated therewith at Dalintart Farm, Oban, shown delineated within the boundaries coloured red on the plan forming Appendix 2a and 2b to the report by the Executive Director.

(Reference: Report by Executive Director – Community Services dated 15 July 2014, submitted)

9. FINANCIAL QUARTER ONE PERFORMANCE SCORECARD SCRUTINY

A report was considered which presented the Customer Services department financial quarter one performance scorecard for review and scrutiny.

Decision

The Committee –

1. Noted that the quarterly performance scorecards will be programmed into the Committee's meeting schedule.
2. Reviewed performance for the quarter.
3. Noted that feedback from the Committee Development Day and from the Committee meetings will be used to ensure ongoing improvement to the performance review and scrutiny process.

(Reference: Report by Executive Director – Customer Services dated August 2014 and Customer Services Scorecard, submitted)

10. EQUALITY OUTCOMES

The Committee considered a report which outlined revised changes to the Equality Outcomes as required by the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

Decision

The Committee –

1. Approved the revised changes to the set of published Equality Outcomes.
2. Agreed to consult on the proposed Equality Outcomes.

(Reference: Report by Executive Director – Customer Services dated 25 July 2014, submitted)

11. HR AND ORGANISATIONAL DEVELOPMENT STRATEGY

The Committee considered a report presenting the draft Argyll and Bute Council Human Resources and Organisational Development Strategy for adoption.

Decision

The Committee –

1. Adopted the Human Resources and Organisational Development Strategy.
2. Noted that the Strategy incorporates workforce development.
3. Noted that the Strategy will be progressed through an action plan, which has been agreed by SMT; that quarterly reporting will be made through the HR Board and to SMT and that progress will be reported to the Policy and Resources Committee through Customer Services performance reporting.

(Reference: Report by Executive Director – Customer Services dated August 2014, submitted)

12. DISCRETIONARY HOUSING PAYMENTS POLICY

The Committee considered a report which requested approval of changes to the DHP Policy to allow DHPs to be paid for all under occupancy cases without any assessment of hardship and through a simplified process. Approval was also sought to allow such payments to be backdated to 1 April 2014, or such date as the under occupancy restriction commenced.

Decision

The Committee –

1. Approved the amendment to the DHP Policy as detailed at appendix 1 to the report by the Executive Director.
2. Approved that such payments be backdated to 1 April 2014 or such later date when the under occupancy restriction commenced.
3. Noted that a further paper would be brought forward in respect of 2015-16 and beyond once the funding position in relation to those years is known.

(Reference: Report by Executive Director – Customer Services dated 21 July 2014, submitted)

13. CONSULTATION ON WELFARE FUNDS (SCOTLAND) BILL

The Committee considered a report presenting a draft response to The Scottish Parliament Welfare Reform Committee consultation which provided views on the draft Welfare Funds (Scotland) Bill. The Finance Committee had also requested views in relation to the financial memorandum relating to this Bill and the Committee considered a draft consultation response to this as well.

Decision

The Committee approved –

1. The draft response to the consultation from the Welfare Reform Committee attached at Appendix 1 to the report by the Executive Director.
2. The draft response to the consultation from the Finance Committee attached at Appendix 2 to the report by the Executive Director, subject to the addition of some wording in the preamble to each of the consultation responses highlighting that the Council cannot sustain the high costs of administering payments.

(Reference: Report by Executive Director – Customer Services dated 15 July 2014, submitted)

14. MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) ACT 2014

A report was considered advising that the Marriage and Civil Partnership (Scotland) Act 2014 had been passed by the Scottish Parliament,

receiving Royal Assent on 12 March 2014. The report provided a summary of the Sections of the Act that had come into force on 21 May 2014 and outlined the main implications for the Council's Registration Service.

Decision

The Committee –

1. Noted the implications of the Marriage and Civil Partnership (Scotland) Act 2014 for the Registration Service.
2. Approved partial refunds for period approvals granted from 1 April 2014 where fewer than 3 marriages have taken place before 1 September 2014.
3. Delegated authority to the Executive Director of Customer Services in consultation with the Leader and Depute Leader to set revised fees for outside marriages which include the costs of Health and Safety inspections following the abolition of period and temporary approvals for venues.

(Reference: Report by Executive Director – Customer Services dated 8 August 2014, submitted)

15. COMMUNITY EMPOWERMENT (SCOTLAND) BILL - CALL FOR WRITTEN EVIDENCE

A report was considered requesting the Committee to approve a proposed response to the Local Government and Regeneration Committee call for written evidence as part of its Stage 1 consideration of the Community Empowerment (Scotland) Bill.

