

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER,  
KILMORY, LOCHGILPHEAD  
on THURSDAY, 24 NOVEMBER 2016**

**Present:** Councillor Len Scoullar (Chair)

Councillor John Armour	Councillor Donald MacMillan
Councillor Gordon Blair	Councillor John McAlpine
Councillor Michael Breslin	Councillor Roderick McCuish
Councillor Rory Colville	Councillor Julie McKenzie
Councillor Maurice Corry	Councillor Alex McNaughton
Councillor Robin Currie	Councillor James McQueen
Councillor Vivien Dance	Councillor Bruce Marshall
Councillor Mary-Jean Devon	Councillor Aileen Morton
Councillor George Freeman	Councillor Ellen Morton
Councillor Kieron Green	Councillor Gary Mulvaney
Councillor Anne Horn	Councillor Douglas Philand
Councillor David Kinniburgh	Councillor Elaine Robertson
Councillor Alistair MacDougall	Councillor James Robb
Councillor Neil MacIntyre	Councillor Isobel Strong
Councillor Robert E Macintyre	Councillor Sandy Taylor
Councillor Robert G MacIntyre	Councillor Richard Trail
Councillor Iain Stewart MacLean	Councillor Dick Walsh

**Attending:** Cleland Sneddon, Chief Executive  
Douglas Hendry, Executive Director of Customer Services  
Ann Marie Knowles, Acting Executive Director of Community Services  
Pippa Milne, Executive Director of Development and Infrastructure Services  
Charles Reppke, Head of Governance and Law  
Kirsty Flanagan, Head of Strategic Finance

The Provost congratulated Magnus Bradbury who made his debut playing rugby for Scotland at Murrayfield recently where the team won against Argentina. Magnus studied at Oban High School and previously played for the Oban Lorne Rugby Club.

**1. DEPUTATION**

The Provost intimated that a request for a deputation to be heard by the Council had been received and it was unanimously agreed to hear the deputation.

The Council heard a deputation on behalf of Women Against State Pension Inequality who spoke in connection with the changes in pension arrangements for women born in the 1950's. which is dealt with at Item 20 of these minutes.

**2. NOTICE OF MOTION UNDER STANDING ORDER 14**

The Head of Governance and Law advised that in terms of Standing Order 14 the following Notice of Motion by Councillor Marshall, seconded by Councillor Breslin had been received for consideration as a matter of urgency at this meeting:-

I call on fellow Councillors to support my motion of no confidence in the Convener of the Environment, Development & Infrastructure Committee following:

- a) Her extraordinary behaviour at the meeting on Thursday 10<sup>th</sup> November.
- b) Her ill judged and inaccurate press release about Rothesay Harbour in the same week.

The Provost ruled that he considered this item to be urgent by reason that the next Council meeting would not be held until 26 January 2017. The Council agreed to consider the Motion and this is dealt with at Item 24 of this Minute.

### **3. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated by Councillor Donald Kelly.

### **4. DECLARATIONS OF INTERESTS**

There were no declarations of interest intimated.

### **5. MINUTES**

The Minutes of the Meeting of Argyll and Bute Council held on 29 September 2016 was approved as a correct record.

### **6. MINUTES OF COMMITTEES**

#### **(a) Policy and Resources Committee held on 27 October 2016**

The Minutes of the Policy and Resources Committee held on 27 October 2016 were approved as a correct record.

Arising from Item 4(b), Treasury Monitoring Report as at 31 August 2016, the Council agreed that the Investment Strategy be amended to reduce the minimum sovereign rating from AA to AA- to match the Capita Asset Services suggested counterparty criteria and allow access to a wider range of counterparties.

Arising from Item 8, Dignity at Work: Eliminating Workplace Bullying and Harassment Policy and Procedure, the Council approved the Policy with the inclusion of a reference being made to the Councillors Code of Conduct as being the process in place in respect of elected members.

Arising from Item 9, Procurement Strategy and Sustainable Procurement Policy 2016-17, the Council approved the Strategy and Policy 2016/17.

