NOTICE OF MEETING

A meeting of the ARGYLL AND BUTE COUNCIL will be held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD on THURSDAY, 18 MAY 2017 at 12:00 PM, which you are requested to attend.

Douglas Hendry
Executive Director of Customer Services

[Note 1 – All Members must have completed and lodged with the Executive Director – Customer Services the Statutory Declaration of Acceptance of Office before the start of the meeting, otherwise they will be unable to participate as a Member of this meeting.]

[Note 2 – This Agenda has been constructed in keeping with the Council’s current Standing Orders and Scheme of Administration and Delegations and may be varied in light of any decision taken by the Council in relation to those Standing Orders etc.]

BUSINESS

1. MEMBERS OF THE COUNCIL: REPORT BY RETURNING OFFICER (Pages 1 - 4)
2. ELECT PROVOST OF THE COUNCIL
3. APOLOGIES FOR ABSENCE
4. DECLARATIONS OF INTEREST (IF ANY)
5. ELECT DEPUTE PROVOST OF THE COUNCIL
6. ELECT THE LEADER OF THE COUNCIL
7. ELECT THE DEPUTE LEADER OF THE COUNCIL
8. COMPOSITION OF THE COUNCIL (Pages 5 - 8)
   Report by Executive Director – Customer Services
9. COUNCIL CONSTITUTION
Confirm adoption (Pro Tem) of
(a) Standing Orders for Meetings
(b) Scheme of Administration and Delegations
(c) Financial and Security Regulations
(d) Contract Standing Orders
(e) Ethical Framework
(f) Scheme of Approved Duties

(Council Constitution previously circulated to all Members or accessed from the following link - https://www.argyll-bute.gov.uk/constitution)

10. POLITICAL MANAGEMENT ARRANGEMENTS (Pages 9 - 28)
Report by Executive Director – Customer Services

11. COUNCILLORS’ REMUNERATION SCHEME (Pages 29 - 30)
Consider and, if so resolved, approve or take relevant decisions in relation to Councillors' Remuneration to give effect to the decisions at 10 above

12. APPOINTMENT OF PERSONS INTERESTED IN THE PROMOTION OF RELIGIOUS EDUCATION (Pages 31 - 34)
Report by Executive Director – Customer Services

13. CONSIDER APPOINTMENT OF TEACHER REPRESENTATIVES (Pages 35 - 36)
Report by Executive Director – Customer Services

14. APPOINT MEMBERS OF STATUTORY BOARDS/JOINT COMMITTEES (Pages 37 - 38)
Report by Executive Director – Customer Services

15. APPOINT MEMBERS TO THE LICENSING BOARD (Pages 39 - 40)
Report by Executive Director – Customer Services

16. CONVENTION OF SCOTTISH LOCAL AUTHORITIES (Pages 41 - 50)
Report by Executive Director – Customer Services

17. APPOINTMENTS TO OUTSIDE BODIES (Pages 51 - 68)
Report by Executive Director – Customer Services

18. EMPLOYEE JOINT CONSULTATIVE COMMITTEE (Pages 69 - 70)
Report by Executive Director – Customer Services

19. LOCAL NEGOTIATING COMMITTEE FOR TEACHERS (Pages 71 - 72)
Report by Executive Director – Customer Services

20. COMMON GOOD FUNDS (Pages 73 - 76)
Report by Executive Director – Customer Services
21. **LOCAL LICENSING FORUM** (Pages 77 - 80)
   Report by Executive Director – Customer Services

22. **REVIEW OF SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS**
    (Pages 81 - 86)
    Report by Executive Director – Customer Services

**COUNCIL**

All Members

Contact: Hazel MacInnes  Tel: 01546 604269
This page is intentionally left blank
# Argyll and Bute Council Election of Councillors

4 May 2017

The names and addresses of the persons who have been elected as a Councillor in each of the 11 wards into which the Argyll and Bute Local Government Area is divided is as follows:

