

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held ON A HYBRID BASIS IN THE COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD AND BY MICROSOFT TEAMS on THURSDAY, 28 SEPTEMBER 2023**

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

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

**Attending:** Pippa Milne, Chief Executive  
Douglas Hendry, Executive Director  
Kirsty Flanagan, Executive Director  
Fiona Davies, Chief Officer, Health and Social Care Partnership  
David Logan, Head of Legal and Regulatory Support  
Jane Fowler, Head of Customer Support Services  
Jennifer Crocket, Head of Education – Life Long Learning and Support  
David Gibson, Chief Social Work Officer/Head of Children, Families and Justice  
Fergus Murray, Head of Development and Economic Growth  
Stuart McLean, Committee Manager  
Morag Brown, Business Improvement Manager  
Matt Mulderrig, Development Policy and Housing Manager  
Martin Caldwell, Chair of the Audit and Scrutiny Committee  
Alan Morrison, Regulatory Services and Building Standards Manager  
Fergus Walker, Revenues and Benefits Manager

The Provost, on behalf of the Council, congratulated Oban golfer Robert MacIntyre on being the first Scot to make the European Ryder Cup Team since 2014. He advised that Mr MacIntyre was an exceptionally talented golfer who had done Oban and Argyll proud. He wished him well and all of the Team the best of luck in the Ryder Cup.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Julie McKenzie and Iain Shonny Paterson.

## **2. DECLARATIONS OF INTEREST**

Councillor Reeni Kennedy Boyle declared a non-financial interest in relation to item 11 of the agenda (Argyll and Bute Child Poverty Action Plan Review 2022-23) due to her occupation as General Manager of Fyne Futures which was a subsidiary of Fyne Homes and a delivery partner in the Inspiralba Social Enterprise Consortium for Bute and Cowal area No One Left Behind Programme. She advised as this was a report for noting she would remain in the meeting during the consideration of this item.

## **3. MINUTES**

The Minutes of the meeting of Argyll and Bute Council held on 29 June 2023 were approved as a correct record.

## **4. MINUTES OF COMMITTEES**

### **(a) Policy and Resources Committee held on 10 August 2023**

The Minutes of the meeting of the Policy and Resources Committee held on 10 August 2023 were noted.

Arising from item 4 of these Minutes (Financial Reports Monitoring Pack – 30 June 2023) the Council approved -

1. the revenue virements over £0.200m during April to June 2023; and
2. the revenue virements over £0.200m outstanding from 2022-23 year as per paragraph 2.6.3 of the submitted report.

Arising from item 6 of these Minutes (Capital Investment Strategy 2023-2038) the Council approved the Council's new Capital Investment Strategy contained at Appendix A to the submitted report.

### **(b) Community Services Committee held on 24 August 2023**

The Minutes of the meeting of the Community Services Committee held on 24 August 2023 were noted.

Arising from item 9 of these Minutes (ASN Service Provision 2023), the Council agreed the recommendation by the Community Services Committee to -

1. approve virement of the phase 1 capital costs of £1,255,000 from within the Education Service as set out in Appendix 1,
2. approve virement of the phase 1, revenue costs of £495,560 as appropriate, up to £495,560 from within the Education Service as set out in Appendix 1, and
3. agree in principle the viring of revenue and capital funding within the Education Service, in accordance with the Council's Financial Security Regulations paragraphs 3.14 to 3.16, for phase 2 of the proposals, with the necessary report(s) being submitted to Council at the appropriate time and subject to the Council's overall financial position at that time.

(c) **Environment, Development and Infrastructure Committee held on 31 August 2023**

The Minutes of the meeting of the Environment, Development and Infrastructure Committee held on 31 August 2023 were noted.

Arising from item 9 of these Minutes (Provision of Floral Displays) the Council agreed the recommendation by the Environment, Development and Infrastructure Committee that as implementation of these measures was estimated to require additional revenue funding of £7,500 within 2023-24, that this was funded from the unallocated General Fund and built into the budget outlook estimates for future years.

Councillor Tommy MacPherson joined the meeting during consideration of the following item of Business.

**5. 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 12 June to 8 September 2023. The report also included noted 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, noting that some confidential reports provided by external organisations such as COSLA may be restricted.

(Reference: Report by Leader of the Council dated 8 September 2023, submitted)

Councillor Kieron Green joined the meeting during consideration of the following item of Business.

**6. POLICY LEADS REPORT**

The Council gave consideration to a report providing an update on key areas of activity for each Policy Lead Councillor. The report aimed to provide updates from all Policy Leads 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 8 September 2023, submitted)

## **7. POLITICAL MANAGEMENT ARRANGEMENTS**

The Council gave consideration to a report providing an update on the Political Composition of the Council and the various arrangements which would be required following the resignation of Councillor Donald Kelly as a Councillor for Ward 1, South Kintyre. The Council was invited to note the Political Composition of the Council as set out in Appendix 1 to the submitted report; to give consideration to the current vacancies on Committees and other organisations; and to note that arrangements were being put in place for a by-election in Ward 1, South Kintyre.