Arising from Item 10, Council Tax on Second Homes, the Council agreed to exercise its discretion under regulation 4 The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013 to vary the council tax charge on second homes such that no discount applies across the whole of the Council area with effect from 1 April 2017 which would be conditional on the draft SSI entitled The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Amendment Regulations 2016 being enacted with effect from 1 April 2017.

#### **(b) Environment, Development and Infrastructure Committee held on 10 November 2016**

The Minutes of the Environment, Development and Infrastructure Committee held on 10 November 2016 were approved as a correct record.

Arising under Item 10, Strategic Economic Development Action Plan, the Council approved the Action Plan as a working document.

(c) **Special Community Services Committee held on 21 November 2016**

The Minutes of the Meeting of the Special Community Services Committee held on 21 November 2016 were approved as a correct record. The starred Item 3 will be dealt with at Item 7 of this Minute.

**7. CHARITABLE LEISURE AND LIBRARIES TRUST - FULL BUSINESS CASE AND PRESENTATION BY ERNST AND YOUNG**

The Council heard a presentation from Alan Martin of Ernst and Young (EY) and gave consideration to a Full Business Case, prepared by EY, for the creation of a charitable trust to deliver leisure and library services in Argyll and Bute. The Business Case explored the service transformation options available to the Council for its Leisure and Libraries Services.

**Motion**

The Council:-

1. Approved the Full Business Case prepared by Ernst and Young.
2. Approved that the next steps to implementation of a Charitable Trust set out in the Full Business Case be taken forward within the proposed governance arrangements.

Moved by Councillor Currie, seconded by Councillor McCuish.

**Amendment**

That the Council continue the item and arrange a Seminar for elected members.

Moved by Councillor Freeman, seconded by Councillor Breslin.

**Decision**

On a show of hands vote, the Amendment received 8 votes and the Motion received 23 votes and the Council resolved accordingly.

(Ref: Recommendation by the Community Services Committee of 21 November 2016 and Report by Acting Executive Director of Community Services dated 18 October 2016, submitted)

**8. LEADER'S REPORT**

A report providing the Council with an update on the activities undertaken by the Leader of the Council from 15 September to 3 November 2016 was considered. The report also provided updates in respect of the Leaders role as Policy Lead Councillor for Finance, IT, HR and Governance.

## **Decision**

The Council:-

1. Noted the content of the report.
2. Noted that the full Leaders report pack was available in the Leader's Office which included COSLA papers and briefings as referenced in the report.
3. Noted that any COSLA items heard in public session could be provided to Members electronically and any items taken in private session could be reviewed in the Leader's Office.

(Ref: Report by Leader of the Council dated 4 November 2016, submitted)

## **9. POLICY LEAD COUNCILLORS REPORTS**

### **(a) Report by Policy Lead for Health & Social Care Integration**

The Council considered a report providing an update on the main focus of the Policy Lead Councillor for Health and Social Care Integration since 1 September 2016.

#### **Decision**

The Council noted the content of the report.

(Ref: Report by Policy Lead Councillor for Health and Social Care Integration dated 4 November 2016, submitted)

### **(b) Report by Policy Lead for Strategic Housing, Gaelic, Community & Culture**

The Council considered a report providing an update on the main focus of the Policy Lead Councillor for Community, Culture, Gaelic and Strategic Housing from April to November 2016.

#### **Decision**

The Council noted the terms of the report.

(Ref: Report by Policy Lead Councillor for Community, Culture, Gaelic and Strategic Housing dated 14 November 2016, submitted)

## **10. BUDGET 2017-18**

### **(a) Budget Consultation**

The Council considered a report which advised that the Council will carry out a public consultation exercise to support the process of setting the budget in February 2017. The proposed consultation sought views on what matters most to communities about the role and services of the Council, on interest in working together through community empowerment and invites ideas of

transformation.

### **Motion**

That Council approves the public consultation proposed for November 2016 to January 2017.

Moved by Councillor Walsh, seconded by Councillor Mulvaney.

### **Amendment**

That Council approves the public survey proposed for November 2016 to January 2017.

Moved by Councillor Robb, seconded by Councillor Taylor.

### **Decision**

On a show of hands vote, the Amendment received 14 votes and the Motion received 20 votes and the Council resolved accordingly.

