

**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**



*Executive Director: Douglas Hendry*

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12 May 2022

**NOTICE OF MEETING**

A meeting of the **ARGYLL AND BUTE COUNCIL** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** and on a Hybrid Meeting basis by **MS TEAMS** attendance on **19 MAY 2022 at 11:00 AM**, which you are requested to attend.

Douglas Hendry  
Executive Director

[Note 1 – All Members must have completed and lodged with the Executive Director the Statutory Declaration of Acceptance of Office before the start of the meeting.]

[Note 2 – This Agenda has been constructed in keeping with the Council's current Standing Orders and Scheme of Administration and Delegation and may be varied in light of any decision taken by the Council in relation to these Standing Orders etc.]

**BUSINESS**

1. **MEMBERS OF THE COUNCIL: REPORT BY RETURNING OFFICER**(Pages 5 - 6)
2. **ELECT PROVOST OF THE COUNCIL**
3. **APOLOGIES FOR ABSENCE**
4. **DECLARATIONS OF INTEREST (IF ANY)**
5. **ELECT DEPUTE PROVOST OF THE COUNCIL**
6. **ELECT THE LEADER OF THE COUNCIL**
7. **ELECT DEPUTE LEADER OF THE COUNCIL**
8. **COMPOSITION OF THE COUNCIL**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 7 - 10)
9. **COUNCIL CONSTITUTION**  
Confirm adoption (Pro Tem) of
  - A. Constitution
  - B. Standing Orders for Meetings
  - C. Scheme of Administration and Delegations

- D. Financial and Security Regulations
- E. Contract Standing Orders
- F. Ethical Framework
- G. Scheme of Approved Duties

(Council Constitution accessed from the following link – <https://www.argyll-bute.gov.uk/constitution> )

- 10. POLITICAL MANAGEMENT ARRANGEMENTS**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 11 - 22)
- 11. COUNCILLORS' REMUNERATION SCHEME**  
Consider and, if so resolved, approve or take relevant decisions in relation to Councillors' Remuneration to give effect to the decisions at 10 above (Pages 23 - 24)
- 12. APPOINTMENT OF INDEPENDENT CHAIRPERSON OF AUDIT & SCRUTINY COMMITTEE**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 25 - 28)
- 13. APPOINTMENT OF PERSONS INTERESTED IN THE PROMOTION OF RELIGIOUS EDUCATION**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 29 - 30)
- 14. CONSIDER APPOINTMENT OF TEACHER REPRESENTATIVES**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 31 - 32)
- 15. APPOINT MEMBERS OF STATUTORY BOARDS/JOINT COMMITTEES**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 33 - 38)
- 16. APPOINT MEMBERS TO THE LICENSING BOARD**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 39 - 40)
- 17. CONVENTION OF SCOTTISH LOCAL AUTHORITIES**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 41 - 48)
- 18. APPOINTMENTS OF OUTSIDE BODIES**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 49 - 60)
- 19. EMPLOYEE JOINT CONSULTATIVE COMMITTEE**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 61 - 66)
- 20. LOCAL NEGOTIATING COMMITTEE FOR TEACHERS**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 67 - 72)
- 21. COMMON GOOD FUNDS**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 73 - 76)

- 22. APPOINTMENT PANEL - RECRUITMENT OF HEAD OF FINANCIAL SERVICES**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 77 - 80)
- 23. REVIEW OF SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS**  
Report by Executive Director with responsibility for Legal and Regulatory Support  
(Pages 81 - 88)
- 24. UK LEVELLING UP FUND**  
Report by Executive Director with responsibility for Development and Economic  
Growth (Pages 89 - 92)

## **ARGYLL AND BUTE COUNCIL**

Contact: Sandra Campbell Tel: 01546 604401

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**ARGYLL AND BUTE COUNCIL  
ELECTION OF COUNCILLORS  
5 MAY 2022**

The names and addresses of the persons who have been elected as a Councillor in each of the 11 wards into which the Argyll and Bute Local Government Area is divided is as follows: -

<b>ELECTORAL WARD</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>DESCRIPTION</b>
No. 1 South Kintyre	John Armour	Kintara, Machrihanish Road, Campbeltown	Scottish National Party (SNP)
	Donald Kelly	Strathmore, Drumlemble, Campbeltown	Independent
	Tommy MacPherson	8 Millers Park, Saddell, Campbeltown	Scottish Conservative and Unionist
No. 2 Kintyre and the Islands	Robin Currie	10 Burnside, Bruichladdich, Isle of Islay	Scottish Liberal Democrats
	John McAlpine	10 Market Place, Tarbert	Independent
	Dougie McFadzean	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
No. 3 Mid Argyll	Jan Brown	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
	Garret Corner	(Address in the Argyll and Bute area)	Scottish Conservative and Unionist
	Douglas Trevor Philand	Oriago, 32 Fernoch Crescent, Lochgilphead	Independent
No. 4 Oban South and the Isles	Amanda Hampsey	(Address in the Argyll and Bute area)	Scottish Conservative and Unionist
	Willie Hume	Ledmore, Erray Road, Tobermory, Isle of Mull	Scottish National Party (SNP)
	Andrew Kain	Fairways Lodge, Erray Road, Tobermory, Isle of Mull	Independent
	Jim Lynch	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
No. 5 Oban North and Lorn	Keiron Green	Flat1/4, 49 Combie Street, Oban	Independent
	Luna Martin	(Address in the Argyll and Bute area)	Scottish Greens – Think Global Act Local
	Julie McKenzie	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
	Andrew Vennard	(Address in the Argyll and Bute area)	Scottish Conservative and Unionist
No. 6 Cowal	Gordon Blair	(Address in the Argyll and Bute area)	Scottish National Party (SNP)

	Yvonne McNeilly	(Address in the Argyll and Bute area)	Scottish Conservative and Unionist
	William Sinclair	7 McKinlays Quay, Sandbank, Dunoon	Scottish Liberal Democrats
No. 7 Dunoon	Audrey E Forrest	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
	Daniel Hampsey	(Address in the Argyll and Bute area)	Scottish Conservative and Unionist
	Ross Moreland	127 Auchamore Road, Dunoon	Scottish Liberal Democrats
No. 8 Isle of Bute	Reeni Kennedy-Boyle	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
	Liz McCabe	4 Roslin Crescent, Rothesay, Isle of Bute	Independent
	Peter Wallace	(Address in the Argyll and Bute area)	Scottish Conservative and Unionist
No. 9 Lomond North	Maurice Corry	(Address in the Argyll and Bute area)	Scottish Conservative and Unionist
	Mark Irvine	Woodside, Barbour Road, Kilcreggan	Independent
	Shonny Iain Paterson	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
No. 10 Helensburgh Central	Graham Hardie	Finlas, 107 Main Road, Cardross	Scottish Liberal Democrats
	Fiona Howard	Top Flat, Ravenswood, Shore Road, Cove	Scottish Labour Party
	Ian James MacQuire	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
	Gary Mulvaney	105 East Princes Street, Helensburgh	Scottish Conservative and Unionist
No. 11 Helensburgh and Lomond South	Math Campbell-Sturgess	(Address in the Argyll and Bute area)	Scottish National Party (SNP)
	Paul Donald Kennedy	(Address in the Argyll and Bute area)	Scottish Liberal Democrats
	Gemma Penfold	4 Camperdown Court, Helensburgh	Scottish Conservative and Unionist

Pippa Milne

Returning Officer

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**ARGYLL AND BUTE COUNCIL**
**COUNCIL****LEGAL AND REGULATORY SUPPORT  
SERVICES****19 MAY 2022**


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**COMPOSITION OF THE COUNCIL**


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**1.0 EXECUTIVE SUMMARY**

This report is intended to provide information to the Council about its composition in terms of the formation of groups of Councillors following the election on 5th May 2022. Further updated information may be tabled at the Council Meeting.

**2.0 RECOMMENDATIONS**

2.1 The Council is invited to note the terms of the report.

**3.0 DETAIL**

3.1 The Council's current constitution provides for the allocation of the seats on Strategic Committees and it is a matter for the Council to determine the composition and political balance (with the exception of the current Area Committees).

3.2 At the date of this report the composition of groups on the Council is as follows, subject to final notification to the Executive Director with responsibility for Legal and Regulatory Support from the Groups:-

<b>Group</b>	<b>No. of Members</b>	<b>% of Total Members</b>
Independent Councillors	7	19%
Scottish Conservative and Unionist	10	28%
Scottish Greens	1	3%
Scottish Labour	1	3%
Scottish Liberal Democrats	5	14%

Scottish National Party	12	33%
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3.3 Any decisions that the Council takes in respect the Council Constitution and Political Management Arrangements will determine or may have an implication for the allocation of seats on any Committee or other body of the Council.

3.4 Membership of the groups is detailed at Appendix 1.

#### **4.0 CONCLUSION**

4.1 Elected Members are invited to note the composition of the Council following the Election on 5 May 2022. Members should note that written notification should be given to the Executive Director with responsibility for Legal and Regulatory Support as soon as possible following the Election and in any event before the Council Meeting as to the membership of any groups which may have been formed and consequently further updated information may be tabled at the Council Meeting.

#### **5.0 IMPLICATIONS**

- 5.1 Policy – none
- 5.2 Financial – none
- 5.3 Legal – none
- 5.4 HR – none
- 5.5 Fairer Scotland Duty:
  - 5.5.1 Equalities – none
  - 5.5.2 Socio Economic Duty – None known.
  - 5.5.3 Islands - none
- 5.6 Climate Change - none
- 5.7 Risk – none
- 5.8 Customer Service - none

**Douglas Hendry**  
**Executive Director with responsibility for Legal and Regulatory Support**  
**10<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support, Tel: 01546 604322 email: [David.Logan@argyll-bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)



## Appendix 1:

<b>Argyll and Bute Council : Political Composition</b>
<b>INDEPENDENT (7)</b>  Kieron Green Mark Irvine Andrew Kain Donald Kelly John McAlpine Liz McCabe Douglas Philand
<b>SCOTTISH GREENS (1)</b> Luna Martin
<b>SCOTTISH LABOUR (1)</b> Fiona Howard
<b>SCOTTISH CONSERVATIVE AND UNIONIST (10)</b>  Garret Corner Maurice Corry Amanda Hampsey Daniel Hampsey Tommy Macpherson Yvonne McNeilly Gary Mulvaney Gemma Penfold Andrew Vennard Peter Wallace
<b>SCOTTISH LIBERAL DEMOCRATS (5)</b>  Robin Currie Graham Hardie Paul Donald Kennedy Ross Moreland William Sinclair
<b>SCOTTISH NATIONAL PARTY (12)</b>  John Armour Gordon Blair Jan Brown Math Campbell-Sturgess Audrey E. Forrest Willie Hume Reeni Kennedy - Boyle Jim Lynch Ian James MacQuire Dougie McFadzean Julie McKenzie Iain Shonny Paterson

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**ARGYLL AND BUTE COUNCIL****COUNCIL****LEGAL AND REGULATORY SUPPORT****19 MAY 2022**

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**POLITICAL MANAGEMENT ARRANGEMENTS**

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**1.0 EXECUTIVE SUMMARY**

1.1 The Council, at the meeting held on 30 September 2021, endorsed a Best Practice review of current Political Management Arrangements and agreed to establish a Short Life Working Group (SLWG) which would review the current arrangements and work to make recommendation(s) to a new Council following the Local Government Elections in May 2022 regarding this matter.

1.2 The recommendations from the Short Life Working Group were presented to the Council meeting on 28<sup>th</sup> April 2022, where the following was agreed:-

*“The Council agreed to refer the findings of the Short Life Working Group to the first meeting of the new Council for consideration”.*

1.3 The report which was presented to Council is attached as Appendix 1 and provides an outline of the work undertaken by the Short Life Working Group, and highlights the areas which have been taken into consideration during the discussions. It also provides the conclusions reached by that Short Life Working Group for consideration by Council.

**RECOMMENDATION**

1.4 Council is invited to

- (a) Consider recommendation from Council and report by Short Life Working Group on Political Management Arrangements and, if so resolved, proceed to establish Political Management Arrangements.
- (b) Appoint the Members and Chairs and Vice Chairs of the Various Committees subject to decisions taken in respect of Political Management Arrangements.
- (c) Instruct the Executive Director with responsibility for Legal and Regulatory Support to implement the decisions to be taken in respect of Political Management Arrangements and to report to the Council with a revised Scheme of Administration and Delegations as necessary.
- (d) Agree a programme of meetings for 2022-2023

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**

**10<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support, Tel: 01546 604322 email: [David.Logan@argyll-bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)

Appendix 1:  
Report on Recommendations from Short Life Working Group on Political Management Arrangements Report and Appendices

ARGYLL AND BUTE COUNCIL

LEGAL AND REGULATORY SUPPORT

28<sup>th</sup> APRIL 2022

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**RECOMMENDATIONS FROM SHORT LIFE WORKING GROUP ON POLITICAL  
MANAGEMENT ARRANGEMENTS**

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**2.0 INTRODUCTION**

2.1 This report provides Council with recommendations from the Short Life Working Group on Political Management Arrangements for consideration.

**3.0 RECOMMENDATIONS**

3.1 Council agrees to refer the findings of the Short Life Working Group to the first meeting of the new Council for consideration.

**4.0 DETAIL**

4.1 The Council, at the meeting held on 30 September 2021, endorsed a Best Practice review of current Political Management Arrangements and agreed to establish a Short Life Working Group (SLWG) which would review the current arrangements and work to make recommendation(s) to a new Council following the Local Government Elections in May 2022 regarding this matter.

4.2 Work of the Short Life Working Group

4.2.1 The SLWG met on 3 occasions and considered a wide variety of information. At the first meeting of the Group, Members reflected on the fundamental principles determined by the Council in September 2021, which informed discussion on different options and types of Committee models, specifically:-

- a) Stability in political management arrangements.
- b) Clear strategic direction to deliver on Single Outcome Agreement.
- c) The development of clear and sustainable policies.
- d) An inclusive Council.
- e) Positive Culture.
- f) Constructive working relationships across all Elected Members.
- g) Members focus on addressing challenges and identifying opportunities.
- h) Good reputation.
- i) Leadership.
- j) Effective political scrutiny.
- k) Effective decision making.
- l) Focus on all our customers.
- m) Achieving our ambition.

n) Future proofing.

These basic principles informed the discussion on the different types of Committee models.

