

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held BY MS TEAMS  
on THURSDAY, 30 JUNE 2022**

**Present:** Councillor Maurice Corry (Chair)

Councillor John Armour	Councillor Tommy MacPherson
Councillor Gordon Blair	Councillor Jan Brown
Councillor Robin Currie	Councillor William Sinclair
Councillor Audrey Forrest	Councillor Garret Corner
Councillor Graham Hardie	Councillor Reeni Kennedy-Boyle
Councillor Kieron Green	Councillor Paul Donald Kennedy
Councillor Donald Kelly	Councillor Ross Moreland
Councillor Liz McCabe	Councillor Andrew Kain
Councillor Julie McKenzie	Councillor Mark Irvine
Councillor Yvonne McNeilly	Councillor Peter Wallace
Councillor Gary Mulvaney	Councillor Amanda Hampsey
Councillor Gemma Penfold	Councillor Willie Hume
Councillor Douglas Philand	Councillor Math Campbell-Sturgess
Councillor Andrew Vennard	Councillor Dougie McFadzean
Councillor Luna Martin	Councillor Daniel Hampsey
Councillor Ian MacQuire	Councillor Fiona Howard

**Attending:** Pippa Milne, Chief Executive  
Douglas Hendry, Executive Director  
Kirsty Flanagan, Executive Director  
David Logan, Head of Legal and Regulatory Support  
Anne Blue, Head of Financial Services  
Fiona Davies, Chief Officer, Health and Social Care Partnership  
Fergus Murray, Head of Development and Economic Growth  
Jane Fowler, Head of Customer and Support Services  
Patricia O'Neill, Governance Manager

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillors Lynch and Paterson.

**2. DECLARATIONS OF INTEREST**

Councillor Paul Donald Kennedy declared a non financial interest in Item 13 of the Agenda (Civic Government (S) Act, Delegation for Suspension of Licence) as he held a taxi drivers licence. He advised that he would remain in the meeting but would take no part in the discussion of the item.

**3. MINUTES**

**(a) Minute of Argyll and Bute Council 28 April 2022**

The Minutes of the meeting of Argyll and Bute Council held on 28 April 2022 were approved as a correct record.

**(b) Minute of Argyll and Bute Council 19 May 2022**

The Minutes of the Meeting of Argyll and Bute Council held on 19 May 2022 were

approved as a correct record.

#### **4. MINUTES OF COMMITTEES**

(a) **Environment, Development and Infrastructure Committee of 2 June 2022**

The Minutes of the Environment, Development and Infrastructure Committee held on 2 June 2022 were noted.

(b) **Policy and Resources Committee of 16 June 2022**

The Minutes of the Policy and Resources Committee held on 16 June 2022 were noted.

#### **5. LEADER'S REPORT**

The Council considered a report outlining the Council Leader's activity from 19 May to 17 June 2022. The report also included updates in relation of his Policy Lead portfolio.

##### **Decision**

The Council noted –

1. The content of the report.
2. That any reports, briefings or copy correspondence referred to in the report could be requested as appropriate through the Leader Support Manager, noting that some confidential reports provided by external organisations, such as COSLA, may be restricted

(Ref: Report by Leader of the Council dated 20 June 2022, submitted)

#### **6. YEAR END REPORTS PACK 2021-22**

(a) **COVERING REPORT AND UNAUDITED ANNUAL ACCOUNTS**

The Council considered a report which gave an overview of the Unaudited Annual Accounts for 2021-22 and a summary of the significant movements from 2020-21 and sought approval for the unaudited annual accounts for 2021-22 for issue.

##### **Decision**

The Council approved the unaudited annual accounts for the year ended 31 March 2022 for issue.

(Ref: Report by Section 95 Officer dated 21 June 2022, submitted)

(b) **REVENUE BUDGET MONITORING - FOR THE YEAR 2021-22**

The Council considered a report which summarised the revenue budget position of the Council at the end of the financial year for 2021-22 which also summarised the movement in the General Reserve balance.

##### **Decision**

The Council –

1. Noted the revenue budget monitoring position as at the end of financial year 2021-22.
2. Noted that the unallocated balance within the General Fund as at 31 March 2022, after taking into account the contingency, amounts to £1.841m.
3. Approved the revenue virements over £0.200m between January and March 2022.

(Ref: Report by Section 95 Officer dated 6 June 2022, submitted)

(c) **EARMARKED RESERVES - 2021-22 YEAR-END**

The Council considered a report which provided information on the progress with balances already earmarked within the General Fund, new balances earmarked at the end of 2020-21 that qualify for automatic carry forward, The report also presented proposals to earmark 16 new areas of unspent budget which require approval.

