

MINUTES of MEETING of OBAN LORN & THE ISLES AREA COMMITTEE held in the ON A HYBRID BASIS ON MICROSOFT TEAMS AND IN THE MCCAIG SUITE, CORRAN HALLS, OBAN on WEDNESDAY, 13 SEPTEMBER 2023

Present: Councillor Andrew Kain (Chair)

Councillor Kieron Green
Councillor Willie Hume
Councillor Jim Lynch

Councillor Luna Martin
Councillor Andrew Vennard

Attending: Alan Morrison, Regulatory Services and Building Standards Manager
Hugh O'Neill, Network & Standards Manager, Roads and Infrastructure
Mark Calder, Project Manager, Roads and Infrastructure
Ailie Law, Community Development Officer
Sonya Thomas, Project Officer, Customer Services
Melissa Stewart, Governance Officer, Legal & Regulatory Services

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Amanda Hampsey and Councillor Julie McKenzie.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTES

(a) Oban, Lorn and the Isles Area Committee - Meeting held on 14 June 2023

The Minutes of the meeting of the Oban, Lorn and the Isles Area Committee held on 14 June 2023 were approved as a correct record.

(b) Oban, Lorn and the Isles Area Community Planning Group - Meeting held on 16 August 2023

The Minutes of the meeting of the Oban, Lorn and the Isles Area Community Planning group held on 16 August 2023 were noted.

(c) Oban Common Good Fund - Meeting Held on 22 May 2023

The Minutes of the meeting of the Oban Common Good Fund held on 22 May 2023 were noted.

(d) Oban Common Good Fund - Meeting held on 21 August 2023

The Minutes of the meeting of the Oban Common Good Fund held on 21 August 2023 were noted.

The Chair advised that the running order of the Agenda would be amended to allow Officers who had other commitments to leave the meeting. The minutes of the meeting reflect the order items were discussed.

4. RECYCLING AND RECOVERY PERFORMANCE

The Area Committee gave consideration to a report providing detail on the Council's recycling and landfill diversion performance along with national policy, targets and regulations which were likely to impact on future performance.

Decision

The Oban, Lorn and the Isles Area Committee noted the detail as outlined in the submitted report and the national policy drivers that would likely impact over the coming years.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services dated 13 September 2023, submitted)

5. ROADS AND INFRASTRUCTURE SERVICES UPDATE

The Area Committee gave consideration to a report providing links to existing published information and service activities within Roads and Infrastructure Services; and providing an opportunity for Officer attendance and engagement at the meeting. The Project Manager also encouraged members of the committee to complete the survey currently being undertaken.

Decision

The Oban, Lorn and the Isles Area Committee noted the content of the submitted report.

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

6. PUBLIC QUESTION TIME

Question 1 – Duncan Martin

At the March meeting I asked about Short term lets, and Fergus Murray said, I think, that there was a group developing policy in this area. As the deadline for applications arrives, what is that policy?

Allan Morrison, Regulatory Services & Building Standards Manager, advised that the Short Term Lets Policy and Legislation is a Scottish Government Scheme that all Local Authorities have no option but to implement the Scheme and discussed the consultation on the current policy which was carried out before the policy was endorsed by Council in September 2022. He explained it was always the intention to revise the Policy, as the Scheme was implemented quickly. The revised changes to the Policy reflect what has been learnt, the revised Scottish Government Guidance and a letter received from the Scottish Self Caterers Association. The revised short term let policy will be submitted to the Planning, Protective Services and Licensing Committee (PPSL Committee) on 20th

September 2023 with a recommendation that they consider and recommend approval of the revised policy to full Council. The report should be available to the public later this week.

Having been in place for a year, the Council have received 790 licence applications, 158 have been approved and none have been refused at this point. The service anticipate a large number of applications will shortly be submitted, as the deadline for existing short term let owners to apply for a licence is 1st October 2023.

Question 2 – Duncan Martin

Did the Council consider having a control zone?

The Council have not set any Planning Control Areas, therefore planning consent is not required before applying for a Short Term Licence, nor will a licence be refused on the basis that the applicant does not have planning consent. A licence is considered on the basis of representation from Police Scotland, Fire and individuals or communities who are against the application.

