

MINUTES of MEETING of OBAN LORN & THE ISLES AREA COMMITTEE held in the CORRAN HALLS, OBAN on WEDNESDAY, 12 DECEMBER 2012

Present: Councillor Louise Glen-Lee (Chair)

Councillor Fred Hall
Councillor Iain Angus MacDonald
Councillor Alistair MacDougall

Councillor Duncan MacIntyre
Councillor Elaine Robertson

Attending: Shirley MacLeod, Area Governance Manager
Marina Curran-Colthart, Biodiversity Officer
Margaret Moncur, Principal Accountant
Fergus Murray, Development Policy Manager
David Clements, IOD Programme Manager
Hugh Blake, Senior Estates Surveyor
Shaun Davidson, Area Manager – Adult Care
Margaret Fyfe, Service Officer – Community Regeneration and Voluntary Support
Neil Brown, Network and Environment Manager
Adrian Jackson-Stark, Planning Officer – Development Policy

Apologies: Councillor Mary-Jean Devon Councillor Roderick McCuish

The Chair ruled and the Committee agreed, in terms of Standing Order 3.2.2 that a report regarding the Oban Ganavan cycleway, dealt with at item 20 of this Minute, be taken as a matter of urgency due to the Community Planning Partnership taking place that evening and the commencement of the public consultation on the matter.

The Area Governance Manager advised that in terms of Standing Order 14 the following Urgent Notice of Motion was before the Area Committee for consideration.

NOTICE OF MOTION UNDER STANDING ORDER 14

“That Oban, Lorn and the Isles Area Committee request the Minister for Housing and Transport Mr Keith Brown MSP instigate an immediate enquiry as to the scope, design specification and quality/sustainability of the recent A85 Oban resurfacing schemes (Monday 19th November 2012 for three weeks) carried out by Scotland Transerv, acting on behalf of Transport Scotland.”

Mover: Councillor Duncan MacIntyre. Seconded: Councillor Alistair MacDougall.

The Chair ruled that the motion was competent and urgent given the timing of the works and the Committee agreed to consider the Motion, and this is dealt with at item 21 of this minute.

1. APOLOGIES

Apologies for absence were received from Councillor Mary-Jean Devon and Councillor Roddy McCuish.

2. DECLARATIONS OF INTEREST

Councillor Louise Glen-Lee declared a non financial interest in relation to the report on Third Sector Grants – Lorne Highland Games which is dealt with at item 15 (3.1) of this Minute because she is a member of the Lorne Highland Games Board, left the room and took no part in the discussion on this item.

Councillor Elaine Robertson declared a non financial interest in relation to the report on Third Sector Grants – Dunollie application which is dealt with at item 15 (3.3) of this Minute because her husband manages Dunollie Estate, left the room and took no part in the discussion on this item.

3. MINUTES OF PREVIOUS MEETING HELD ON 10 OCTOBER 2012

The Minute of the Meeting held on 10th October 2012 was approved as a correct record.

4. MINUTES OF OBAN COMMON GOOD FUND MEETING 15 NOVEMBER 2012

The Minute of the Meeting held on 15th November was noted.

5. PUBLIC QUESTION TIME

Mr Larry Nugent asked the Area Committee if Alan Reid MP had replied to the letter Councillor Fred Hall had sent to him, regarding problems associated with food production and the impact this was having on families on lower salaries/welfare. Councillor Hall advised the Committee that Alan Reid MP had replied timeously to his response which was subsequently circulated.

Mr Nugent raised a follow up question regarding the second bullet point in Mr Reid's response in relation to accommodation and additional bedroom provision for overnight carers. Councillor Hall agreed to discuss this issue with Shaun Paul Davidson and Councillor Robertson and bring a response to the February Area Committee.

Mr Sean MacIntyre seen an article in the Oban Times regarding the former Rockfield Primary School site being demolished, and asked the Committee if this site was still for sale. Councillor Hall advised that the site was still currently for sale and all bids had been withdrawn. Councillor Glen-Lee asked that the report which went to the September Business Day on former Rockfield Primary School site, be sent to Mr MacIntyre.