**Decision**

The Council –

1. Approved the revised Policy on Year End Flexibility included at Appendix 1.
2. Approved the 16 new unspent budget earmarked reserve proposals totalling £1.307m as supported by submitted business cases and noted that there are a further 7 unspent budget earmarkings amounting to £4.499m that have been previously approved, as outlined in Appendices 2.1 and 2.2.
3. Noted the new balances of £16.474m at the end of 2021-22 that qualify for automatic carry-forward as outlined in Appendix 3.
4. Noted the previously approved unspent budget earmarked reserves of £10.450m and the justification for continuing to earmark these as outlined in Appendix 4.
5. Noted that a total of £56.704m of automatically carried forward balances which are previously earmarked balances in addition to the new amounts earmarked as a result of budget decisions in February 2021 and February 2022 as outlined in Appendix 5.
6. Approved an amendment to the funding behind the agreed £2.653m allocation to Roads Reconstruction. A revised amount of £0.887m coming from unallocated COVID funding and the balance of £1.766m coming from the unallocated general fund balance.
7. Noted that £0.515m of no longer required earmarked balances will be released back into the General Fund.
8. Noted that £2.148m relating to Social Work reserves is recognised on the Balance Sheet and is outwith the scope of the report.

(Ref: Report by Section 95 Officer dated 6 June 2022, submitted)

(d) **CAPITAL BUDGET MONITORING REPORT - 31 MARCH 2022**

The Council considered a report which highlighted the contents of the financial summary in relation to the Capital Budget as at 31 March 2022. The report provided information on the financial position in respect of the Capital Plan and also the performance in terms of delivery of capital plan projects.

**Decision**

The Council –

1. Noted the contents of the report and the financial summaries as detailed at Appendix 6.
2. Approved the proposed virements at Appendix 3 and the roll forward of any over or underspends in relation to expenditure and income as part of the year end process.

(Ref: Report by Section 95 Officer dated 6 June 2022, submitted)

(e) **ANNUAL TREASURY REPORT 2021-22**

The Council considered the Annual Treasury Management report for 2020-21.

**Decision**

The Council noted and approved the Annual Treasury Management Report for 2021-22 and commended the Treasury Team on all their hard work on the returns.

(Ref: Report by Section 95 Officer dated 6 June 2022, submitted)

(f) **STRATEGIC HOUSING FUND ANNUAL REPORT 2021-22**

The Council considered a report which provided an annual update on the Strategic Housing Fund (SHF) income and expenditure position for 2021-22.

**Decision**

The Council noted the report on income and expenditure for 2021-22 and the balance on the SHF as at 31 March 2022 and noted the estimate future income for SHF for 2022-23.

(Ref: Report by Section 95 Officer dated 6 June 2022, submitted)

**7. STRATEGIC HOUSING FUND APPLICATION - ISLE OF ULVA**

The Council considered a report which updated members on progress in relation to the refurbishment of 6 properties on the island of Ulva by the North West Mull Community Woodland Company and requested an additional Strategic Housing Fund payment to enable the delivery of the 6 affordable houses on the island of Ulva.

**Decision**

The Council approved the sum of £90,663 from the Strategic Housing Fund. This is in addition to the £12,000 per unit £72,000 in total, Officer mandate already approved from the SHF for this project.

(Ref: Report by Executive Director with responsibility for Development and Economic Growth dated 30 June 2022, submitted)

## **8. UK SHARED PROSPERITY FUND - ARGYLL AND BUTE INVESTMENT PLAN**

The Council considered a report which sought approval on the proposed process to be taken by the Council for the development and preparation of the required Argyll and Bute UK Shared Prosperity Fund (UKSPF) Investment Plan, further to the publication of the full prospectus on 13 April 2022.

### **Decision**

The Council –

1. Agreed UKSPF Investment Plan should be pursued and to delegate final approval to the Policy and Resources Committee on 11 August 2022.
2. Agreed that senior officers seek the required endorsement from the local MP and MSPs to support the Argyll and Bute UKSPF Investment Plan.

(Ref: Report by Executive Director with responsibility for Development and Economic Growth dated 20 June 2022, submitted)

## **9. BID4OBAN - APPROVAL OF BALLOT SUBMISSION AND BUSINESS PLAN - THIRD BALLOT**

The Council considered a report which asked members to endorse the Oban Business Improvement District (BID) ballot submission and to note the Draft Business Proposal Term Three, in support of the ballot.

