

**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Customer Services*  
*Executive Director: Douglas Hendry*



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*22 September 2016*

**NOTICE OF MEETING**

A meeting of the **ARGYLL AND BUTE COUNCIL** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **THURSDAY, 29 SEPTEMBER 2016** at **10:00 AM**, which you are requested to attend.

[Presentation by Captain Thomas Blair, MOD on the major community engagement tour 7SCOTS on the West Coast during September.]

Douglas Hendry  
Executive Director of Customer Services

**BUSINESS**

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTERESTS (IF ANY)**

**3. MINUTES**

(a) Argyll and Bute Council held on 30 June 2016 (Pages 1 - 26)

(b) Special Argyll and Bute Council held on 18 August 2016 (Pages 27 - 38)

**4. MINUTES OF COMMITTEES**

(a) Environment, Development and Infrastructure Committee held on 11 August 2016 (Pages 39 - 44)

\* (b) Policy and Resources Committee held on 18 August 2016 (Pages 45 - 56)

\* (c) Community Services Committee held on 8 September 2016 (Pages 57 - 64)

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 65 - 78)**

Report by Leader of the Council

**6. POLICY LEAD COUNCILLORS REPORTS**

(a) Report by Policy Lead for Sustainable Economic Growth (Economic Development,

European Affairs, Renewables and Strategic Tourism) (Pages 79 - 90)

(b) Report by Policy Lead for Education and Lifelong Learning (Pages 91 - 112)

**7. AUDIT SCOTLAND/ACCOUNTS COMMISSION - IMPROVEMENT PLAN** (Pages 113 - 124)

Report by Executive Director of Customer Services

**8. CHARLES AND BARBARA TYRE TRUST - APPOINTMENT OF GOVERNORS** (Pages 125 - 126)

Report by Executive Director of Customer Services

**9. APPOINTMENT OF PERSONS INTERESTED IN THE PROMOTION OF RELIGIOUS EDUCATION** (Pages 127 - 130)

Report by Executive Director of Customer Services

**10. THE ELECTION OF A TEACHER REPRESENTATIVE TO THE COMMUNITY SERVICES COMMITTEE** (Pages 131 - 134)

Report by Executive Director of Customer Services

**11. (a) POLITICAL MANAGEMENT ARRANGEMENTS** (Pages 135 - 140)

Report by Executive Director of Customer Services

**11. (b) MINUTE OF THE SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS 22 SEPTEMBER 2016** (to follow)

**12. FREEDOM OF ARGYLL AND BUTE** (Pages 141 - 146)

Report by Executive Director of Customer Services and Appendix (Recommendation by the Helensburgh and Lomond Area Committee of 9 August 2016)

**13. BARCLAY REVIEW OF BUSINESS RATES** (Pages 147 - 156)

Report by Executive Director of Customer Services

**14. CONSULTATION ON A CHILD POVERTY BILL FOR SCOTLAND** (Pages 157 - 162)

Report by Executive Director of Customer Services

**15. FIFTH STATUTORY BOUNDARY COMMISSION REVIEW** (Pages 163 - 166)

Report by Executive Director of Customer Services

**16. ARGYLL AND BUTE LOCAL DEVELOPMENT PLAN SUPPLEMENTARY GUIDANCE 2** (Pages 167 - 168)

Recommendation by the Planning, Protective Services and Licensing Committee of 22 June 2016

**17. DUNOON CONSERVATION AREA APPRAISAL AND BOUNDARY EXTENSION** (Pages 169 - 170)

Recommendation by the Planning, Protective Services and Licensing Committee of 17 August 2016

**18. HIE: ARGYLL AND BUTE TRANSPORT CONNECTIVITY AND ECONOMY RESEARCH STUDY (Pages 171 - 182)**

Report by Executive Director of Development and Infrastructure Services

**19. INITIAL ANALYSIS OF IMPLICATIONS OF EU EXIT ON ARGYLL AND BUTE, AND THE COUNCIL'S RESPONSE TO EVIDENCE BY THE EUROPEAN AND ETERNAL RELATIONS COMMITTEE ON SCOTLAND'S RELATIONSHIP WITH THE EU (Pages 183 - 196)**

