

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, 6 MARCH 2024

Present: Councillor Andrew Kain (Chair)

Councillor Kieron Green	Councillor Jim Lynch
Councillor Amanda Hampsey	Councillor Julie McKenzie
Councillor Willie Hume	Councillor Andrew Vennard

Attending: Melissa Stewart, Governance Officer
Tom Murphy, Operations Manager, Roads and Infrastructure Service
David Allan, Estates Officer
Colin Young, Strategic Transportation Delivery Officer
Stuart Green, Corporate Support Manager
Sonya Thomas, OD Project Officer
Kirsty McLuckie, Community Development Officer
Douglas Whyte, Housing Strategy Manager
Richard Gawthorpe, Head Teacher, Bunesan Primary School
Natalie White, Head Teacher, Strath of Appin Primary School
Rachel Binnie, Education Manager

1. APOLOGIES FOR ABSENCE

There were no apologies received.

Councillor Lynch intimated that he would have to leave the meeting at 11.30am as he had a prior engagement.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTES

(a) Oban, Lorn and the Isles Area Committee - 13 December 2023

The Minute of the meeting of the Oban, Lorn and the Isles Area Committee, held on 13 December 2023 was approved as a correct record.

(b) Oban, Lorn and the Isles Area Community Planning Group - 7 February 2024

The Minute of the meeting of the Oban, Lorn and the Isles Area Community Planning Group held on 7 February 2024 was noted.

(c) Special Meeting of Oban Common Good Fund - 12 December 2023

The minute of the Special Meeting of Oban Common Good Fund meeting

held on 13 December 2023 was noted.

4. PUBLIC QUESTION TIME

Question 1 – Frank Roberts, Oban Community Council

The appalling storm and associated heavy rainfall that we experienced on October 7th last year resulted in a number of very serious consequences, and the Council officers and their staff are to be congratulated on the rapid response to many of these.

One consequence of the storm was the inevitable flooding in Oban at Lochavullin, and the seriousness and financial consequences of this to local business was raised by Andrew Spence of BID4Oban and others at the last meeting of this committee.

We all know that such flooding is a continuing problem, has been for many years, and that a permanent solution will be dependent on securing significant funds, most probably from Government.

The recent meeting of the Oban Community Council was attended by Mr Lachie Strathern. Mr Strathern has a garage business in the area, and is regularly faced with the problem caused by flooding, and in particular of back washing of raw sewage into his premises. You will all agree that this constitutes an immediate and serious health risk for him and his staff, but also will inevitably result in raw sewage contamination of the relatively enclosed waters of the bay in the town centre.

Mr Strathern's property is leased from the Council. He was told in August last year that there are no plans of the sewage drains in the area of his garage, but that the Council would arrange for them to be surveyed, to enable remedial action to be taken. This has still not happened despite several requests by him. This should be perfectly within the resources of the Council. Can I ask, therefore:

1. When will Mr Strathern's immediate and potentially extremely hazardous to health problem of sewage pollution of his premises be addressed, and will the Council commit to a definite date by which the drains will be surveyed and remedial action be taken?
2. Does the Council have a plan of how it intends to address the overall flooding problem, including short term remedial measures that can be immediately undertaken, such as clearing or dredging the Black Lynn and ensuring the efficient operation of the pumps in the car park, and will it publish that plan with target dates by which it will achieve each step?
3. Will the Area Committee ask that a brief report on progress made be submitted at its next and each subsequent meeting, so that such progress, or lack thereof, can be monitored?

Mr Roberts added that at the last Area Committee it had been agreed that Mr O'Neill and Mr Spence would take the matter off table for a detailed response which he did not agree with as he felt the community should be kept informed of current and ongoing information.

The Chair responded by firstly pointing out that the Council's response to the recent storms was remarkable and they had managed to get some funding back from the Scottish Government to support their response. However, the issue of flooding was first raised in 1973, then the Government changed in 1974 and ever since money and resources have been in decline. There are serious issues in our infrastructure and the Roads Department Budget is £100m behind the curve. This is not an excuse but a fact.

The Governance Officer gave advice surrounding the Guidance of Community Councils acting on a person's behalf, advising that the tenant would be best placed to put his

concerns regarding lack of response through the Council's complaints process. A complaint requires to be lodged by an individual member of the public.