#### 4.3 Consultation

4.3.1 Following the first meeting of the SLWG, a consultation was undertaken across all 36 Elected Members asking them to provide feedback on the current Political Management Arrangements and to make suggestions as to what any future structure should look like. A number of responses were received with general comments and suggestions which were subsequently discussed by the Working Group. Some of the key messages from the consultation are as follows:

- General agreement that the existing arrangements work well, with all Members offered opportunities to be involved in the democratic process, rather than Cabinet or Executive models.
- Strategic committees could meet more regularly with smaller agendas for in-depth discussion on topics that if properly discussed could result in better outcomes for constituents.
- Members were generally content with the existing arrangements for Area Committees, with some suggesting enhancements to Area Committees' responsibilities.

#### 4.4 Committee Structures

4.4.1 The Group also considered other Committee models, specifically Traditional, Cabinet and Executive. Officers provided information on these models, including which models were in place across Scotland with particular interest being placed on Authorities with similar geography to Argyll and Bute. It was noted that the position across Scotland varies and that in those Authorities which most closely align with Argyll and Bute the majority operate a Traditional Committee model. A short description of each model is provided below:-

##### 4.4.2 **Traditional Committee model**

This is the type of system currently in place within Argyll and Bute Council. The traditional system delegates authority to a number of Committees to make those decisions which are not reserved for the Council. The membership of these Committees is reflective of the political balance of the Council and can allow for a geographical balance to be maintained. It also allows for a significant portion of Council business to be undertaken using the delegation to Committees.

##### 4.4.3 **Cabinet model**

In this model, a small group of elected members from the Administration and with Portfolio/Policy remits make the day-to-day decisions within a policy framework set by the council as a whole. The Cabinet would meet on a regular basis, with those Members who are not part of the Cabinet being

involved in providing a robust scrutiny function. There would be no requirement for service Committees, there would be less Committees overall, but meetings of the Cabinet would be more frequent than current Committee schedules. This model would provide stability and strategic direction but would not provide political balance, nor would it involve all members in decision making.

#### 4.4.4 **Executive model**

The Executive model is similar to the Cabinet model, but the Executive generally has membership from both administration and opposition councilors. The Executive would meet on a regular basis and there would again be a robust scrutiny process in place. In this model there would be no requirement for service Committees and there would be less Committees overall. This model can be seen as more efficient and can provide political balance whilst providing a greater opportunity for strategic direction. It may be seen as less democratic and as offering less involvement for all members in the business of the Council.

#### 4.5 Other areas of consideration

##### 4.5.1 **Strategic Committees & Audit and Scrutiny arrangements**

There was general consensus that the number of and general responsibilities' of Strategic Committees should continue, but that consideration should be given to their remits and meeting frequency. The new Council may wish to give consideration to the scale and remit of the Community Services Committee with regard to synergies and linkages between Education, Argyll and Bute Health and Social Care Partnership (Integrated Joint Board) and Live Argyll.

The SLWG also considered whether:

- a separate Education Committee would be appropriate;
- the Audit and Scrutiny Committee should take responsibility for the scrutiny of Police Scotland, Scottish Fire and Rescue and the Argyll and Bute Health and Social Care Partnership (Integrated Joint Board);
- there should be more detailed scrutiny related presentations to full Council; and
- scrutiny of Police Scotland, Scottish Fire and Rescue and Live Argyll should be undertaken at a strategic or local level.

##### 4.5.2 **Area Committees & Area Community Planning**

Members were in agreement that consideration should be given to possible synergies between Area Committees and other groups, such as Area Community Planning Groups and Health and Social Care Partnership (HSCP) Locality Planning Groups while recognising the statutory nature of these Groups.

The general consensus was that Members wanted to retain the current Area Committee arrangements but with opportunities for increased local scrutiny and

enhanced responsibilities. Members were also keen to ensure that public question time at Area Committees operates on a standardised approach which is distinct from the powers that members have to raise such as motions or urgent motions.

They also considered Area Committee Business Days, with there being broad agreement that while these meetings do not involve decision making they are useful. The SLWG were of the view that these should continue with consideration being given to members of the Executive Leadership Team providing scheduled updates at Area Committee Business Days.

### **4.5.3 Regulatory Committee arrangements**

The Members of the Group gave consideration to the current structure and there was general agreement that the Planning, Protective Services and Licensing Committee (PPSL) arrangements which are in place at the moment work well. There was a consensus view that these arrangements should continue.

### **4.5.4 Reports for Noting**

The Reports for Noting section on committee agendas was introduced following the last review of the Political Management Arrangements and has helped to provide a more streamlined structure which in turn provided a more effective, open and transparent basis for decision making. While there was some concern regarding the lack of opportunity for discussion on these reports, it was acknowledged that these issues could be raised through normal processes at the next meeting of the committee. The group also acknowledged that this approach allowed for valuable information to be made available to members and the public.

### **4.5.5 Rural Issues**

SLWG acknowledged the unique nature of Argyll and Bute, specifically the importance of rural matters. While the Environment, Development and Infrastructure Committee has responsibility for this area members considered whether other strategic and local committees could have rural matters as part of their remit and responsibility. The SLWG agreed that consideration should be given to how other strategic and local committees address rural matters as part of their remit and consideration could also be given to a sounding board mechanism for rural issues similar to the Islands Forum.

### **4.5.6 Participation of Elected Members**

The SLWG acknowledged that increased participation from all members enriches policy discussion. Encouraging attendance of non-committee Councillors is to be included within the Members induction programme following Local Government Elections scheduled for May 2022. This will also make specific reference to how decisions are made and how non-committee Councillors' can influence policy.



#### 4.5.7 Programme of Meetings 2022/2023

Officers have prepared a draft timetable for meetings in 2022/2023 following on from the Local Government Elections (Appendix 1), which follows the existing Traditional Committee model, should the new Council determine to follow this model. The timetable which has been produced for consideration can be supported using the available resource within Governance.

### 5.0 CONCLUSION

5.1 This report provides Council with an overview of the work of the Short Life Working Group on Political Management Arrangements. It outlines the discussions which have taken place and the information which has been taken into consideration. The Working Group provides information contained in this report to allow the new Council to make a reasoned decision in terms of future Political Management Arrangements, and provides a draft schedule of meetings which could be implemented by officers as soon as it is agreed.

5.2 In summary, the Short Life Working Group have come to the following conclusions:-

- There are 3 models for Committee Structures which could be adopted, and while it will be for the new Council to consider which model, the existing Traditional Model is considered to be the most inclusive and has served the Council effectively.
- There was general consensus that the number of and general responsibilities' of Strategic Committees should continue, but that consideration should be given to their remits and meeting frequency.
- The Planning, Protective Services and Licensing Committee (PPSL) arrangements which are in place at the moment work well and would commend these to a new Council for incorporation in their preferred model of Political Management Arrangements.
- Area Committees should be retained with future consideration being given to increased local scrutiny arrangements and enhanced responsibilities.
- Further consideration should be given to possible synergies between Area Committees and other groups, such as Area Community Planning Groups and Health and Social Care Partnership (HSCP) Locality Planning Groups while recognising the statutory nature of these Groups.
- Enhancing key areas of the rural economy such as agriculture and fishing within specified committee remits.
- Support for all Elected Members, irrespective of Committee membership, to participate in discussion and influence policy direction, is key to driving change and improvement.

## **6.0 IMPLICATIONS**

- 6.1 Policy – none at this stage.
- 6.2 Financial – meeting schedules outlined in this report can be supported using existing financial resources.
- 6.3 Legal – none at this stage.
- 6.4 HR – none at present, but may have HR implications dependent on the agreement made by the new Council.
- 6.5 Fairer Scotland Duty – none
  - 6.5.1 Equalities – protect characteristics – none
  - 6.5.2 Socio-economic Duty – none
  - 6.5.3 Islands – none
- 6.6 Climate change – none
- 6.7 Risk - none
- 6.8 Customer Service - none

### **Members of the Short Life Working Group on Political Management Arrangements**

Councillor Robin Currie (Chair)	Councillor Audrey Forrest
Councillor George Freeman	Councillor Kieron Green
Councillor Jim Lynch	Councillor Liz McCabe
Councillor Yvonne McNeilly (Vice-Chair)	Councillor Aileen Morton
Councillor Sandy Taylor	Councillor Andrew Vennard

**Douglas Hendry**  
**Executive Director with responsibility for Legal and Regulatory Support**

**February 2022**

**Policy Lead: Councillor Mary Jean Devon**

**For further information contact:** Stuart McLean, Committee Manager, 01436 658717

**APPENDICES**

Appendix 1 – Draft programme of meetings

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APPENDIX 1: Draft Programme of Committee Meetings – up to June 2023

Committee	2022								2023						
	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July
Council	19 or 26	Thurs 30			Thurs 29		Thurs 24			Thurs 23		Thurs 27		Thurs 29	
Policy & Resources		Thurs 16**		Thurs 11		Thurs 13		Thurs 8		Thurs 16			Thurs 11		
Community Services		Thurs 9		Thurs 25				Thurs 15			Thurs 9			Thurs 8	
Env, Dev & Infrastructure *Harbour Brd		Thurs 2			*Thurs 1			Thurs 1			*Thurs 2			Thurs 1	
PPSL	*Wed 25	Wed 22		Wed 24	Wed 21	Wed 19	Wed 23	Wed 21	Wed 18	Wed 15	Wed 22	Wed 19	Wed 24	Wed 21	
Audit & Scrutiny		Thurs 23			Thurs 15			Tues 20			Thurs 16			Thurs 15	
B&C Area		Tues 7			Tues 6			Tues 6			Tues 7			Tues 6	
B&C CPG				Tues 16			Tues 1			Tues 7			Tues 2		
MAKI Area		Wed 1			Wed 7			Wed 7			Wed 1			Wed 7	
MAKI CPG				Wed 31			Wed 2			Wed 1			Wed 3		
H&L Area		Tues 14			Tues 13			Tues 13			Tues 14			Tues 13	
H&L CPG				Tue 23			Tue 8			Tue 14			Tue 9		
OLI Area		Wed 8			Wed 14			Wed 14			Wed 8			Wed 14	
OLI CPG				Wed 17			Wed 9			Wed 8			Wed 10		
IJB	Wed 25			Wed 24	Wed 21		Wed 23		Wed 25		Wed 29			TBC	
CPP/Mgt Comm		Wed 22			Wed 28			Wed 7							
Licensing Board		Tues 28			Thurs 8			Tues 8							
Seminars															

Dates highlighted red out with normal pattern due to School Holidays. \* Dependent on appointments & completion of mandatory training \*\* date additional to SLWG recommendations

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## ARGYLL AND BUTE COUNCIL

19 MAY 2022

## COUNCILLORS REMUNERATION SCHEME

1	In terms of the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 (as amended 2022) the Council determine to pay in respect of the positions in column 1 below the amount shown in column 2, and in the event that the same person holds more than one of these positions that person will receive the higher amount only in respect of the relevant position.	
	Provost	£29,361
	Leader of the Council	£39,148
	<b>Senior Councillors</b>	
	Policy Lead	
	Area Committee Chair	
2	In terms of the Local Government (Allowances and Expenses) (Scotland) Regulations the Council determines to pay a civic allowance of up to £3,000 in respect of the position of Provost of the Council.	

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**ARGYLL AND BUTE COUNCIL****COUNCIL****LEGAL AND REGULATORY SUPPORT****19 MAY 2022**

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**Appointment of Independent Chairperson of Audit and Scrutiny Committee**

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**1. INTRODUCTION**

- 1.1 This report outlines the position with respect to the appointment of an independent Chair of the Audit & Scrutiny Committee.
- 1.2 Since May 2017 The Council has had in place as part of its Political Management Arrangements an Audit and Scrutiny Committee with a Chairperson independent of the Council. This is an unremunerated position and has provided for the appointment of an experienced individual with subject matter expertise in matters relating to audit and scrutiny functions.
- 1.3 The appointment of the current chair, Martin Caldwell, is due to expire on 30<sup>th</sup> June 2022. In the event of Council agreeing to maintain similar political management arrangements it is proposed that the Council extend the appointment of Martin Caldwell for a further 9 months in order to maintain continuity in transition arrangements for a new council and to commence a recruitment process for a replacement chairperson.
- 1.4 Mr Caldwell has confirmed he would accept the Council's invitation to continue to chair the Audit and Scrutiny Committee for this period and looks forward to contributing and supporting the independent assurance and scrutiny arrangements of the Council.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that the council:
- a) Agree to extend the appointment of Martin Caldwell until the 31<sup>st</sup> March 2023 to chair the Audit and Scrutiny Committee.
  - b) Agree to delegate responsibility for instigating a recruitment process for a new independent chair to the Chief Executive and Executive Directors in consultation with the Leader of the Council, the Depute Leader of the Council and the Leader of the largest Opposition Group.
  - c) To note that any final decision on appointment to the position of Chairperson will be a matter for Council.

**3. DETAIL**

- 3.1 Martin Caldwell was appointed to the role of Vice-Chair of the Audit Committee following agreement of the Council in August 2010 and was then appointed to

Chair by the Appointments Panel, through delegated powers of the Council, in February 2013. His term office is due to expire on 30 June 2022.

- 3.2 In order to secure continuity of chairmanship it is proposed that the current term of office be extended until 31<sup>st</sup> March 2023 to support transition arrangements for the new council and to facilitate arrangements for recruitment of a replacement Chairperson.
- 3.3 Mr Caldwell has confirmed he would accept the Council's invitation to continue to chair the Audit and Scrutiny Committee and looks forward to contributing and supporting the independent assurance and scrutiny arrangements of the Council. In agreeing to this the Council has retained the valuable knowledge and experience of a non-councillor member.
- 3.4 There is no remuneration for this appointment beyond the reimbursement of expenses.
- 3.5 The Council is invited to delegate arrangements for the recruitment process to identify a replacement Chairperson to the Chief Executive and Executive Directors in consultation with the Leader of the Council, the Depute Leader of the Council and the Leader of the largest Opposition Group. In accordance with the Council Constitution the approval of such an appointment is a matter reserved for Council and as such will be reported back to Council in due course.

#### **4. CONCLUSION**

- 4.1 It is recommended that In order to secure continuity of independent chairmanship of the Audit and Scrutiny Committee that the current term of office for Martin Caldwell be extended until 31<sup>st</sup> March 2023. This will support transition arrangements for the new council and facilitate arrangements for recruitment of a replacement Chairperson.

#### **5.0 IMPLICATIONS**

- 5.1 Policy – None directly but the appointment of an independent chair is recognised as good practice and promotes openness and transparency.
- 5.2 Financial – There is no remuneration package associated with this appointment, with the exception of reasonable travelling and subsistence expenses.
- 5.3 HR – None
- 5.4 Fairer Scotland Duty:  
Equal Opportunities – None  
Socio Economic Duty – None known.  
Islands - none
- 5.5 Legal – None.