(Ref: Report by the Executive Director of Customer Services dated 16 November 2016, submitted)

## **(b) Management / Operational Savings 2017-18**

The Council considered a report which advised that the latest budgetary outlook report outlined that the funding gap estimated over the three year period 2017-18 to 2019-20 is between £18.2m and £39.9m with an estimated gap of between £4.0m and £13.1m in 2017-18. Officers have been working on identifying 2% management/operational savings that could assist in closing the gap for 2017-18 and the submitted report provided information on savings options identified.

### **Decision**

The Council noted the management/operational savings identified and noted that officers will proceed to implement these savings as part of normal business.

(Ref: Report by the Head of Strategic Finance dated 31 October 2016, submitted)

## **11. AUDITED ACCOUNTS 2015-16**

The Council considered a report which advised that the external auditors, Audit Scotland had completed their audit of the Council's Annual Accounts for 2015-16 together with its Charitable Trusts. The audited accounts and its Charitable Trusts, incorporating the audited certificates were also submitted which contained no qualifications.

### **Decision**

The Council:-

Noted that unqualified certificates have been issued for both the Council Accounts and the Charitable Trusts and these have been included within the Accounts on the Council's website.

Noted the report on the Council 2015-16 Annual Audit and the report on the Charitable Trusts administered by the Council.

(Ref: Report by the Head of Strategic Finance dated 31 October 2016, submitted)

## **12. AUDIT COMMITTEE ANNUAL REPORT 2015-2016**

The Council considered a report prepared by the Chair of the Audit Committee which provided an overview of the Audit Committee's activity during the financial year 2015-16 and which gave members assurance that the Committee continued to discharge its duties in accordance with published guidance.

### **Decision**

The Council noted and endorsed the report by the Chair of the Audit Committee.

(Ref: Report by the Chair of the Audit Committee dated 24 November 2016, submitted)

## **13. POLITICAL MANAGEMENT ARRANGEMENTS**

### **(a) Minute of Short Life Working Group on Political Management Arrangements held on 24 October 2016**

The Council considered the Minute of the Short Life Working Group on Political Management Arrangements.

### **Decision**

The Minute of the Short Life Working Group on the Political Management Arrangements was approved.

(Ref: Minute of SLWG of 24 October 2016, submitted)

### **(b) Report by Executive Director of Customer Services**

The Council considered a report which advised that Councillor Michael Breslin had resigned from the Dunoon Health and Social Care Locality Planning Group and the Council was invited to fill the vacancy. The report also advised members of the notification from Councillor Robert E Macintyre to re-join the SNP Group.

### **Decision**

1. The Council invited expressions of interest from members in representing the Council on the Dunoon Health and Social Care Locality Planning Group with details to be passed to the Executive Director of Customer Services and to delegate authority to make an

appointment to the officer.

2. Noted that Councillor Robert E Macintyre had re-joined the SNP Group.

(Ref: Report by the Executive Director of Customer Services dated 1 November 2016, submitted)

#### **14. PRIVATE ITEMS FOR COMMITTEE**

The Council considered a report which provided information on the number of reports which are submitted to Council and its Committees and gave details on the number of reports which are considered following the exclusion of the public (exempt items).

##### **Decision**

The Council noted the contents of the report.

(Ref: Report by Executive Director of Customer Services dated 25 October 2016, submitted)

#### **15. 2018 REVIEW OF UK PARLIAMENT CONSTITUENCIES**

The Council considered a report which provided information on the Boundary Commission for Scotland consultation on its proposals relating to the 2016 Review of UK Parliament constituencies. Under the proposals the Argyll and Bute constituency boundary will spread north to incorporate 2 wards within Highland Council and the new ward will be called Argyll, Bute and Lochaber and will have 77,574 electors. The proposed changes are out for consultation until 11 January 2017 and the Council is invited to consider the proposals.