### **Decision**

The Council –

1. noted the updated Political Composition of the Council as set out at Appendix 1 to the submitted report;
2. noted the current vacancies on committees and other organisations, noting that area-based appointments would be dealt with at the appropriate time by the Mid Argyll, Kintyre and the Islands Area Committee;
3. noted that arrangements are being put in place for a by-election in Ward 1, South Kintyre; and
4. agreed to delay filling the vacancies on the Environment, Development and Infrastructure Committee and A83 Task Force Group until the November Council meeting and following the by-election in Ward 1, South Kintyre.

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

## **8. COUNCIL CONSTITUTION REVIEW 2023**

The Council gave consideration to a report proposing changes to the Council Constitution addressing issues arising since the last review of the Constitution in September 2022.

### **Decision**

The Council agreed the adjustments to the Council Constitution as follows –

1. to update Part A of the Constitution as set out in Appendix 1 to the submitted report;
2. to amend Part C, Scheme of Delegations as set out in Appendix 1 to the submitted report;
3. To amend Part D, Financial and Security Regulations, to incorporate changes as set out in Appendix 1 to the submitted report;
4. to note the updated Procurement Manual as previously agreed by Council in September 2022 had been inserted at Part E, Contract Standing Orders and as set out in Appendix 1 to the submitted report;

5. to amend Part F, Ethical Framework as set out in Appendix 1 to the submitted report; and
6. to amend Part G, Scheme of Approved Duties as set out in Appendix 1 to the submitted report subject to a further amendment to paragraph 4 under “Qualifications” whereby rather than requiring approval of the full Council, the matter would be considered by the Leader of the Council in consultation with the Monitoring Officer and the Chief Executive.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 21 August 2023, submitted)

## **9. AFGHAN RESETTLEMENT**

The Council gave consideration to a report providing an update on the Afghan Relocation and Assistance Policy and the support in place to assist those families who supported British Forces while they were in Afghanistan.

### **Decision**

The Council agreed the continuing support for Afghan relocation and the provision of integration support for families through the Afghan Relocation and Assistance Policy scheme.

(Reference: Report by Executive Director with responsibility for Refugees and Asylum Seekers dated 13 September 2023, submitted)

## **10. CHIEF SOCIAL WORK OFFICER REPORT 2022/23**

The Council gave consideration to the Chief Social Work Officer report for the financial year 2022/23.

### **Decision**

The Council –

1. noted the key activities outline in the Chief Social Work Officer Report 2022/2023;
2. commended the Chief Social Work Officer on the preparation of the report;
3. acknowledged the continued commitment of social work and social care staff in the delivery of services; and
4. noted that the Report would be submitted to the Office of the Child Social Work Adviser to the Scottish Government.

(Reference: Report by Chief Social Work Officer dated 21 August 2023, submitted)

The Provost ruled, and the Council, agreed to take a 15 minute comfort break at this point.

The meeting re-convened at 12.05pm.

The Provost ruled, and the Council agreed, to re-order the items of Business on the agenda and to consider item 12 of the agenda (Housing Annual Assurance Statement 2023) before item 11 of the agenda (Argyll and Bute Child Poverty Action Plan Review 2022-23).

#### **11. HOUSING ANNUAL ASSURANCE STATEMENT 2023**

The Council gave consideration to a report presenting the Housing Annual Assurance Statement for 2023 which was a requirement by the Scottish Housing Regulator introduced in 2019.

##### **Decision**

The Council approved the Annual Assurance Statement contained at Appendix 1 to the submitted report.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 28 September 2023, submitted)

#### **12. ARGYLL AND BUTE CHILD POVERTY ACTION PLAN REVIEW 2022-23**

The Council gave consideration to a report showing the work taking place across Argyll and Bute to tackle child poverty and support families. The report sought to identify the particular challenges and advantages of the geography, demography and economic environment of Argyll and Bute and highlighted many successes and organisations and people dedicated to ensuring that children in Argyll and Bute did not grow up in poverty.

##### **Decision**

The Council noted and endorsed the report which had been approved by the Argyll and Bute Child Poverty Action Group.

(Reference: Report by Chief Social Work Officer dated 28 September 2023, submitted)

#### **13. HOMEARGYLL COMMON ALLOCATION POLICY - PROPOSED CHANGES**

The Council gave consideration to a report providing detail on proposed changes to the HOMEArgyll lettings policy which would assist with a more streamlined approach to providing permanent accommodation for homeless households.

##### **Decision**

The Council approved –

1. the following HOMEArgyll proposed policy changes:-

- Reduce the number of permanent offers of housing from two to one for households who have the maximum 200 point urgent housing need award.
- If the HOMEArgyll partners identify a particular pressure in the housing market the policy will address this by creating flexibility in the allocations process to assist to alleviate the identified pressure. This will only apply if the identified pressure in the

housing market affects households with the maximum 200-point award under the policy.

2. that a formal Council request be put to the HOMEArgyll Registered Social Landlords to increase the percentage of allocations to statutory homeless households from 50% to 60% while there are households in unsuitable temporary accommodation.