<table>
<thead>
<tr>
<th>ELECTORAL WARD</th>
<th>NAME</th>
<th>ADDRESS</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1 South Kintyre</td>
<td>John Armour</td>
<td>Kintara, Machrihanish Road, Campbeltown</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td></td>
<td>Rory Colville</td>
<td>Langa Farm, Kilkenzie, Campbeltown</td>
<td>Scottish Liberal Democrats</td>
</tr>
<tr>
<td></td>
<td>Donald Kelly</td>
<td>Strathmore, Drumlemble, Campbeltown</td>
<td>Scottish Conservative and Unionist Party</td>
</tr>
<tr>
<td>No. 2 Kintyre and the Islands</td>
<td>Robin Currie</td>
<td>10 Burnside, Bruichladdich, Isle of Islay</td>
<td>Scottish Liberal Democrats</td>
</tr>
<tr>
<td></td>
<td>Anne Horn</td>
<td>4 Lochgair Place, Tarbert</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td></td>
<td>Alastair Redman</td>
<td>10 Bruach Gorm, Port Charlotte, Isle of Islay</td>
<td>Scottish Conservative and Unionist Party</td>
</tr>
<tr>
<td>No. 3 Mid Argyll</td>
<td>Donnie MacMillan</td>
<td>10 Ardpatrick Place, Lochgilphead</td>
<td>Independent</td>
</tr>
<tr>
<td></td>
<td>Douglas Trevor Philand</td>
<td>Oriago, 32 Fernoch Crescent, Lochgilphead</td>
<td>Independent</td>
</tr>
<tr>
<td></td>
<td>Sandy Taylor</td>
<td>9 Dun Mor Avenue, Lochgilphead</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td>No. 4 Oban South and the Isles</td>
<td>Mary-Jean Devon</td>
<td>5 Struan Crescent, Tobermory, Isle of Mull</td>
<td>Independent</td>
</tr>
<tr>
<td></td>
<td>Jim Lynch</td>
<td>8 Balvicar Road, Oban</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td></td>
<td>Roddy McCuish</td>
<td>20B Dalintart Drive, Oban</td>
<td>Independent</td>
</tr>
<tr>
<td></td>
<td>Jamie McGrigor</td>
<td>Ardchonnel House, Dalmally</td>
<td>Scottish Conservative and Unionist Party</td>
</tr>
<tr>
<td>No. 5 Oban North and Lorn</td>
<td>Keiron Green</td>
<td>Flat1/4, 49 Combie Street, Oban</td>
<td>Independent</td>
</tr>
<tr>
<td></td>
<td>Julie McKenzie</td>
<td>37 Creag Bhan Village, Oban</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td>No. 6 Cowal</td>
<td>William Gordon Blair</td>
<td>63 Sandhaven, Sandbank, Dunoon</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td>Yvonne McNeilly</td>
<td>1 Kilbride Avenue, Dunoon</td>
<td>Scottish Conservative and Unionist Party</td>
<td></td>
</tr>
<tr>
<td>Alan Reid</td>
<td>136 Fairhaven, Kirn, Dunoon</td>
<td>Scottish Liberal Democrats</td>
<td></td>
</tr>
<tr>
<td>No. 7 Dunoon</td>
<td>Jim Anderson</td>
<td>Carmona Bank, 5 Alexander Street, Dunoon</td>
<td>Independent</td>
</tr>
<tr>
<td>Audrey E Forrest</td>
<td>131 Argyll Road, Kirn, Dunoon</td>
<td>Scottish National Party</td>
<td></td>
</tr>
<tr>
<td>Bobby Good</td>
<td>Fernlee, 52 Mary Street, Dunoon</td>
<td>Scottish Conservative and Unionist Party</td>
<td></td>
</tr>
<tr>
<td>No. 8 Isle of Bute</td>
<td>Jim Findlay</td>
<td>Flat 1, 1 Duncan Street, Port Bannatyne, Isle of Bute</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td>Jean Murray Moffat</td>
<td>1 Timber Cottage, Mount Stuart, Isle of Bute</td>
<td>Independent</td>
<td></td>
</tr>
<tr>
<td>Len Scouller</td>
<td>Tangmeer, 45 Craigmore Road, Rothesay, Isle of Bute</td>
<td>Independent</td>
<td></td>
</tr>
<tr>
<td>No. 9 Lomond North</td>
<td>George Freeman</td>
<td>8 Upland Wynd, Garelochhead, Helensburgh</td>
<td>Independent</td>
</tr>
<tr>
<td>Barbara Morgan</td>
<td>Autumnwood, Argyll Road, Kilcreggan</td>
<td>Scottish Conservative and Unionist Party</td>
<td></td>
</tr>
<tr>
<td>Iain Shonny Paterson</td>
<td>Guithas Cottage, Arrochar</td>
<td>Scottish National Party</td>
<td></td>
</tr>
<tr>
<td>No. 10 Helensburgh Central</td>
<td>Lorna Douglas</td>
<td>8 Craigendoran Avenue, Helensburgh</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td>Graham Archibald Hardie</td>
<td>Flat 1/1, 149 East Clyde Street, Helensburgh</td>
<td>Scottish Liberal Democrats</td>
<td></td>
</tr>
<tr>
<td>Aileen Morton</td>
<td>11 Collins Road, Helensburgh</td>
<td>Scottish Liberal Democrats</td>
<td></td>
</tr>
<tr>
<td>Gary Mulvaney</td>
<td>105 East Princes Street, Helensburgh</td>
<td>Scottish Conservative and Unionist Party</td>
<td></td>
</tr>
<tr>
<td>No. 11 Helensburgh and Lomond South</td>
<td>David Kinniburgh 15 Fraser Avenue, Dumbarton</td>
<td>Scottish Conservative and Unionist Party</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>----------------------------------------------</td>
<td>------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Ellen Morton</td>
<td>Elie Cottage, Adelaide Street, Helensburgh</td>
<td>Scottish Liberal Democrats</td>
<td></td>
</tr>
<tr>
<td>Richard Trail</td>
<td>10 Havelock Place, Helensburgh</td>
<td>Scottish National Party</td>
<td></td>
</tr>
</tbody>
</table>
This page is intentionally left blank
COMPOSITION OF THE COUNCIL

1.0 EXECUTIVE SUMMARY

This report is intended to provide information to the Council about its composition in terms of the formation of groups of Councillors following the election on 4 May 2017. Further updated information may be tabled at the Council Meeting.
2.0 INTRODUCTION

2.1 This report is intended to provide information to the Council about its composition in terms of the formation of groups of Councillors following the election on 4 May 2017. Further updated information may be tabled at the Council Meeting. Members should note that written notification should be given to the Executive Director of Customer Services as soon as possible after the Election and in any event before the Council Meeting as to the Membership of any groups which may have been formed.

3.0 RECOMMENDATIONS

3.1 The Council is invited to note the terms of the report.

4.0 DETAIL

4.1 The Council’s current constitution provides for the allocation of the seats on Strategic Committees and it is a matter for the Council to determine the composition and political balance (with the exception of the current Area Committees).

4.2 At the date of this report the composition of groups on the Council is as follows, subject to final notification to the Executive Director of Customer Services from the Groups:-

<table>
<thead>
<tr>
<th>Group</th>
<th>No. of Members</th>
<th>% of Total Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independent Councillors</td>
<td>10</td>
<td>28%</td>
</tr>
<tr>
<td>Scottish Conservative and Unionist</td>
<td>9</td>
<td>25%</td>
</tr>
<tr>
<td>Scottish Liberal Democrats</td>
<td>6</td>
<td>17%</td>
</tr>
<tr>
<td>Scottish National Party</td>
<td>11</td>
<td>30%</td>
</tr>
</tbody>
</table>
4.3 Any decisions that the Council takes in respect of items 9 (Council Constitution) and 10 (Political Management Arrangements) will determine or may have an implication for the allocation of seats on any Committee or other body of the Council.

4.4 Membership of the groups is detailed at Appendix 1.

5.0 CONCLUSION

5.1 Elected Members are invited to note the composition of the Council following the Election on 4 May 2017. Members should note that written notification should be given to the Executive Director of Customer Services as soon as possible after the Election and in any event before the Council Meeting as to the membership of any groups which may have been formed and consequently further updated information may be tabled at the Council Meeting.

6.0 IMPLICATIONS

6.1 Policy – none
6.2 Financial – none
6.3 Legal – none
6.4 HR – none
6.5 Equalities – none
6.6 Risk – none
6.7 Customer Service - none

Douglas Hendry
Executive Director of Customer Services
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law, Tel: 01546 604192 email: Charles.reppke@argyll-bute.gov.uk

Appendix 1: Argyll and Bute Council - Political Composition
## Appendix 1

### Argyll and Bute Council

#### Political Composition

<table>
<thead>
<tr>
<th>Group</th>
<th>Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>INDEPENDENT (10)</td>
<td>Jim Anderson, Mary-Jean Devon, George Freeman, Kieron Green, Donald MacMillan, Roddy McCuish, Jean Murray Moffat, Douglas Philand, Elaine Robertson, Len Scoullar</td>
</tr>
<tr>
<td>SCOTTISH CONSERVATIVE AND UNIONIST (9)</td>
<td>Bobby Good, Donald Kelly, David Kinniburgh, Jamie McGrigor, Yvonne McNeilly, Barbara Morgan, Gary Mulvaney, Alastair Redman, Andrew Vennard</td>
</tr>
<tr>
<td>SCOTTISH LIBERAL DEMOCRATS (6)</td>
<td>Rory Colville, Robin Currie, Graham Archibald Hardie, Aileen Morton, Ellen Morton, Alan Reid</td>
</tr>
</tbody>
</table>
1.0 EXECUTIVE SUMMARY

1.1 The previous Council agreed at its meeting held on 21 April 2016 to establish a Short Life Working Group (SLWG) which would review the current Political Management Arrangements and work to make recommendations on future arrangements which would be presented to the final meeting of Council and then given to the new Council for consideration.