Mr Strathern, tenant of property at Lochavullin advised that following the last flooding raw sewage was not backing up into his property and was affecting not only him but his 7 members of staff. He stated that the responsibility falls solely with the Council as it is an environmental health issue.

Mr Murphy from the Council's Roads and Infrastructure advised that the Head of Service was compiling a report around flooding and he stated he would speak to his colleagues in the Environmental Health department with regards to the raw sewage backup as a priority.

Councillor Lynch asked if the report would come to this Committee. Mr Murphy confirmed that it would.

Councillor Vennard responded to Mr Robert's comment about the discussion on flooding being taken off table, commenting that the discussion off line, not that there wouldn't be any follow up.

Mr Allan, of the Estates Department advised that his department has the responsibility for the tenancies at Lochavullin, stating that there was a mix of tenants and private owners, therefore there lack of records who has done what to each property when it comes to drainage. A survey has been requested.

The Chair suggested that the two issues were split with the sewage situation being prioritised.

Mr Strathern made a suggestion as to how to trace the source of the sewerage pollution by using dye and asked if this was feasible? Mr Murphy and Mr Allan were invited to look into this.

Councillor Vennard and Councillor McKenzie made the point that it would be appropriate to have raised these issues with a ward councillor. Councillor Hampsey offered to take the matter forward and invited Mr Strathern to make contact with her.

Phil Hamerton asked if there was a plan for the long term. The chair advised that it was acknowledged that there were areas which needed addressed and there was a list of actions to alleviate although a more detailed plan would be difficult due to lack of resources.

Mr Strathern, asked Mr Murphy if the pumping stations at Lochavullin were operational and if there was any plans to dredge the Black Lynn?

Mr Murphy stated that as far as he was aware they were working. Mr Strathern advised that the electrical box for the pumps was under water at the last flood – Mr Murphy said he would double check with the local officers that the pumps were fully operational.

Councillor McKenzie stated that public question time should be for Councillors, that officers were accessible by other means and that she did not agree with officers being put on the spot.

Duncan Martin asked if the Committee recalled a report being commissioned on flooding and how to address this. The Chair advised that he was not aware of this. Councillor Vennard thought there was a flood study that was fed into SEPA. It was agreed that Mr Murphy would look into this and circulate to the Committee if this existed.

Councillor Hume asked if a feasibility study on dredging the Black Lynn had been undertaken. Mr Murphy, advised he would find out from his Road Design colleagues.

Question 2. Neil MacIntyre

Mr MacIntyre asked the Committee what their thoughts were concerning the report at Item 14 on the agenda - Oban, Lorn Rugby FC, surrounding the access to the site.

The Chair advised that generally the project was well supported but that access arrangements were bordering on operational matters which the committee could not comment on.

Again Mr MacIntyre asked about the access to the project and if the Councillors knew where he was talking about. Councillor McKenzie pointed out that discussing views on access issues could cause issues for those members on the PPSL Committee.

The Chair re-iterated that Councillors were happy with the concept of the project and agreed with Councillor McKenzie that access to the site would be included in any planning process going forward.

Question 3 – Duncan Martin

Where are we on area plans for the Roads – are Councillors liaised with when decisions are made on what roads are prioritised?

The Chair stated that there is a formula that is worked to prioritise maintenance work to roads, starting with safety first and worked down, which is applied to the four areas of Argyll and Bute.

Councillor Hume advised that having worked previously in the roads department he had a great deal of experience, but would welcome more consultation from Officers.

Councillor Green advised that in recent years Councillors have been asked for comments, although they do not have the expertise, Officers are best placed in the know of operational matters.

Question 4 – Frank Roberts, Oban Community Council

At its recent meeting, OCC Members were unanimous in now asking that a public meeting be requested to inform the public in general of how the town might be affected both when the Municipal harbour is eventually established, and thereafter into the future. In view of this, I ask on behalf of the Community Council if the Area Committee will be willing to submit a motion to the March 21st Harbour Board, requesting that a public meeting be held as soon as possible, to begin to address public concerns over the Council's proposals. It is the view of Oban Community Council, that an opportunity should be made for both Councillors and Council Officers to speak to, and hear from, members of the public, and that this might help to address concerns and enable the project to progress smoothly.