Question 3 - Duncan Martin

What are the Grounds for refusal?

Allan Morrison advised that the grounds for refusal are that the applicant is not a fit and proper person; the property is not suitable and does not meet the standards; and that representations from consultees and public/community cannot be resolved. Where those apply the application would then go to a Hearing of the PPSL Committee, who would make the final decision to award or refuse the licence.

Question 4 - Phil Hamerton

How is the Community informed of applications received?

Allan Morrison explained that part of the Licensing process is that a Public Notice should be placed in a conspicuous place by the applicant, which will give the public an indication that an application has been made, providing the public the opportunity to make any representation.

Links to the Short Term Let Policy, the Scottish Government Scheme, and the Public Register of applicants can all be found on the Council Website:- <https://www.argyll-bute.gov.uk/licences/short-term-lets-licence>

Question 5- 8 –Frank Roberts, Oban Community Council

Question 5 - When are the improvements to Gibraltar Street, which were discussed and agreed at the last meeting of the Committee following a second public consultation in November last year, scheduled to be started and when is their completion anticipated?

Hugh O'Neill, Network & Standards Manager, advised that following concerns from the Roads Department regarding lighting and pedestrian access, he will be attending a meeting at Gibraltar Street today to rectify these concerns so that work can proceed as scheduled with effect from 18th September.

Question 6 - When will the installation of CCTV coverage of the car park at Ganavan Sands, first discussed at a site meeting on February 8th and again at the previous meeting of this Area Committee, be scheduled to be started and when completed?

Melissa Stewart, Governance Officer, read out a response received from Roads and Infrastructure, stating that they are looking to progress the installation of the CCTV alongside planned upgrades to the toilet block to install a door access control system. This had taken longer to get off the ground than expected but the contractor has been mobilised for the first phase in Lomond area and will move to the OLI area shortly thereafter.

Question 7 - A new parking ticket machine was installed at Ganavan sometime before August 25. This replaces one which had been damaged and had not been working for a very considerable time. When will this new machine will be brought into commission?

Hugh O'Neill, Network and Standards Manager, agreed to take that question away and will respond via the Chair as soon as possible.

Question 8 - Are the provisions and regulations included within a Traffic Regulation Order are legally enforceable by the Council?

The Chair advised that the Council can legally enforce provisions and regulations within a Traffic Regulation Order.

Question 9 and 10 – Ross Wilson

Question 9 - When is A&BC holding a Public Meeting to present their draft proposed Harbour Revision Order including Stakeholder and User consultation/advisory structure for the proposed Oban Municipal Harbour?

The Chair advised that at the Harbour Board meeting on 31st August agreed that the draft revision order be passed to Transport Scotland, where it now sits with them to conduct a 42 day consultation period, providing the stakeholders and public with a further opportunity to respond.

Mr Wilson accepted that the Harbour Board met in public, but did not accept there had been a meeting with the public beyond that to discuss the skeleton harbour order and expressed his disappointment that Council Officers had not yet responded to the representations made at that time despite requests to meet over the last 6-9 months. His view was there had been no consultation on the final order and what was called for was for someone to now stand up and say this is our proposal, what do you all think of it?

The Chair disagreed with the view expressed stating that there had been ample public consultation with over 1000 people contacted over the course of the consultation. He advised that the Council had followed the correct process and that the revision order now sat with Transport Scotland.

Question 10 - Following the official Oban Lorn & the Isles Area Committee constituency meeting held on 24 May 2023 with the community represented by Oban Bay Stakeholders Group, Oban Community Council and Oban Community Harbour Development

Association, why have the following agreed motions relating to the proposed Oban Municipal Harbour not been put before the Oban Lorn & the Isles Area Committee:

1. A workshop to consider appropriate consultative arrangements attended by all interested parties, to be held before the end of June 2023?
2. A public meeting once the draft Harbour Revision Order is available for formal public consultation?
3. Sight of the business case for an Oban Municipal Harbour?