##### **Motion**

In response to the initial proposals from the Boundary Commission for Scotland regarding the 2018 Review of UK Parliament Constituencies, the Council notes:

- That the Commission was required to propose constituencies with electorates of between 71,031 and 78,505;
- That the electorate of Argyll and Bute Council area is stated as 65,444;
- That the initial proposals place Argyll and Bute Council area within a wider constituency of Argyll, Bute and Lochaber;
- That the electorate of the new Argyll, Bute and Lochaber Constituency is stated as 77,574;

And, in responding to the Boundary Commission for Scotland the Council maintains the position that the future boundaries should reflect local community ties. On this basis it is suggested that the northern boundary be adjusted so that it more closely follows the former Argyllshire County Council Boundary, with the new constituency therefore including the full area of Argyll and Bute Council area, and in addition the catchment areas of Kinlochleven and Ardnamurchan High Schools from the Highland Council area.

Moved by Councillor Green, seconded by Councillor McCuish.

### **Amendment 1**

That no action be taken.

Moved by Councillor Freeman, seconded by Councillor RE Macintyre.

### **Amendment 2**

Support the status quo.

Moved by Councillor Breslin, seconded by Councillor Dance.

In terms of Standing Order 10.3 when a motion and two or more amendments are before the meeting, and if one of the proposals implies that no action or no immediate action be taken, a first vote will be taken between the for and against “no action”.

On a show of hands vote, for no action received 2 votes and against no action received 32 votes and the Council resolved accordingly.

The Council then voted on the remaining Motion and Amendment.

### **Decision**

On a show of hands vote, the Amendment received 13 votes and the Motion received 18 votes and the Council resolved accordingly.

(Ref: Report by Executive Director of Customer Services dated 7 November 2016, submitted)

Councillor Iain Stewart MacLean joined the meeting at this point.

## **16. EVALUATION OF THE REFUGEE RESETTLEMENT PROGRAMME**

The Council considered a report which provided an update of the work of the Refugee Resettlement Group in resettling Syrian refugees on the Isle of Bute. The Provost and the Acting Executive Director of Community Services thanked the Refugee Resettlement Group and Morag Brown for all their good work.

### **Decision**

The Council:-

1. Agreed the resettlement of further families on Bute beyond the initial 20 family commitment reflecting the success of the support programme and the clear desire of the families to be joined by their extended family living as refugees in the countries surrounding Syria. The Refugee Resettlement Group would ensure that suitable housing is available, the health service can support medical needs and there is capacity in the schools.



2. Notes the content of the report and acknowledges and welcomes the excellent support provided by the people of Bute and the Refugee Resettlement Group in welcoming refugees from Syria to live on the island of Bute.

(Ref: Report by the Chief Executive dated 31 October 2016, submitted)

## **17. STANDARDS COMMISSION REPORT**

The Council were invited to note the decision of a hearing panel of the Standards Commission for Scotland about the alleged contravention of the Councillors' Code of Conduct. The Chief Executive read out a statement on the matter to the Council.

### **Motion**

The Council:

1. Notes the decision detail following the Standards Commission hearing held on 19<sup>th</sup> October to censure Councillor Michael Breslin in relation to a breach of the Councillors Code of Conduct;
2. Notes that Councillor Breslin has not sought to appeal the decision of the hearing panel, that he breached the Councillors Code of Conduct and is censured;
3. Confirms that it has confidence that council officers have and will continue to behave professionally and engage appropriately with all elected members as accepted best practice at all times;
4. Affirms that every citizen, including council officers, if they have concerns about the behaviour or actions of an elected member, has the right to make representations through the established process with the Commissioner for Ethical Standards in Public Life, without fear of persecution;
5. Fully endorses the Councillors Code of Conduct and appeals to all members to support its terms;
6. Notes with concern the actions of Councillor Breslin before, during and after the hearing, in particular his disparagement of the Ethical Standards Commissioner, his staff and our own officers.
7. Having noted that Councillor Breslin has not sought to appeal the decision and the censure, agrees that no further action be taken by the Council.

Moved by Councillor Mulvaney, seconded by Councillor Currie.

### **Amendment**

The Council:

1. Notes the Standards Commission's report.
2. Agrees that an independent review of the complaints to the Commissioner and the Council's role should be undertaken, with a report being made to the Council in early course.
3. Agrees that the review should consider and report on, amongst other appropriate matters, any recommended changes to the Council governance arrangements, policies and procedures, and

- Instructs the Chief Executive to recruit an appropriate individual or agency to conduct this review, subject to the approval of a body of representative elected members, drawn, one from each of the five Council Groups.

