

**MINUTES of MEETING of EXECUTIVE held in the COUNCIL CHAMBER, KILMORY,
LOCHGILPHEAD
on THURSDAY, 8 MARCH 2012**

Present: Councillor Dick Walsh (Chair)

Councillor Rory Colville	Councillor Gary Mulvaney
Councillor Robin Currie	Councillor Andrew Nisbet
Councillor Vivien Dance	Councillor Elaine Robertson
Councillor Alison Hay	Councillor Len Scoullar
Councillor Duncan MacIntyre	William Crossan
Councillor Robert Macintyre	David McEwan
Councillor Neil Mackay	
Councillor Donald MacMillan	
Councillor Bruce Marshall	
Councillor Ellen Morton	

Also Present: Councillor Anne Horn Councillor William Petrie
Councillor Alister MacAlister Councillor John Semple
Councillor James McQueen

Attending: Sally Loudon, Chief Executive
Douglas Hendry, Executive Director – Customer Services
Cleland Sneddon, Executive Director – Community Services
Sandy Mactaggart, Executive Director – Development and
Infrastructure Services
Bruce West, Head of Strategic Finance
Judy Orr, Head of Customer and Support Services
Donald MacVicar, Head of Community and Culture
Mark Lines, Operations Manager – Community Services
Pat Tyrell, NHS
Fergus Murray, Development Policy Manager
Mark Steward, Marine and Coastal Development Manager
Mary Louise Rooney, Senior Development Officer

The Chair welcomed Mr William Crossan, the new Church of Scotland representative, to the Executive.

The Chair advised that it was with regret that Members had learned of the sudden death of Councillor Al Reay, who had been widely respected by his colleagues and the residents of Helensburgh; and would be sadly missed.

The Chair ruled and the Committee agreed that the business dealt with at item 21 of this Minute be taken as a matter of urgency by reason of the need to make a recommendation to the Council meeting to be held on 15 March 2012.

The Chair ruled and the Committee agreed that the business dealt with at item 22 of this Minute be taken as a matter of urgency by reason of the need to make a decision regarding a technical issue which had arisen from a loan agreement approved by the Executive at their meeting on 24 November 2012.

The Chair ruled and the Committee agreed that the business dealt with at item 23 of this minute be taken as a matter of urgency by reason of the need to inform Members of the up to date position with regard to the tendering exercise for the Helensburgh CHORD Project.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Maureen Arthur and William Marshall.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

(a) EXECUTIVE - 2 FEBRUARY 2012

The Minutes of the meeting of the Executive held on 2 February 2012 were approved as a correct record.

(b) EMPLOYEE JOINT CONSULTATIVE COMMITTEE - 3 FEBRUARY 2012

The Minutes of the meeting of the Employee Joint Consultative Committee held on 3 February 2012 were noted.

4. LEADER'S REPORT

The Leader of the Council submitted a report which highlighted issues he had recently been involved with including:-

Councillor Andrew Nisbet's attendance, on his behalf, at the COSLA Leader's meeting on 27 January 2012; his attendance at the Employee Joint Consultative Committee held on 3 February 2012; a meeting with Alex Neil MSP on 14 February 2012; the Council budget meeting on 16 February 2012.

In addition, the Leader also gave updates on local tax collection, benefits, Procurement and Commissioning, Customer Services and IT.

Decision

Noted the report.

(Reference: Report by Leader of the Council dated March 2012, submitted.

5. EUROPEAN ISSUES

The Spokesperson for European issues had submitted a report updating Members on the following:-

The final declaration from the 39th General Assembly of the Conference of Peripheral Maritime Regions; Argyll and the Islands LEADER Programme 2007 – 2013; Argyll and Bute and South Ayrshire Fisheries Local Action Group; and

the EU Offshore Wind and Marine Energy Seminar.

Decision

Noted the report.

(Reference: Report by Spokesperson for European Issues dated March 2012, submitted)

6. RURAL AND ISLAND AFFAIRS, HOUSING AND GAELIC

The Spokesperson for Rural and Island Affairs, Housing and Gaelic submitted a report updating Members on Gaelic Activity within Argyll and Bute.

Decision

Noted the report.

(Reference: Report by Spokesperson for Rural and Island Affairs, Housing and Gaelic dated March 2012, submitted)

Councillor Anne Horn left the meeting during consideration of the following item of business.

7. SOCIAL AFFAIRS

The Spokesperson for Social Affairs submitted a report updating Members on the Learning Disability and Older Peoples Project Board that he had chaired on 23 February 2012; Mull and Iona Progressive Care Centre; Helensburgh and Lomond Young Carers Group. He also expressed thanks to Council officers for their hard work during the severe weather conditions on 3 January 2012.