5.6 Risk – None.

5.7 Customer Service – None.

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**

**12<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support, Tel: 01546 604322 email: [David.Logan@argyll-bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)

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**ARGYLL AND BUTE COUNCIL****COUNCIL****LEGAL AND REGULATORY SUPPORT****19 MAY 2022**

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**APPOINTMENT OF PERSONS INTERESTED IN THE PROMOTION OF  
RELIGIOUS EDUCATION**

---

**1.0 INTRODUCTION**

- 1.1 This report provides information about the appointment of 3 persons interested in the promotion of religious education to any Committee of the Council to which the functions of the Council as education authority are delegated. The Council is required to have as members of such a Committee one person appointed by the Church of Scotland, one person appointed by the Roman Catholic Church, and a third person in the selection of whom a Council should have regard to the comparative strength of the churches and denominational bodies within their area.

**2.0 RECOMMENDATIONS**

The Council is invited:-

- 2.1 To confirm the appointment of Reverend Sandy MacPherson as a member of the relevant Committee (as nominated by Church of Scotland's Faith Impact Forum).
- 2.2 To confirm the appointment of Margaret Anderson as a member of the relevant Committee (as nominated by the Roman Catholic Diocese of Argyll and the Isles)
- 2.3 To continue to seek a nomination to be a member of the relevant Committee from the Scottish Episcopal Church Diocese of Argyll & the Isles.
- 2.4 To note that the appointment of the 3 persons is conditional on the terms and requirements of the Councillors Code applying to those appointments.

**3.0 DETAIL**

- 3.1 Section 31 of the Local Government etc. (Scotland) Act 1994 requires a local authority to appoint to any Committee of the Council to which the functions of the Council as education authority are delegated 3 persons as described in the section as follows:-

- (a) One representative of the Church of Scotland.
- (b) One representative of the Roman Catholic Church.

- (c) One person in the selection of whom the Authority shall have regard (taking account of the representation of Churches under paragraphs (a) and (b) above) to the comparative strength within their area of all the churches and denominational bodies having duly constituted charges or other regularly appointed places of worship there.

3.2 During the life of the last Council, the 3 representatives came from the Church of Scotland, the Roman Catholic Church and the Scottish Episcopal Church. It is not considered in relation to (c) above that the comparative strength of the denominational bodies within the Council area has changed.

3.3 On the assumption that the Council will establish a Committee to which education functions will be delegated (although this is dependent on decisions the Council may take in relation to Political Management Arrangements) nominations have been sought from these three denominational groups. The Scottish Episcopal Church has yet to make a nomination, The Church of Scotland has nominated Reverend Sandy MacPherson and the Roman Catholic Church has nominated Margaret Anderson.

#### **4.0 CONCLUSION**

4.1 The Council is invited to note the requirements of Section 31 of the Local Government etc. (Scotland) Act 1994 with regards to the functions of the Council as education authority and to confirm the appointments as specified within the report.

#### **5.0 IMPLICATIONS**

5.1 Policy – representatives have a role in relation to oversight of education policy.

5.2 Financial – posts are not remunerated

5.3 Legal – meets requirements of Local Government etc. (Scotland) Act 1994.

5.4 HR – none.

5.5 Fairer Scotland Duty:

5.5.1 Equalities – supports council in addressing equality duties.

5.5.2 Socio Economic Duty – None known.

5.5.3 Islands - none

5.6 Climate Change - none

5.7 Risk – none.

5.8 Customer Service – none.

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**

**10<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support, Tel: 01546 604322 email: [David.Logan@argyll-bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)

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**ARGYLL AND BUTE COUNCIL**  
**LEGAL AND REGULATORY**  
**SUPPORT**

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**COUNCIL**  
**19 MAY 2022**

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## **APPOINTMENT OF TEACHER REPRESENTATIVES**

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### **1.0 INTRODUCTION**

- 1.1 While the Council is required to appoint 3 persons interested in the promotion of religious education to any Committee to which the Council delegates any of its functions as education authority, they have a discretion, but not an obligation, to appoint up to 2 representatives of teaching staff to such a Committee.

The Council in the past has appointed as non-voting members, 2 teacher representatives nominated by the teachers serving within the Education Service. The Executive Director with responsibility for Education Services arranges to take nominations and to hold an election, if appropriate.

### **2.0 RECOMMENDATION**

The Council is invited to consider whether they wish to appoint as non-voting members, 2 teacher representatives, and if so, invite the Executive Director with responsibility for Education Services to make the necessary arrangements and report back to any Committee the Council establishes, with delegated powers to that Committee to appoint the persons nominated to the Committee.

### **3.0 IMPLICATIONS**

- 3.1 Policy – none
- 3.2 Financial – none
- 3.3 Legal – none
- 3.4 HR – time commitment of staff at committee
- 3.5 Fairer Scotland Duty:
  - 3.5.1 Equalities – none
  - 3.5.2 Socio Economic Duty – None known.
  - 3.5.3 Islands - none
- 3.6 Climate Change - none
- 3.7 Risk – none
- 3.8 Customer Service - none

**Douglas Hendry**  
**Executive Director with responsibility for Legal and Regulatory Support**  
**10<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and  
Regulatory Support, Tel: 01546 604322 email: [David.Logan@argyll-  
bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)



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**ARGYLL AND BUTE COUNCIL**  
**LEGAL AND REGULATORY**

**COUNCIL MEETING**  
**19 MAY 2022**

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**APPOINTMENTS TO STATUTORY BOARDS/JOINT COMMITTEES**

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**1.0 INTRODUCTION**

- 1.1 This report sets out the detail of the Statutory Boards and Joint Committees that the Council is represented on.

**2.0 RECOMMENDATION**

The Council should make the following appointments for the period up to the next ordinary elections of Councillors:-

**2.1 Scotland Excel**

The Council is invited to appoint one substantive Member and one substitute Member.

**2.2 Dunbartonshire and Argyll and Bute Valuation Joint Board**

The Council is invited to appoint five Members and up to a further five substitute Members, specifying the order in which they are to be called as substitutes.

**2.3 Highlands and Islands Integrated Transport Partnership (HITRANS)**

The Council is invited to appoint one substantive Member and one substitute Member.

**2.4 Strathclyde Concessionary Travel Scheme Joint Committee**

The Council is invited to appoint one substantive Member and one substitute Member.

**2.5 Strathclyde Partnership for Transport and Strathclyde Passenger Transport Authority**

The Council is invited to appoint one substantive Member and one substitute Member.

**2.6 West of Scotland European Forum**

The Council is invited to appoint one substantive Member and one substitute Member.

**2.7 Argyll and Bute Health and Social Care Integration Joint Board (IJB)**

The Council is invited to appoint 4 members to sit on the Argyll and Bute Health and Social Care Integration Joint Board (IJB) noting that one of the members will require to take on the Chair/ Vice chair role on a rotational basis with an NHS appointee.

**5.0 CONCLUSION**

5.1 The report lists the Statutory bodies and organisations on which the Council is currently represented and to which it will require to consider new appointments following the Local Government Elections in May 2022.

**6.0 IMPLICATIONS**

6.1 Policy - It is in keeping with the Council's policy to participate fully in these Boards.

6.2 Financial - The costs of travel and subsistence of Members in attending meetings of these bodies is met by the Council except where the body has its own allowances scheme.

6.3 Legal

6.4 HR

6.5 Fairer Scotland Duty:

6.5.1 Equalities – none

6.5.2 Socio Economic Duty – None known.

6.5.3 Islands - none

6.6 Risk

6.7 Customer Service

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**

**10<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support, Tel: 01546 604322 email: [David.Logan@argyll-bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)

## APPENDIX 1

### MEMBERSHIP OF STATUTORY BOARDS/JOINT COMMITTEES MAY 2022

<b>OUTSIDE BODY/ ORGANISATION</b>	<b>NO OF APPOINTMENTS</b>	
<b>Scotland Excel</b>	1 rep	Scotland Excel is the centre of procurement enterprise for the local government sector. Is a leading non-profit shared service funded by local authorities. A joint committee constituted under Section 57 of the Local Government (Scotland) Act 1973.  Essential appointment.
<b>Dunbartonshire and Argyll &amp; Bute Valuation Joint Board</b>	5 reps & up to 5 subs	VJB considers matters relating to: the compilation and maintenance of Registers of Electors; the maintenance of the Council Tax Valuation Lists; the compilation and maintenance of Valuation Rolls used for Non Domestic Rating purposes.  Created by statute, its standing orders require that Argyll and Bute Council appoints 5 elected Members to the VJB. Desirable but not essential for up to 5 sub members to be appointed.  Members of VJB ordinarily attend 3 or 4 meetings of the JB per year and may occasionally also be required to attend meetings of any sub-committees which are established.
<b>HITRANS Regional Transport Partnership for the Highlands and Islands</b>	1 rep  1 sub	Partnership required to have Councillor Members appointed by and from each Constituent Council of the Partnership – Argyll and Bute, Highland, Moray, Orkney Isles and Western Isles Councils. Elected Member will represent their council attending meetings of the Partnership, or of any of its committees or sub committees and will have voting rights in decision making at these meetings. Substitute Members to attend meetings of Partnership, or of any of its committees or sub committees, in the absence of Councillor Member appointed to the Partnership by that Council.
Strathclyde Concessionary Travel Scheme Joint Committee	1 rep  1 sub	Comprises the 12 councils within the west of Scotland and oversees the operation of the concessionary fares scheme for public transport within the area.

<b>Strathclyde Partnership for Transport and Strathclyde Passenger Transport Authority</b>	1 rep  1 sub	<p>Regional Transport Authority charged by statute of the planning and delivery of Regional Transport Strategy (RTS) and Integrated Transport across former Strathclyde Area.</p> <p>Essential Appointment. Decision making capacity as a nominated rep on a Regional Transport Authority, so interest in public transport.</p> <p>Attendance at 4 partnership meetings per annum plus a full calendar of committees, in person at 131 St Vincent Street or via Video Conference.</p>
<b>West of Scotland European Forum</b>	1 rep  1 sub	<p>Joint body of the 12 local authorities in the (ex Strathclyde) region plus Strathclyde Partnership for Transport. Meets a min of twice per year. Aims of Forum are: to identify EU/Brexit issues of relevance to Forum member authorities; to monitor and make representations on replacements for EU funding in the region, especially in relation to economic and social regeneration; and to work with other networks/organisations with compatible objections. Role of Elected Member is to contribute to the Forum's Policy Development, Advocacy and networking activities. Knowledge of external funding/economic development would be of particular relevance.</p>
<b>Argyll and Bute Health and Social Care Integration Joint Board (IJB)</b>	4 reps	<p>Argyll &amp; Bute IJB is the Independent Public Body governing the Argyll &amp; Bute Health and Social Care Partnership of which the Council is a partner.</p> <p>Members are expected to attend 6 bi-monthly IJB public meetings and 12 monthly IJB development sessions. Elected Members are also required to attend and participate in the formal governance structure as members of the Finance and Police, Audit and Risk and Clinical and Care Governance Committee and the Strategic Planning Group. Members will have the responsibility of ensuring the legal duties allocated to the public body are delivered. The IJB is also responsible for approval of strategic decisions and documents and direction to partners where required.</p> <p>The Chairperson and Vice Chairperson of the IJB will be drawn from the NHS Board and the Council voting members of the Integration Joint Board. If a Council member is to serve as Chairperson then the Vice Chairperson will be a member nominated by the NHS Board and vice versa. The appointment to Chairperson and Vice Chairperson is time limited to a</p>

		period not exceeding two years and carried out on a rotational basis between Council and NHS Board appointed Chairperson, as agreed in the Integration Scheme.
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**ARGYLL AND BUTE COUNCIL****COUNCIL****LEGAL AND REGULATORY SUPPORT****19 MAY 2022**

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**APPOINTMENT OF MEMBERS TO LICENSING BOARD**

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**1. BACKGROUND**

- 1.1 The administration and regulation of liquor licensing is the responsibility of a Licensing Board which is a completely separate and distinct entity from the Council. At its first statutory meeting, however, it is the responsibility of the Council to appoint Members to the Licensing Board.
- 1.2 The Licensing (Scotland) Act 2005 requires the Council to appoint Members to a Licensing Board.

**2. RECOMMENDATIONS**

- 2.1 Appoint at least five and not more than ten Councillors from the Regulatory Cohort to be members of the Argyll and Bute Licensing Board.

**3. DETAIL**

- 3.1 The Licensing (Scotland) Act 2005 requires this Council to appoint Members to a Licensing Board. Since 2007 there has been one Licensing Board covering the whole of the Argyll and Bute area and ten Members have been appointed to this Board from the Members of the Regulatory Cohort. Schedule 1 of the 2005 Act provides that a Licensing Board must consist of at least five, and not more than ten members
- 3.2 The Council must have regard to the following when giving consideration to appointment to a Licensing Board. A Councillor is disqualified from being a member of a Board if the Councillor is
- (a) The holder of a licence
  - (b) An employee of a licence holder and works as such in licensed premises
  - (c) Whether alone or in partnership with another person, is engaged in the business of producing or selling alcohol
  - (d) A Director or other Officer of a company so engaged, or
  - (e) An employee of any person so engaged and works as such

in that business.

- 3.3** The next meeting of the Argyll and Bute Licensing Board is expected to take place on 28 June 2022.

#### **4.0 IMPLICATIONS**

- 4.1 Policy – None
- 4.2 Financial – None
- 4.3 Legal- The Council is required to appoint members to a Licensing Board.
- 4.4 HR – none.
- 4.5 Fairer Scotland Duty:
  - 4.5.1 Equalities – none.
  - 4.5.2 Socio Economic Duty – None known.
  - 4.5.3 Islands – none
- 4.6 Climate Change - none
- 4.7 Risk – none.
- 4.8 Customer Service – none.

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**

**11 May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support .Tel. 01546 604322; email: [david.logan@argyll-bute.gov.uk](mailto:david.logan@argyll-bute.gov.uk).