Councillor Kain had intended in November to write a piece in response to concerns raised in the local paper. Again, Councillor Kain reiterated that the object of a Municipal Harbour was to enhance the commercial viability of Oban Harbour and to address safety issues. OCHDA are picking up on the moorings, which were addressed previously. He commented that communities have been inspired to raise concerns over the moorings on the assumption that the Council would be removing moorings. This is not true; it is not in the council's best interest to put more prohibitions on the moorings but it does have a legal right to ensure safety. The same questions keep getting asked but in a different way and they have all been answered.

The Chair invited the Governance Officer to comment on the competency of a motion. The Governance Officer advised that under Standing Order 3.2, only items of business included on the agenda, or urgent items of business intimated at the start of the meeting could be considered. On this basis, it would not be competent for the Area Committee to take forward a Motion.

Mr Roberts, then stated that he had been advised that the Council had no resources to hold a public meeting, there has been no attempt to advise the public and no engagement.

Councillor Kain again advised that he has read all the information on the move to get a municipal harbour, there is a lot of misinformation going out to the public by groups and it is nonsense. The sea beds will not change as they fall under the ownership/responsibility of the Crown Office, what has been proposed is to the benefit of all harbour users locally and help address issues which prevent access to Oban.

Question 5 – Frank Roberts, Oban Community Council

It is now the first anniversary of the Area Committee where it was agreed that CCTV equipment would be installed at Ganavan Carpark and nothing has happened.

Mr Murphy stated that advice had been sought from the Council's Anti-Social Behaviour Co-Ordinator and he would find out the response for Mr Roberts.

5. AREA PERFORMANCE REPORT - FQ3 2023/34

Consideration was given to the Area Performance Report for financial quarter 3 of 2023/24 (September to December 2023) which illustrated the agreed performance measures for this period.

Decision

The Oban, Lorn and the Isles Area Committee:

1. noted and considered the performance and supporting commentary as presented;
2. noted that upon receipt of the Quarterly Performance Report the Area Committee should contact either the Responsible Named Officer or Sonya Thomas with any queries; and
3. noted that work was ongoing and to respond to Sonya Thomas with requests or comments regarding the layout and format of the Performance Report and Scorecard.

(Reference: Report by Executive Director with responsibility for Customer Support Services, dated 6 March 2024, submitted)

Councillor Lynch left the meeting at this point.

6. PRIMARY SCHOOL AREA ATTAINMENT REPORT - OBAN, LORN AND THE ISLES

The Committee gave consideration to a report and presentation given by Ms White, Head Teacher of Strath of Appin Primary School and Mr Gawthorpe, Head Teacher for Bunessan Primary which provided a range of key information about primary school provision in the Oban, Lorn and the Isles area during the school session August 2023 to June 2024 and reported the National collection of attainment and achievement data from June 2023.

Decision

The Oban, Lorn and the Isles Area Committee considered and noted the contents of the report.

(Reference: Report by Executive Director with responsibility for Education dated March 2024, submitted)

7. ROADS AND INFRASTRUCTURE UPDATE

The Committee gave consideration to a report which provided links to the recent activities of Roads and Infrastructure Services relevant to the Oban, Lorn and the Isles Area.

Decision

The Oban, Lorn and the Isles Area Committee considered and noted the contents of the report.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services, dated 6 March 2024, submitted)

8. ROADS CAPITAL RECONSTRUCTION PROGRAMME

The Committee gave consideration to a report which included a draft programme for roads reconstruction schemes for 2024/25 in the Oban, Lorn and the Isles area.

Decision

The Oban, Lorn and the Isles Area Committee:-

1. agreed to provided comments on the draft programme contained at appendix 1 of the report, no later than 13th March; and
2. noted that the programme would go forward to the Environment, Development and Infrastructure Committee on 21 March 2024 for endorsement.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services, dated February 2024, submitted)

9. HOUSING SERVICES ACTIVITY UPDATE - STRATEGIC HOUSING INVESTMENT PLAN (SHIP) - ANNUAL UPDATE

Consideration was given to a report which provided an update on Housing Services activity and the delivery of the Local Housing Strategy within the Oban, Lorn and the Isles Area.

