

Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Customer Services
Executive Director: Douglas Hendry



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19 November 2015

NOTICE OF MEETING

A meeting of the **ARGYLL AND BUTE COUNCIL** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **THURSDAY, 26 NOVEMBER 2015** at **10:00 AM**, which you are requested to attend.

Douglas Hendry
Executive Director of Customer Services

BUSINESS

1. ARGYLL AND THE ISLES TOURISM CO-OPERATIVE - PRESENTATION

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTERESTS (IF ANY)

4. MINUTES

(a) Argyll and Bute Council - 24 September 2015 (Pages 1 - 12)

(b) Special Argyll and Bute Council - 22 October 2015 (Pages 13 - 22)

5. MINUTES OF COMMITTEES

(a) Special Policy and Resources Committee - 8 October 2015 (Pages 23 - 28)

* (b) Policy and Resources Committee - 29 October 2015 (Pages 29 - 34)

The starred item on the above Minute is exempt and therefore will be dealt with at the end of this agenda under item 20 (Argyll and Bute Employability Team – Options for Financial Sustainability)

(c) Environment, Development and Infrastructure Committee - 12 November 2015 (Pages 35 - 40)

The above minutes are submitted to the Council for approval of any recommendations on the items which the Committee does not have delegated powers. These items are marked with an *.

6. LEADER'S REPORT

Report by Leader of the Council (to follow)

7. POLICY LEAD REPORTS

(a) Policy Lead Update on PPSL, Planning Services, Historic and Sustainable Environment (to follow)

(b) Policy Lead Update on Island Affairs (Pages 41 - 46)

(c) Policy Lead Update on Roads, Infrastructure, Amenity Services and Special Projects (Pages 47 - 52)

8. PROGRAMME OF MEETINGS 2016/17 (Pages 53 - 58)

Report by Executive Director of Customer Services

9. POLITICAL MANAGEMENT ARRANGEMENTS (Pages 59 - 64)

Report by Executive Director of Customer Services

10. ARGYLL COLLEGE UHI GOVERNANCE (Pages 65 - 68)

Report by Executive Director of Customer Services

11. GROUP OIL/ELECTRIC TO BIOMASS HEATING CONVERSIONS - FULL BUSINESS CASE (Pages 69 - 86)

Report by Executive Director of Customer Services

12. REZONING REQUEST FOR KERRERA (Pages 87 - 96)

Recommendation by the Oban, Lorn & the Isles Area Committee of 20 October 2015

13. ADDITIONAL SUPPORT NEEDS REVIEW UPDATE (Pages 97 - 106)

Report by Executive Director – Community Services

14. NATIONAL IMPROVEMENT FRAMEWORK FOR SCOTTISH EDUCATION (Pages 107 - 116)

Report by Executive Director – Community Services

15. CONSULTATION ON PROVISIONS FOR A FUTURE ISLANDS BILL (Pages 117 - 128)

Report by Executive Director of Development and Infrastructure Services

16. NOTICE OF MOTION UNDER STANDING ORDER 13

Moved by Councillor Breslin, seconded by Councillor Marshall

On 15 September 2015 we learned that the serious complaint lodged by Alan Stewart and others over the way the community buyout was handled is to be handled by officers internally as a stage 2 complaint. This is despite the complaints naming 3 senior officers and despite the complainants asking that it be handled externally. The complaints procedure states that it aims to be:

- **User-focused:** it puts the complainant at the heart of the process
- **Accessible:** it is clearly communicated, easily understood and available to all

- **Simple and timely:** it has as few steps as necessary within an agreed and transparent timeframe
- **Thorough, proportionate and consistent:** it should provide quality of clear quality standards
- **Objective, impartial and fair:** it should be objective, evidence-based and driven by the facts and established circumstances, not assumptions, and this should be clearly demonstrated

To ensure that the complaint meets its own aims as stated above, especially putting the complainant at the heart of the process, we believe it must be handled on an external basis and the motion moves accordingly.