1.2 The recommendations from the Short Life Working Group were presented to the Council meeting of 20th April 2017, where the following was agreed:-

“The Council agreed to refer the findings of the Short Life Working Group on Political Management Arrangements to the first meeting of the new Council for consideration”

1.3 The report which was presented to Council is attached and provides an outline of the work undertaken by the Short Life Working Group, and highlights the areas which have been taken into consideration during the discussions. It also provides the conclusions reached by that Short Life Working Group for consideration by Council.

Recommendations

1.4 Council is invited to

(a) Consider recommendation from Council and report by Short Life Working Group on Political Management Arrangements and, if so resolved, proceed to establish Political Management Arrangements.

(b) Appoint the Members and Chairs and Vice Chairs of the Various Committees subject to decisions taken at Item 10a above.

(c) Instruct the Executive Director - Customer Services to implement the decisions to be taken at Item 10a above and to report to the Council with a revised Scheme of Administration and Delegations as necessary.

(d) Agree an initial programme of meetings:

Planning, Protective Services and Licensing Committee - 21 June 2017
Council - 29 June 2017
Audit Committee - 30 June 2017

Area Committee Development Days –
- Bute and Cowal – Tuesday 13 June 2017
- Mid Argyll, Kintyre and the Islands – Wednesday 14 June 2017
- Helensburgh and Lomond – Monday 19 June 2017
- Oban, Lorn and the Isles – Monday 26 June 2017

(e) Instruct the Executive Director - Customer Services to prepare a programme of meetings in light of the decisions at item 10 above.

Douglas Hendry
Executive director Customer Services
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law,
Tel: 01546 604192 email: Charles.reppke@argyll-bute.gov.uk

Appendix 1 – Recommendations from Short Life Working Group on Political Management Arrangements Report and Appendices
Appendix 1

ARGYLL AND BUTE COUNCIL

COUNCIL

20 April 2017

RECOMMENDATIONS FROM SHORT LIFE WORKING GROUP ON POLITICAL
MANAGEMENT ARRANGEMENTS

1.0 EXECUTIVE SUMMARY

1.1 The Council agreed at the meeting held on 21 April 2016 to establish a Short Life Working Group (SLWG) which would review the current Political Management Arrangements and work to make recommendations on future arrangements which would be presented to the final meeting of Council and then given to the new Council for consideration. The decision of Council was as follows:-

“The Council agrees to set up a Short Life Working Group (SLWG) for the purpose of considering the future local democratic and governance arrangements of the Council, to consider also the detail in the proposed Performance and Scrutiny Review Handbook and how all of this will relate to future governance arrangements, and to bring forward a report to a future meeting of the Council in readiness for the new Council.”

1.2 This report provides an outline of the work undertaken by the Short Life Working Group, and highlights the areas which have been taken into consideration during the discussions. The report also provides draft timetables and protocols for consideration by Council.
RECOMMENDATIONS FROM SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS

2.0 INTRODUCTION

2.1 This report provides Council with recommendations from the Short Life Working Group on Political Management Arrangements for consideration.

3.0 RECOMMENDATIONS

3.1 Council agrees to refer the findings of the Short Life Working Group to the first meeting of the new Council for consideration.

4.0 DETAIL

4.1 The Council agreed at the meeting held on 21 April 2016 to establish a Short Life Working Group (SLWG) which would review the current Political Management Arrangements and work to make recommendations on future arrangements which would be presented to the final meeting of Council and then given to the new Council for consideration. The decision of Council was as follows:-

“The Council agrees to set up a Short Life Working Group (SLWG) for the purpose of considering the future local democratic and governance arrangements of the Council, to consider also the detail in the proposed Performance and Scrutiny Review Handbook and how all of this will relate to future governance arrangements, and to bring forward a report to a future meeting of the Council in readiness for the new Council.”

4.2 Work of the Short Life Working Group

4.2.1 The SLWG has met on 5 occasions and has considered a wide variety of information. At the first meeting of the Group, Members determined the basic principles for the review as follows:-

(a) Stability in political management arrangements
(b) Clear strategic direction to deliver on Single Outcome Agreement
(c) The development of clear and sustainable policies
(d) An inclusive Council
(e) Positive Culture
(f) Constructive working relationships across all Elected Members
(g) Members focus on addressing challenges and identifying opportunities
(h) Good reputation
Appendix 1

(i) Leadership
(j) Effective political scrutiny
(k) Effective decision making
(l) Focus on all our customers
(m) Achieving our ambition
(n) Future proofing

These basic principles informed the discussion on the different types of Committee model.

4.2.2 Following the first meeting of the SLWG, a consultation was undertaken across all 36 Elected Members asking them to provide feedback on the current Political Management Arrangements, to make suggestions as to what any future structure should look like and also to provide any comment on the Scrutiny Review Handbook which had been produced by the PRS Committee. A small number of responses were received with general comments and suggestions and these were discussed by the Working Group.

4.2.3 The Group identified that there were 3 options in terms of Committee models – Traditional, Cabinet and Executive. Officers were tasked with providing information on all 3 models, and were also asked to provide information on the structures which were in place across Scotland with particular interest being placed on Authorities with similar geography to Argyll and Bute. The position across Scotland varies, with it being noted that in those Authorities which most closely align with Argyll and Bute the majority operate a Traditional Committee model. Discussion also took place on the Area Committee arrangements, and officers provided information on the situation across Scotland.

4.3 Committee Structures

4.3.1 The three models identified are Traditional, Cabinet and Executive – a short description of each model is provided below:-

4.3.2 **Traditional Committee model**

This is the type of system currently in place within Argyll and Bute Council. The traditional system delegates authority to a number of Committees to make those decisions which are not reserved for the Council. The membership of these Committees is reflective of the political balance of the Council and can allow for a geographical balance to be maintained. It allows for a significant portion of Council business to be undertaken using the delegation to Committees.

4.3.3 **Cabinet model**

In this model, a small group of elected members from the administration and with Portfolio/Policy remits make all the day-to-day decisions within a policy framework set by the council as a whole. The Cabinet would meet on a regular basis, with those Members who are not part of the Cabinet being
involved in providing a robust scrutiny function. There would be no requirement for service Committees, there would be less Committees overall, but meetings of the Cabinet would be more frequent than current Committee schedules. This model would provide stability and strategic direction but would not provide political balance, nor would it involve all members in decision making.

4.3.4 Executive model

The Executive model is similar to the Cabinet model, but the Executive generally has membership from both administration and opposition councilors. The Executive would meet on a regular basis and there would again be a robust scrutiny process in place. In this model there would be no requirement for service Committees and there would be less Committees overall. This model can be seen as more efficient and can provide political balance whilst providing a greater opportunity for strategic direction. It may be seen as less democratic and as offering less involvement for all members in the business of the Council.

