

MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the ON A HYBRID BASIS IN THE COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD AND BY MICROSOFT TEAMS on THURSDAY, 29 JUNE 2023

Present:

Councillor Maurice Corry (Chair)

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

Attending:

Pippa Milne, Chief Executive
Douglas Hendry, Executive Director
Kirsty Flanagan, Executive Director
Fiona Davies, Chief Officer, Health and Social Care Partnership
David Gibson, Chief Social Work Officer/Head of Children, Families and Justice
Fergus Murray, Head of Development and Economic Growth
Jane Fowler, Head of Customer Support Services
Wendy Brownlie, Head of Education – Learning and Teaching
Jennifer Crocket, Head of Education – Life Long Learning and Support
Shona Barton, Governance Manager
Jane Jarvie, Communications Manager
Morag Cupples, Finance Manager
David Forshaw, Finance Manager
Fergus Walker, Revenues and Benefits Manager
Audrey Martin, Transformation Projects and Regeneration Manager
Matt Mulderrig, Development, Policy and Housing Manager

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ian MacQuire.

2. DECLARATIONS OF INTEREST

Councillor Gary Mulvaney declared a non-financial interest to agenda item 15 (Helensburgh East King Street Affordable Housing Update) on the basis of his appointment by Council to Dunbritton Housing Association. He advised that he would leave the meeting and take no part in the consideration of this item.

3. MINUTES

The Minutes of the meeting of Argyll and Bute Council held on 27 April 2023 were approved as a correct record.

4. MINUTES OF COMMITTEES

(a) Policy and Resources Committee held on 11 May 2023

The Minutes of the meeting of the Policy and Resources Committee held on 11 May 2023 were noted.

(b) Environment, Development and Infrastructure Committee held on 1 June 2023

The Minutes of the meeting of the Environment, Development and Infrastructure Committee held on 1 June 2023 were noted.

(c) Community Services Committee held on 8 June 2023

The Minutes of the meeting of the Community Services Committee held on 8 June 2023 were noted.

5. RECOGNISING COMMUNITY SPIRIT

The Council gave consideration to a report proposing the introduction of the Argyll and Bute Provost's Certificate as a way of recognising exemplary community spirit in the area.

Decision

The Council –

1. noted the content of the submitted report; and
2. noted the proposed process for the Argyll and Bute Provost's Certificate.

(Reference: Report by Provost of the Council dated 15 June 2023, submitted)

6. LEADER'S REPORT

The Council gave consideration to a report providing an update on the activities of the Council Leader, Councillor Robin Currie, for the period 10 April 2023 to 12 June 2023. The report also included notes on activities relating to the Leader's Policy Lead portfolio of Strategic Development.

Decision

The Council –

1. noted the content of the report; and
2. noted that any reports, briefings or copy correspondence referred to in the report could be requested as appropriate through the Leadership Support Manager, and noted that some confidential reports provided by external organisations such as COSLA could be restricted.

(Reference: Report by Leader of the Council dated 12 June 2023, submitted)

7. POLICY LEADS REPORT

The Council gave consideration to a report providing an update on the activity for each Policy Lead Councillor from 27 April 2023 to 9 June 2023. The report aimed to provide updates from all Policy Lead Councillors as regularly as possible to ensure that all members were informed, up to date and able to engage with current issues.

Decision

The Council noted the content of the submitted report.

(Reference: Report by Policy Lead Councillors dated 15 June 2023, submitted)

8. YEAR END REPORTS PACK

(a) 2022-23 UNAUDITED ANNUAL ACCOUNTS

The Council gave consideration to a report providing an overview of the unaudited annual accounts for 2022-2023 and a summary of the significant movements from 2021-22; and asking members to approve the unaudited annual accounts for 2022-23 for issue.

Decision

The Council approved the unaudited annual accounts for the year ended 31 March 2023 for issue.

(Reference: Report by Section 95 Officer dated 29 June 2023, submitted)

(b) REVENUE BUDGET MONITORING - FOR THE YEAR 2022/23

The Council gave consideration to a report summarising the revenue budget position of the Council as at the end of the financial year 2022-23.

Decision

The Council –

1. noted the revenue budget monitoring position as at the end of financial year 2022-23;
2. noted that the unallocated balance within the General Fund as at 31 March 2023, after taking into account the contingency, amounted to £1.252m; and

3. approved the revenue virements over £0.200m between January and March 2023.

(Reference: Report by Section 95 Officer dated 2 June 2023, submitted)

(c) **EARMARKED RESERVES - 2022-23 YEAR END**

The Council gave consideration to a report providing information on progress with balances already earmarked within the General Fund and new balances earmarked at the end of 2022-23 that qualified for automatic carry forward or had been previously agreed. It also presented proposals to earmark 9 new areas of unspent budget which required approval.