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**ARGYLL AND BUTE COUNCIL****COUNCIL****LEGAL AND REGULATORY  
SUPPORT****19th May 2022**

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**MEMBERSHIP OF COSLA (CONVENTION OF SCOTTISH LOCAL AUTHORITIES)**

---

**1. EXECUTIVE SUMMARY**

- 1.1** Argyll and Bute Council is currently a member of the Convention of Scottish Local Authorities (COSLA) and, as such, is entitled to appoint three Members to the Convention.
- 1.2** The report includes details of the first COSLA Leaders' meeting due to take place after the Scottish Local Government Elections in May 2022, and the Convention meeting which will include the election of COSLA's President and Vice President, along with the appointment of COSLA Spokespersons.
- 1.3** COSLA's Constitution sets out that each council's delegations to the Convention must reflect its balance of party-political representation.
- 1.4** Accordingly, Argyll and Bute Council is invited to appoint three representatives to the Convention for the period up to the next Scottish Local Government Elections, taking into account the guidance from COSLA in relation to reflecting party political balance.
- 1.5** The Council is also invited to consider its position in relation to nominations for the appointment of COSLA's President and Vice President.
- 1.6** Finally, the Council is asked to consider whether it wishes to identify, at this time, nominations for each of COSLA's Policy Boards.

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**ARGYLL AND BUTE COUNCIL**

**COUNCIL**

**LEGAL AND REGULATORY  
SUPPORT**

**19 May 2022**

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**MEMBERSHIP OF COSLA (CONVENTION OF SCOTTISH LOCAL AUTHORITIES)**

---

**2. INTRODUCTION**

- 2.1** Argyll and Bute Council is currently a member of the Convention of Scottish Local Authorities (COSLA) and, as such, is entitled to appoint three Members to the Convention.

**3. RECOMMENDATIONS**

**The Council is invited:**

- 3.1** To appoint three representatives to the Convention for the period up to the next Scottish Local Government Elections, having regard to the guidance from COSLA that the delegation should reflect the balance of party political representation within the council;
- 3.2** To note that the Leader of the Council will be a Member of the COSLA Leaders' Group;
- 3.3** To consider its position in relation to nominations for the roles of President and Vice President of COSLA;
- 3.4** To consider whether to identify, at this time, nominations for representation on each of COSLA's Policy Boards.

**4. DETAIL**

- 4.1** The Council will require to appoint three representatives to COSLA for the period up to the next Scottish Local Government Elections. COSLA's Constitution requires that each council's delegation should reflect its balance of party political representation when making these appointments. COSLA recognises that its member Councils have a range of

arrangements, including formal and informal coalitions and partnerships, and would wish to allow each Council to reach its own view on what is a balanced delegation. It has been usual practice to include the Leader of the Council in the Convention nominations. COSLA has asked that member Councils provide their Convention nominations ideally by 27<sup>th</sup> May but certainly as far as possible in advance of the first meeting.

- 4.2** The Leader of the Council will be a Member of the COSLA Leaders' Group. The first COSLA Leaders' meeting after the elections is due to take place on Friday 27<sup>th</sup> May 2022.
- 4.3** The first COSLA Convention meeting after the election is scheduled for Friday 17<sup>th</sup> June 2022. The President and Vice President will be appointed at this meeting, following nominations made by Convention members. Nominations for COSLA Spokespersons and various outside bodies will also be approved then, once the political balance of the Convention is established.
- 4.4** Once COSLA has determined its political appointments of president, Vice President and Spokespersons, it will write to its member councils seeking a representative to sit on each of its Policy Boards (Environment and Economy; Children and Young People; Community Wellbeing; and Health and Social Care). Policy Board meetings are unlikely to take place before August. However, COSLA has indicated that if member Councils wish, they can notify their Policy Board representations at the same time as their Convention delegations.
- 4.5** The full detail of COSLA's process for establishing its political administration, making its appointments and its requirements of member Councils in this regard is provided in the letter from COSLA's Chief Executive to Argyll and Bute Council as of 4<sup>th</sup> May and attached as Appendix 1.

## **5. CONCLUSION**

- 5.1** This report sets out the requests made to the Council by COSLA as part of the process for establishing the COSLA Administration and ensuring that Argyll and Bute Council is represented on the Convention and other COSLA groups as set out in COSLA's Constitution. It invites the Council to consider nominations for the various appointments listed within the report.

## **6. IMPLICATIONS**

- 6.1** **Policy** – Representation at COSLA provides an opportunity for Argyll and Bute Council to play a part in discussions at a national level on matters of significance to Scottish local government.

- 6.2 **Financial** – The cost of COSLA Membership is accounted for in the current year’s budget. Travel and subsidence costs incurred by Members appointed to the Convention and any other bodies, in respect of attendance at in-person meetings, are met by the Council.
- 6.3 **Legal** – None
- 6.4 **HR** – None
- 6.5 **Fairer Scotland Duty** – None
  - 6.5.1 **Equalities** - None
  - 6.5.2 **Socio-Economic Duty** - None
  - 6.5.3 **Islands** - None
- 6.6 **Climate Change** – None
- 6.7 **Risk** – None
- 6.8 **Customer Service** - None

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**

**10<sup>th</sup> May 2022**

**For further information please contact Patricia O’Neill, Governance Manager, on [patricia.oneill@argyll-bute.gov.uk](mailto:patricia.oneill@argyll-bute.gov.uk) or 01546 604384**

**Appendix 1 - Letter from the Chief Executive of COSLA**

Dear Chief Executive

## **COSLA GOVERNANCE – KEY INFORMATION REQUIRED FROM COUNCILS**

I write to provide formal notice of the information that COSLA requires in preparation for the process of establishing the new COSLA Administration.

To assist this process, it would be helpful if you could provide us with a suitable contact person within your council.

Details of information and required timelines are set out below.

### **Leaders' Meeting (Friday 27 May 2022)**

<b>Information Required</b>	<b>Deadline</b>	<b>Contingency</b>
<u>Council Leader</u> Name Political Group Contact Details	<b>20 May 2022</b>	Council Chief Executive passes papers to the Leader when they are appointed and let us know as soon as possible before the meeting.

- The names of all Leaders (or their substitutes) are required for a normal decision-making meeting.
- Any council which has not appointed a Leader by the meeting date can send an elected member to represent the council's views.
- Substitutes are permitted for Leaders unable to attend.
- This meeting will be in person at COSLA, Verity House, 19 Haymarket Yards, Edinburgh, EH12 5BH

### **Convention Delegations and Presidential Team Nominations**

The President and Vice-President for the new administrative term will be appointed at Convention on **Friday 17 June 2022**. The **deadline for nominations, which can only be made by Convention delegates**, is **Friday 27 May 2022**.

Nominations for Spokespersons and representatives on various outside bodies will also be approved at that meeting.

We will confirm arrangements for voting nearer the time, but the meeting will be held in person at COSLA's offices at Verity House.

<b>Information Required</b>	<b>Deadline</b>	<b>Contingency</b>
<u>COSLA Convention Delegation</u> Name* Political Group* Contact Detail*	<b>27 May 2022</b>	<b>Only Convention delegates can make nominations for President and Vice President.</b>  We can accept details of Convention delegates after this date, but those delegates will not be able to nominate for President and Vice President.

\*(for each delegate)

- Each council has a defined number of delegates. Our Constitution requires that those delegations must reflect the balance of party-political representation within the council.

To avoid missing the opportunity to nominate and elect key positions in COSLA, councillors will need to be aware that:

- Convention delegates (rather than councils) nominate for the posts of President and Vice President of COSLA.
- The deadline for these nominations is 27 May 2022 (3 weeks in advance of the meeting) and this cannot be varied.
- The outcome of the vote must result in gender balanced appointments as per the Constitution.
- Nominees do not need to be Convention delegates.
- Consideration should be given to the fact that eligibility of nominations for Vice-President will depend on the gender of the newly elected President.
- Crucially, COSLA cannot appoint any Spokespersons until the political balance of the Convention is established. This is dependent on receiving all the council delegations for Convention.
- While named delegates are preferred to allow nominations for the President and Vice President, as early as possible an indication of the proposed political make-up of your delegation would be helpful.
- Once the political balance on the full Convention is clear, the Groups (via COSLA Political Group Leaders) will be advised of any Spokesperson vacancies available to them, invited to agree the division of portfolios and agree the nominations for Spokespersons. This must also be gender balanced and, in the past, this has all been achieved by consensus between Group Leaders.
- We want to ensure that everyone who is entitled to vote at the Convention meeting secures that right.
- This process takes time and is the reason we press for your Convention delegations as soon as practicable.

## **Appointments to Boards and other groups and bodies**

Once the political posts of President, Vice-President and Spokespersons have been determined by Convention, we will write to you seeking a representative on each of our Boards.

- The establishment of the Boards is subject to fewer constitutional requirements and the timescales are more flexible. It is unlikely that the Boards will start meeting before August. As in the past, though, your potential representatives can be notified at the same time as your Convention delegations.
- A small number of COSLA political appointments, such as to COSLA's Audit Group and to some outside bodies, will be handled at the Convention meeting in June. These will be discussed with COSLA Political Group Leaders in advance of that meeting.

I hope that the above is helpful in submitting the required information to COSLA but if you would like any further information, please just let me know.

Wishing you all the best for the next 2 days!

A handwritten signature in dark ink, appearing to be 'Sally Loudon', written on a light-colored background. The signature is cursive and somewhat stylized, with a vertical line on the left side of the 'S' and a horizontal line extending to the right.

Sally Loudon,  
**Chief Executive, COSLA**

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**ARGYLL AND BUTE COUNCIL****COUNCIL****LEGAL AND REGULATORY  
SUPPORT****19 May 2022**

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**APPOINTMENTS TO OUTSIDE BODIES/ORGANISATIONS**

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**1. INTRODUCTION**

- 1.1 This report sets out a list of outside bodies and organisations to which the Council is invited to make appointments.

**2. RECOMMENDATIONS**

- 2.1 The Council is invited to consider whether or not it wishes to make appointments to any of the outside bodies/organisations listed in Appendix 1 and to make such appointments at this meeting as appropriate.
- 2.2 The Council is asked to instruct the Governance Manager to prepare a report for the first meetings of all Area Committees with details of area-based outside bodies to which the Committee may wish to make appointments.

**3. MEMBERSHIP OF OUTSIDE BODIES AND ORGANISATIONS**

- 3.1 It has been the Council's practice to appoint members to a range of outside bodies and organisations. Members are now invited to make appointments on the basis of the detail in the schedule attached as Appendix 1.

**4. IMPLICATIONS**

- 4.1 **Policy** – This is in keeping with the Council's commitment to working in partnership with other agencies to benefit the people and communities of Argyll and Bute.

- 4.2 **Financial** – The Council will incur costs arising from Elected Members' participation in some meetings, except where the body has its own allowances scheme.
- 4.3 **Legal** – None
- 4.4 **HR** – None
- 4.5 **Fairer Scotland Duty:**
  - Equalities** – None
  - Socio-Economic Duty** – None
  - Islands** – None
- 4.6 **Climate Change** - none
- 4.7 **Risk** – None
- 4.8 **Customer Service** – None

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**

**10<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support,  
Tel: 01546 604322 email: [David.Logan@argyll-bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)

**Appendix 1 – List of Outside Bodies and Organisations with detail on representation**

**APPENDIX 1****OUTSIDE BODIES/ORGANISATIONS MAY 2022**

<b>OUTSIDE BODY/ ORGANISATION</b>	<b>CONTACT NAME AND ADDRESS</b>	<b>NO OF APPOINTS</b>	<b>DESCRIPTION</b>
NHS Highland Board	Ruth Daly, Board Secretary NHS Highland Assynth House Beechwood Park Inverness, IV2 3BW 01463407810 <a href="mailto:Ruth.daly@nhs.net">Ruth.daly@nhs.net</a>	1 nominee	Accountable to the Secretary of State through the SE Health Department – the Board governs the accountability and performance of NHS Highland.
<b>University of the Highlands and Islands Foundation Committee</b>	Professor Clive Mulholland Principal and Vice-Chancellor University of the Highlands and Islands Executive Office Ness Walk Inverness IV3 5SQ	1 rep	The University of Highlands and Islands Project was established in 1992 with the aim of creating a University which would reach the smallest communities in remote regions. In 2001 the project was designated as a higher education institute and currently has in the region of 5000 students throughout the Highlands and Islands offering in excess of 100 Undergraduate and Postgraduate courses.
<b>SOILLSE National Network for Gaelic Research – Consultative Committee</b>	Professor Clive Mulholland Principal and Vice-Chancellor University of the Highlands and Islands, Executive Office, Ness Walk, Inverness IV3 5SQ	1 rep	Recently established project which aims to provide an enhanced research capacity to inform public policy towards the maintenance and revitalisation of the Gaelic language and culture. Committee will meet once per year.

<b>Ionad Chaluum Chille Ìle (ICCI), the Gaelic Centre based in Islay.</b>	Neil Woodrow – Manager  Islay Gaelic Centre Gartnatra, Bowmore Islay <a href="mailto:Nw.smo@uhi.ac.uk">Nw.smo@uhi.ac.uk</a>  Tel: 01496 810818	1 rep	A Gaelic Language and Heritage Centre based in Islay which is also used as the main community hub on the island.  Looking for a Director to sit on our Board of Directors. As we are a charity this person would also be a charity trustee.  There are approx. 4 formal meetings a year plus a couple of informal meetings.  As we are a Gaelic Centre we would wish the Member to be a Gaelic speaker.
<b>PA23 BID LTD t/a Dunoon Presents</b>	C/o Stewart and Bennett 82 Argyll Street Dunoon PA23 7NJ 01369702885 info@pa23.org.uk	1 rep	Business Improvement District (BID) – funded by stakeholders from private and public sector. The Council are entitled to appoint an elected member to the BID Board. It would be an asset to have an elected Member on the BID Board who could assist in dealings with Council depts. As and when required and also to assist at a strategic level when the need is evident.
<b>Isle of Bute BID - Board</b>	the <b>Isle of Bute BID, 43 Montague Street, Rothesay, Isle of Bute PA20 0BU Tel. No. 01700 503971</b> or E-mail to <a href="mailto:info@butebid.com">info@butebid.com</a>	1 rep	In accordance with the Isle of Bute BID proposal and BID Business Plan. The Board will include two representatives from Argyll & Bute Council, one Elected Member and one Officer.
<b>Nadair Trust (Scottish Natural Heritage)</b>	<b>Colin MacFarlane, Operations Manager (Argyll &amp; Outer Hebrides)</b>  <a href="mailto:Colin.macfarlane@nature.scot">Colin.macfarlane@nature.scot</a>	1 rep	The Council has received an invitation from Scottish Natural Heritage to appoint a representative to the re-established Nadair Trust. Last appointment was 2012 (L Scoullar). The Nadair Trust, limited company and charity (Company No. SC206844), was the delivery vehicle for the 2 phases of National Heritage Memorial Fund (NHMF) projects focused on the Argyll Islands. The projects were completed to in 2008. They would like to work with former Partner Members to put appropriate governance in place, confirm legacy commitments and decide what to do with the remaining funds.
<b>Argyll &amp; Bute Local Biodiversity Partnership</b>	Marina Curran-Colthart Municipal Buildings Albany Street Oban PA34 4AW <a href="mailto:Marine.curran-colthart@argyll-bute.gov.uk">Marine.curran-colthart@argyll-bute.gov.uk</a>	1 rep along with Local Biodiversity Officer.	This has a membership of 31 organisations and a number of individuals which monitors the Local Biodiversity Action Plan. The plan seeks to manage and conserve our wealth of habitats and species which are under threat. The role of an elected Member is to act as leader to ensure that the refresh of the LBAP happens. The profile of an elected Member should include an interest in nature and an understanding of biodiversity, its function and its importance in terms of off-setting the effects of climate change.
<b>Argyll, Lomond and The Islands Energy</b>	Allenergy, Lorn House, Albany Street, Oban	2 reps	Allenergy's focus is the alleviation of fuel poverty. Their activities cover affordable warmth, local energy projects and education activities.