17. NOTICE OF MOTION UNDER STANDING ORDER 13

Moved by Councillor A Morton, seconded by Councillor Trail.

Council notes that women are underrepresented across Councils in Scotland and make up only 25% of Councillors. This Council further acknowledges that whilst voluntary mechanisms such as all women shortlists have made some progress, women are still not represented fairly.

The Council congratulates the Women 5050 Campaign who have been working across all political parties and have gained support from the SNP, Scottish Labour, Scottish Liberal Democrats and Scottish Green Party leaders.

The Council welcomes and supports Women 5050's call for legislated candidate quotas in the Scottish Parliament and Council elections and backs the campaigns call for fair representation of women in Scotland.

18. NOTICE OF MOTION UNDER STANDING ORDER 13

Moved by Councillor Dance, seconded by Councillor Breslin.

The device used by the administration in setting up a Service Choices Project Board, which did not need to operate within the council's standing orders, has meant that the choices now on offer are limited and the device has excluded 2/3 of the councillors from the detailed discussions and papers. The options also ignore other possibilities for savings and, in so doing, provide no context, impacts or consequences.

Meanwhile, the administration keeps other issues of financial significance away from the budget issues entirely, notably the last 2 items on the agenda of the last Policy & Resources Committee meeting. These items dealt with issues relating to the council's Employability Team and the sale of Castle Toward. As these were exempt items, this motion cannot mention any points of detail but it is fair to say that between these 2 items council expenditure of £1m+ was involved. The proposers of this motion believe that much of these costs was avoidable.

The issue with the Employability Team was known at the time the council discussed the Service Choices options at the October council meeting but this was not mentioned by the policy lead, Cllr A Morton, nor was it mentioned by Cllr Dick Walsh, Leader of the Council & Policy Lead for Strategic Finance. The costs of keeping Castle Toward empty continue to be a drain on this council's resources.

The £1m+ in question is approximately the same in value as the total of the following

Service Choices cuts:

- 2016/17 proposal to cut the ASN budget
- 2016/17 proposal to cut the school attendance officer budget
- 2016/17 proposal to cut instrumental instructor budget
- 2016/17 proposal to cut classroom assistant budgets

Other examples could have been used but the underlying message would have been the same: waste needs to be cut before services and jobs.

The administration presents itself as a model of financial governance but this may be far from the reality. The proposers of this motion have consistently been refused access to the papers issued to, and created by, the project board. Testing the administration's financial competence is not therefore possible without access to this kind of information. This motion moves that the council should agree that the project board papers referred to above are made available immediately to the 2/3 of elected members who were excluded from the process.

The proposer and seconder of this motion, as members of the Reform Group, will use this hitherto secret information to propose an alternative set of budget proposals, aimed at reducing waste and minimising the damage the current proposals will create in abundance.

19. NOTICE OF MOTION UNDER STANDING ORDER 13

Moved by Councillor Philand, seconded by Councillor Kelly

The Council agree that provision should be made within Standing Orders to ensure that any motion or amendment which has a bona fide proposer or seconder but is ruled incompetent by the Provost is recorded in full in the minute of that meeting.

Further to this, that the Council agree a full explanation is given and recorded in the minute of the meeting relating to the Provosts decision to deem the motion or amendment incompetent.

E1 20. ARGYLL AND BUTE EMPLOYABILITY TEAM - UPDATE ON FINANCIAL SUSTAINABILITY (Pages 129 - 140)

Recommendation by Policy and Resources Committee of 29 October 2015

E2 21. LEASE RENEWAL - OBAN SAILING CLUB, DUNGALLAN PARK (Pages 141 - 148)

Recommendation by Oban, Lorn & the Isles Area Committee of 20 October 2015

The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an "E" on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraph is:-

E1 Paragraph 1 Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under the authority.

Paragraph 8 The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

E2 Paragraph 8 The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

Paragraph 9 Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

COUNCIL

All Members

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