Mr Preston asked a question in relation to the Area Committee attitude and position regarding the Court Services Consultation in terms of the proposal for limited access to justice in Argyll and Bute. Councillor Glen-Lee commented that the suggestion that no jury trials would be held in Argyll and Bute was of great concern and that the Members of the Area Committee would be discussing this issue with the Council's Litigation Manager following this meeting. Councillors Hall and MacIntyre also had concerns in relation to travel time and expenses for victims, witnesses and the accused and also that the value and importance of Oban would be diminished in terms of the proposals. Mr Preston also expressed concerns regarding the proposals in terms of their impact on civil matters.

Councillor Hall had a copy of Mr Preston's response to the consultation and it was agreed that he would circulate this to all Members of the Area Committee.

Mr Leddy raised a question in relation to investigations of care providers in the local area. Shaun Paul Davidson spoke about the arrangements in place for unannounced visits and for dealing with complaints where services were not up to scratch. Councillor MacIntyre advised that this was discussed at a Council meeting on 25 June 2012 and that this was due to come back to Council although he was not sure when. He asked that, once the Council had considered the paper, a copy of this come to the Area Committee for information. Shirley MacLeod agreed to investigate this issue and bring back a response to the February meeting. Councillor Glen-Lee also suggested that this come to the Community Planning Group meeting.

6. OBAN HIGH SCHOOL PERFORMANCE REPORT (AGENDA ITEM 19)

A report setting out Oban High School's achievements in the last 2 years, was considered.

Decision

The Committee agreed:-

- i. To add some staffing information (vacancies etc) and benchmarking info to future reports and also a suggested that presentation of this report be undertaken by pupils in future
- ii. That a report on the Hostel was to come to a future meeting so that the Area Committee could look at arrangements and compare with other areas.

The Committee also congratulated the Head Teacher, staff and pupils on their achievements.

(Ref: Report by Head Teacher of Oban High School dated 12th December 2012, submitted).

7. PROPOSED LOCAL DEVELOPMENT PLAN (AGENDA ITEM 6)

A report setting out the main elements of the proposed Argyll and Bute Local Development Plan (LDP) with particular reference to the land use issues within the Oban, Lorn and the Isles area was considered.

Decision

1. Agreed to recommend to the Council approval of the proposed Argyll and Bute Development Plan, Written Statement, Proposals Maps and Supplementary Guidance for a 3 month period of public consultation commencing Mid-January 2013.
2. Agreed to establish a Short Life Working Group, comprising of Councillors Glen-Lee, Hall, Macdonald and MacDougall to look at developments in the Oban, Lorn and the Isles area throughout the duration of the consultation

period and that this Group would provide feedback to the department.

(Ref: Report by Development Policy Manager dated December 2012, submitted)

8. CAPITAL RECEIPTS (AGENDA ITEM 7)

A report advising the Committee of the current position in regard to capital receipts and to allow forward planning on the use and allocation of this funding was considered.

Decision

The Committee agreed to carry this item over to the January 2013 Business day and the February 2013 Area Committee for further consideration.

(Ref: Report by Area Governance Manager dated 8th November 2012, submitted)

Councillor Hall left the meeting at this point.

9. AREA SCORECARD (AGENDA ITEM 8)

A report setting out the continued development of the Area Scorecard to support improved understanding of performance in the Oban, Lorn and the Isles area was considered.

Decision

The Committee agreed to review this item in 3 months time.

(Ref: Report by Improvement and Organisational Development Programme Manager dated December 2012, submitted)

Councillor Hall re-joined the meeting at this point.

10. THE NEW ADULT CARE STRUCTURE (AGENDA ITEM 9)

A report proposing new Adult Care Structures that were approved by the Council in January 2012 was considered.

Decision

The Committee noted the report for information purposes only.

(Ref: Report by Area Manager, Adult Care, Oban Lorn and the Isles dated 27th November 2012, submitted)

11. REQUEST FOR APPOINTMENT TO GLENCRUITTEN GOLF CLUB SUB-COMMITTEE (AGENDA ITEM 10)

A report setting out a request for Members relating to membership of a subcommittee of Glencruitten Golf Club was considered.

Decision

Agreed to appoint Councillor Hall to the Glencruitten Golf Club Sub-Committee.