Decision

The Committee –

1. Approved the proposed response set out at section 4.4 of the report by the Executive Director subject to amendments as requested by the Members in relation to sharpening up some of the language used.
2. Agreed that it be submitted to the Scottish Parliament's Local Government and Regeneration Committee by the 5th September 2014 deadline.

(Reference: Report by Executive Director – Customer Services dated 1 July 2014, submitted)

16. CRC ENERGY EFFICIENCY SCHEME

The Committee considered a report providing an indication of the current position in respect of Council participation in Phase 2 of the CRC (Carbon Reduction Commitment) Efficiency Scheme.

Decision

The Committee noted -

1. The Council's qualification for participation in Phase 2 of the CRC and the nominations of Senior Officer, Primary Contact, Secondary Contact and Invoice Contact for the Council's participation in CRC;
2. The CRC scheme detail and implications, especially financial, of participation in Phase 2 of the CRC.
3. That after consultation with the Head of Strategic Finance, an order was placed for the purchase of CRC allowances at the 'forecast sale', and was paid in June 2014.
4. The proposed mitigating actions and next steps.

Reference: Report by Executive Director – Customer Services dated 3 July 2014, submitted)

17. PROVISION OF P1 TO P3 FREE SCHOOL MEALS – FUNDING UPDATE

Consideration was given to a report providing an update on the estimated costs and additional funding required to offset cost implications of expanding the catering service to deliver free school meals for all P1-3 pupils from January 2015. The report outlined the recent announcement from the Scottish Government confirming the revenue funding allocation and noted that there was still no indication of the level of capital funding.

Decision

The Committee –

1. Noted the estimated revenue costs and notification from the Scottish Government on the allocation of funding to offset these costs.
2. Noted the updated estimated capital costs together the fact that the Scottish Government are yet to announce capital funding allocations.
3. Approved the request by the Service to invest in some of the capital requirements in advance of the funding notification from the Scottish Government. This would be an estimated £191,500 of forward investment in equipment and storage costs to ensure smooth implementation of the policy in January 2015.

(Reference: Report by Executive Director – Customer Services dated 28 July 2014, submitted)

18. ELECTED MEMBER TRAINING

A report was considered that updated the Committee on Elected Member training activity since August 2013 and sought their endorsement for the

key focus of activity in drawing up a programme for the next year.

Decision

The Committee –

1. Noted the activity that has been undertaken to support elected member training since August 2013.
2. Noted that feedback that has been gained through the Elected Member Seminar Survey and recent Committee Development Days which will inform the training programme for the next year.
3. Endorsed the approach to be adopted in the development of the forthcoming programme and agreed that this be delegated to the Director of Customer Services to take forward through discussion with the Chief Executive, the Leader of the Council, Depute Leader of the Council and Group Leaders.

(Reference: Report by Executive Director – Customer Services dated 18 August 2014, tabled)

* **19. DRAFT PARKING POLICY FRAMEWORK**

The Committee considered a recommendation from the Environment, Development and Infrastructure Committee held on 14 August 2014 in respect of draft Parking Policy Framework.

Motion

The Committee –

1. Agreed that the draft Policy be recommended for adoption by the Council.
2. Agreed to recommend to the Council endorsement of the proposal for reviewing Traffic Regulation Orders by Area Committees.
3. Noted that officers would work with the relevant Policy Leads to improve information available for coach and LGV drivers.

Moved Councillor Dick Walsh, seconded Councillor Gary Mulvaney.

Amendment

1. All parking and related matters be delegated to Area Committees together with the associated revenues and finances and requests a detailed paper to achieve this be brought to the next Policy and Resources Committee meeting.
2. The draft Parking Policy Framework be adopted as guidance for Area Committees.

3. Delegate to appropriate Officers the publication of appropriate information in respect of coach and HGV parking within Argyll and Bute.

Moved Councillor James Robb, seconded Councillor Isobel Strong.

Decision

On a show of hands vote the Motion was carried by 9 votes to 2 and the Committee resolved accordingly.

(Reference: Recommendation from Environment, Development and Infrastructure Committee held on 14 August 2014, report by Executive Director – Development and Infrastructure Services dated 20 August 2014 and draft Parking Policy Framework, submitted)

* **20. POLICY FOR PROVISION OF WOODLAND AND GREEN BURIALS**

The Committee considered a recommendation from the Environment, Development and Infrastructure Committee held on 14 August 2014 in respect of a Policy for the Provision of Woodland and Green Burials.