Decision

The Council –

1. approved the revised Policy on Year End Flexibility included as Appendix 1, including the approval of one new category for automatic carry forward of unspent income for the installation and maintenance of Electric Vehicle Charging points.
2. approved the 9 new unspent budget earmarked reserve proposals totalling £4.610m as supported by submitted business cases and noted that there were a further 4 unspent budget earmarkings amounting to £2.094m that had been previously approved, as outlined in Appendices 2.1 and 2.2.
3. noted the new balances of £11.708m at the end of 2022-23 that qualified for automatic carry-forward as outlined in Appendix 3.
4. noted the previously approved earmarked reserves of £61.054m and the justification for continuing to earmark these as outlined in Appendix 4.
5. noted that £1.124m of no longer required earmarked balances would be released back into the General Fund.
6. noted that £5.006m relating to Social Work reserves was recognised on the Balance Sheet and was outwith the scope of this report.

(Reference: Report by Section 95 Officer dated 2 June 2023, submitted)

(d) **CAPITAL BUDGET MONITORING REPORT - 31 MARCH 2023**

The Council gave consideration to a report providing an update on the position of the capital budget as at 31 March 2023. 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 noted the contents of the submitted report and the financial summaries as detailed in Appendix 8 to the report.

(Reference: Report by Section 95 Officer dated 21 June 2023, submitted)

(e) **ANNUAL TREASURY REPORT 2022-23**

The Council gave consideration to a report outlining the Council's Treasury Management Position for 2023-23.

Decision

The Council noted and approved the Annual Treasury Report for 2022-23.

(Reference: Report by Section 95 Officer dated 21 June 2023, submitted)

(f) **STRATEGIC HOUSING FUND ANNUAL REPORT 2022-23**

The Council gave consideration to a report providing an update on the Strategic Housing Fund income and expenditure position for 2022-23, the current balance on the Strategic Housing Fund and all future commitments against this balance.

Decision

The Council -

1. noted the report on income and expenditure for 2022-23 and the balance on the Strategic Housing Fund as at 31 March 2023; and
2. noted the estimated future income for the Strategic Housing Fund for 2022-23.

(Reference: Report by Section 95 Officer dated 21 June 2023, submitted)

9. RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION: COUNCIL TAX FOR SECOND AND EMPTY HOMES AND NON-DOMESTIC RATES THRESHOLD

The Council gave consideration to a report that sought approval of a response to the Scottish Government consultation on Council Tax for second and empty homes, and non-domestic rates thresholds. The closing date of the consultation was 11 July 2023.

Decision

The Council approved the consultation response attached as appendix 1 to the submitted report.

(Reference: Report by Executive Director with responsibility for Financial Services / Section 95 Officer dated 5 June 2023, submitted)

10. CORPORATE PLAN 2023 - 2027 AND ANNUAL BUSINESS PLAN 2023 - 2024

The Council gave consideration to a report that sought approval of two key documents to support the organisation in delivering on its agreed priorities. The new Corporate Plan (2023 – 2027) which replaced the former (2018 – 2022) and the Annual Business Plan which was a new document that brought focus and scrutiny to delivering the Council's priorities.

Decision

The Council approved –

1. the Corporate Plan 2023 – 2027; and
2. the Annual Business Plan 2023 – 2024.

(Reference: Report by Chief Executive dated 24 June 2023, submitted)

11. POLITICAL MANAGEMENT ARRANGEMENTS

The Council gave consideration to a report advising of changes to the Political Management Arrangements and of vacancies arising following notification that Councillor Mark Irvine wished to step down from the Audit and Scrutiny Committee and Councillor Fiona Howard wished to step down from the Planning, Protective Services and Licensing Committee. The Council was asked to give consideration to political balance when filling these vacancies.

Decision

The Council agreed to appoint –

1. Councillor Dougie McFadzean to fill the vacancy on the Audit and Scrutiny Committee; and
2. Councillor Dougie Philand to fill the vacancy on the Planning, Protective Services and Licensing Committee.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 5 June 2023, submitted)

12. SECOND REVIEW OF SCOTTISH PARLIAMENT BOUNDARIES - BOUNDARIES SCOTLAND PROPOSALS

The Council gave consideration to a report providing information on Boundaries Scotland's consultation on its proposals relating to the Second Review of Scottish Parliamentary Boundaries.

Decision

The Council noted the proposals.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 29 June 2023, submitted)

13. REST AND BE THANKFUL UPDATE (Pages 11 - 12)

The Council gave consideration to a report providing an update on the Scottish Government's recent announcement on the long term solution for the Rest and Be Thankful. The preferred option was for a debris flow shelter along the line of the existing Trunk Road

with a construction time of three to four years following improvements to the Old Military Road. This had been considered the most deliverable option by Transport Scotland.