(Ref: Report by Area Governance Manager dated 27th November 2012, submitted)

12. GANAVAN UPDATE ON EFFECTS OF STORM DAMAGE DECEMBER 2011/JANUARY 2012 - MARINA CURRAN COLTHART (AGENDA ITEM 11)

A report regarding the sand in the upper reaches of the beach at Ganavan Sands that was affected by a number of storm events between early December 2011 and January 2012, was considered.

Decision

The Committee noted the content of the report.

(Ref: Report by Local Biodiversity Officer dated 9th July 2012, submitted)

13. DUNGALLAN PUBLIC PARK WALL (AGENDA ITEM 12)

A report setting out fully-costed options for upgrade or removal of the wall, within the context of future options for the development of Dungallan Park, and including risk assessment information on the balustrades, was considered.

Decision

The Committee agreed:-

- i. Option 4 should be followed up and that Roads and Amenity Services should follow corporate processes to secure funding.
- ii. Officers will meet with Historic Scotland and Planning to establish that approval can be obtained.
- iii. That Officers should meet on site to review whether these same measures are required over the full length of the wall.
- iv. That in the event of either funding not being secured or approval from either Planning or Historic Scotland not being obtained this will be reported to the Area Committee in order that a alternative way of resolving the issue of the wall can be identified and agreed.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 20th November 2012, submitted).

14. PASSENGER ACCESS SYSTEM (PAS) - CRAIGNURE (VERBAL UPDATE) (AGENDA ITEM 13)

The Committee were advised that a report was expected in the next 6 weeks and therefore suggested that this item be continued to the January Business Day

meeting, with any questions in the meantime being directed to Martin Gorringe.

Decision

Agreed to continue consideration of the item to the January Business Day Meeting.

15. THIRD SECTOR GRANTS - SCORING PROCESS (AGENDA ITEM 14)

A report detailing the proposed amendments to the process for all Third Sector Grants (including Events and Festivals) for the financial period 2013/14 and beyond was considered.

Decision

The Committee agreed:-

- i. To note the introduction of a Scoring Matrix for all Third Sector Grants (including events and festivals).
- ii. To an upper limit of £5,000 on the amount of funding made available to any one group or organisation in any one financial period, unless there was exceptional circumstances.
- iii. To carry forward a minimum of £5,000 of the total allocation to the second round of grant allocations at the Area Committee meeting in August each year.
- iv. To note the earlier closing date of 1st February for the first round of funding in 2013.

(Ref: Report by Community Development Manager dated 20th November 2012, submitted)

Councillor L Glen-Lee, having declared a non financial interest in item 15 (3.1), left the meeting and took no part in the discussion of this item. Councillor E Robertson took Chair of the meeting for this item.

Councillor E Robertson, having declared a non financial interest in item 15 (3.3), left the meeting and took no part in the discussion of this item.

16. THIRD SECTOR GRANTS - CONSIDERATION OF APPLICATIONS (AGENDA ITEM 15)

A report for the award of Third Sector Grants (including Events and Festivals) to Third Sector organisations for Oban, Lorn and the Isles was considered.

Decision

The Committee agreed:-

- i. That funding from the Third Sector Grants budget is

awarded to organisations as detailed in the submitted report with the exception of the Dunollie Projects application which will be considered at a Special Area Committee on 16th January 2013.

- ii. That any grant withdrawn or returned after the December Committee meeting would be a service saving.
- iii. That Oban Shopmobility would be permitted to use £500 of their grant to contribute to the £3,000 they have secured from Awards for All and £2,500 from Lloyds TSB. They would then allocate £713.35 towards their overall costs of insurance which are £1,800 annually and £600 towards volunteer costs which is matched with some of their Awards for All funds.

(Ref: Report by Community Development Manager dated 12th December 2012, submitted)

17. OSCR - OFFICE OF THE SCOTTISH CHARITY REGULATOR - REQUIREMENTS FOR ARGYLL AND BUTE COUNCIL TRUST FUNDS (AGENDA ITEM 16)

A report detailing that Argyll and Bute Council currently administers 21 OSCR registered Trust Funds and that it is a requirement that these funds submit an Annual OSCR Return, Trustees Annual Report, Annual Accounts and an Independent Examiner's Certificate for each by 31st December 2012 was considered.