Decision

The Committee –

1. Noted and endorsed the report.
2. Approved that the draft Green and Woodland Burials Policy be recommended for approval by the Council.
3. Noted that community groups and private land owners can seek to work with the Council in respect of the provision of privately owned land for burials, if so minded.

(Reference: Recommendation from Environment, Development and Infrastructure Committee held on 14 August 2014, report by Executive Director – Development and Infrastructure Services dated 20 August 2014 and draft Policy for the Provision of Woodland and Green Burial Services, submitted)

The Chair ruled and the Committee agreed to adjourn for lunch from 1.00pm to 1.30pm.

Vivien Dance left the meeting at this point.

* **21. WEST OF SCOTLAND LOAN FUND - OPPORTUNITY TO WIDEN AVAILABILITY ACROSS ARGYLL AND BUTE**

A report was considered that sought approval for the West of Scotland Loan Fund (WSLF) delivery area to be extended to include all of Argyll and Bute, rather than remaining restricted to Helensburgh and Lomond based businesses.

Decision

The Committee -

1. Endorsed the proposal to extend the WSLF delivery area to include all of Argyll and Bute, if uptake in Helensburgh and Lomond remains below target.
2. Agreed that this proposal should be presented at the full Council meeting in September 2014 to endorse the view of the Committee in terms of the extension of the delivery of WSLF to the whole of Argyll and Bute.
3. Agreed to support the development of a new Scotland wide loan fund which could incorporate WSLF after April 2015.

Councillor James Robb, who had moved an amendment that failed to find a seconder requested that his dissent be recorded from the foregoing decision.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 14 August 2014, submitted)

22. NOTICE OF MOTION UNDER STANDING ORDER 13

The following Notice of Motion, submitted under Standing Order 13, had been included on the Agenda for the meeting –

In light of the second cancellation of a cornerstone summit meeting which would embed the 10 year objective of our Community Planning Partnership's Single Outcome Agreement as "Argyll and Bute's economic success is built on a growing population" The Single Outcome Agreement was due to be complete in June.

The Policy and Resources Committee -

Reaffirms the Council's commitment to the 10 year objective – "Argyll and Bute's economic success is built on a growing population"

Requests that the Chief Executive organises a seminar for Council Members and Community Planning Partners in June so that greater detail on how this will be achieved can be developed ahead of a future meeting with Mr Swinney.

Moved Councillor Semple, seconded Councillor Taylor.

Decision

Councillor Sandy Taylor advised that due to progressions since the Motion was first submitted in May 2014, it was now not necessary to consider the content and advised that he, with the prior agreement of Councillor Semple, wished to withdraw the Motion.

(Reference: Notice of Motion by Councillor John Semple, seconded by Councillor Sandy Taylor)

The Committee 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; 9; 9 and 9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

23. CASTLE TOWARD

The Committee considered a report providing advice in relation to the proposed community buy out of Castle Toward.

Motion

The Leader of the Council moved the recommendations contained within the report subject to the amendments as suggested by the Executive Director – Customer Services which was seconded by Councillor Ellen Morton.

Amendment

Councillor Breslin moved an amendment which was seconded by Councillor Bruce Marshall.

Decision

On a show of hands vote the Motion was carried by 9 votes to 3 and the Committee resolved accordingly.

(Reference: Joint report by Executive Director – Customer Services and Executive Director – Community Services dated 20 August 2014, tabled)

24. CHORD PROGRESS UPDATE

The Committee considered a report providing an update on the progress in delivering the eleven CHORD projects.

Decision

The Committee agreed the recommendations as contained within the report by the Executive Director.

(Reference: Report by Executive Director – Development and Infrastructure Services dated August 2014, submitted)

25. DUNOON WOODEN PIER REDEVELOPMENT APPROVAL TO DRAW DOWN FUNDS

The Committee considered a report which sought approval to draw down funds from the Council's capital budget to undertake essential works to the Dunoon Wooden Pier.

Decision

The Committee agreed the recommendations as contained within the report by the Executive Director.

(Reference: Report by Executive Director – Development and Infrastructure Services dated August 2014, submitted)

* **26. ROTHSAY PAVILION**

The Committee considered a report outlining urgent issues affecting the condition of the building fabric of the Category A Listed Rothesay Pavilion.

Decision

The Committee agreed to make a recommendation to the Council as per the recommendations contained within the report by the Executive Director.

(Reference: Report by Executive Director – Development and Infrastructure Services dated August 2014, submitted)