Moved by Councillor Taylor, seconded by Councillor Trail.

### **Decision**

On a show of hands vote, the Amendment received 15 votes and the Motion received 20 votes and the Council resolved accordingly.

(Ref: Decision of the Hearing Panel of the Standards Commission for Scotland, submitted)

The Provost adjourned the meeting at 2.35pm and re-convened at 3.15pm.

Councillors Devon, MacLean and Robb left the meeting at this point.

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

The following Notice of Motion under Standing Order 13 was before the Council for consideration:-

### **Motion**

Notes that current legislation allows for personal care to be provided free for people in Scotland aged over 65.

Notes that of the 85,807 dementia sufferers in Scotland 3,201 are under the age of 65 and therefore not automatically entitled to free personal care.

Commends the campaign by Mrs Amanda Kopel – “Frank’s Law” – to request that the Scottish Government extends free personal care to anyone under the age of 65 who requires such care for their dementia, motor neurone disease, Parkinson’s, multiple sclerosis, cancer, progressive supranuclear palsy (or any other degenerative brain disease).

Instructs the Chief Executive to write to the First Minister requesting her to consider the introduction of a “Frank’s Law” so that free personal care may be extended to under 65s with degenerative terminal illness.

Moved by Councillor Horn, seconded by Councillor Taylor.

### **Decision**

The Council agreed the terms of the Motion.

(Ref: Notice of Motion by Councillor Horn, seconded by Councillor Taylor, submitted)

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

The following Notice of Motion under Standing Order 13 was before the Council for consideration:-

## **Motion**

The Council:

Notes that large numbers of the Argyll and Bute population rely on health services from the Greater Glasgow and Clyde Health Board particularly those in Helensburgh and Lomond area but also those reliant on the Vale of Leven Hospital.

Notes that no councillor representative from Argyll and Bute Council is appointed to the Board.

Agrees that an elected member from Argyll and Bute Council on the Board to represent the interests of residents in our local authority area would be beneficial.

Agrees to write to the Cabinet Secretary for Health to request that a place on the Greater Glasgow and Clyde Health Board be assigned to an elected member nominee from Argyll and Bute Council.

Moved by Councillor Trail, seconded by Councillor Taylor.

## **Decision**

The Council agreed the terms of the Motion.

(Ref: Notice of Motion by Councillor Robb, seconded by Councillor Taylor, submitted)

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

The following Notice of Motion under Standing Order 13 was before the Council for consideration:-

Preamble

This Council urges the UK Government to take account of the retrospective nature of the changes to pensions. This has meant that changes in pension arrangements for women born in the 1950s has left them in financial difficulties.

## **Motion**

The Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6<sup>th</sup> April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Act of 1995 and 2011 with little/no/personal notification of the changes. Some women only had two years notice of a six-year increase to their state pension age.

Many women born in the 1950's are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment.

Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time.

The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The Council calls upon the Government to reconsider the transitional arrangements for women born on or after 6<sup>th</sup> April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

Moved by Councillor Strong, seconded by Councillor Horn.

### **Decision**

The Council agreed the terms of the Motion.

(Ref: Notice of Motion by Councillor Strong, seconded by Councillor Horn, submitted)

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

The following Notice of Motion under Standing Order 13 was before the Council for consideration:-

Preamble:

- Auto-immune anti-NMDA Receptor Encephalitis, or NMDA, is a disease which is often misdiagnosed as a mental health issue because it presents in the same way as other conditions such as bipolar or schizophrenia.
- The reason it is misdiagnosed is because NMDA is not being taught within the UK medical curriculum – which means that healthcare professionals are failing to recognise it.
- If left untreated, or not treated correctly, NMDA can lead to behavioural changes, confusion, cerebellar symptoms, reduced consciousness and death.
- Incorrectly diagnosing NMDA as a mental health condition means that, as well as going without the correct treatment, sufferers are often sectioned under the Mental Health Act and admitted to mental health institutions/secure care.
- As well as causing unnecessary distress to sufferers and their families, this adds needless pressure to mental health care services as well as budgets.
- All of this is unnecessary because NMDA, when recognised and correctly diagnosed, is easily treated using standard inexpensive medications which are readily available through the NHS – and, with appropriate treatment, the disease is generally reversible with a good prognosis.
- There are people living in Argyll and Bute who are suffering through misdiagnosis of NMDA and therefore are not receiving the appropriate treatment they need in order to recover and live a full life. Because this is affecting people in our communities, through this motion I hope that Argyll and Bute Council can contribute to raising awareness of NMDA and I am asking the council to do the following:

People with NMDA need and deserve to have their condition diagnosed correctly so they get the right treatment and have every chance of making a good recovery. In

order for this to happen, the General Medical Council should include NMDA in its UK Medical Curriculum for health care professionals.

### **Motion**

Therefore, Argyll and Bute Council agrees to:

- Write to the appropriate Scottish and UK Government Ministers responsible for health issues seeking their support in calling for Auto-immune anti-NMDA Receptor Encephalitis (NMDA) to be added to the UK Medical Curriculum as soon as possible;
- Write to the UK General Medical Council requesting that it includes NMDA, its diagnosis and its treatment in the UK Medical Curriculum as soon as possible.

Moved by Councillor Devon, seconded by Councillor Horn.

### **Decision**

The Motion was continued at the request of the proposer and the seconder and will be considered at the January Council Meeting.

(Ref: Notice of Motion by Councillor Devon, seconded by Councillor Horn, submitted)

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

The following Notice of Motion under Standing Order 13 was before the Council for consideration:-

### **Motion**

The Council:

- i. notes that Deputy Head Teachers are having to cover the critical duties of School Attendance Officers in encouraging pupils to engage with the education system in a positive manner.
- ii. accepts that the loss of attendance officers may have contributed to a reduction in the attainment amongst the group having the lowest 20% of attainment in some schools.
- iii. agrees that the effective prohibition on attendance officer posts be removed and that Head Teachers may enter into 'local' arrangements with the agreement of the Head of Education to employ School Attendance Officers utilising their available budgets.

Moved by Councillor Strong, seconded by Councillor Taylor.

### **Amendment**

The Council:

1. Notes that in Argyll and Bute, school attendance is monitored through technology on a daily basis, to communicate with parents on the attendance of pupils and to ensure that there are sufficient arrangements in place to support all to engage with the education system in a positive manner;
2. Commends the commitment and dedication of all teachers and professionals working within our learning and teaching environment, against a background

of financial uncertainty and constant national policy change, to ensure that all of our school pupils, irrespective of backgrounds, receive the very best of education and support;

3. Confirms that as a result of a significant reduction in funding from the Scottish Government that the council is no longer able to fund all of the services that our communities value and want, requiring the council, following consultation, to prioritise where the funding should be directed, and further confirms that this need for service prioritisation, together with the threat of further financial sanction from the Scottish Government, dictated that finance required to be directed towards maintaining teacher numbers;
4. Notes the motion approved by the council on 18<sup>th</sup> August 2016, namely:

*'The council agrees to ask the Acting Executive Director of Community Services to write to the Cabinet Secretary asking that the distribution formula adequately reflects the costs associated with the delivery of education in a dispersed rural authority; and further asks that the Scottish Government affirms it will be open to Head Teachers to consider using elements of this funding to provide enhanced literary or library activities to meet their school's overall curriculum'*

5. In view of the response received from the Cabinet Secretary for Education and Skills, in which he explains that whilst the Scottish Government is taking steps to support Head Teachers to best utilise the funding they receive (from the council tax reforms) and that central to this will be a new framework of fully evidenced and proven educational interventions and strategies to improve attainment in December 2016, we still await detail of distribution and the allocation that Argyll and Bute Council will receive, and that no action be taken at this time.

Moved by Councillor Colville, seconded by Councillor MacMillan.

### **Decision**

On a show of hands vote, the Amendment received 19 votes and the Motion received 13 votes and the Council resolved accordingly.

(Ref: Notice of Motion by Councillor Strong, seconded by Councillor Taylor, submitted)

Councillor Freeman left the meeting at this point.