Decision

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

(Reference: Report by Executive Director with responsibility for Development and Economic Growth, dated March 2024, submitted)

10. ACTIVE TRAVEL PROGRESS REPORT 2023-24

The Committee gave consideration to a report which provided an update on the progress made in 2023/24 in relation to active travel projects in the Oban, Lorn and the Isles area, and sought continued support for the projects from Members.

Decision

The Oban, Lorn and the Isles Area Committee agreed to:-

1. welcomed the progress made to date across a significant number of active travel projects by the small Active Travel Team.
2. supported the continuation of the projects and the submission of future funding applications to external challenge funds (while these still exist) to continue to develop design and construction stages in order to deliver these projects.
3. supported the allocation of the active travel funding element in the Council's 24/25 block grant to the development and delivery of appropriate active travel projects, including those already underway in OLI.
4. instructed Officers to continue to identify and develop new active travel projects to benefit local residents, businesses and communities.

(Reference: report by Executive Director with responsibility for Development and Economic Growth, submitted)

11. SUPPORTING COMMUNITIES FUND - 2022-23 PROJECT MONITORING REPORT

The Committee gave consideration to a report which highlighted the positive outcomes of the Council's Supporting Communities Fund in 2022/23 for communities in the Oban, Lorn and the Isles area.

Decision

The Oban, Lorn and the Isles Area Committee:

1. noted and considered the positive contribution of the Supporting Communities Fund detailed in section 4 and the attached table.
2. noted that a total of £2,617.50 in total has been returned, and agree that this be included in the distribution of the SCF for 2024/25.

(Reference: Report by Chief Executive's Unit, dated 6 March 2024, submitted)

12. AREA PLANS

Consideration was given to a presentation which provided information in relation to the progress of the Council's Area Plans project.

Decision

The Oban, Lorn and the Isles Area Committee considered and noted the information provided.

(Reference: Presentation by Chief Executive's Unit, dated 6 March 2024, submitted)

13. CHARITABLE TRUSTS, BEQUESTS AND TRUST FUNDS

(a) Distribution Arrangements

The Committee gave consideration to a report which invited Members to consider distribution arrangements for four of the Charitable Trusts, Bequests and Trust Funds for which the Members act as Trustees.

Decision

The Oban Lorn and the Isles Area Committee:

1. agreed the proposals for distribution arrangements for the MacKinnon Ledigham Bequest, Archibald Dow Bequest and Coals for the Poor Oban, outlined within this report,
2. agreed that a review of the updated distribution arrangements for the aforementioned funds be undertaken and reported to the Area Committee following the first 12 months of operation; and
3. agreed that the unrestricted funds held within the Kilmore and Kilbride Bequest be made available, in their totality, immediately and that a moratorium be placed on this fund thereafter

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support, dated 6 March 2024, submitted)

(b) 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 the last meeting of the Area Committee in December 2023.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 6 March 2024, submitted)

14. COMMUNITY SPORTS HUB, OBAN LORNE RUGBY FOOTBALL CLUB, GLENCRUITTEN DRIVE, OBAN

The Committee considered a report on the significant progress in negotiations with Oban Lorn Rugby Football Club (OLRFC) following the reports to DMT of 10th May 2023, ELT of 23rd May 2023 and DMT of 6th November 2023 setting out their Expression of Interest in extending their current lease and substantially redeveloping the clubhouse building and adjoining sports grounds for both club and community use.

Decision

The Oban, Lorn and the Isles Area Committee:-

1. Noted the significant investment planned by OLRFC in improving this asset for the community along with the potential income and capital receipt to the Council provisionally agreed in Heads of Terms to enable OLRFC's formal funding process to begin and the project to move forward.
2. Noted that the project is of a significant scale and if the Club meet all their obligations, it is intended that this will result in the sale of a large area of recreational ground to the Club, reducing the Council's control of the area.

(Reference: Report by Executive Director with responsibility for Commercial Services, submitted)

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

The Committee gave consideration to the Area Committee workplan for future meetings.

Decision

The Oban, Lorn and the Isles Area Committee considered and noted the contents of the workplan.

(Reference: Area Committee Workplan, dated 6 March 2024, submitted)