<b>Agency (Allenergy) – Board of Directors</b>	PA34 4AR <a href="mailto:enquiries@alienergy.org.uk">enquiries@alienergy.org.uk</a>		Members of the Board of Directors meeting once a quarter.
<b>Argyll and Bute Renewables Alliance (ABRA)</b>	<b>ABC</b> Audrey Martin Development & Infrastructure	1 rep	Brings together key public and private sector partners to ensure greater awareness of issues around renewable development in the area, and to assist in the delivery of the Renewable Energy Action Plan
<b>Argyll and the Isles Coast and Countryside Trust</b>	ACT@Blarbuie, Blarbuie Road, Lochgilphead, Argyll, PA31 8LE. <a href="http://www.act-now.org.uk">www.act-now.org.uk</a> <a href="mailto:julie@act-now.org.uk">julie@act-now.org.uk</a>  07920 083857	1 rep  Not an essential appointment.	ACT work in partnership with communities, public agencies, third sector and private organisations to design and implement projects that make a difference to people and landscapes. We cover a diverse and exciting range of topics, including conservation, climate change, tourism, education and health and wellbeing, that all contribute to achieving our vision of a coastal and countryside environment that is valued and enjoyed by everyone. Our Board has overall responsibility for ACT and guiding our activities. There can be up to 12 members - up to four agency representatives and eight community representatives. The Board meets quarterly, with occasional meetings in between times. Each of our projects has a Steering Group, which usually includes a Board member. ACT has regular events which Board members are invited, although not obligated, to attend.
<b>KIMO (Kommuners International Kiljorganisation)</b>	Secretariat Mr John Mouat KIMO, Western Isles Council 38 Francis Street Stornoway Isle of Lewis HS1 2NF	1 rep	Campaigns on marine pollution issues affecting coastal communities, exchanging information on effective pollution prevention, clean up operations and sustainable development. It currently has 128 members from 10 European communities and lobbies national Governments, the European Commission and others to take effective actions on issues affecting Northern Seas.
<b>Loch Lomond and the Trossachs National Park Authority Board</b>	Nominations made to: Helen Jones Scottish Executive Rural Directorate Landscapes and Habitats Division Victoria Quay Edinburgh EH6 6QQ Tel. 0131 244 6516  Cc letter to	2 nominees	Has 17 members appointed by Scottish Executive. Its purpose is to deliver the 4 statutory aims of the National Park in a collective and coordinated way. Aims: to conserve and enhance the natural and cultural heritage; promote sustainable use of natural resources of area; promote understanding and enjoyment of special qualities of area; and promote sustainable social and economic development of the communities of the area.  The nominees must appear to the Council to have knowledge or experience relevant to the functions of the National Park Authority or the National Park, as required by the National Parks (Scotland) Act 2000; Schedule 1 section 6(3).  One of the nominees appointed must be local. The Scottish Ministers may only appoint a person as a local member if, that person's sole or main residence is within the National

	<a href="mailto:sharon.mcintyre@lochlomond-trossachs.org">sharon.mcintyre@lochlomond-trossachs.org</a> <b>Sharon McIntyre</b> <b>Committee Officer</b> <b>Loch Lomond &amp; The Trossachs National Park</b> Direct: 01389 722017		<p>Park, or the person is a Councillor for an electoral ward, or is a member of a community council, any part of whose area is in the National Park.</p> <p>The nominees should have no financial or other interest which is likely to affect prejudicially the person's performance as a member of the National Park Authority.</p>
<b>Scottish Liaison Group on Radioactive Waste Management</b>	Mr Rod Crawford Corporate Planning Dundee City Council 21 City Square Dundee DD1 3BY	1 rep	To provide a mechanism to identify a common, Scottish local authority viewpoint on radioactive waste management issues; to act as an interface with the Scottish Executive, Scottish Parliament and regulatory bodies as they consult on radioactive waste management and clean-up policy and practice; and to influence national policy on radioactive waste management in the interests of the communities affected
<b>Scottish Councils Committee on Radioactive Substances</b>	Renfrewshire Council Renfrewshire House Cotton Street Paisley <a href="mailto:Elaine.currie@renfrewshire.gov.uk">Elaine.currie@renfrewshire.gov.uk</a>	1 elected Member and 1 Officer	<p>Established in 2008. Remit – to provide a mechanism to identify a common, Scottish local authority viewpoint on matters relating to radioactive substances, in particular waste management; to act as interface with the Scottish Government, Scottish Parliament and regulatory bodies as they consult on radioactive waste management and clean up policy and practice; and to influence national policy on radioactive waste management in the interests of the communities affected.</p> <p>Appointment essential.</p>
<b>West of Scotland Archaeology Service Joint Committee</b>	Maureen Hughes Committee Services Section, Glasgow City Council, 4 <sup>th</sup> Floor, 40 John Street, Glasgow, G2 1DU 01412874377 <a href="mailto:Maureen.hughes@glasgow.gov.uk">Maureen.hughes@glasgow.gov.uk</a>	1 rep 1 sub	<p>In accordance with Section 56 and 57 of the Local Government (Scotland) Act 1973 the Member Councils have made arrangements for the joint discharge of certain functions and have agreed to appoint a Joint Committee for the purpose of carrying out those functions and to advise them on matters relating to the discharge of certain functions. The Members Councils have agreed to enter into a Minute of Agreement to protect and further their respective Planning related archaeological interests, to further co-operation in the protection and monitoring of the archaeological resources and to strive for uniform compliance with the requirements of all relevant legislation and Central Government guidance.</p> <p>Members of the Joint Committee are responsible for ensuring that the work of the archaeology joint service is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. The Joint Committee is composed solely of elected members from the member councils, and shares the statutory duties set out under the Local Government in Scotland Act 2003.</p>
<b>Clyde Marine Planning Partnership</b>	<b>ABC</b> Marine & Coastal	1 rep	Formally established on 10 Feb 2016 by the Firth of Clyde Forum. Set up to develop a statutory Regional Marine Plan for the Firth of Clyde.

	<p>Manager, Argyll &amp; Bute Council Lorn House Albany Street Oban</p>		
<b>Local Plan Flood Districts</b>	<p>Clyde and Lomond Local Plan District Joint Committee – <a href="mailto:carol.jack@glasgow.gov.uk">carol.jack@glasgow.gov.uk</a> (Committee Officer)</p> <p><a href="mailto:David.hay@glasgow.gov.uk">David.hay@glasgow.gov.uk</a> (Lead Officer)</p> <p>Committee Services City Chambers 40 John Street Glasgow G2 1DU</p> <p>Highland / Argyll – <a href="mailto:Alan.Fraser@highland.gov.uk">Alan.Fraser@highland.gov.uk</a> or <a href="mailto:frm@highland.gov.uk">frm@highland.gov.uk</a></p> <p>The Highland Council Project Design Unit Council Offices Dingwall IV15 9QN 01349 868812 / 800 Arthur McCulloch (ABC)</p>	2 reps	<p>The Local Plan Flood District Joint Committees require 1 Member to be appointed to each Committee as follows:-</p> <p>Clyde and Lomond Local Plan District Joint Committee – 1 Member</p> <p>Highland/Argyll District Joint Committee – 1 Member</p> <p>The Members appointed to either Joint Committee can substitute for the other if/when required.</p>
<b>Argyll &amp; Bute Care &amp; Repair Agency</b>	<p>Steve Clarkson Co-ordinator Argyll &amp; Bute Care &amp; Repair Agency 120 George Street Oban PA34 5NT Tel. 01631 567780</p>	2 reps	<p>Argyll &amp; Bute Care &amp; Repair (ABCR) is part of a nationwide network of organisations to help the elderly and/or disabled in the private sector remain in their homes in the community by helping with repair, maintenance, improvement or adaptation.</p>
<b>Fyne Homes Group</b>	<p>Sharon Cole, Business Service Director, Fyne Homes Ltd</p>	1 rep	<p>Registered Social Landlord operating in Bute, Cowal, Mid Argyll and Kintyre providing rental, shared ownership and shared equity properties.</p> <p>Committee members primary responsibilities are:</p>

	81-89 Victoria Street Rothesay Isle of Bute PA20 0AP <a href="mailto:postmaster@fynehomes.co.uk">postmaster@fynehomes.co.uk</a> 03456077117		<ul style="list-style-type: none"> <li>• Lead and direct the Association's work.</li> <li>• Promote and uphold Association's values</li> <li>• Control Association's affairs and ensure compliance</li> <li>• Uphold Association's Code of Conduct and promote good governance.</li> </ul> <p>Members are expected to attend 8 meetings per annum, each lasting a max of 2 hrs held late afternoon, 2 strategy days per annum, and any required training events. They may also be elected to sub committees which meeting 4 times per annum.</p>
<b>Argyll Community Housing Association (ACHA) Board of Management</b>	ACHA Menzie's House, Glenshellach Business Park, Oban PA34 4RY 01546605970 <a href="mailto:Caren.hendry@achaco.uk">Caren.hendry@achaco.uk</a>	3 substantive reps	<p>ACHA is a community led housing association that will manage all 5,800 Council properties across Argyll and Bute as well as delivering associated housing services. The organisation requires 3 Council nominees for its Board of Management.</p> <p>The Council is also entitled, but not required, to appoint one elected member to each of the 4 area committees. Three of the four area committees currently have elected member representation. The area committees are currently on hold pending a governance review.</p>
<b>Argyll and Bute Area Support Team</b>	Children's Hearings Scotland, 3 <sup>rd</sup> Floor, Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HE  <a href="mailto:Catherine.goodfellow@chs.gov.scot">Catherine.goodfellow@chs.gov.scot</a> also copy in <a href="mailto:fiona.mccallum@argyll-bute.gov.uk">fiona.mccallum@argyll-bute.gov.uk</a> (Depute Clerk to AST)	1 rep.	<p>Local Authority nominees have an overview of the Children's Hearings System and the Children's Panel in their area. They are aware of local issues and act as an important link between the Children's Panel and the local authority elected members and relevant local authority senior officials and departments. They are not directly involved in panel member recruitment, selection, recommendation for appointment or reappointment, or practice observation and review processes undertaken by the AST panel practice advisers. The local authority members may be elected members or officers employed by the local authority who have signed up to the Partnership Agreement with CHS for the AST. The local authority members are accountable to their local authority but in joining the AST they agree to respect the CHS vision, mission and values.</p>
<b>Argyll and Bute Culture and Heritage Assembly (CHArts)</b>	<b>ABC</b> Arlene Cullum	1 rep.	<p>Set up by the Council to promote culture and heritage. The objective of CHArts is to be a regional development network for arts, culture and heritage. The development of CHArts is currently funded by Creative Scotland's Place Partnership Programme and the Argyll and the Islands 2014-2020 LEADER Programme, and is managed by Economic Development's Transformation Projects and Regeneration Team.</p> <p>Culture Heritage Arts (CHArts) is now a Scottish Charitable Incorporated Organisation (SCIO) for the sector.</p>



<b>Live Argyll Board (Argyll and Bute Leisure and Libraries Trust)</b>	<b>Live Argyll</b> Kevin Anderson Chief Officer	3 reps	Set up by the Council as a charitable trust to deliver leisure and library services in Argyll and Bute.  3 Members to sit as Board Members on the Live Argyll Board.
<b>The Convention of the Highlands and Islands</b>	Convention Secretariat Enterprise Networks Division Enterprise, Transport & Lifelong Learning Dept, Bank House High Street Cromarty IV11 8UZ	1 rep	The Convention is a meeting between the Executive and its main partner agencies, represented by the Chairperson of each organisation. It is currently held twice yearly, and is hosted by a different local authority each time with the location alternating between a mainland and an island. The Convention is intended to strengthen co-ordination between member organisations, the Executive and other representative bodies to better inform the development and realisation of strategic economic, environmental, cultural and social justice objectives
<b>Programme Monitoring Committee (Highlands and Islands)</b>	Dennis Malone Programme Director Highlands & Islands Partnership Programme, Ness Walk Inverness	1 rep	Following the success of the 1994-99 Objective 1 Programme, the economy of the Highlands & Islands has improved to such an extent that the region is no longer eligible for Objective 1. However, in recognition of the difficulties still being faced by this large, peripheral area, a special transitional programme has been put in place. The Programme Monitoring Committee was established to oversee the strategic implementation of the programme, and includes representatives from the regional bodies, the social partners, the Scottish Executive and the European Commission.
<b>Scottish Islands Federation</b>	<b>ABC</b> Ishabel Bremner Economic Development Manager	2 reps	The aim of the Scottish Islands Federation is to promote, publicise and advance the interests of Scotland's islands.
<b>Islands Strategic Group</b>	Darren Dickson, Scottish Government, St. Andrews House, Regent Road, Edinburgh EH1 3DG 01312440402 <a href="mailto:Darren.dickson@gov.scot">Darren.dickson@gov.scot</a>	1 rep	Established in 2016 in light of the Scottish Government Islands Bill.
<b>Scottish Government Forum Against Poverty</b>	Graham Kerr, Co-ordinator c/o East Renfrewshire Council, 3/1 18 Newburgh Street	1 rep	Forum operating since 1996 and is a cross party network of Scottish local authority elected Members with a specific interest in anti-poverty, inequality and social justice and to develop and share "good practice" in anti-poverty strategy development amongst its Members. Meets 6 times per year. Cost to Councils of annual membership to the Forum is £10 per 1,000 people within local pop up to a max of £3,750.