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

The following Notice of Motion under Standing Order 13 was before the Council for consideration:-

#### **Motion**

The Council:

- i. Notes the Council decision to remove the funding for secondary school librarians at the last Council budget meeting, notwithstanding the proposal of the Opposition to maintain that service.

- ii. Notes that there is concern amongst pupils, parents and teachers that the loss of these staff will have a detrimental effect on the learning experience of many pupils and be detrimental to academic attainment.
- iii. Agrees that the effective prohibition on secondary school librarian posts be removed, and
- iv. Agrees that Head Teachers may enter into 'local' arrangements with the agreement of the Head of Education to employ School Librarians utilising their available budgets.

Moved by Councillor Strong, seconded by Councillor Taylor.

### **Amendment**

The Council:

1. Confirms that due to the significant reductions in finance from the Scottish Government that the council is no longer able to provide the range of council services that our communities want, value and require;
2. Shares the concerns being expressed by many people in Argyll and Bute at the loss of locally valued services and calls on the Scottish Government to recognise the impacts now being felt on the delivery of local services from this national policy and funding approach and provides the required increased funding to Argyll and Bute to reverse this ongoing and increasing decline in local services;
3. Notes the motion approved by the council on 18<sup>th</sup> August 2016, namely:

*'The council agrees to ask the Acting Executive Director of Community Services to write to the Cabinet Secretary asking that the distribution formula adequately reflects the costs associated with the delivery of education in a dispersed rural authority; and further asks that the Scottish Government affirms it will be open to Head Teachers to consider using elements of this funding to provide enhanced literary or library activities to meet their school's overall curriculum'*

4. Agrees, in view of the response received from the Cabinet Secretary for Education and Skills, in which he explains that whilst the Scottish Government is taking steps to support Head Teachers to best utilise the funding they receive (from the council tax reforms) and that central to this will be a new framework of fully evidenced and proven educational interventions and strategies to improve attainment in December 2016, we still await detail of distribution and the allocation that Argyll and Bute Council will receive, that no action be taken at this time.

Moved by Councillor Colville, seconded by Councillor MacMillan.

### **Decision**

On a show of hands vote, the Amendment received 19 votes and the Motion received 12 votes and the Council resolved accordingly.

(Ref: Notice of Motion by Councillor Strong, seconded by Councillor Taylor, submitted)

## 24. NOTICE OF MOTION UNDER STANDING ORDER 14

The following Notice of Motion had been submitted under Standing Order 14 as a matter of Urgency:-

### Motion

I call on fellow Councillors to support my motion of no confidence in the Convener of the Environment, Development & Infrastructure Committee following:

- a) Her extraordinary behaviour at the meeting on Thursday 10<sup>th</sup> November.
- b) Her ill judged and inaccurate press release about Rothesay Harbour in the same week.

Moved by Councillor Marshall, seconded by Councillor Breslin.

### Amendment

The Council:

1. Acknowledges that the recent meeting of the Environment, Development and Infrastructure Committee on 10<sup>th</sup> November 2016 was conducted in accordance with the council's Standing Orders;
2. Agrees to take no further action.

Moved by Councillor Walsh, seconded by Councillor Mulvaney.

Councillors Currie and Trail left the meeting at this point.

The requisite number of Members required the vote to be taken by calling the roll, and Members voted as follows:-

<b>Motion</b>	<b>Amendment</b>	<b>No Vote</b>
Councillor Armour	Councillor Colville	Councillor Philand
Councillor Blair	Councillor Corry	
Councillor Breslin	Councillor Green	
Councillor Dance	Councillor Kinniburgh	
Councillor Horn	Councillor McAlpine	
Councillor RE Macintyre	Councillor McCuish	
Councillor McKenzie	Councillor MacDougall	
Councillor Marshall	Councillor N MacIntyre	
Councillor Strong	Councillor RG MacIntyre	
Councillor Taylor	Councillor MacMillan	
	Councillor McNaughton	
	Councillor McQueen	
	Councillor A Morton	
	Councillor E Morton	
	Councillor Mulvaney	
	Councillor Robertson	
	Councillor Scoullar	
	Councillor Walsh	



**Decision**

The Amendment received 18 votes and the Motion received 10 votes and the Council resolved accordingly.