

Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Customer Services
Executive Director: Douglas Hendry



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23 June 2016

NOTICE OF MEETING

A meeting of the **ARGYLL AND BUTE COUNCIL** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **THURSDAY, 30 JUNE 2016** at **10:00 AM**, which you are requested to attend.

Douglas Hendry
Executive Director of Customer Services

BUSINESS

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST (IF ANY)**
- 3. MINUTES** (Pages 1 - 16)
Argyll and Bute Council held on 21 April 2016
- 4. MINUTES OF COMMITTEES**

- * (a) Policy and Resources Committee held on 12 May 2016 (Pages 17 - 22)
- (b) Community Services Committee held on 2 June 2016 (Pages 23 - 30)

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 *.

- 5. LEADER'S REPORT** (Pages 31 - 42)
Report by Leader of the Council
- 6. POLICY LEAD COUNCILLOR REPORTS**
 - (a) Report by Policy Lead for Roads, Infrastructure, Amenity Services and Special Projects (Pages 43 - 54)
 - (b) Report by Policy Lead for PPSL, Planning Services, Historic and Sustainable Environment (to follow)

(c) Report by Policy Lead for Health and Social Care Integration (Pages 55 - 60)

7. YEAR END REPORTS PACK 2015-16

Reports by Head of Strategic Finance

(a) Covering Report and Unaudited Accounts 2015-16 (Pages 61 - 196)

(b) Unaudited Summary Accounts 2015-16 (Pages 197 - 200)

(c) Revenue Budget Monitoring for the year 2015-16 - Corporate Overview (Pages 201 - 212)

(d) Earmarked Reserves - Year End 2015-16 (Pages 213 - 268)

(e) Capital Budget Monitoring Report - 31 March 2016 (Pages 269 - 294)

(f) Annual Treasury Report 2015-16 (Pages 295 - 306)

(g) Annual Efficiency Statement (Pages 307 - 312)

(h) Strategic Housing Fund Annual Report 2015-16 (Pages 313 - 322)

8. ARGYLL AND BUTE HEALTH AND SOCIAL CARE PARTNERSHIP - RISK MANAGEMENT STRATEGY (Pages 323 - 336)

Report by Head of Strategic Finance

9. OBAN NORTH AND LORN BY-ELECTION RESULTS (Pages 337 - 338)

Report by Returning Officer

10. COUNCIL CONSTITUTION (Pages 339 - 346)

Report by Executive Director – Customer Services

11. POLITICAL MANAGEMENT ARRANGEMENTS (Pages 347 - 354)

Report by Executive Director – Customer Services

12. FIFTH STATUTORY REVIEW OF ELECTORAL ARRANGEMENTS - FINAL RECOMMENDATIONS

(a) Report by Executive Director - Customer Services (Pages 355 - 410)

(b) Recommendation from Bute and Cowal Area Committee held on 7 June 2016 (Pages 411 - 412)

13. OBAN COMMON GOOD FUND (Pages 413 - 416)

Report by Executive Director – Customer Services

14. ENHANCED EMPLOYABILITY PIPELINE STRATEGIC INTERVENTION - EUROPEAN SOCIAL FUND (Pages 417 - 430)

Report by Executive Director – Development and Infrastructure Services

15. CONSERVATION AREA REGENERATION SCHEME (CARS) FUNDING OPPORTUNITY (Pages 431 - 438)

Report by Executive Director – Development and Infrastructure Services

16. SERVICE CHOICES - THREE WEEKLY REFUSE COLLECTION (Pages 439 - 450)

Report by Executive Director – Development and Infrastructure Services

17. EMPLOYABILITY SERVICE CONTRACT (Pages 451 - 462)

Recommendation from Performance Review and Scrutiny Committee held on 26 May 2016

18. LEASE OF LIFEBOAT STATION SITE AT OLD QUAY, CAMPBELTOWN TO THE ROYAL NATIONAL LIFEBOAT ASSOCIATION (Pages 463 - 468)

Recommendation from Mid Argyll, Kintyre and the Islands Area Committee held on 6 April 2016

19. COWAL FIXED LINK WORKING GROUP (Pages 469 - 470)

Recommendation from Bute and Cowal Area Committee held on 7 June 2016

20. DUNOON 5 A SIDE PITCHES (Pages 471 - 472)

Recommendation from Bute and Cowal Area Committee held on 7 June 2016

21. NOTICE OF MOTION UNDER STANDING ORDER 13

The Council agrees to -

1. Remove the following indicators from Pyramid under ED02;
 - National 4 % pass rate
 - National 5 % pass rate
 - New Higher % pass rate
 - % use of Insight by subject departments
2. Include the following indicators in Pyramid under ED02 for school leavers from the Insight system (replicating public data available on Parentzone website):
 - Positive Destinations
 - Literacy SQF Level 4
 - Literacy SQF Level 5
 - Numeracy SQF Level 4
 - Numeracy SQF Level 5
 - SIMD Quintile 1 Attainment
 - SIMD Quintile 2 Attainment
 - SIMD Quintile 3 Attainment
 - SIMD Quintile 4 Attainment
 - SIMD Quintile 5 Attainment
 - Average Attainment (tariff scores) Lowest 20% of pupils
 - Average Attainment (tariff scores) Middle 60% of pupils
 - Average Attainment (tariff scores) Highest 20% of pupils
3. Set the target for each of the new indicators at 101% of the higher of either the virtual comparator or highest historic achieved value.
4. Note the performance of individual schools may already be above virtual comparators and encourages each Head Teacher in consultation with the school's Parent Council to set ambitious and appropriate targets for all these indicators for their school.