Decision

The Committee noted the detail of the submitted report.

(Ref: Report by Head of Strategic Finance dated 12th November 2012, submitted)

18. MEETING CYCLE (AGENDA ITEM 17)

A report outlining the proposed cycle of meetings for the Oban Lorn and the Isles Area Committee from April 2013 until March 2014 was considered.

Decision

The Area Governance Manager advised the timing was wrong for the June and December 2013 Community Planning Partnerships, they should commence at 6:30 pm, so therefore the Area Committee in June and December 2013 will now commence at 2:30 pm.

Councillor Glen-Lee confirmed the venue for the August 2013 Area Committee would be in Taynuilt.

(Ref: Report by Area Governance Manager dated 8th November 2012, submitted)

19. RECOGNITION OF LOCAL ACHIEVEMENTS (AGENDA ITEM 18)

A report outlining the wish of the Oban Lorn and the Isles Area Committee to present Lorn Achievement Medals and considering matters of procedure for consideration in progressing this matter.

Decision

Agreed that a Short Life Working Group comprising Councillors Hall, MacDonald and MacIntyre, Charles Reppke and Shirley MacLeod would progress this matter and report to the January Business Day and the February Area Committee.

(Ref: Report by Area Governance Manager dated 23rd October 2012, submitted)

20. OBAN GANAVAN CYCLE WAY

The Committee were provided with an update on the current situation with the situation with the cycleway and were invited to note that there would be a consultation undertaken which would commence at the meeting of the Community Planning Group later in the day.

Decision

The Committee noted the report.

(Ref: Report by Sustainable Travel Co-ordinator dated 12 December 2012, submitted)

21. URGENT MOTION

“That Oban, Lorn and the Isles Area Committee request the Minister for Housing and Transport Mr Keith Brown MSP instigate an immediate enquiry as to the scope, design specification and quality/sustainability of the recent A85 Oban resurfacing schemes (Monday 19th November 2012 for three weeks) carried out by Scotland Transerv, acting on behalf of Transport Scotland.”

Mover: Councillor Duncan MacIntyre. Seconded: Councillor Alistair MacDougall.

Amendment

“That Councillor Duncan MacIntyre writes on behalf of the Oban Lorn and the Isles Area Committee to the Minister for Housing and Transport Mr Keith Brown MSP, outlining the concerns of the Committee and the people of Oban as to the scope, design specification and quality/sustainability of the recent A85 Oban re-surface scheme (carried out from Monday 19th November 2012) carried out by Scotland Transerv, acting on behalf of Transport Scotland, and request a detailed response to the concerns of the Area Committee, and further agree that all Members of the Area Committee sign the letter in the advance of its submission to the Minister.

Mover: Councillor Fred Hall. Seconder: Councillor Louise Glen-Lee

The mover of the motion, with the agreement of the seconder, withdrew the motion.

Decision

The Committee agreed the terms of the amendment.

(Ref: Motion by Councillor Duncan MacIntyre Seconded by Councillor Alistair MacDougall, tabled. Amendment by Councillor Fred Hall Seconded by Councillor Louise Glen-Lee, tabled)

EXCLUSION OF PRESS AND PUBLIC

The Area Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the 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, Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

22. DUNGALLAN PARK - REQUEST FOR LEASE

A report advising the Committee of a new request from the Trustees of Oban Sailing Club to renew a Minute of Agreement for the construction and operation of a slipway at Dungallan Park, Gallanach Road, Oban, was considered.

Decision

Motion

To agree the recommendations in the submitted report.

Proposer: Councillor D MacIntyre
Secunder: Councillor A MacDougall

Amendment

That the Area Committee agree to renew the lease to the Oban Sailing Club for a period of 10 years, subject to the ability to terminate the lease early should development proposals for Dungallan Park be agreed.

Proposer: Councillor F Hall
Secunder: Councillor E Robertson

On a show of hands, 4 voted for the amendment and 2 voted for the motion, and the amendment was carried.

(Ref: Report by Senior Estate Surveyor dated 21st September 2012, submitted).