The Chair advised that there had been no Area Committee held on 24th May and was therefore unaware of any discussions of motions.

Mr Wilson stated that it was a minuted meeting set up by Councillor Andrew Vennard with constituents and fellow Councillors in attendance, who had agreed to take the points raised to the Oban, Lorn and the Isles Area Committee.

Councillor Vennard confirmed that the meeting had been arranged as an informal meeting with constituents and representations would be discussed with other members with a possibility of putting forward a Motion to the Area Committee.

The Clerk to the meeting explained that motions required to be consistent with the powers and duties for the committee to be competent and that in this case the Harbour Board has the relevant powers and duties set out within the Council's Scheme of Administration and Delegations.

Question 11 – Ross Wilson

Why did the 3 councillors who attended this informal constituency meeting not put forward these motions to the correct committee?

Councillor Vennard explained that the action within the note of the meeting was to contact the other members, possibly with a view to taking these forward.

Councillor Green advised that the meeting discussed possible courses of action but that he had been clear during discussion he was not in a position to action these.

Mr Wilson expressed his disappointment that the local councillors were not interested in representing the community on the Harbour Revision Order (HRO). The Chair responded to say he was sure there were others councillors who have similar opinion to him that they have done their best to ensure the councils work on the HRO gets through the stage with Transport Scotland as quickly as possible, although not as quickly as he might have liked. The Chair reassured Mr Wilson that he wanted to ensure that everyone involved, or who has a connection with Oban Harbour, is represented to the benefit of Oban in the future, and not to the exclusion of anyone. This might include wider community council representation and Mr Wilson agreed to ensure the views of Mull, Iona, Tiree, Coll and Luing were obtained before the Oban Bay Management Group finalised their position.

Question 12 – Phil Hamerton

A comment was made about relevance and significance of other community councils in helping steer the future of Oban Harbour Authority as it will be. Is it the view of the Chair of this meeting that the extent of interest that each community council has is the same, or do you believe some communities might have a greater interest?

The Chair responded to say at different times different groups would have more importance and that Tíree, for example, has a lifeline ferry service and therefore difficult to weight any other group against that. Mr Hamerton asked if taking ferry services out of the discussion, would Oban have a more enduring interest in the harbour than other communities might have. The Chair advised that we have to deal with what we have in the present.

Councillor Lynch commented that a clear plan and structure of where we were going was required and that the business plan would help with this. He considered that the need to share information and bring everyone together was evident in stopping misunderstandings and people feeling marginalised, although that might also mean people getting information they might not want to hear. The Chair stated that communication would be a role for the groups going forward, flexibility would be required to adapt them as they go forward, and there was a need for a clear objective that isn't focused on just one interest group or another.

Question 13 - Ross Wilson

Where is the business case?

The Chair advised that it was still in the process and not quite there yet.

Question 14 – Fiona Kincaid

Mrs Kincaid explained that she had raised concerns with regards to Oban Caravan and Camping Park, which is under new ownership, and the extensive development that is apparently taking place without the relevant planning consent. These concerns were discussed in March with Councillor Lynch and then more recently with the Oban Community Council, who resolved to writing to the Area Committee. Can Councillors advise what enquiries have been made and if the necessary planning permission was applied for and approved prior to the extensive redevelopment work commencing, and are the Councillors aware that the process for selling off these new Lodges with Hot Tubs has already begun and could be used for residential purposes? Also if Planning Permission has not been granted what happens next?

The Chair advised that he was not aware of a letter being received from the Community Council, but he would ask the Clerk to make enquiries with the planning department.

Councillor Lynch confirmed that when he made the initial enquiry with the planning department he was advised that the work that was ongoing was on a like for like basis which was agreeable with the planning application. The planning department were in discussions with the Company but he was not aware at what stage these discussions were now at.

As there was no-one in attendance from the Planning Department the Clerk confirmed that she had taken a note of the concern and would pass it on after the meeting.

There was also a concern over the private water supply to the Caravan Park and surrounding neighbouring properties, and also the demolishing of the existing farmhouse at the beginning of October, to be replaced with an onsite Café.