Decision

Noted the report.

(Reference: Report by Spokesperson for Social Affairs dated March 2012, submitted)

Councillor Elaine Robertson left the meeting before consideration of the following item of business.

David McEwan left the meeting during consideration of the following item of business.

8. PERFORMANCE MANAGEMENT REPORTING - FINANCIAL QUARTER 3 2011/12

The Chief Executive and Executive Directors presented the Council Scorecard and Departmental Scorecards to the Executive using the Council's Performance Management System, Pyramid. The presentation focused on performance during financial quarter three, October to December 2011, including a review of successes, key challenges and an outline of improvement actions for the coming period.

Decision

Noted the performance management report for financial quarter three 2011/12.

(Reference: Report by Chief Executive, submitted; presentation by Chief Executive and Executive Directors on Council and Departmental Scorecards for FQ3 2011/12)

9. REVENUE BUDGET MONITORING - DECEMBER 2011

A report summarising the revenue budget position of the Council as at 31 December 2011 was considered. The report forecast the overall outturn variance to be an under spend of £63K based on the December budget monitoring exercise.

Decision

Noted the revenue budget monitoring report as at December 2011.

(Reference: Report by Head of Strategic Finance dated March 2012, submitted)

10. CAPITAL PLAN MONITORING - DECEMBER 2011

A report which summarised the position for all departments on the Capital Plan as at 31 December 2011 was considered. The report compared actual and budget expenditure for the period 1 April 2011 to 31 December 2011, forecast and budget expenditure for the whole of 2011/12 and the total project forecast and budget expenditure.

Decision

Noted the Capital Plan monitoring report as at 31 December 2011.

(Reference: Report by Head of Strategic Finance dated March 2012, submitted)

11. TREASURY MANAGEMENT MONITORING - DECEMBER 2011

A report summarising the Councils overall borrowing position, borrowing activity, investment activity, economic forecast and prudential indicators as at 31 December 2011 was considered.

Decision

Noted the treasury management monitoring report.

(Reference: Report by Head of Strategic Finance dated 24 January 2012, submitted)

William Crossan left the meeting during consideration of the following item of business.

12. TRANSFORMATION PROGRAMME MONITORING - DECEMBER 2011

A report providing Members with an update on the progress of the transformation programme was considered.

Decision

Noted the content of the report.

(Reference: Report by Head of Strategic Finance dated 29 February 2012, submitted)

13. MULTI-AGENCY CHILD PROTECTION BUSINESS AND IMPROVEMENT PLAN

As a result of a multi agency inspection of child protection in Argyll and Bute, areas of weakness and areas for improvement had been highlighted. An improvement plan was developed by a specially convened Child Protection Improvement Group to address these areas. A report presenting the Multi-agency Child Protection Business and Improvement Plan was considered.

Decision

1. Noted the content of the Multi Agency Child Protection Business and Improvement Plan.
2. Requested that progress reports be brought to the Executive in September 2012 and at 6 monthly intervals thereafter.

(Reference: Report by Executive Director – Community Services dated 14 February 2012, submitted)

The Committee adjourned for lunch at 1.10pm and reconvened at 1.40pm.

Councillor Len Scoullar and Alison Palmer left the meeting and did not return after lunch.

Councillor James McQueen left the meeting during consideration of the following item of business.

14. RESHAPING CARE FOR OLDER PEOPLE - CHANGE FUND

The principal policy goal of the Reshaping Care for Older People Programme is to optimise independence and wellbeing for older people at home or in a homely setting. Consideration was given to a report which detailed the proposed utilisation of the Scottish Government Change Fund for older peoples services in accordance with this goal.

Decision

1. Noted the report.
2. Noted the progress in implementing the Change Fund.

3. Agreed the proposals contained within the report.

(Reference: Report by Executive Director – Community Services dated 6 February 2012, submitted)

15. RURAL HOUSING DEVELOPMENT FUND BIDS

At their meeting on 24 November 2011, Argyll and Bute Council agreed to establish a Rural Housing Development Fund of £750,000. A report was considered providing information on the outcome of the bidding process to the Rural Housing Development Fund and recommending awards of grant funding.

Motion

1. Approved an additional £203,532 from the Strategic Housing Fund for Rural Housing Development Grants.
2. Awarded Rural Housing Development Funding grants to –
 - Fyne Homes Ardfern development - £293,667
 - Iona Housing Partnership - £180,000
 - ACHA Port Ellen Development - £479,865

Moved Councillor Walsh, seconded Councillor Currie.

Amendment

To support the recommendation and to instruct officers to bring forward a sensitivity analysis on those projects rejected with a view to approving further transfers from the Strategic Housing Fund for marginal projects.