4.4 Other areas of consideration

4.4.1 Area Committees

The Group had lengthy discussion around the future arrangements for Area Committees. The general consensus was that Members wanted to retain the current 4 Area Committee arrangement, but it was recognised that there required to be a reduction in the number of meetings which were supported by Governance. They also considered the Area Committee Business Days, with there being a broad agreement that Business Day meetings could continue but that they would no longer be supported by Governance and it would be for Members in the 4 Administrative areas to organise these meetings – there would be no minute taken of the meeting, but it would give Members the opportunity to discuss local issues in a less formal environment. As a result of these discussions a protocol for Area Committee Business Days has been drafted, a copy of which is attached as Appendix 1 to this report.

4.4.2 Audit and Scrutiny arrangements

Consideration was given to the future arrangements in relation to the Audit and Scrutiny functions of the Council. There was discussion around whether the current arrangements in place should continue with a separate Audit Committee and a Committee dealing with Performance Review and Scrutiny. Feedback from Members on those Committees was that they should remain separate, but following discussion there was a general consensus that if a Traditional model was adopted then the 2 Committees should be reviewed. In both the Cabinet and Executive models, there would be a requirement for a robust system of Scrutiny which would necessitate a separate Audit Committee.
4.4.3 **Regulatory Committee arrangements**

The Members of the Group gave consideration to the current structure and there was general agreement that the Planning, Protective Services and Licensing Committee (PPSL) arrangements which are in place at the moment work extremely well. There was a consensus view that these arrangements should be replicated regardless of which type of structure is agreed.

4.4.4 **Reports for Noting**

One of the key drivers for making change to the Political Management Arrangements is to provide a more streamlined structure which in turn should provide a more effective basis for decision making. The Group highlighted their concern over the number of reports which are put forward to Committee for noting. It was recognised, however, that it can be important that information is shared through the formal Committee process, but that sometimes this doesn’t require a decision to be made. To facilitate this, there was a consensus view that reports for noting should be tabled at meetings but that they could be taken at the end of an agenda, there would be no opportunity for discussion on these items and they would be noted in block. In order to assist with this a protocol has been drafted and this is attached as Appendix 2 to this report.

4.4.5 **Consultations**

The Group also gave consideration to the process for dealing with consultations, particularly those which are received by the Council which do not fall within a Committee cycle and are of a non-technical or policy nature. There was agreement that such consultations should be passed on to Members of the relevant Committee for comment and that a response would then be agreed by the Chair/Vice Chair and the relevant Executive Director. A protocol has been drafted which sets out how to deal with consultations of this type and this is attached as Appendix 3 to the report.

4.4.6 **Harbour Board**

The Harbour Board currently sits as Sub Committee of the Environment, Development and Infrastructure Committee and meets 4 times per year. The Group were in agreement that the frequency of Harbour Board meetings is reduced and it moves to meet on a bi-annual basis with meetings being held directly following the EDI Committee (if a Traditional Model is agreed) or on a bi-annual basis as a stand-alone Committee (if an Executive/Cabinet Model is agreed). It is also suggested that the Membership of the Board could be reduced, retaining representation from the 4 administrative areas (2 Members from each administrative area) and the Chair/Vice Chair appointed from these 8 Members.

4.4.7 **Islands Task Force**

The Islands Task Force is a Short Life Working Group which was set up by Council at the meeting held on 23 January 2014, with the aim of being the
vehicle for the Council developing its own islands initiative including a position statement for the islands which outlines the key areas for support, including any increased resources and powers from the Scottish Government and UK Government. At the conclusion of the current Council all Short Life Working Groups will cease to exist, and as such there will no longer be an Islands Task Force. It is noted that there is a national intention that there will be an Islands Bill put through Parliament and the new Council should ensure that it has a Group or Committee which would be able to assist in the implementation of such a Bill.

4.4.8 Scrutiny Handbook

The Scrutiny Handbook developed by the PRS Committee was also subject to discussion by the Group, in line with the initial Council decision to set up the review. It was recognised that whichever model is adopted by the new Council there will be a need to have regard to developing procedures for scrutiny. It would therefore be appropriate for further consideration of the Handbook to be put on hold until the new Political Management Arrangements are agreed. This would allow for the handbook to be looked at in detail as the scrutiny function will vary depending on the model adopted.

4.4.9 Localism

Members discussed Localism and received a report submitted by the Community Planning Manager. It was noted that guidance is still awaited from the Scottish Government and will be taken forward at an appropriate time. The issue of localism will be dealt with separately and does not have an impact on the decision relating to the review of Political Management Arrangements.

4.4.10 Area Community Planning

Members were in agreement that the current structure for the Area Community Planning Groups works well. It was recognised that due to a reduction in resource available to support these groups there would require to be a subsequent reduction in the number of meetings. It is proposed that the Area CPG meetings continue in their current format, with meetings 3 times per year.

4.4.11 Service Choices

The current round of Service Choices reductions were also a consideration in looking forward and in the building of any future Committee model. The Governance service has implemented a 38% reduction in budget which has reduced the number of staff available to provide support to meetings from 14.9 FTE to 9.3 FTE. Any model which is adopted would need to be resourced by this reduced number of staff.

4.4.12 Programme of Meetings 2017/2018

In line with the discussions at the previous meetings and taking into account all of the considerations outlined above, officers have prepared draft timetables for
meetings in 2017/2018 following on from the Local Government Elections (Appendices 4 and 5). Schedules have been produced which give an indication on meetings for both the Traditional Committee model, for the Cabinet model and for the Executive model. The Traditional Committee model has the same structure as is currently in place but in line with the discussions at the Group, the number of meetings of Council and Policy and Resources Committee have been reduced. It would be proposed that an update to the delegations for Service Committees would be undertaken to allow for more streamlined decision making which would make the move to fewer meetings of Policy and Resources Committee achievable. The Cabinet and Executive models incorporate meetings of the Council 4 times per year plus a budget meeting with meetings of the Cabinet or Executive and the Scrutiny Committee on a 6 weekly basis. The timetables which have been produced for consideration can be supported using the available resource within Governance.

5.0 CONCLUSION

5.1 This report provides Council with an overview of the work of the Short Life Working Group on Political Management Arrangements. It outlines the discussions which have taken place and the information which has been taken into consideration. The Working Group provides the information contained in this report to allow the new Council to make a reasoned decision in terms of the future Political Management Arrangements, and provides a draft schedule of meetings which could be implemented by officers as soon as it is agreed.