Table 1

| Rank | Establishment Name | Number of Leavers 2015 | Average total tariff lowest 20% | Relative to virtual benchmark % | Average total tariff middle 60% | Relative to virtual benchmark % | Average total tariff highest 20% | Relative to virtual benchmark % |
|------|-------------------------------------|------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------------------|---------------------------------|
| 1 | Castlebay School | 13 | * | n/a | 911 | 61 | * | n/a |
| 2 | Sgoil Lionacleit | 46 | 151 | 18 | 944 | 32 | 1803 | 7 |
| 3 | Moffat Academy | 49 | 169 | 21 | 903 | 31 | 1960 | 10 |
| 4 | Banchory Academy | 134 | 326 | 39 | 1359 | 28 | 2192 | 12 |
| 5 | Jordanhill School | 85 | 1037 | 79 | 1691 | 27 | 2230 | 7 |
| 6 | Our Lady & St Patrick's High School | 166 | 300 | 40 | 1034 | 25 | 1915 | 9 |
| 7 | Sir E. Scott School | 12 | * | n/a | 1363 | 25 | * | n/a |
| 8 | James Hamilton Academy | 124 | 162 | 46 | 800 | 25 | 1777 | 6 |
| 9 | Girvan Academy | 110 | 183 | 71 | 901 | 24 | 1732 | 0 |
| 10 | Kyle Academy | 132 | 288 | 55 | 1096 | 24 | 1989 | 6 |
| 11 | Tobermory High School | 23 | * | n/a | 980 | 24 | 1742 | 7 |
| 131 | Tarbert Academy | 16 | * | n/a | 804 | 4 | * | n/a |
| 180 | Islay High School | 35 | 183 | -16 | 875 | -1 | 1848 | 3 |
| 241 | Dunoon Grammar School | 148 | 151 | -21 | 808 | -6 | 1749 | -3 |
| 266 | Hermitage Academy | 215 | 219 | -33 | 950 | -9 | 1910 | 0 |
| 268 | Lochgilphead High School | 93 | 120 | -45 | 871 | -9 | 1930 | 1 |
| 296 | Oban High School | 187 | 106 | -42 | 722 | -13 | 1743 | -4 |
| 312 | Campbeltown Grammar School | 97 | 199 | -14 | 735 | -15 | 1629 | -10 |
| 319 | Rothsay Academy | 75 | 220 | 19 | 663 | -17 | 1574 | -10 |

Notes:

From published data on 349 schools

Less than 5 pupils so data suppressed indicated *

Ranking on relative percentage points above or below virtual comparator for middle 60%

No data on Tiree High School as less than 5 pupils

Proposed by Councillor James Robb

Seconded by Councillor Sandy Taylor

22. NOTICE OF MOTION UNDER STANDING ORDER 13

The Council notes the updated guidance from Education Scotland on the Progression from Broad General Education (BGE) to the Senior Phase.

The Council supports the flexibility available to Head Teachers under the Curriculum for Excellence but believes as a general policy position that all pupils in Argyll and Bute have the right to equal opportunity in the number of subjects leading to qualifications available in all our secondary schools.

The Council agrees in all our secondary schools:

Pupils should be able to study up to 8 subjects leading to qualification in S4.

Pupils should be able to study up to 6 subjects leading to qualification in S5.

Pupils should be able to study up to 5 subjects leading to qualification in S6.

One and two year courses to qualification should be available in subjects in starting S4 and S5.

In two year Higher course there should be the option to take a National 5 qualification in the first year.

That the above does not preclude more subjects being taken in exceptional cases if agreed between the Head Teacher, parents/guardians and pupils and is part of this general policy position.

The Council instructs the Acting Director of Community Services to bring forward a report on implementing the policies proposed above to the next Council meeting.

Proposed Councillor Isobel Strong
Seconded Councillor James Robb

23. NOTICE OF MOTION UNDER STANDING ORDER 13

This motion seeks to revisit a decision taken by the Council within the past six months to nominate Councillor Corry as the Chair of the Integration Joint Board.

The appointment of Councillor Corry to the Scottish Parliament is a significant change of circumstances which the Provost is asked to take into account as he considers whether there has been a development which has a bearing on that earlier decision and which, were he to agree, would allow this motion to be revisited by the Council.