Decision

The Council agreed to –

1. request that the Leader of the Council writes to the newly appointed Minister for Transport, Fiona Hyslop MSP, to highlight our communities' concerns and their need for urgency in progressing the permanent solution for the Rest;
2. seek reassurance from the Minister and her officials at Transport Scotland on a range of points including clear timescales; measures to mitigate against delay; contingency plans for maintaining access in the event of a major incident during construction; and confirmation that the A82 upgrade will progress as planned;
3. ask the Minister to convene an urgent meeting of the A83 Taskforce given the commitment made at the last meeting in Arrochar, in the context of this recent announcement and the questions that remain within the community and local industry;
4. call upon the Minister to ensure that the Scottish Government, Transport Scotland and any other relevant agency will prepare and share a robust communications strategy which will reinforce the vital message at a national level that Argyll and Bute is open for business;
5. reiterate this Council's longstanding position that urgent completion of the permanent solution is of the utmost importance in order that Argyll and Bute's current and future opportunities for population and economic growth are not compromised; and
6. request officers to respond to the Scottish Government's recent announcement on the basis of paragraphs 1 to 5, above.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services dated June 2023, submitted)

14. COLONSAY AFFORDABLE HOUSING UPDATE

The Council gave consideration to a report providing an update on the housing project being delivered by Colonsay Community Development Company (CCDC) at Scalasaig, Colonsay.

Decision

The Council agreed to authorise a loan to Colonsay Community Development Company of £445,000, subject to the granting of an appropriate security, in line with policy agreed by Council in August 2012, to enable the successful delivery of the multi tenure housing development at Scalasaig, Colonsay.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated June 2023, submitted)

Councillor Gordon Blair left the meeting during discussion of agenda item 14 (Colonsay Affordable Housing Update).

Having declared an interest to the following item, Councillor Gary Mulvaney left the meeting and took no part in the consideration of this item.

15. HELENSBURGH EAST KING STREET AFFORDABLE HOUSING UPDATE

The Council gave consideration to a report providing an update on the progress on the 12 unit affordable housing development being delivered by Dunbritton Housing Association at a site on East King Street, Helensburgh; and which requested further funding.

Decision

The Council agreed to -

1. authorise a payment to Dunbritton Housing Association of £26,350 from the Strategic Housing Fund to enable the development of 12 affordable houses in Helensburgh; and
2. note that this was additional to the £12,000 per unit already approved from the Strategic Housing Fund.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated May 2023, submitted)

Councillor Gary Mulvaney rejoined the meeting at this point.

16. TARBERT HERITAGE REGENERATION PROJECT - DELIVERY PHASE

The Council gave consideration to a report advising that following the submission of two delivery phase grants to take forward the Tarbert Heritage Regeneration Scheme, the Council had been successful in securing delivery grant funding from Historic Environment Scotland (HES) and the National Heritage Lottery Fund (NHLF). The report sought approval to progress with the delivery phase.

Decision

The Council –

1. confirmed that officers progress with the Development Phase of the Tarbert Heritage Regeneration Scheme;
2. confirmed £60,000 of match funding from Crown Estates funding, agreed in principle at Policy and Resources Committee in June 2022;
3. agreed in principle that a Delivery Phase application is submitted to Historic Environment Scotland's Heritage and Place Programme (HPP) and National Lottery Grants for Heritage for a 5 year Tarbert Heritage Regeneration Scheme;
4. noted that Officers would report back prior to the submission of the delivery phase application; and

5. noted the terms of the previous decision at the Policy and Resources Committee in June 2022 to the principle of match funding from the Council for the delivery phase were a stage one development bid to go forward and be successful.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 30 May 2023, submitted)

17. CHILDREN AND YOUNG PEOPLE'S SERVICE PLAN 2023 - 2026

The Council gave consideration to a report presenting the Children and Young People's Service Plan 2023 – 2026 which was a legal requirement under Section 15 of the Children and Young People's (Scotland) Act 2014.

Decision

The Council endorsed and supported the Children and Young People's Service Plan 2023 – 2026.

(Reference: Report by Chief Officer – Health and Social Care Partnership dated 24 May 2023, submitted)

18. NOTICE OF MOTION UNDER STANDING ORDER 13

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

At the budget meeting in February 2021, the Council agreed to a saving of £10,000 to stop the nursery growing service. It was agreed that spring and summer bedding plants would still be provided by being sourced externally. The previous decision was taken with the best intention, but due to changes in market and circumstances it has not been successful in practice.

Carrying out a full procurement exercise only resulted in securing a supplier for the summer bedding and not both the spring and summer beddings.

Officers are asked to give consideration to the future arrangements for the delivery of planting across Argyll and Bute, with particular reference to the unique circumstances of Rothesay which was served by Ardenraig, and bring a report back to EDI on 31st August, on options that could be delivered for 2024.

Proposer: Councillor Liz McCabe

Seconder: Councillor Ross Moreland

Decision

The Council agreed the terms of the Motion and resolved accordingly.

(Reference: Notice of Motion Under Standing Order 13 proposed by Councillor Liz McCabe, seconded by Councillor Ross Moreland, submitted)