	Glasgow G43 2XR		
<b>Association for Public Service Excellence (APSE)</b>	APSE Brandon House Hamilton Tel: 01698 459051 E: <a href="mailto:l.melville@apse.org.uk">l.melville@apse.org.uk</a>  01698 459051	1 rep	Is a not for profit local government body working with over 300 councils throughout the UK. It promotes excellence in public services and is the foremost specialist in local authority front line services, housing a network for front line service providers in areas such as waste and refuse collection, parks and environmental services, leisure, school meals, cleaning, housing and building maintenance.  Membership open to all local authorities in the UK who can demonstrate that they are committed to delivering quality cost effective service to their communities. Member local authorities shall normally be represented by members, officers and trade union reps. Voting shall be on the basis on one vote per member authority.
<b>Transport Scotland - A83 Taskforce</b>	George Fiddes Project Manager Transport Scotland Buchanan House 58 Port Dundas Road Glasgow G4 0HF 0141 272 7260 <a href="mailto:Fiona.hannaway@transport.gov.scot">Fiona.hannaway@transport.gov.scot</a>	4 reps	Transport Scotland - The National Transport Agency for Scotland, delivering the Scottish Government's vision for Transport.  Taskforce set up in August 2012 to provide leadership and direction, and ensure the delivery of an emergency diversion route and the wider study into the permanent solution to landslides at the Rest and be Thankful.
<b>Clyde, Kintyre and Islands Ferry Stakeholder Group</b>	HITRANS 2 <sup>nd</sup> Floor Rear, 7 Ardross Terrace, Inverness IV3 5NQ Tel. 01463 719002 <a href="mailto:info@hitrans.or.uk">info@hitrans.or.uk</a>	A minimum of 2 reps.	These groups require to have LA elected Members and/or reps from the relevant Local Ferry Committees. The Tier 1 Ferry Committee will determine and be the sole decision maker to represent community timetable change requests to Cal Mac Ferries Ltd, who consult won behalf of Transport Scotland. These Tier 1 meetings will include requests for any timetable changes or amends relating to integration with other forms of transport, facilities on board or ashore, service performance and information services for users.
<b>Argyll, Lochaber, Skye and Small Isles Ferry Stakeholder Group</b>	HITRANS (as above)	Minimum of 2 reps	As above
<b>West of Scotland Road Safety Forum</b>			Appointment no longer required.

<b>Northern Roads Collaboration Joint Committee</b>	<p>Aberdeenshire Council Committee Services Woodhill House Westburn Road Aberdeen AB16 5GB</p> <p><a href="mailto:Committee.services@aberdeenshire.gov.uk">Committee.services@aberdeenshire.gov.uk</a></p>	<p>2 Substantive reps and 2 substitute reps</p> <p><b>Now Policy Lead and Depute Policy Lead</b></p>	<p>Essential appointment to work collaboratively for the joint discharge of road and road-related functions, including ports and harbours. The Joint Committee comprises elected representatives of the following local authorities:</p> <p>Aberdeen City Council, Aberdeenshire Council, Angus Council, Argyll and Bute Council, Moray Council, Comhairle nan Eilean Siar and The Highland Council.</p> <p>The Joint Committee meetings 4 times per year.</p>
<b>Trustee to the Scottish National War Memorial</b>	<p>COSLA Rosebery House 9 Haymarket Terrace Edinburgh EH12 5XZ</p>	<p>1 nomin. to COSLA</p>	<p>Was established by Royal Charter to commemorate the sacrifice of scots in the Great War, Second World War and subsequent conflicts.</p>

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**ARGYLL AND BUTE COUNCIL**
**COUNCIL****LEGAL AND REGULATORY SUPPORT****19 MAY 2022**


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**EMPLOYEE JOINT CONSULTATIVE COMMITTEE (EJCC)**


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**1. BACKGROUND**

The Council has an Employee Joint Consultative Committee to negotiate conditions of service and other local matters with representatives of the Council's employees. This report invites the Council to note the Constitution of the EJCC and note that elected member representation of the EJCC will be determined by appointments made by Council.

**2. RECOMMENDATIONS**

The Council is invited to note:

- a) the Constitution of the Employee Joint Consultative Committee (attached at **appendix 1**); and
- b) that the elected member representation of the EJCC will be determined by appointments made by Council.

**3. DETAIL**

3.1 The Council has previously resolved to appoint by virtue of their appointed office Members to represent the Council on the Employee Joint Consultative Committee which meets with Unions on a regular basis to consider matters of mutual interest.

3.2 The representation from the Council prior to elections on 5 May 2022 was the Leader of the Council, the Leader of the Opposition and eight Policy Lead Councillors.

**4. IMPLICATIONS**

<b>4.1</b>	Policy	Commitment to working in partnership in relation to policy.
<b>4.2</b>	Financial	None
<b>4.3</b>	Legal	None
<b>4.4</b>	HR	Supports strategic oversight of HR related matters.
<b>4.5</b>	Fairer Scotland Duty	None
<b>4.5.1</b>	Equalities – protect characteristics	None
<b>4.5.2</b>	Socio-economic Duty	None
<b>4.5.3</b>	Islands	None
<b>4.6</b>	Climate	None

	change	
4.7	Risk	None
4.8	Customer Service	None

**Douglas Hendry**  
**Executive Director with responsibility for Legal and Regulatory Support**

**May 2022**

**For further information contact:** Patricia O'Neill, Governance Manager, 01546 604384, email: [patricia.o'neill@argyll-bute.gov.uk](mailto:patricia.o'neill@argyll-bute.gov.uk)

## **APPENDICES**

Appendix 1 – Constitution of the Argyll and Bute Employee Joint Consultative Committee

**CONSTITUTION OF  
THE ARGYLL AND BUTE EMPLOYEE JOINT CONSULTATIVE  
COMMITTEE**

It has been agreed by Argyll and Bute Council and employee organisations to establish a Joint Committee of representatives of the Council and its employees to be constituted as follows:-

**1. TITLE**

The Committee will be called “The Argyll and Bute Employee Joint Consultative Committee”, hereinafter called the “Employee Joint Consultative Committee” and referred to as the EJCC.

**2. MEMBERSHIP**

(a) The EJCC will consist of up to 10 Councillors appointed by the Council, being the Leader of the Council who will be the Chair of the EJCC, the Leader of the Opposition and up to eight Policy Lead Councillors. The EJCC will also consist of 15 employees of the Council to be appointed by the employee organisations represented on the Scottish Councils of the various National Joint Councils for Local Authorities’ Services in the proportions detailed below and, where this membership of any one organisation is not sufficient to qualify this organisation to appoint a representative it may combine with one or more organisations for this purpose.

- |      |                                  |                    |
|------|----------------------------------|--------------------|
| (i)  | Teaching Staff                   | 5 representatives  |
| (ii) | Other Local Government Employees | 10 representatives |

(b) If a member of the EJCC ceases to be an employee of the Council they will cease to be a member of the EJCC; any vacancy will be filled respectively by the Council, or the organisations concerned;

(c) Where a representative from either side cannot attend a meeting they can appoint an accredited deputy. In the case of the Council, a Depute Lead Councillor will constitute an accredited deputy. Notification of the appointment of an accredited deputy will be given not later than the commencement of any meeting of the EJCC to the Clerk to the EJCC;

(d) Either side of the Committee can co-opt to their side in a consultative capacity people with particular knowledge of a subject under discussion. The co-option shall only be for the period during which the particular question is before the Committee;

- (e) The Chief Executive, an Executive Director or Head of Service and a full-time official from the employee organisations may attend in an advisory capacity.

### **3. CHAIR OF EJCC**

In accordance with paragraph 2(a) above, the Chair of the EJCC will be the Leader of the Council. The Vice-Chair will be appointed from the employee side.

### **4. SUPPORT**

The Head of Customer and Support Services will act as adviser to the EJCC. The Council will appoint an officer to act as Clerk of the EJCC who will provide secretarial support including preparation of an agenda and minutes.

### **5. FUNCTIONS**

The EJCC will consider matters of a general nature relating to employment such as those detailed below. Matters which are regarded as exclusively trade union or professional judgement should not be dealt with by the Committee.

The Committee will have power to recommend to the Council agreements which amend decisions by any of the Scottish Councils of the National Joint Councils for Local Authorities' Services or Joint Negotiating Committee for Chief Officials or other appropriate joint body.

Matters of a general nature to be dealt with by the Committee include:-

- (a) negotiation between the Authority and its officers to resolve differences; no question of individual discipline, promotion, or efficiency is within the scope of the Joint Committee;
- (b) to consider and make suggestions for improving the Authority's services and to consider circumstances which reduce the efficiency or interfere with the satisfactory operation of those services;
- (c) to consider and offer observations on any proposals made by the Authority which affects the conditions of employment of staff;
- (d) to make recommendations to the Council on the application of the terms and conditions of service and the education and training of employees of the authority;
- (e) to consider and offer observations on safety policy, training and physical welfare which affects employees of the Authority;



- (f) to consider any relevant matter referred to it by any Committee of the Local Authority, or by employee organisations;
- (g) the Committee may refer any question coming before them for consideration by the appropriate National Council and will inform them of any recommendation of the local Committee which appears to the local Committee to be of more than local interest provided that such recommendation has been approved by the Authority prior to its submission to the National Council. The Committee will not consider any matter related to the provisions of the Schemes of Conditions of Service which should properly be referred to the appropriate National Council.

## **PROCEDURAL RULES**

### **1. MEETINGS**

- (a) The EJCC will meet not less frequently than twice each calendar year as agreed by the EJCC.
- (b) A special meeting may be called by the Chair or, whom failing, the Vice-Chair on receipt of a request signed by not less than one third of the members of either side. A special meeting will be called within 20 working days of receipt of a competent requisition. The secretaries of the local employee organisations represented on the EJCC will be notified of the intention to call a meeting so that they can submit, in writing, not later than 15 working days before the meeting details of any items they wish to place on the agenda.
- (c) The matters to be discussed at any meeting will be stated in the agenda attached to the notice calling the meeting which will be issued not less than 10 working days before the meeting. No business affecting a particular group of employees will be discussed in relation to any Agenda item unless there is at least one representative present from that group. Any other business may be considered if agreed by a majority of members present on each side of the Committee.

### **2. QUORUM ETC**

- (a) The quorum for a meeting of the EJCC will be 3 members from each side of the Committee.
- (b) The Chair of the EJCC will preside if present. In the absence of the Chair, the Vice-Chair will preside, if present. In the absence of the Chair and Vice-Chair at any meeting the EJCC will appoint one of its members to preside.

### **3. PROCEEDINGS AND MINUTES**

The minutes of any meeting of the Employee Joint Consultative Committee will be signed by the person who presided at that meeting. Copies of minutes will be made available to all Councillors and will be posted on the Council's Intranet for the information of employees.

The Employee Joint Consultative Committee will not arrive at any agreement which conflicts with the policy or recommendation of the Scottish Council.

The Committee will have no power to make agreements which are binding on the Council or organisations represented.

The Minutes of any meeting of the EJCC will be subject to confirmation at the next meeting, called in accordance with paragraph 1(a) of these rules.

#### **4. FACILITIES TO ATTEND MEETINGS**

The Council will afford the necessary facilities for the employee representative to attend meetings of the Employee Joint Consultative Committee.

#### **5. ALTERATIONS TO CONSTITUTION**

The Constitution of the Employee Joint Consultative Committee may be altered by the agreement of the Council and all the organisations represented.

**This Constitution came into effect on 1 February 2008 (updated 27 January 2011)**

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**ARGYLL AND BUTE COUNCIL**
**COUNCIL****LEGAL AND REGULATORY SUPPORT****19 MAY 2022**


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**LOCAL NEGOTIATING COMMITTEE FOR TEACHERS (LNCT)**


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**1. BACKGROUND**

The Council has a Local Negotiating Committee for Teachers to negotiate certain conditions of service and other local matters related to the organisation of the Education Service.

This report invites the Council to note the Terms of Reference of the LNCT and to note that elected member representation of it will be determined by appointments made by Council.

**2. RECOMMENDATIONS**

The Council is invited to note:

- a) the Terms of Reference of the Local Negotiating Committee for Teachers (attached at **appendix 1**); and
- b) that elected member representation of the LNCT will be determined by appointments made by Council.

**3. IMPLICATIONS**

<b>3.1</b>	Policy	Commitment to working in partnership in relation to policy.
<b>3.2</b>	Financial	None
<b>3.3</b>	Legal	None
<b>3.4</b>	HR	Supports strategic oversight of HR related matters.
<b>3.5</b>	Fairer Scotland Duty	None
<b>3.5.1</b>	Equalities – protect characteristics	None
<b>3.5.2</b>	Socio-economic Duty	None
<b>3.5.3</b>	Islands	None
<b>3.6</b>	Climate change	None
<b>3.7</b>	Risk	None
<b>3.8</b>	Customer Service	None

**Douglas Hendry**  
**Executive Director with responsibility for Legal and Regulatory Support**

**May 2022**

**For further information contact:** Patricia O'Neill, Governance Manager, 01546 604384, email: [patricia.o'neill@argyll-bute.gov.uk](mailto:patricia.o'neill@argyll-bute.gov.uk)

## **APPENDICES**

Appendix 1 – Terms of Reference Local Negotiating Committee for Teachers

## Local Negotiating Committee for Teachers (LNCT) – Local Framework Recognition and Procedure Agreement (as agreed by Council on 26 June 2014 )

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Argyll and Bute Council is required to have an operating Local Negotiating Committee for Teachers (LNCT) as part of the Scottish Negotiating Committee for Teachers (SNCT) conditions.

The Composition of the Management side is:-

- Policy Lead for Education
- Depute Policy Lead for Education
- Policy Lead with responsibility for H.R.
- Head of Education Service
- Representative from School Leaders Scotland
- Representative from the Association of Head Teachers and Deputes in Scotland

The Teachers' side are responsible for their own representation and this should not exceed six members.

The Committee will operate within the guidance provided by the SNCT in the form of the Local Framework Recognition and Procedure Agreement as set out below between Argyll and Bute Council; The Educational Institute of Scotland (EIS), The Scottish Secondary Teachers' Association (SSTA); Voice; The National Association of School Masters (NAS); Union of Women Teachers (UWT); School Leaders Scotland (SLS) and the Association of Head Teachers' and Deputes Scotland (AHDS):

1. Argyll and Bute Council hereby recognises The EIS, SSTA, Voice, NAS/UWT, SLS and AHDS as the sole representatives of the teaching staff, music instructors, Education Officers and Educational Psychologists employed by the Council on all matters relating to conditions of service as defined in paragraph 3 of this recognition and procedure agreement and other matters not subject to national bargaining. SLA and AHDS representatives will serve on the management side of the local committee.
2. The Council and the recognised unions jointly affirm their commitment to the maintenance of good industrial relations and accept that this Recognition and Procedure Agreement and any formal agreements which arise from it will be binding on the signatory parties.