### **Decision**

The Council –

1. Noted the ballot request and the BID4Oban Draft Business Proposal, Term Three.
2. Agreed to delegate approval of the ballot request and final proposal to preserve the veto date of 28th July 2022, to the Executive Director with responsibility for Development and Economic Growth, in consultation with the Leader, Depute Leader and Leader of the largest Opposition Group.
3. Agreed to instruct the Returning Officer to conduct a ballot over 42 days in 2022 from Thursday 25 August to Thursday 6 October ('the ballot day').
4. Authorised the Executive Director with the responsibility for Development and Economic Growth to cast the votes on behalf of the council in favour of the BID.
5. Agreed that the Council will charge £7,956 (incl VAT) per annum, to BID4Oban for administering the levy charge to businesses in Oban, with charges thereafter increased annually. The first increase will apply on 31 October 2023 and annually thereafter for the subsequent term of the BID.

6. Agreed that, if BID4Oban are successful in the ballot, the Council will pay an estimated £6,120 per annum in levy contributions for Council properties in Oban.
7. Noted that if the BID group are successful in the ballot, two representatives from the Council would be requested to sit on the BID4Oban Board, one Elected Member and one Officer.

(Ref: Report by Executive Director with responsibility for Development and Economic Growth dated May 2022, submitted)

## **10. LEVELLING UP FUND - BUSINESS CASE AND BID SUBMISSION UPDATE**

The Council considered a report which informed members on the final position and key principles concerning the Levelling Up Business Cases for both of the Council's levelling up bids.

### **Decision**

The Council –

1. Agreed the individual elements of the bids being submitted.
2. Approved in principle the identified match funding for each bid.
3. Agreed that final approval of the business case and submission of the Council's LUF application be delegated to the two Executive Directors in consultation with the Leader and Depute Leader of the Council and the Leader of the largest Opposition Group by the deadline of 6 July 2022.

(Ref: Report by the Executive Director with responsibility for Development and Economic Growth dated 24 June 2022, submitted)

## **11. ARGYLL AND BUTE COUNCIL GAELIC LANGUAGE PLAN**

The Council considered a report which advised members of an issue that had arisen in relation to the Council's Gaelic Language Plan. Bòrd na Gaidhlig have proposed two amendments to the plan that are considered to be material and requires a Council decision to proceed.

### **Motion**

The Council –

1. Notes the current status of the Council's Gaelic Language Plan.
2. Notes that the majority of actions in the plan continue to be delivered.
3. Agrees the amended Target recommended by Bòrd na Gaidhlig: Up to 90% of all primary schools in the Council area will offer Gaelic at L2 or L3.
4. In respect of the proposed amendment to the Plan by Bòrd na Gaidhlig to establish a Gaelic School, agrees no further change to the Council's draft Plan as previously approved by the Community Services Committee.

Moved by Councillor Currie, seconded by Councillor Mulvaney

## Amendment

We wish to take the opportunity to acknowledge the excellent work undertaken to promote the provision of the Gaelic language throughout our diverse council area. We confirm our agreement to recommendations 3.1, 3.2 and 3.3, and propose the following amendment to recommendation 3.4

3.4 In respect of the proposed amendment to the plan by Bòrd na Gaidhlig to establish a Gaelic School requests that officers provide a comprehensive report to the next meeting of the full Council outlining the detail behind the Bòrd's rationale for requesting this amendment.

Moved by Councillor McKenzie, seconded by Councillor Blair.

As the meeting was being held on a virtual basis the vote required to be taken by calling the Roll and Members voted as follows –

<b>Motion</b>	<b>Amendment</b>	<b>No Vote</b>
Cllr Corner	Cllr Armour	Cllr Kelly
Cllr Corry	Cllr Blair	
Cllr Currie	Cllr Brown	
Cllr Green	Cllr Campbell-Sturgess	
Cllr A Hampsey	Cllr Forrest	
Cllr D Hampsey	Cllr Howard	
Cllr Hardie	Cllr Hume	
Cllr Kain	Cllr Irvine	
Cllr Kennedy	Cllr Kennedy-Boyle	
Cllr MacPherson	Cllr Martin	
Cllr McCabe	Cllr MacQuire	
Cllr McNeilly	Cllr McFadzean	
Cllr Moreland	Cllr McKenzie	
Cllr Mulvaney	Cllr Philand	
Cllr Penfold		
Cllr Sinclair		
Cllr Vennard		
Cllr Wallace		

## Decision

The Motion was carried by 18 votes to 14 with 1 no vote and the Council resolved accordingly.