Motion

The Council recognises and applauds the success of our colleague, Councillor Maurice Corry on his election to the Scottish Parliament, and wishes him all success in his future role as a parliamentarian where he can continue to promote the best interests of Scotland and of Argyll and Bute.

Whilst Cllr. Corry can rightfully continue to serve the Council and his constituents in the North Lomond ward, this gives rise to a consequential concern as to his ability to effectively deliver on all 'fronts' including most specifically, his ability to lead the Argyll and Bute Health and Social Care Integration Joint Board.

Whilst it is the explicit responsibility of the Chair of a Joint Integration Board to be actively involved in the leadership of the integration process and work, and specifically

- to take the lead in building links, at Board level, with partner organisations and stakeholders;
- ensure that all Board members are sufficiently informed and supported and understand their corporate roles and responsibilities;
- ensure that the Board carries out its essential functions efficiently and effectively, including oversight of performance management, and
- develop an effective working relationship with the Health and Social Care Partnership's Chief Officer, and the respective Chief Executives of Argyll and Bute Council and NHS Highland

.... it is contended that Councillor Corry cannot give his best to this important role as Chair of the Integrated Joint Board whilst at the same time working within the Parliament addressing parliamentary party responsibilities, working for the Council and his respective constituencies.

This motion calls on the Council:

- i. to invite Councillor Corry to stand down from his role as Chair of the Joint Integration Board, and in that event
- ii. to nominate another elected member of the Council to the role of Chair of Integrated Joint Board for the remainder of the period during which the Council is required to provide the Chair of the Board.

Proposer: Cllr. Sandy Taylor
Seconder: Cllr. Richard Trail

24. NOTICE OF MOTION UNDER STANDING ORDER 13

The Council recently acknowledged the decision of Cllr. Iain Stewart MacLean to stand down from the Argyll and Bute Council SNP Group.

In consequence of this decision, the Council is asked to appoint in his stead Cllr. Richard Trail, as a representative of the SNP Group on the Policy and Resources Committee.

Proposer: Cllr. Sandy Taylor
Seconder: Cllr. W. Gordon Blair

25. NOTICE OF MOTION UNDER STANDING ORDER 13

Argyll & Bute Council congratulates Cllr Maurice Corry for being elected from the list as an MSP to represent those living in the West Scotland Region.

As Cllr Corry will normally be required to attend the Scottish Parliament in Edinburgh on Tuesdays, Wednesdays and Thursdays, this will mean that he will not be available to attend Council meetings, Helensburgh Lomond Area Committee meetings, Policy & Resource Committee meetings and meetings of the Community Services Committee to represent constituents living within the Lomond North Ward.

There are also concerns that, as Cllr Corry is a Senior Councillor and was appointed as the Policy Lead for Health and Social Care Integration and Chair of NHS Highland Health and Wellbeing Partnership, at a time when the major changes within health and social care will require a great deal of commitment and oversight, Cllr Corry will find it extremely difficult to fully commit the time required to these positions.

There are additional concerns that Cllr Corry will find it difficult to commit the time required to dealing with the heavy work load relating to constituents ' concerns etc. and that the other two ward councillors will be required to take on this additional work load.

In view of all of the above, this motion asks Cllr Corry to reconsider the position he has taken on not resigning his council seat. The motion believes that the interests of all Cllr Corry's constituents, both as an MSP and a councillor, are best served by devoting his time to his work as an MSP.

Moved Councillor Michael Breslin
Seconded Councillor Bruce Marshall

26. NOTICE OF MOTION UNDER STANDING ORDER 13

CalMac's decision to provide a second vessel serving the busy Isle of Mull ferry routes has brought significant benefits.

The improved connectivity to the mainland is a major boost for local people – bringing them easier access to their medical appointments, greater recreational opportunities for young people and families and many more benefits.

Businesses on the island are reporting increases of 200 to 250 per cent after just a few weeks of the enhanced ferry service provision.

Tourists have even more access to this beautiful island and the increase in visitor numbers both supports and creates jobs for Mull.

With all of this in mind, the council is asked to write to Caledonian MacBrayne in the following terms:

- Welcoming its decision to deploy an extra vessel on the Mull-Craignure service, highlighting the significant benefits this brings for the Mull community and the wider Argyll and Bute economy as a consequence;
- Urging the company to continue the provision of a second vessel on the Mull-Craignure route on a permanent basis, given that there is a demonstrable need for this level of service provision.

Proposer: Councillor Mary Jean Devon
Seconder: Councillor Alistair MacDougall

E1 27. FORMER HERMITAGE ACADEMY SITE - HELENSBURGH AMATEUR ATHLETIC CLUB (Pages 473 - 476)

Report by Executive Director – Customer Services

E1 28. FORMER SHOP - 3 MONTAGUE STREET, GUILDFORD SQUARE, ROTHESAY (Pages 477 - 484)

Recommendation from Bute and Cowal Area Committee held on 7 June 2016

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 paragraphs are:-

E1 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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