3. All agreements, orders, settlements and determinations of the Scottish Negotiating Committee for Teaching Staff in School Education dealing with:

- cover agreements
- appointment procedures
- particulars of employment
- expenses of candidates for appointment
- transfer of temporary teachers to permanent staff
- promotion procedures
- staff development arrangements
- specific duties and job remits
- arrangements for school based consultation
- other leave and absence arrangements
- notice periods
- housing
- indemnification procedures
- other allowances
- discipline and grievance procedures

shall be adopted as the base for negotiations under the procedures established by this Recognition and Procedure Agreement.

4. The purpose of this Recognition and Procedure Agreement is to establish bargaining machinery and a negotiating procedure between the Council and the signatory unions whereby relevant conditions of service can be determined for all teaching staff, music instructors, Education Officers and Educational Psychologists.

5. The Council hereby recognises the unions who are signatories to this Recognition and Procedure Agreement as the sole bargaining agents for the matters covered by this Recognition and Procedure Agreement.

6. The Council will negotiate through a Management Side appointed by itself. The recognised unions will negotiate through a joint union side appointed by them collectively which will reflect, on a pro-rata basis, the respective membership strengths of each organisation. The Management Side and the Joint Union Side will each appoint a secretary for their respective sides.

7. Negotiations between the two sides shall be conducted within a committee to be known as the Argyll and Bute Council Local Negotiating Committee for Teachers (LNCT). Meetings of the Committee shall be held as and when requested by either side with the proviso that there will be at least two meetings in each calendar year. One of the meetings shall be designated the Annual General Meeting for the purpose of approving the membership of the LNCT and reviewing any standing sub-committees. The joint secretaries shall be responsible for making the arrangements for meetings which shall be arranged within ten working days of a request being lodged, or otherwise by mutual agreement. Papers should be issued at least two working days in advance of any meeting.

8. The composition of each side of the Committee shall be determined by the sides separately, but shall not exceed six members on each side. The Committee may, from time to time, appoint a sub-committee or sub-committees to discharge such of the functions of the Committee as the Committee may specify.
9. The quorum for a meeting of the Committee shall be two from the Management Side and two from the Joint Union Side. In the case of a sub-committee, the quorum shall be determined by the Committee when the sub-committee is first established.
10. Agreement reached by the Committee shall be binding on the Council and the signatory unions as soon as this has been homologated by the Council or such other committee or in terms of such other arrangements the Council will make. Each of the parties confirm that they have the authority to undertake this responsibility in terms of the Recognition and Procedures Agreement.
11. Agreements reached between the two sides shall be set out in a text jointly approved by the two sides and the text will be subscribed by the joint secretaries. All local agreements shall be reported to the SNCT in accordance with administrative arrangements agreed by the Joint Secretaries.
12. The joint secretaries will be available to advise their respective sides on matters relating to agreements reached by the Committee. In formulating such advice the joint secretaries may consult with each other whenever they think it appropriate.
13. This Recognition and Procedure Agreement shall take effect as soon as it has been signed on behalf of the Council and on behalf of the Teachers' Side.
14. No variation to this Recognition and Procedure Agreement may be made except with the consent of both sides to this agreement.
15. The Council hereby agrees to ensure that the adequate paid time off work shall be granted to all union representatives on the Joint Negotiating Committee and that particular consideration shall be given to the amount of paid time off work required by the person appointed as union side joint secretary, as well as the necessary facilities covered by ACAS Code of Practice No. 3.
16. The signatory parties to this Recognition and Procedure Agreement acknowledge the importance of establishing and maintaining confidence in the negotiating arrangements established under this Agreement and recognise the need to negotiate in good faith.
17. In the event of any dispute being declared between the two sides or where there is a failure to agree at school level on any relevant matter, the Council and the signatory unions should seek to resolve the matter, without delay

through discussion in the Committee. The Council further agrees not to implement any change which is the subject of dispute until the matter has been considered by the Committee. The signatory unions, likewise, further agree not to implement any form of industrial action unless and until the Committee has failed to achieve a resolution of the matter in dispute.

18. Where agreement between the two sides of the local negotiating committee is not possible, either side may refer the failure to agree to the Joint Chairs of the SNCT for conciliation. If the conciliation is unsuccessful the Joint Chairs of the SNCT may recommend further procedures for resolution of the difference, including external conciliation, mediation or binding arbitration.



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**ARGYLL AND BUTE COUNCIL**  
**LEGAL AND REGULATORY**  
**SUPPORT**

**COUNCIL**  
**19 MAY 2022**

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**ADMINISTRATION OF COMMON GOOD FUNDS**

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**1. INTRODUCTION**

The purpose of this report is to provide Members with information relating to the administration of Common Good Funds in Argyll, and to invite them to appoint members of the new council to serve as trustees on the funds relating to Campbeltown, Dunoon, Rothesay, Lochgilphead and Oban.

**2. RECOMMENDATIONS**

**2.1** The Council agree that:

2.1.1. In respect of the Campbeltown, Dunoon, Rothesay and Lochgilphead Common Good Funds the members for the South Kintyre, Dunoon, Isle of Bute and Mid Argyll wards, respectively, form the panel of Common Good Fund Trustees for each;

2.1.2 In respect of the Oban Common Good Fund, that the Council appoint 2 members from those members elected within the Oban South and the Isles and 2 members from those members elected within the Oban North and Lorn wards to form the panel of Common Good Fund Trustees;

2.1.3 That each panel of Common Good Fund Trustees make all decisions in regard to financial matters relating to those Common Good Funds, including advice and investments from the Head of Financial Services or the relevant independent financial adviser to the funds, and the determination of applications for financial assistance.

2.1.4 That the Council agree to continue the delegation to the Executive Director with responsibility for Governance (or their representative) referred to in paragraph 3.5 below.

**3. DETAIL**

- 3.1** Members will be aware that there are Common Good Funds in existence for Campbeltown, Rothesay and Oban, with smaller funds for Dunoon and Lochgilphead. Those smaller funds do not generate sufficient interest from income on the investment to allow them to effectively operate and as such are not currently active or advertised (although may require to meet upon request).
- 3.2** In the past these have been administered by the council on the basis of the local members appointed for the former Burgh areas being the panel which makes decisions on requests for final assistance in accordance with the rules which apply to Common Good Funds.
- 3.3** Since the introduction of the multi member wards these have been administered as follows:-
- In respect of Campbeltown, Dunoon, Rothesay and Lochgilphead, the multi member ward which covers the former Burgh area comprises of 3 Councillors and these Councillors have been identified as the decision making body for common good applications in respect of each of those Common Good Funds.
- In respect of Oban where the 2 multi member awards Oban South and the Isles and Oban North and Lorn both have an interest in the former Burgh of Oban, the Council, since January 2011, have appointed 2 members from Oban South and the Isles and 2 members from Oban, North and Lorn wards to serve as the decision making panel for Oban Common Good Fund applications.
- 3.4** The procedure for dealing with financial requests would be in accordance with existing practice.
- 3.5** The quorum for a meeting of the Common Good Fund members would be a full representation of members and this will ensure that matters can be dealt with in an efficient manner. There has been historically an agreement in place in the event a meeting became inquorate where the Executive Director (or their nominee) could participate as a decision maker due to a member declaring an interest. Councillors will want to satisfy themselves that this delegation continues to be appropriate.

#### **4.0 IMPLICATIONS**

- 4.1** Policy – The delegation to a group of local members is in keeping with the council's policy of bringing decision making to the lowest possible level.
- 4.2** Financial – None
- 4.3** Legal-none.

- 4.4 HR – none.
- 4.5 Fairer Scotland Duty:
  - 4.5.1 Equalities – none.
  - 4.5.2 Socio Economic Duty – None known.
  - 4.5.3 Islands – none
- 4.6 Climate Change - none
- 4.7 Risk – none.
- 4.8 Customer Service – none.

**Douglas Hendry**

**Executive Director with responsibility for Legal and Regulatory Support**  
**10<sup>th</sup> May 2022**

**For further information contact:** David Logan, Head of Legal and Regulatory Support, Tel: 01546 604322 email: [David.Logan@argyll-bute.gov.uk](mailto:David.Logan@argyll-bute.gov.uk)

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ARGYLL AND BUTE COUNCIL

COUNCIL

LEGAL AND REGULATORY SUPPORT

19 MAY 2022

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**APPOINTMENT OF A RECRUITMENT PANEL FOR THE POSITION OF THE  
HEAD OF FINANCIAL SERVICES**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 The purpose of this report is to invite the Council to establish an Appointments Panel to appoint to the post of Head of Financial Services.

**It is recommended that:**

- The Council agrees to establish an Appointment Panel for the recruitment to the post of the Head of Financial Services. Nominating 3 elected members and substitutes to the Appointments Panel.

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ARGYLL AND BUTE COUNCIL

COUNCIL

LEGAL AND REGULATORY SUPPORT

19 MAY 2021

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**APPOINTMENT OF A RECRUITMENT PANEL FOR THE HEAD OF FINANCIAL SERVICES**

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**2.0 INTRODUCTION**

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

**3.0 RECOMMENDATIONS**

It is recommended that Council:

3.1 Agrees to establish an Appointments Panel for the recruitment to the post of Head of Financial Services.

3.2 Nominate 3 elected members and substitutes to the Appointments Panel for the Head of Financial Services: two from the Administration and one from the opposition.

**4.0 DETAIL**

4.1 The Head of Financial Services post was previously advertised, however due to a poor response it was agreed that the position be filled on an interim basis. The interim post holder, Laurence Slavin, left the post in December 2021 and the post is currently being filled on an acting up basis.

4.2 In terms of the Council's constitution Heads of Service are appointed by a panel of 5. Three elected members (2 from the Administration and 1 from the Opposition) plus Executive Director and Chief Executive as voting members.

4.3 The Council is requested to nominate 3 members to approve the short listing, interview the short listed candidates and make an appointment.

4.4 The appointments process will, as per agreed practice for appointing Chief Officers, include an assessment centre run by SOLACE Enterprises. This will inform the final appointment.

**5.0 CONCLUSION**

5.1 The Council is asked to agree an appointment panel for recruitment to the post of Head of Financial Services.

**6.0 IMPLICATIONS**

- 6.1 Policy – This paper gives effect to the Council’s Constitution and Recruitment and Selection Procedure for Chief Officers.
- 6.2 Financial – None – this post is budgeted for.
- 6.3 Legal – as 6.1 above.
- 6.4 HR – as 6.1 above.
- 6.5 Equalities – Due regard should be given to the make-up of the appointments panel to ensure balance as far as possible,
- 6.6 Risk – Failure to recruit to the posts would affect the operational management and strategic leadership of the organisations.
- 6.7 Customer Service – None.
- 6.8 Socio-Economic– None from this report

**Douglas Hendry,  
Executive Director with responsibility for Legal and Regulatory Support**

**For further information contact:** Fiona Ferguson, Directorate Support Officer,  
01546 604367

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**ARGYLL AND BUTE COUNCIL****COUNCIL****LEGAL AND REGULATORY SUPPORT****19 MAY 2022**

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**PROPOSAL TO REVIEW THE SCHEME FOR THE ESTABLISHMENT OF  
COMMUNITY COUNCILS IN ARGYLL AND BUTE: PHASE ONE FEEDBACK**

---

**1.0 EXECUTIVE SUMMARY**

The Council agreed at the meeting on 22 February 2022 to conduct an 8 week public consultation which set out suggested amendments to the current Scheme for the Establishment of Community Councils in Argyll and Bute.

The consultation period ended on 22 April 2022 and the feedback received is outlined at Appendix 1, along with commentary from Officers as to whether the feedback received should be progressed as part of a stage 2 phase of consultation. While the response levels received are low, the changes proposed were minimal and there has been some verbal feedback given that the proposed amendments are generally satisfactory to community councils.

It is disappointing to note that the revised National Model Scheme has still not been approved, however, to ensure our local framework is in place prior to the community council elections scheduled for 20 October 2022, the second stage of the consultation should commence, as planned, no later than 27 May 2022. Council is therefore invited to approve the suggested revisions to the proposed amended local Scheme (as detailed in Appendix 1) and to instruct officers to commence a stage 2 consultation with community councils, and the public, on these revisions.

The Council is reminded that the timescales for the full review are aligned with the approved election date for the quadrennial elections, and as such will see an 8 week phase 2 consultation, followed by a report on the final Amended Scheme being brought back to the Policy & Resources Committee, on 18 August 2022.

As with the stage one consultation, there are no implications for the council in terms of the suggested amendments as proposals to amend are consistent with the legal requirements to review an existing Scheme.

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**ARGYLL AND BUTE COUNCIL**

**COUNCIL**

**LEGAL AND REGULATORY SUPPORT**

**19 MAY 2022**

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**PROPOSAL TO REVIEW THE SCHEME FOR THE ESTABLISHMENT OF  
COMMUNITY COUNCILS IN ARGYLL AND BUTE: PHASE ONE FEEDBACK**

---

**2.0 INTRODUCTION**

2.1 This report updates the Council on feedback received following an 8 week public consultation on the proposals to amend our local Scheme the Establishment of Community Councils and suggests further amendments based on feedback received. If agreed, a further public consultation will be on the basis of updated proposals outlined in Appendix 1.

**3.0 RECOMMENDATIONS**

3.1 That the Council agrees to the changes proposed within Appendix 1 and that these changes form the basis of an 8 week, phase two consultation with community councils, and the public.

**4.0 DETAIL**

4.1 Phase one of the consultation process was carried out between 25 February and 22 April 2022. During the first consultation phase of consultation 7 responses were received regarding the suggested amendments to the Scheme. These are summarised in Appendix 1, together with feedback as to whether or not suggestions could or should be progressed.

4.2 As of the date of writing the report there is no information forthcoming regarding the proposed revisions to the National Model Scheme and an enquiry has been made via the Improvement Services as to the status of the review process. While

it would have been desirable to base revisions on the new National Model, there is no obligation to do so and it may jeopardise our own timetable to delay the process given there is no indication of when this might become available. On this basis the suggestion is that the second stage of review is launched prior to 27 May 2022, to ensure all stages of review can conclude prior to this year's elections.

## **5.0 CONCLUSION**

5.1 Having concluded the first phase of consultation to amend the current local Scheme for the Establishment of Community Councils, Council is invited to consider the feedback received, agree the proposed amendments suggested at Appendix 1, and instruct officers to undertake a second stage of consultation over an 8 week period.