(Ref: Report by Executive Director with responsibility for Customer and Support Services dated 21 June 2022, submitted)

## 12. POLITICAL MANAGEMENT ARRANGEMENTS

The Council considered a report which highlighted a number of additional requests for appointments to outside bodies that have been submitted to the Council for consideration and further provided an update in relation to appointments to the Live Argyll Board.

## **Motion**

The Council makes the following appointments –

1. Councillor Ross Moreland as the representative on KIMO (Kommuners International Kiljorganisation).
2. Councillor Gary Mulvaney as the substantive member and Councillor William Sinclair as the substitute member to the Scottish Joint Council for Local Government Employees.
3. Councillor Liz McCabe as the representative to Older People's Champion.
4. Note the details of the representation on the Live Argyll Board.

Moved by Councillor Currie, seconded by Councillor Mulvaney.

## **Amendment**

The Council makes the following appointments –

1. Councillor Luna Martin as the representative on KIMO (Kommuners International Kiljorganisation).
2. Councillor Gary Mulvaney as the substantive member and Councillor William Sinclair as the substitute member to the Scottish Joint Council for Local Government Employees.
3. Councillor Liz McCabe as the representative to Older People's Champion.
4. Note the details of the representation on the Live Argyll Board.

Moved by Councillor Irvine, seconded by Councillor Armour.

As the meeting was being held on a virtual basis the vote required to be taken by calling the Roll and Members voted as follows –

### **Motion**

Cllr Corner  
Cllr Corry  
Cllr Currie  
Cllr Green  
Cllr A Hampsey  
Cllr D Hampsey  
Cllr Hardie  
Cllr Kain  
Cllr Kennedy  
Cllr MacPherson  
Cllr McCabe  
Cllr McNeilly  
Cllr Moreland  
Cllr Mulvaney  
Cllr Penfold

### **Amendment**

Cllr Armour  
Cllr Blair  
Cllr Brown  
Cllr Campbell-Sturgess  
Cllr Forrest  
Cllr Howard  
Cllr Hume  
Cllr Irvine  
Cllr Kelly  
Cllr Kennedy-Boyle  
Cllr Martin  
Cllr MacQuire  
Cllr McFadzean  
Cllr McKenzie  
Cllr Philand



Cllr Sinclair  
Cllr Vennard  
Cllr Wallace

### **Decision**

The Motion was carried by 18 votes to 15 and the Council resolved accordingly.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 15 June 2022, submitted)

### **13. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: TAXI DRIVER/PRIVATE HIRE CAR DRIVER MEDICALS AND DELEGATION FOR SUSPENSION OF LICENCE**

The Council considered a recommendation from the Planning, Protective Services and Licensing Committee of 23 March 2022 which sought a delegation to the Executive Director with responsibility for Legal and Regulatory Support to consider the immediate suspension of a licence.

### **Decision**

The Council agreed that a delegation be given to the Executive Director with responsibility for Legal and Regulatory Support in consultation with the Chair and Vice Chair of the PPSL Committee, to immediately suspend a licence in terms of paragraph 12(1) of Schedule 1 of the Civic Government (Scotland) Act 1982 if they determine that the circumstances of the case justify immediate suspension, on the grounds of undue public nuisance or a threat to public order or public safety.

(Ref: Recommendation by the PPSL Committee and report to that Committee, submitted)

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

The following Notice of Motion Under Standing Order 13 was before the Council for consideration –

### **Motion**

That, in this month where we mark our Armed Forces contribution, this Council:

I. renews its commitment to the Armed Forces Covenant, which is based on the premise that those who serve or have served, and their families deserve respect, support and fair treatment. In particular, it states that: “Those who serve in the Armed Forces, whether regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.”

II. is proud to be Armed Forces friendly and recognises the enormous contribution and sacrifices that members of the Armed Forces and their families make every day for the safety and security of our country.

III. values the service of all British Armed Forces personnel, past and present, including those from Commonwealth Nations.

IV. Requests officers update members on what current support we offer our armed forces and veterans and what more can be done to strengthen partnerships with the Armed Forces Community.

V. Asks that our Armed Forces and Veterans Champion, Provost Maurice Corry regularly updates members on the good work that the council is doing in this area.

Moved by Councillor MacPherson, seconded by Councillor Kain.

### **Decision**

The Council endorsed the terms of the Motion.