5.2 In summary, the Short Life Working Group have come to the following conclusions:-

- There are 3 models which could be adopted, but it will be for the new Council to consider which model is their preferred option
- Area Committees should be retained, but with a reduced frequency of meetings
- Business Day meetings at area level should be Member only meetings with no support from Governance and no minute taken
- Audit and Scrutiny functions should be reviewed dependent on which model is adopted
- The new Council in agreeing any scrutiny function should have regard to developing procedures for undertaking effective scrutiny
- The PPSL Committee should be retained regardless of the model adopted
- A protocol for dealing with Reports for Noting should be agreed to streamline meetings
- A process for dealing with consultations should be agreed which would enable responses to be given outside the normal Committee cycle
- The Harbour Board should move to be a bi-annual meeting, but has to be included in any future structure
- The new Council should have regard to a mechanism for dealing with any proposed Islands Bill
- Area Community Planning is working well, and should continue but with a slightly reduced frequency of meetings
- Any model which is agreed will have to be deliverable using the reduced
resources available within the Governance team

- The Localism agenda will be picked up at an appropriate time once guidance is received from the Scottish Government

6.0 IMPLICATIONS

6.1 Policy – none at this stage.

6.2 Financial – meeting schedules outlined in this report can be supported using existing financial resources.

6.3 Legal – none at this stage.

6.4 HR – none at present, but may have HR implications dependent on the agreement made by the new Council.

6.5 Equalities - none

6.6 Risk - none

6.7 Customer Service - none

Councillor Dick Walsh Councillor Robin Currie
Councillor Ellen Morton Councillor Sandy Taylor
Councillor Aileen Morton Councillor Richard Trail
Councillor Rory Colville Councillor Ann Horn
Councillor Elaine Robertson Councillor James Robb
Councillor Roddy McCuish

Members of the Short Life Working Group on Political Management Arrangements

For further information contact: Councillor Dick Walsh

APPENDICES

Appendix 1 – Draft Protocol for Area Committee Business Day meetings
Appendix 2 – Draft Protocol for dealing with Reports for Noting
Appendix 3 – Draft Protocol for Consultations
Appendix 4 – Draft timetable of meetings (Traditional Model)
Appendix 5 – Draft timetable of meetings (Cabinet or Executive Model)
Appendix 1

Protocol for Area Committee Business Days

1. At the start of each year the AC will agree a programme of business days and the Head of Governance and Law shall arrange accommodation for the scheduled meetings and notify the members of the arrangements.

2. The Area Chair shall convene the meetings which will be informal and no minutes shall be taken.

3. The meeting shall not be regarded as a formal meeting to which the Local Government Access to Information provisions would apply and all members should recognise and respect that circumstance.

4. Members attending the business days should recognise that the meetings are designed to encourage and support good relations between all members and this objective will only be achieved if the meetings operate in a spirit of mutual trust and respect. This may on occasion mean that meetings progress on Chatham House protocol and or having regard to the commercial confidentiality of matters that may be discussed.

5. No decision can be taken at such a meeting. Officers may attend meetings if it has been agreed in advance by the Area Chair and the Chief Executive.
This page is intentionally left blank
Appendix 2

Reports for Noting

The Constitution shall contain a provision at Standing Order 8.1 as follows:

8.1.8 Other business which is included on the agenda, including those items advised for noting only, which in the case of the latter shall not be subject to debate or discussion nor shall it be competent to move any motion other than that the matter be referred to the next meeting of the committee as a substantive item.

There will be an addition to SO 10 in the following terms:

10.9 In respect of any item on a committee agenda marked as for noting only, then the only competent motion (other than to note) will be for the matter to be referred to the next meeting of the committee as a substantive item. If such a motion is put to the meeting there shall be no other procedure than a vote for or against the terms of the motion. If the motion is carried then it will stand referred; if it is lost then the item is noted.
Appendix 3

Protocol for Consultations

There shall be delegated to each Executive Director the power to respond to consultations which are reasonably considered by that officer to be of a technical nature without reference to Committee. In the event that a Consultation is received with a return date prior to the next ordinary meeting of the relevant committee then the Executive Director shall, after consultation with the Chair and Vice Chair of the Committee, determine whether to consult all members of the relevant committee. Once that consultation has been undertaken the response shall be submitted by the officer who in the event of there being a range of views expressed by members, or otherwise at their discretion, may consult with the Chair.
<table>
<thead>
<tr>
<th>Committee</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council</td>
<td>May</td>
<td>Jun</td>
</tr>
<tr>
<td></td>
<td>Thurs 18 / 25</td>
<td>Thurs 28</td>
</tr>
<tr>
<td></td>
<td>Thurs 18</td>
<td>Thurs 19</td>
</tr>
<tr>
<td></td>
<td>Thurs 19</td>
<td>Thurs 15</td>
</tr>
<tr>
<td></td>
<td>Thurs 22</td>
<td>Thurs 17</td>
</tr>
<tr>
<td>P&amp;R</td>
<td>Thurs 15</td>
<td>Thurs 14</td>
</tr>
<tr>
<td></td>
<td>Thurs 14</td>
<td>Thurs 14</td>
</tr>
<tr>
<td></td>
<td>Thurs 14</td>
<td>Thurs 15</td>
</tr>
<tr>
<td></td>
<td>Thurs 15</td>
<td>Thurs 14</td>
</tr>
<tr>
<td>Comm. S</td>
<td>Thurs 8</td>
<td>Thurs 7</td>
</tr>
<tr>
<td></td>
<td>Thurs 7</td>
<td>Thurs 7</td>
</tr>
<tr>
<td></td>
<td>Thurs 7</td>
<td>Thurs 8</td>
</tr>
<tr>
<td></td>
<td>Thurs 8</td>
<td>Thurs 7</td>
</tr>
<tr>
<td>EDI</td>
<td>Thurs 8</td>
<td>Thurs 7</td>
</tr>
<tr>
<td></td>
<td>Thurs 7</td>
<td>Thurs 7</td>
</tr>
<tr>
<td></td>
<td>Thurs 7</td>
<td>Thurs 7</td>
</tr>
<tr>
<td></td>
<td>Thurs 7</td>
<td>Thurs 7</td>
</tr>
<tr>
<td>PPSL</td>
<td>Tues 30</td>
<td>Wed 21</td>
</tr>
<tr>
<td></td>
<td>Wed 23</td>
<td>Wed 20</td>
</tr>
<tr>
<td></td>
<td>Wed 18</td>
<td>Wed 22</td>
</tr>
<tr>
<td></td>
<td>Fri 15</td>
<td>Wed 24</td>
</tr>
<tr>
<td></td>
<td>Wed 21</td>
<td>Wed 21</td>
</tr>
<tr>
<td></td>
<td>Wed 21</td>
<td>Wed 18</td>
</tr>
<tr>
<td></td>
<td>Wed 16</td>
<td>Wed 20</td>
</tr>
<tr>
<td>Audit</td>
<td>Tues 20</td>
<td>Tues 19</td>
</tr>
<tr>
<td></td>
<td>Jul 23</td>
<td>Wed 20</td>
</tr>
<tr>
<td></td>
<td>Fri 15</td>
<td>Wed 21</td>
</tr>
<tr>
<td></td>
<td>Thu 22</td>
<td>Wed 21</td>
</tr>
<tr>
<td>PRS</td>
<td>Tues 15</td>
<td>Tues 20</td>
</tr>
<tr>
<td></td>
<td>Thurs 6</td>
<td>Wed 20</td>
</tr>
<tr>
<td></td>
<td>Tues 6</td>
<td>Wed 21</td>
</tr>
<tr>
<td></td>
<td>Tues 5</td>
<td>Wed 21</td>
</tr>
<tr>
<td>B&amp;C Area</td>
<td>Tues 5</td>
<td>Tues 6</td>
</tr>
<tr>
<td></td>
<td>Tues 5</td>
<td>Tues 1</td>
</tr>
<tr>
<td>B&amp;C CPG</td>
<td>Tues 2</td>
<td>Tues 3</td>
</tr>
<tr>
<td></td>
<td>Tues 5</td>
<td>Tues 6</td>
</tr>
<tr>
<td></td>
<td>Tues 6</td>
<td>Tues 1</td>
</tr>
<tr>
<td>MAKI Area</td>
<td>Wed 7</td>
<td>Wed 6</td>
</tr>
<tr>
<td></td>
<td>Wed 3</td>
<td>Wed 4</td>
</tr>
<tr>
<td>MAKI CPG</td>
<td>Wed 7</td>
<td>Wed 6</td>
</tr>
<tr>
<td></td>
<td>Wed 6</td>
<td>Wed 7</td>
</tr>
<tr>
<td>H&amp;L Area</td>
<td>Wed 10</td>
<td>Wed 11</td>
</tr>
<tr>
<td></td>
<td>Wed 14</td>
<td>Wed 13</td>
</tr>
<tr>
<td>H&amp;L CPG</td>
<td>Wed 14</td>
<td>Wed 13</td>
</tr>
<tr>
<td>OLI Area</td>
<td>Wed 13</td>
<td>Wed 14</td>
</tr>
<tr>
<td>OLI CPG</td>
<td>Wed 13</td>
<td>Wed 14</td>
</tr>
</tbody>
</table>
## Schedule of Committee Meetings – Cabinet / Executive Structure