## **6.0 IMPLICATIONS**

6.1 Policy - None

6.2 Financial – None, no request for the council to review the current grant level has been received during the first phase of consultation

6.3 Legal – Proposals are consistent with the Local Government Act (Scotland) Act 1973

6.4 HR – None, the review will be conducted from within existing staff resource.

6.5 Fairer Scotland Duty:

6.5.1 Equalities - protected characteristics - None

6.5.2 Socio-economic Duty - None

6.5.3 Islands - None

6.6 Climate Change - None

6.7 Risk - None

6.8 Customer Service - None

**Douglas Hendry**

**Executive Director with responsibility for Community Council Governance**

10 May 2022

**For further information contact:** David Logan, Head of Legal & Regulatory Support, Kilmory, Lochgilphead – 01546 604322

## **APPENDICES**

Appendix 1 – Phase One Feedback & Officer Response and recommendations

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PROPOSAL TO REVIEW THE SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS IN ARGYLL AND BUTE: PHASE ONE FEEDBACK		Appendix 1
	Summary of Feedback	Comments (if any)
1.	As you know, I have been treasurer of Helensburgh Community Council for many years, having also previously been its chairman in the 1990s. I can see no good reason why the accounts cannot be submitted to one of the ordinary meetings of the Community Council, rather than just to the annual general meeting. After all, the quorum for the annual general meeting is the same as for an ordinary meeting. I feel that my proposal would make the conduct of Community Council affairs simpler without any negative consequences.	It is standard practice to submit annual accounts for any constituted group to the annual general meeting. This follows the existing National Model Scheme and would be expected to be included in any new version. This then ensures that anyone who has a particular interest in public spending, but not otherwise attend meetings on a regular basis, knows that accounts are scrutinised at the AGM. The proposal would remove this fixed annual date, would cause confusion for those who only attend the AGM to ensure due process is followed, and therefore is <b>not recommended for inclusion in an amended version of the Scheme.</b>
2.	My only concern is that if an AGM is to be carried out on-line that we have permission to submit the accounts at the meeting for approval by those who are present. As it stands, our accounts have not been scrutinised for 2 yrs by either the Council or formally by the community (though they have been presented and voted on by those attending the AGM on-line).	Providing the accounts are in some way available to the community (possibly included with the AGM agenda which should be displayed locally on a public noticeboard/displayed online or shared as a presentation at the online meeting) this would fulfil the requirement to make them available for public scrutiny. <b>No change is necessary to the Scheme – community councils can put in place whichever of the options outlined about suit their own needs.</b>
3.	We are in general content with the proposed changes.  However in para 5 of the Best Practice Agreement, it suggests a minimum of one month for consultations. Many smaller CCs only meet every two months, and even here in	The minimum consultation period is one month but having looked at some of the recent consultations carried out, at least 50% of council led consultations lasted for 2 or more months.

	<p>Oban we don't meet in July or December. We would suggest that consultations should last at least two months.</p> <p>We note that you don't intend to look at boundary changes. We pointed out at the previous Review in 2017 that, particularly as Oban grows, our boundaries need revision.</p> <p>In particular the area to the south of the A85 at Dunbeg, ie the hill overlooking the village, should be within the boundary of Dunbeg CC. and to the south of Oban the whole of the Auction Mart area should be in Oban, not Kilmore.</p>	<p>However, there can be other factors which require a tighter response time and rather than extend the minimum timescale it would be preferable to encourage services, where possible, to have longer responses times.</p> <p>The question of boundaries between Dunbeg and Oban and Oban and Kilmore &amp; Kilbride were raised in the 2018 review on the basis of planning concerns. At this time it was noted that a neighbouring community council putting forward a representation would be treated as a statutory consultee and therefore the council did not see the need to alter the existing boundaries. Kilmore Community Council (as they were known at the time) also commented that they supported the council view not to alter the existing boundary, citing that their surrounding community identify with its historic boundary and accordingly they did not wish this to change. <b>With no case being made for the proposals suggested, it would be difficult to consult on the rationale for a boundary change but the suggestion, as proposed, can be included in the paperwork for the review which will allow those affected to forward a representation. Any representations received can then be fed back in when the final version of the amended Scheme is presented.</b></p>
4.	<p>Having considered the amendments to the Scheme for the Establishment of Community Councils in Argyll and Bute 2022, other than recommending a change of name of Strachur to "Strachur and District", which better reflects the wider area covered, we agree with all the proposed changes, including those affecting the Model Constitution and Standing Orders.</p> <p>We are also satisfied with the current Community Council boundaries and with the current administrative grant.</p>	<p>The name "Strachur and District" has been consulted on locally by Strachur Community Council, no objection has been received locally and therefore <b>it is suggested that the name change be included in the 2<sup>nd</sup> stage proposals.</b></p>

5.	<p>I am concerned about issues relating to “casual vacancies” and co-options and publication of details of membership.</p> <p>My local community council website is frankly turgid ; there is no list of members ; minutes get posted erratically and unlike other community councils the details for attendance by Zoom have to be specifically requested rather than are posted.</p> <p>Would it be possible for A&amp;BC to “host” details for meetings, membership &amp; minutes?</p>	<p>There are currently no proposals for community councils being active online due to issues with connectivity throughout the council area.</p> <p>However community councils are required to post information about meetings locally on public noticeboards to keep communities informed. The council could put together a list of noticeboards used and display this on the community council webpage to signpost. Likewise, a list of members could also be included (noting the obligation on each community council to inform the council of any changes). Minutes are more problematic as the council generally receives these in draft format for the purposes of ensuring that the minimum number of meetings to access grants take place. The obligation is on each community council to retain their own signed minutes in perpetuity and make these available locally. <b>It is recommended that no change is made to the Scheme but that staff explore options to signpost communities to membership lists and also to where to find relevant information locally, including agendas and minutes.</b></p>
6.	<p>change to remote and optionally hybrid meetings is supported for reasons of inclusiveness and accessibility</p>	<p>Noted. The provisions for remote and hybrid have been included in the new amended scheme and therefore <b>no amendment is necessary.</b></p>
7.	<p>Despite informal advice from ABC that the views of different groups should be weighted (with local residents and businesses being the most important) it seems that approach is not used here. In some cases it has led to consultations that are less than transparent. Some believe it is done deliberately to skew the results in favour of business and against the view of the local resident population. No view is offered on this, it is simply an view which we have been made aware of.</p>	<p>Community councils are autonomous from the council, with the council providing the governance framework and support from a governance based perspective but they function independently and as such each community council is responsible for its own processes and decision making. We do give advice about representing majority views</p>

<p>The current clause 3.2 (page 3) of the Scheme of Establishment covers this</p> <p><i>“It is essential that these views are demonstrated to be representative of the community. Accordingly, the community council will have in place, in consultation with the local authority, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sections of the community.”</i></p> <p>Clearly this is designed to encourage gathering the widest possible range of views which is good, but it says nothing explicit about how to design consultations and interpret responses in cases where there may be competing views and there is a risk of local democracy being skewed. The Best Practice Agreement document is a bit vague on this. The National Standards document on which it is based is no better.</p> <p>We suggest that clause 3.2 of the Scheme (maybe other clauses too*) could be clarified – something like:</p> <p><i>“It is essential that these views are demonstrated to be representative of the community. Accordingly, the community council will have in place, in consultation with the local authority, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sections of the community. As broad a range of views as possible is the objective, but the community council’s primary accountability is to those who elect them so it should always approach informal soundings and more formal consultations with that in mind.”</i></p> <p>We suggest a new clause is added to the Best Practice Agreement under the section for Community Council Commitment / Community Engagement, after clause 2 (page 6). Something like</p> <p><i>When consulting with the community, as broad a range of views as possible is the objective. However, the community council’s primary accountability is to those who elect them, so to ensure transparency and balance any soundings, surveys and consultations should be approached with that in mind and the findings classified and weighted appropriately.”</i></p>	<p>and how surveys can be weighted but this is down to the decision maker to determine. There are no changes necessary to the Scheme to enable this. While it was anticipated that the new Model Scheme may well define “community” this document has still not been received and therefore the council could choose to amend section 3.2 of the Scheme per the suggestion. The suggested wording preserves the fact that “community” appears to be consistently applied throughout Scotland as being geographic communities (although as the author points out, there is currently no definition and therefore this is left open to interpretation). There is a concern that the wording proposed suggests only those over 16 can be represented as only those 16 and over will appear on the electoral register. This would contract the obligation on community councils specifically regarding youth involvement but the wording suggested could be tweaked to read “primary accountability is to those who elect them (or those under 16 who are resident within the catchment area of a primary and/or secondary school within the community council boundary) so it should always approach informal soundings and more formal consultations with that in mind.” <b>This would be the recommended wording for the second phase of consultation.</b></p>
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**ARGYLL AND BUTE COUNCIL****COUNCIL****DEVELOPMENT AND INFRASTRUCTURE****19 MAY 2022**

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**UK LEVELLING UP FUND – UPDATE**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 The purpose of this report is to seek agreement from Elected Members to adjust the Levelling Up Fund Bids, following on from the update provided in February 2022, and the Members Seminar in March 2022.
- 1.2 The Council has determined to submit 2 bids to the next round of the Levelling Up Fund, by the deadline of 6<sup>th</sup> July 2022. One bid will be for an area regeneration town centre project, maximum £20m and the second a Transport Bid, up to £50m.

**RECOMMENDATIONS**

It is recommended that the Council:

- a) Approve the removal of the Active Travel Route for Helensburgh to Dumbarton Cyclepath due to the inability to meet Levelling Up Fund delivery deadlines, but note that officers continue to pursue this option via other funding opportunities;
- b) Approve the removal of the Active Travel Route from Kennacraig to Tarbert, due to the inability to meet Levelling Up Fund delivery deadlines, but note that officers continue to pursue this option via other funding opportunities

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**UK LEVELLING UP FUND – UPDATE**

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**2.0 INTRODUCTION**

2.1 This report provides an update on the progress of elements within the bids, which now require to be adjusted, to ensure that the bids are deliverable within the timescale set by the UK Government.

**3.0 RECOMMENDATIONS**

3.1 It is recommended that the Council:

- a) Approve the removal of the Active Travel Route for Helensburgh to Dumbarton Cyclepath due to the inability to meet Levelling Up Fund delivery deadlines, but note that officers continue to pursue this option via other funding opportunities;
- b) Approve the removal of the Active Travel Route from Kennacraig to Tarbert, due to the inability to meet Levelling Up Fund delivery deadlines, but note that officers continue to pursue this option via other funding opportunities

**4.0 DETAIL**

4.1 The Levelling Up Bids are currently being prepared, taking account of the UK Government Business Case guidance which was issued on the 13<sup>th</sup> April 2022, which requires a considerable amount of supporting information. It is a highly competitive fund and there is no guarantee of a successful Bid or Bids.

4.2 The Bids subject to feasibility consideration are included in two separate programmes:-

- The Regeneration Bid up to £20m – Argyll and Bute Western Seaboard Marine Gateways Initiative – Rothesay and Dunoon.
- The Transport Bid up to £50m – Connected Argyll and Bute – Whisky Islands; Helensburgh and Lorn Economic Growth Zone.

4.3 The UK Government's Guidance on bids is clear in regard to the timescale of projects and their deliverability. Projects included with the bid must be delivered by 2025 and those which are not anticipated to be delivered by that timeframe will negatively impact the overall application and this is deemed to lower the chances of a successful bid. Should the bid(s) be unsuccessful, the Council will not be able to deliver on any of the projects within the bid(s) and will require to look at alternative funding options.

4.4 There are two elements within the Connected Argyll Bid which officers have reviewed and are proposing should be removed. It should be noted that the Active Travel options will still be pursued outwith the Levelling Up Fund, via other sources of funding such as Sustrans.

#### 4.4.1 Active Travel Route – Cardross – Helensburgh to Dumbarton Cyclepath

This is a long running project designed to provide an off-road walking and cycling path linking Helensburgh, Cardross and Dumbarton. Due to the long history of the project with the landowners between Helensburgh – Cardross, it is considered unlikely that it will be possible to secure a voluntary agreement with any of these landowners within the timescale of the Levelling Up Fund.

#### 4.4.2 Active Travel Route – Tarbert to Kennacraig

Members were advised at the Seminar held in March this year that the Tarbert to Kennacraig active travel route was being considered for inclusion within the bid, which would provide a safe off-road alternative to the busy A83 trunk road, linking Tarbert with the Kennacraig Ferry. Officers have looked at the design of the route and landownership permissions, and have concluded that this element will not be deliverable within the UK Government's timescales as set out in their guidance.

#### 4.4.3 Helensburgh and Lomond Electric Buses

Members are aware that Helensburgh is home to the HMNB Clyde, which continues to expand through the Maritime Change project. To assist the continued integration of the base with the wider community, officers considered a further substantial investment would be required in terms of transport connectivity. The development of a hydrogen/electric bus service and the purchase of buses to serve the community and the workers at the base and Colgrain with a possible link to Glasgow Airport together with the development of an additional rail halt at Garelochhead was being reviewed and subject to feasibility work.

In reviewing this option further, it is considered that this option would place too much recurring revenue costs on the Council. Officers are still exploring whether we can get support for ongoing revenue costs but if this is not forthcoming, it makes this option less attractive.

## 5.0 CONCLUSION

5.1 In line with the Guidance issued by the UK Government, officers are recommending the removal of two Active Travel elements of the bid, which they consider could affect the overall success of the bids.

5.2 Officers will hold a Members Seminar, which will provide detail on the key elements of each of the bids, prior to a final report going before full Council on 30<sup>th</sup> June 2022.

## **6.0 IMPLICATIONS**

- 6.1 Policy – The projects selected all comply with Council established policy.
- 6.2 Financial – The £125,000 received from UK Government to develop the bids is and the February approval of a further £150,000 from the recovery and renewal fund is sufficient at this time to make the bids.
- 6.3 Legal – None arising from this report however legal agreements may have to be entered into with relevant partners.
- 6.4 HR – none arising from this report
- 6.5 Fairer Scotland Duty:
  - 6.5.1 Equalities – None identified at this stage.
  - 6.5.2 Socio-economic Duty – the projects are designed to offer improve socio-economic opportunities for local communities.
  - 6.5.3 Islands – A number of the projects have positive implications for island communities.
- 6.6 Climate Change – The projects are aiming to help Argyll and Bute reach net zero through active travel, repurposing town centre buildings, low carbon buses and integrated travel.
- 6.7 Risk – The main risk remains in not having sufficient time, information and partner buy-in, or resources to prepare suitable bids within the timescale that is yet to be confirmed.
- 6.8 Customer Service – nothing arising from this report

### **Kirsty Flanagan, Executive Director of Development and Infrastructure**

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10 May 2022

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