Moved Councillor Glen-Lee, seconded Councillor R Macintyre.

Decision

The Motion was carried by 12 votes to 2 and the Executive resolved accordingly.

(Reference: Report by Executive Director – Community Services dated 17 February 2012, submitted)

16. CURRENT AND FUTURE EUROPEAN FUNDING PROGRAMMES

A report providing and outline of Argyll and Bute Council's success in drawing down funds during the current 2007-2013 European programming period and recent developments in Europe which will have an impact on the funding available in the 2014-2020 programming period was considered.

Decision

Endorsed the proposal that the European Team, in close liaison with Strategic

Finance and other relevant teams across the Council, prepares and develops a discrete Work Programme, aligned to the European Team's overall Action Plan, in order to maximise the drawdown of European funds post 2013.

(Reference: Report by Executive Director – Development and Infrastructure Services dated March 2012, submitted)

17. DRAFT FERRIES PLAN - PROCESS FOR RESPONSE

The Scottish Government published the Scottish Draft Ferries Plan which set out the Scottish Government's proposals for the provision and support of Scotland's ferry services to 2022. A report summarising the key issues arising from the Scottish Draft Ferries Plan and the proposed approach to forming the Council's response to meet the consultation deadline of 30 March 2012 was considered.

Decision

1. Approved the proposed approach to forming the Council's response.
2. Agreed that the final response is delegated for approval to the Executive Director – Development and Infrastructure Services in consultation with the Roads and Transportation Working Group.
3. Noted that the next meeting of the Roads and Transportation Working Group would be held on 20 March 2012 and that an invitation would be extended to all Members to attend.

(Reference: Report by Executive Director – Development and Infrastructure Services dated March 2012, submitted)

Councillor Robert Macintyre left the meeting before consideration of the following item of business.

18. PROPOSED DEVELOPMENT PLAN SCHEME REVISION

As a requirement of the Planning Etc (Scotland) Act 2006 the Council had produced a Development Plan Scheme and associated Participation Statement. A report providing detail of the third annual update to this Plan was considered.

Decision

Approved the Development Plan Scheme, as detailed in Appendix A to the report, for publication and submission to the Scottish Government.

(Reference: Report by executive Director – Development and Infrastructure Services dated March 2012, submitted)

19. PROPOSED RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ON AN AQUACULTURE AND FISHERIES BILL

A report outlining a proposed response to the Scottish Government Consultation on a proposed Aquaculture and Fisheries Bill was considered. The proposed Bill included a number of proposals aiming to improve the sustainability of

aquaculture production; and salmon and fresh water fisheries

Decision

Agreed the proposed response as detailed in Annex 1 to the report as the Council's formal response to the Scottish Government's proposals for an Aquaculture and Fisheries Bill.

(Reference: Report by Executive Director – Development and Infrastructure Services dated March 2012, submitted)

20. CRAIGNISH COMMUNITY PLAN

A report containing the finalised Craignish Community Plan and which sought approval for its use as a material consideration in the determination of future planning applications in the Craignish area was considered.

Decision

1. Approved the finalised Craignish Community Plan, as contained at Appendix A to the report, for use as non-statutory planning guidance.
2. Noted that the finalised Craignish Community Plan will be used to further inform the content of the emerging Local Development Plan for the Craignish area.

(Reference: Report by Executive Director – Development and Infrastructure Services dated March 2012, submitted)

21. INDEPENDENT REPRESENTATIVES: AUDIT COMMITTEE

In order to provide continuity on the Audit Committee post election and to allow a period of time for the new Council, when considering the Independent Representatives political management arrangements, to decide whether to retain the Audit Committee's existing role and remit; the Executive considered a report which sought authorisation from the Council to extend the term of office for the current Chair for a 6 month period.

Decision

To recommend to the Council to further extend the term of office of the current chair of the Audit Committee to 30 September 2012.

(Reference: Report by Executive Director – Customer Services dated 8 March 2012, tabled)

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following 2 items of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 6; and Paragraphs 8, 9 and 12; respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

22. STRATEGIC HOUSING FUND LOAN APPLICATION - FYNE INITIATIVES LTD

The Executive considered a report in respect of a technical issue with a loan agreement from the Strategic Housing Fund that had been approved by the Executive, at their meeting, on 24 November 2012.

Decision

Agreed the recommendations as contained within the report.

(Reference: Report by Executive Director – Community Services dated 8 March 2012, tabled)

23. HELENSBURGH CHORD PROCUREMENT

A report advising members of the position in relation to the tendering exercise recently conducted in relation to the works to be carried out under the Helensburgh CHORD project was considered.

Decision

Noted the report.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 8 March 2012, tabled)