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>May</td>
<td>June</td>
<td>July</td>
<td>Aug</td>
<td>Sept</td>
<td>Oct</td>
<td>Nov</td>
<td>Dec</td>
<td>Jan</td>
<td>Feb</td>
<td>Mar</td>
<td>Apr</td>
<td>May</td>
</tr>
<tr>
<td>Council</td>
<td>Thurs 18 / 25</td>
<td>Thurs 29</td>
<td>Thurs 28</td>
<td>Thurs 30</td>
<td>Thurs 22</td>
<td>Thurs 22</td>
<td>Thurs 26</td>
<td>Thurs 28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Thurs 17</td>
<td>Thurs 21</td>
<td>Thurs 23</td>
<td>Thurs 14</td>
<td>Thurs 15</td>
<td>Thurs 22</td>
<td>Thurs 17</td>
<td>Thurs 21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cabinet / Executive</td>
<td>Thurs 22</td>
<td>Thurs 21</td>
<td>Thurs 23</td>
<td>Thurs 14</td>
<td>Thurs 15</td>
<td>Thurs 22</td>
<td>Thurs 17</td>
<td>Thurs 21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Audit</td>
<td>Tues 20</td>
<td>Tues 19</td>
<td>Fri 1</td>
<td>Tues 20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrutiny</td>
<td>Thurs 8</td>
<td>Thurs 7</td>
<td>Thurs 9</td>
<td>Thurs 7</td>
<td>Thurs 8</td>
<td>Thurs 8</td>
<td>Thurs 5</td>
<td>Thurs 3</td>
<td>Thurs 7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B&amp;C Area</td>
<td>Tues 6</td>
<td>Tues 5</td>
<td>Tues 5</td>
<td>Tues 6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B&amp;C CPG</td>
<td>Tues 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAKI Area</td>
<td>Wed 7</td>
<td>Wed 6</td>
<td>Wed 6</td>
<td>Wed 7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAKI CPG</td>
<td>Wed 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H&amp;L Area</td>
<td>Tues 13</td>
<td>Tues 12</td>
<td>Tues 12</td>
<td>Tues 13</td>
<td>Tues 13</td>
<td>Tues 13</td>
<td>Tues 12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H&amp;L CPG</td>
<td>Tues 9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OLI Area</td>
<td>Wed 14</td>
<td>Wed 13</td>
<td>Wed 13</td>
<td>Wed 14</td>
<td>Wed 14</td>
<td>Wed 14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OLI CPG</td>
<td>Wed 10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ARGYLL AND BUTE COUNCIL

18 MAY 2017

REMUNERATION

1. In terms of the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 the Council determine to pay in respect of the positions in column 1 below the amount shown in column 2, and in the event that the same person holds more than one of these positions that person will receive the higher amount only in respect of the relevant position.

<table>
<thead>
<tr>
<th>Position</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provost</td>
<td>£25,392</td>
</tr>
<tr>
<td>Leader of the Council</td>
<td>£33,857</td>
</tr>
<tr>
<td>Senior Councillors</td>
<td></td>
</tr>
<tr>
<td>Policy Lead</td>
<td></td>
</tr>
<tr>
<td>Area Committee Chair</td>
<td></td>
</tr>
</tbody>
</table>

2. In terms of the Local Government (Allowances and Expenses) (Scotland) Regulations the Council determines to pay a civic allowance of up to £3,000 in respect of the position of Provost of the Council.
1.0 EXECUTIVE SUMMARY

This report provides information about the appointment of 3 persons interested in the promotion of religious education to any Committee of the Council to which the functions of the Council as education authority are delegated. The requirements are set out in Section 31 of the Local Government etc. (Scotland) Act 1994 and the Council is invited to confirm appointments as notified by the relevant organisations.
2.0 INTRODUCTION

2.1 This report provides information about the appointment of 3 persons interested in the promotion of religious education to any Committee of the Council to which the functions of the Council as education authority are delegated. The Council are required to have as members of such a Committee one person appointed by the Church of Scotland, one person appointed by the Roman Catholic Church, and a third person in the selection of whom a Council should have regard to the comparative strength of the churches and denominational bodies within their area.

3.0 RECOMMENDATIONS

The Council is invited:-

3.1 To confirm the appointment of William Stewart Shaw as a member of the relevant Committee (as nominated by the Church of Scotland).

3.2 To confirm the appointment of Margaret Anderson as a member of the relevant Committee (as nominated by the Roman Catholic Diocese of Argyll and the Isles).

3.3 To continue to seek a nomination to be a member of the relevant Committee from the Scottish Episcopal Church Diocese of Argyll & the Isles.

3.4 To note that the appointment of the 3 persons is conditional on the terms and requirements of the Councillors Code applying to those appointments.

4.0 DETAIL

4.1 Section 31 of the Local Government etc. (Scotland) Act 1994 requires a local authority to appoint to any Committee of the Council to which the functions of the Council as education authority are delegated 3 persons as described in the section as follows:-

   (a) One representative of the Church of Scotland.
   (b) One representative of the Roman Catholic Church.
(c) One person in the selection of whom the Authority shall have regard (taking account of the representation of Churches under paragraphs (a) and (b) above) to the comparative strength within their area of all the churches and denominational bodies having duly constituted charges or other regularly appointed places of worship there.