Report by Executive Director of Development and Infrastructure Services

**20. ANNUAL REPORT BY THE CHIEF SOCIAL WORK OFFICER 2015/16 (Pages 197 - 238)**

Report by Chief Officer, Health and Social Care

**21. EDUCATION AND VISION STRATEGY (Pages 239 - 264)**

Report by Acting Executive Director of Community Services

**22. NOTICE OF MOTION UNDER STANDING ORDER 13**

Moved by Councillor Robb, seconded by Councillor Taylor

It was a matter of due process that the Audit Committee would first examine the issues raised by the Audit Scotland Review of the 2016-17 Budget Setting Process. This matter hasn't been included in the Council agenda for today. The Audit Committee meeting fell within the required notice period for a motion to Council so the Provost is requested to accept this motion as a matter of urgency so the Council can urgently address the issues of potential reputational damage to the Council. So if the Provost is of the opinion this is a matter of urgency under Standing Order 14.1:

The Council:

- Agrees the Audit Scotland Review of the 2016-17 Budget Setting Process raises serious concerns that require urgent consideration by all elected members and notes that this is not currently on this Council agenda as happened with previous reports.
- Notes the relevant decision of the Audit Committee - "The Audit Committee agreed the recommendations contained within Audit Scotland's report having received a clear management response that the 3 elements will be acted on with regard given to timescales and deadlines."
- Endorses the decisions of the Audit Committee but additionally agrees that any changes to achievable financial or budgeting forecasts approved by officers (Audit Scotland Report paragraph 16) will be shared with all councillors as soon as possible.
- Agrees that the Chief Executive bring an update to the next Council meeting of progress on addressing the issues raised by Audit Scotland.

**23. NOTICE OF MOTION UNDER STANDING ORDER 13**

Moved by Councillor Robb, seconded by Councillor Freeman

The Council notes that as a condition to receive the £5m awarded to the Council from Libor Funds the Council has agreed favourable admission terms to the replacement Helensburgh Leisure facility for serving personnel and their families.

The Council agrees that those favourable admission terms to the future Helensburgh facility, relative to the Council's published prices for similar facilities, be extended to all residents of Helensburgh and Lomond and if required this be subject to agreement with the Treasury.

The Council notes the intent in the Chancellors statement in March 2016 "and in response to the powerful case made to me by Ruth Davidson we're providing new community facilities for local people in Helensburgh and the Royal Navy personnel nearby at Faslane, paid for by LIBOR funds.

The Council notes that there may be a positive or negative effect to Council income from this pricing structure and that will be considered as part of the relevant budget process for future years.

## **24. NOTICE OF MOTION UNDER STANDING ORDER 13**

Moved by Councillor Breslin, seconded by Councillor Marshall.

### **Preamble**

In February 2011 a significant decision was reached by the Special Committee for Older Person's Services, chaired by the current council leader Cllr Dick Walsh and with two other current councillors on the committee, Cllrs Rory Colville and Robin Currie. The decision reached that day was a pivotal one because it set the policy for the future privatisation of council delivered care services. The decisions on 3 February 2011 were:

- 1. Agreed that homecare and day care services, within the Older Peoples' part of Adult Services be put to a tender process to externalise to multiple providers;*
- 2. Agreed that care home services within the Older Peoples' part of Adult Services be put to a tender process to externalise to multiple providers and that Adult Services give further consideration to withdrawing from direct provision of the service and produce a detailed implementation plan to the Project Board in that regard; and*
- 3. Noted that timescales have been altered to pick up the direction of travel.*

These in principle decisions led to the privatisation of a number of care at home services during 2013. In June 2016, the Integrated Joint Board for Health & Social Care agreed to close Struan Lodge and the dementia service at Thomson Court, without any consultation. Despite a motion at the August meeting of the Bute & Cowal Area Committee, the IJB intends to proceed to implement its June decisions.

### **Motion**

This council agrees that there is an argument for safeguarding continued public sector care provision so that there is a mix of public and private care for the elderly, with the intention of ensuring the highest quality of care overall. If agreed, this motion is to be submitted to the chair and chief officer of the IJB at the earliest opportunity.

**25. (a) 3G PITCHES AND PROPOSALS FOR REPAIR AND REFURBISHMENT (Pages 265 - 270)**

Report by Executive Director of Development and Infrastructure Services

**E1 25. (b) Appendix 2 (Pages 271 - 272)**

The Council 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**

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