7. AREA SCORECARD FQ1 2023/24

The Area Committee gave consideration to a report presenting the Area Performance Report for Financial Quarter 1 2023/24 and illustrating the agreed performance measures.

Decision

The Oban, Lorn and the Isles Area Committee noted –

- a) the performance and supporting commentary as presented, giving credit to the team for the positive performance in terms of Corporate Outcome 1 – Percentage of clients satisfied that they are able to deal with their financial problems following our support and intervention;
- b) that upon receipt of the Quarterly Performance Report the Area Committee could contact either the Responsible Named Officer or Sonya Thomas with any queries; and
- c) that work is ongoing and that the Area Committee could respond to Sonya Thomas with requests.

(Reference: Report by Executive Director with responsibility for Customer Support Services dated 23 August 2023, submitted)

8. PLAY PARK ENGAGEMENT - UPDATE REPORT

In March 2023 the Environment, Development and Infrastructure Committee agreed a process for engagement with other groups including youth forums and relevant Community Councils in relation to the allocation of £938k Scottish Government funding for the renewal of play parks in Argyll and Bute.

The Area Committee gave consideration to a report outlining the response from the engagement exercise.

Decision

The Oban, Lorn and the Isles Area Committee –

1. noted the breakdown of engagement and consultation responses in each area with the majority of responses focusing on new/replacement equipment; and
2. agreed the relevant spend on Tobermory Play Park.

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

9. SUPPORTING COMMUNITIES FUND - MONITORING OF PROJECTS FUNDED

The Area Committee gave consideration to a report providing monitoring information on the funding given to projects from the Council's Supporting Communities Fund.

Decision

The Oban, Lorn and the Isles Area Committee noted the positive contribution of the Supporting Communities Fund detailed in section 4 and in the attached table of the submitted report.

(Reference: Report by Chief Executive with responsibility for Community Planning and Community Development dated 12 September 2023, submitted)

10. APPOINTMENT TO OUTSIDE ORGANISATIONS

At their meeting on 15 June 2022 the Area Committee had made appointments to various outside bodies and organisations. Since that time, vacancies had arisen on the Atlantis Leisure Board and West Highland Housing Association (WHHA) and the Area Committee were invited to give consideration to these vacancies.

The Governance Officer provided a further update to the Committee following the Special General Meeting of the WHHA Board on 7th September, advising that the Board had, as anticipated, reduced the number of council nominees from 2 to one and therefore no appointment was required.

Decision

The Oban, Lorn and the Isles Area Committee –

1. noted the position in relation to nominations for the West Highland Housing Association; and
2. agreed to appoint Councillor Vennard to the Atlantis Leisure Board.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 23 August 2023, submitted)

11. DRAFT OBAN, LORN AND THE ISLES AREA COMMITTEE WORKPLAN

The draft Oban, Lorn and the Isles Area Committee work plan was before the Area Committee for noting.

Decision

The Oban, Lorn and the Isles Area Committee noted the content of the draft work plan.

(Reference: Draft Oban, Lorn and the Isles Area Committee work plan dated 13 September 2023, submitted)

12. NOTICE OF MOTION UNDER STANDING ORDER 13

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

Oban Camanachd 2023 MacAulay Cup Winners

That the Oban Lorn and the Isles Area Committee commend and congratulate Oban Camanachd Shinty Club on winning the 2023 Macaulay cup defeating Kingussie 2-1 in the final.

Proposed: Councillor Jim Lynch
Seconded: Councillor Willie Hume

Decision

The Oban, Lorn and the Isles Area Committee unanimously agreed the terms of the Motion and resolved accordingly.

(Reference: Notice of Motion Under Standing Order 13, Proposed by Councillor Jim Lynch, seconded by Councillor Willie Hume, submitted)

13. JOHN OF LORN BEQUEST AWARD RECOMMENDATIONS

The Area Committee gave consideration to a report providing information on a number of applications received and processed for support from the John of Lorn Bequest.

Decision

The Oban, Lorn and the Isles Area Committee noted the number of awards made from the John of Lorn Bequest since June 2023.

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