4.2 During the life of the last Council, the 3 representatives came from the Church of Scotland, the Roman Catholic Church and the Scottish Episcopal Church. It is not considered in relation to (c) above that the comparative strength of the denominated bodies within the Council area has changed.

4.3 On the assumption that the Council will establish a Committee to which education functions will be delegated (although this is dependent on decisions the Council may take in relation of item 10 on the Council Agenda) nominations have been sought from these three denominated groups. The Scottish Episcopal Church has yet to make a nomination, The Church of Scotland has nominated William Stewart Shaw and the Roman Catholic Church has nominated Margaret Anderson.

5.0 CONCLUSION

5.1 The Council is invited to note the requirements of Section 31 of the Local Government etc. (Scotland) Act 1994 with regards to the functions of the Council as education authority and to confirm the appointments as specified within the report.

6.0 IMPLICATIONS

6.1 Policy – representatives have a role in relation to oversight of education policy.
6.2 Financial – posts are not remunerated
6.3 Legal – meets requirements of Local Government etc. (Scotland) Act 1994.
6.4 HR – none.
6.5 Equalities – supports council in addressing equality duties.
6.6 Risk – none.
6.7 Customer Service – none.

Douglas Hendry  
Executive Director of Customer Services  
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law, Tel: 01546 604192 email: Charles.reppke@argyll-bute.gov.uk
This page is intentionally left blank
APPOINTMENT OF TEACHER REPRESENTATIVES

1.0 INTRODUCTION

1.1 While the Council is required to appoint 3 persons interested in the promotion of religious education to any Committee to which the Council delegates any of its functions as education authority, they have a discretion, but not an obligation, to appoint up to 2 representatives of teaching staff to such a Committee.

The Council in the past has appointed as non-voting members, 2 teacher representatives nominated by the teachers serving within the Education Service. The Executive Director - Community Services arranges to take nominations and to hold an election, if appropriate.

2.0 RECOMMENDATION

The Council is invited to consider whether they wish to appoint as non-voting members, 2 teacher representatives, and if so, invite the Executive Director - Community Services to make the necessary arrangements and report back to any Committee the Council establishes, with delegated powers to that Committee to appoint the persons nominated to the Committee.

Douglas Hendry
Executive Director of Customer Services
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law, Tel: 01546 604192 email: Charles.reppke@argyll-bute.gov.uk
This page is intentionally left blank
1. EXECUTIVE SUMMARY

1.1 This report sets out a list of statutory boards and joint committees on which the Council is represented and to which it has a requirement to make appointments.

2. RECOMMENDATIONS

2.1 The Council is asked to consider the appointments it wishes to make to the statutory boards and joint committees listed within the report at Section 3.

3. MEMBERSHIP OF STATUTORY BOARDS AND JOINT COMMITTEES

3.1 **Scotland Excel**
The Council is asked to appoint one representative and one substitute to Scotland Excel.

3.2 **Dumbartonshire and Argyll and Bute Valuation Joint Board**
The Council is asked to appoint five representatives and up to five substitutes to the Valuation Joint Board.

3.3 **Highlands and Islands Transport Partnership (HITRANS)**
The Council is asked to appoint one representative and one substitute to HITRANS.

3.4 **Strathclyde Concessionary Travel Scheme Joint Committee**
The Council is asked to appoint one representative and one substitute to the Joint Committee.
3.5 **Strathclyde Partnership for Transport and Strathclyde Passenger Transport Authority**
The Council is asked to appoint one representative and one substitute who will represent the Council on both the Partnership and the Transport Authority.

3.6 **West of Scotland European Forum**
The Council is asked to appoint one representative and one substitute to the Forum.

3.7 **Argyll and Bute Health and Social Care Integrated Joint Board (IJB)**
The Council is asked to appoint four representatives to the IJB.

4. **CONCLUSION**

4.1 The report lists the statutory bodies and organisations on which the Council is currently represented and to which it will require to consider new appointments following the local government election in May 2017.

5. **IMPLICATIONS**

5.1 **Policy** – It is in keeping with the Council’s policy to participate fully in these boards and joint committees.

5.2 **Financial** – The cost of travel and subsistence of Elected Members in attending meetings of these bodies is met by the Council, except where the body has its own allowances scheme.

5.3 **Legal** – None

5.4 **HR** – None

5.5 **Equalities** – None

5.6 **Risk** – None

5.7 **Customer Service** – None

Douglas Hendry  
Executive Director – Customer Services

11th May 2017

For further information please contact Charles Reppke Head of Governance and Law, on 01546 604192 or email charles.reppke@argyll-bute.gov.uk
ARGYLL AND BUTE COUNCIL

COUNCIL

CLERK TO THE LICENSING BOARD

18 MAY 2017

APPOINTMENT OF MEMBERS TO LICENSING BOARD

1. BACKGROUND

1.1 The administration and regulation of liquor licensing is the responsibility of a Licensing Board which is a completely separate and distinct entity from the Council. At its first statutory meeting, however, it is the responsibility of the Council to appoint Members to the Licensing Board.

1.2 The Licensing (Scotland) Act 2005 requires this Council to appoint Members to a Licensing Board.

2. RECOMMENDATIONS

2.1 Appoint at least five and not more than ten Councillors from the Regulatory Cohort to be members of the Argyll and Bute Licensing Board.

3. DETAIL

3.1 The Licensing (Scotland) Act 2005 requires this Council to appoint Members to a Licensing Board. Since 2007 there has been one Licensing Board covering the whole of the Argyll and Bute area and ten Members have been appointed to this Board from the Members of the Regulatory Cohort. Schedule 1 of the 2005 Act provides that a Licensing Board must consist of at least five, and not more than ten members.

3.2 The Council must have regard to the following when giving consideration to appointment to a Licensing Board. A Councillor is disqualified from being a member of a Board if the Councillor is

(a) The holder of a licence

(b) An employee of a licence holder and works as such in licensed premises

(c) Whether alone or in partnership with another person, is engaged in the business of producing or selling alcohol

(d) A Director or other Officer of a company so engaged, or

(e) An employee of any person so engaged and works as such in that business.
4.3 The next meeting of the Argyll and Bute Licensing Board is due to take place on 20 June 2017.

Charles Reppke
Clerk to the Licensing Board
10th May 2017

For further information contact: Susan Mair, Legal Services Manager - Corporate/Depute Clerk to the Licensing Board Tel: 01546 604117, E-mail: susan.mair@argyll-bute.gov.uk
1.0 EXECUTIVE SUMMARY

The Council is currently a member of the Convention of Scottish Local Authorities (COSLA) and as such is entitled to appoint three Members to the Convention.

The report includes detail on the first COSLA Leaders’ meeting after the elections and the Convention meeting which will include the election of COSLA’s President and Vice President, along with the appointment of Spokespersons.

The Council is invited to appoint three representatives to the Convention for the period up to the next Local Government Elections, having regard to the guidance from COSLA that the delegation should reflect the balance of party political strength within each member council as well as to consider its position with regards to nominations to the appointments of COSLA’s President and Vice President.
MEMBERSHIP OF COSLA

2. BACKGROUND

2.1 The Council is currently a member of the Convention of Scottish Local Authorities (COSLA) and as such is entitled to appoint three Members to the Convention.