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

#### **14. SCOTTISH GOVERNMENT REPORTER'S FINDINGS ON THE ARGYLL AND BUTE PROPOSED LOCAL DEVELOPMENT PLAN 2: NEXT STEPS**

The Council gave consideration to a report providing an update on progress with the Local Development Plan 2 (LDP2) process and an outline of the next steps in the statutory adoption process; and which sought approval to progress these steps with a view to Local Development Plan 2 being fully adopted by November 2023.

##### **Decision**

The Council –

1. noted and endorse the content of the submitted report;
2. agreed the recommendations contained within the Scottish Ministers Reporter's Examination Report;
3. agreed to the submission of the revised Local Development Plan 2 to the Scottish Ministers stating intent to adopt as modified in accordance with the recommendations in the Report of Examination, taking into account any consequential amendments and non-notifiable modifications. The Plan would be Adopted within 28 days of submission unless otherwise directed by the Scottish Ministers; and
4. delegated authority to the Executive Director with responsibility for Development and Economic Growth to move this matter forward on behalf of the Council, including all editorial and statutory requirements.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 23 August 2023, submitted)

#### **15. PILOT OUTCOMES FOR REGISTRAR LED FUNERAL SERVICES IN KINTYRE**

The Council gave consideration to a report providing an update on the outcomes of a pilot for civil funeral services with local undertakers in the Kintyre area that Council had approved in September 2022.

##### **Decision**

The Council approved -

1. the permanent addition of civil funeral services to the portfolio of registration services in the Kintyre registration district, in co-operation with local undertakers; noting that roll out to further districts in the future would require separate approval; and

2. that the council continues to record funeral service fees in the annual budget pack and subject to the inflationary increases approved by Council.

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

## **16. AUDIT AND SCRUTINY COMMITTEE ANNUAL REPORT 2022/23**

The Council gave consideration to a report presenting the Chair of the Audit and Scrutiny Committee's annual overview of the Committee's activity during the financial year 2022/23 and a summary of key developments since the commencement of 2023/24. The report set out how the Committee had fulfilled its remit and provided assurances to the Council.

### **Decision**

The Council endorsed the Chair of the Audit and Scrutiny Committee's Annual Report.

(Reference: Report by Chair of the Audit and Scrutiny Committee dated 28 September 2023, submitted)

## **17. SCRUTINY PANEL REPORT - CONSULTATIONS**

The Council gave consideration to a recommendation from the Audit and Scrutiny Committee held on 20 June 2023 in relation to the scrutiny review of public consultations. The Council was invited to consider and note the report by the Chair of Consultations Scrutiny Panel.

### **Decision**

The Council agreed to note the Consultation Scrutiny Review report as per the recommendation by the Audit and Scrutiny Committee held on 20 June 2023.

(Reference: Extract of Minute of Audit and Scrutiny Committee meeting held on 20 June 2023 and Consultation Scrutiny Report dated April 2023, submitted)

## **18. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - SHORT-TERM LETS**

### **(a) Recommendation from the meeting of the Planning, Protective Services and Licensing Committee held on 23 August 2023**

The Council gave consideration to a recommendation from the meeting of the Planning, Protective Services and Licensing Committee held on 23 August 2023 in relation to proposed amendments to the Council's Short Term Lets Policy Hearing Procedure.

### **Decision**

The Council approved the proposed revisions to Argyll and Bute Council's Short-term Lets Policy Hearing Procedure as recommended by the Planning, Protective Services and Licensing Committee at their meeting held on 23 August 2023.

(Reference: Extract of Minute of Planning, Protective Services and Licensing



Committee held on 23 August 2023 and report by Executive Director with responsibility for Legal and Regulatory Support dated 4 August 2023, submitted)

**(b) Recommendation from the meeting of the Planning, Protective Services and Licensing Committee held on 20 September 2023**

The Council gave consideration to a recommendation from the meeting of the Planning, Protective Services and Licensing Committee held on 20 September 2023 in relation to proposed changes to the Council's Short-term Let Licensing Policy to take account of issues which had arisen.

**Decision**

The Council approved the revised Short-term Let Licensing Policy as recommended by the meeting of the Planning, Protective Services and Licensing Committee held on 20 September 2023.

(Reference: Extract from Minute of the meeting of the Planning, Protective Services and Licensing Committee held on 20 September 2023; and report by Executive Director with responsibility for Development and Economic Growth dated 13 September 2023, submitted)

The Council resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 13 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

**19. PROPOSED COMPULSORY PURCHASE ORDER**

The Council gave consideration to a report requesting approval to initiate Compulsory Purchase Order measures and to write to the owner of the property advising of the Council's intention to pursue a Compulsory Purchase Order.

**Decision**

The Council agreed to authorise the Executive Director with responsibility for Legal and Regulatory Support to make a Compulsory Purchase Order in suitable terms and to take all the necessary steps to enable the Council to acquire the whole rights of the property referred to in the submitted report and that at such time as the Executive Director with responsibility for Legal and Regulatory Support and the Executive Director with responsibility for Development and Economic Growth shall jointly decide.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support and Executive Director with responsibility for Development and Economic Growth dated 28 September 2023, submitted)