3. RECOMMENDATIONS

The Council is invited:-

3.1 to appoint three representatives to the Convention for the period up to the next Local Government Elections, having regard to the guidance from COSLA that the delegation should reflect the balance of party political strength within each member council.

3.2 to note that the Leader of the Council will be a Member of the COSLA Leaders’ Group.

3.3 to consider its position with regards to nominations for the President and Vice President of COSLA.

4. DETAIL

4.1 The Council will require to appoint three representatives to COSLA for the period up to the next Local Government Elections and should have regard to the guidance from COSLA that the delegation should reflect the balance of party political strength within each member council in making these appointments. COSLA recognises that there is a range of arrangements within Member Councils, including formal and informal coalitions and partnerships, and would wish to allow each Council to reach its own view on what is a balanced delegation.

4.2 The Leader of the Council will be a Member of the COSLA Leaders’ Group.

4.3 The Council is not being asked, at this stage, to make any further appointments to COSLA pending clarification of COSLA’s future political management structure.

4.4 The first COSLA Leaders’ meeting after the elections will take
place on 26th May 2017 and the Convention meeting will take place on 30th June 2017. This meeting will include the election of COSLA’s President and Vice President, along with the appointment of Spokespersons. Nominations for the President and Vice President must be sent to COSLA no later than Friday 9th June. The Council is therefore invited to consider its position with regards to nominations to these appointments as set out in the letter from the Chief Executive of COSLA at Appendix 1.

5. IMPLICATIONS

5.1 Policy None
5.2 Financial The cost of COSLA Membership is budgeted for in the current year’s budget. The costs of travel and subsistence incurred by Members who are appointed to the Convention in respect of their attendance at COSLA meetings and at other meetings of bodies they are appointed to by the Convention are met by the Council.

5.3 Legal None
5.4 HR None
5.5 Equalities None
5.6 Risk None
5.7 Customer Service None

Douglas Hendry
Executive Director of Customer Services
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law Tel: 01546 604192, email: Charles.reppke@argyll-bute.gov.uk

Appendix 1 - Letter from Chief Executive COSLA
This page is intentionally left blank
8 May 2017

Sent to: Chief Executives

Dear Colleague

I realise that the next couple of weeks will be very busy as your new Council beds in and I wish you all the best for this period.

The purpose of this letter is to outline all the information and deadlines that your Council needs to be aware of and adhere to, to enable this term of COSLA to begin smoothly and ensure a properly empowered Convention takes place on 30th June. This letter formally outlines the information I previously wrote to you with on 8th March.

Leaders’ Meeting
The first COSLA Leaders’ meeting after the elections will take place on 26th May. It would be helpful if we were to know the name and contact details of the Leader of your Council in time to send out papers for this meeting. This would mean that, ideally, contact details should be with COSLA by 19th May. Any Council who has not appointed a Leader can send an elected member to act as an interim Leader and they could represent the Council’s views for this one meeting. Like any normal COSLA meeting, substitutes will also be permissible, if necessary, but I would encourage you to inform us of this as soon as possible.

Convention Meeting
The Convention meeting will take place on 30th June. This pivotal meeting will include the election of COSLA’s President and Vice President, along with the appointment of Spokespersons. The following information sets out the process that COSLA is constitutionally required to undertake, and the steps that your Council will need to undertake in relation to this.

For ease, a clear breakdown of the timelines which COSLA is working to between now and the Convention meeting on 30th June is attached as Appendix 1 to this letter.

- Nominations for President and Vice President
Under the terms of paragraph 5.3 of the Constitution, COSLA is required to elect its principal office bearers at the first meeting of the Convention following the election of Councillors. This meeting has to be held within 9 weeks of the election date. The principal office bearers are the President and Vice President. The Constitution also requires that the President and Vice President must be of different political groups and of different genders.

This letter provides formal notification that COSLA is seeking nominations for the posts of President and Vice President, and sets out the arrangements for doing so.
Nominations for the President and Vice President must be sent to Stuart Johnston no later than **Friday 9th June**. There is no scope for us to vary these timescales because they are set out in the Constitution. Stuart can be contacted by email on stuart.johnston@cosla.gov.uk or alternatively 0131 474 9214.

It is Convention delegates who nominate for the posts of President and Vice President. Any elected member from a COSLA member Council is eligible to be nominated for President and Vice President. The same candidate can be nominated for both posts. In order to be valid, nominations must be made by two members of the Convention. The key considerations associated with the Convention Delegations and Election of President and Vice President are attached at Appendix 2 of this letter.

While it is possible for nominations to be withdrawn, it is not possible, constitutionally, to add further nominations after 9th June deadline. **If your Convention members miss the deadlines involved they lose the chance to nominate and we have no flexibility to make an exception.**

Once all nominations have been received, COSLA will write to all Convention delegates setting out the names received for each position along with their political group, the Council they represent, and the elected members supporting their nomination. COSLA intends to do this on Friday 16th June.

**Council Delegation to Convention**

Your Council has a defined number of delegates and the Constitution of COSLA requires that your delegation reflects the balance of party political representation on your Council. Attached to this letter at Appendix 3 is a page which indicates the total number of places each Council has on the COSLA Convention.

Whilst Councils could appoint Convention delegates right up until 29th June, as the above makes clear, the deadline for receiving nominations for the posts of President and Vice President is the 9th June. **As such, for any Convention Member to be able to fully participate in nominations for the election of the Presidential Team, they must be appointed no later than 8th June, and have intimated any nominations for the Presidential Team to COSLA by 9th June.**

COSLA cannot appoint any Spokespersons until the political balance of the Convention is established. This hinges on receiving your Council’s delegation for Convention. Once the political balance on the Convention is clear, the Groups (via Political Group Leaders) on COSLA will be advised of any Spokesperson vacancies available to them and invited to agree the division of portfolios and agree nominations for Spokespersons. This will collectively have to be gender balanced.

I would therefore be grateful if the names and political affiliation of your Council’s delegation to the Convention could be sent no later than **Thursday 8th June**. If you foresee any difficulties in meeting this deadline, please let Stuart Johnston (contact details above) know as soon as this becomes apparent.

**Changes to Constitution**

You will recall that, at its meeting on 31st March 2017, the Convention agreed the recommendations arising from the COSLA Review and as such authorised the necessary steps be taken to enact the package of proposals, including the process for updating COSLA’s Constitution. Immediately following that meeting the Special Leaders’ meeting also noted that the Constitution would now require changes and that details of these amendments would be brought forward to the Leaders’ meeting on 26th May.
The final part of this letter is therefore to make you aware of the next steps and processes involved to change the Constitution. Since those meetings on the 31\textsuperscript{st} March, COSLA officers have been working their way through the required amendments and these proposals have been given to COSLA’s legal advisers who are in the process of translating them into the necessary language to be included in the revised Constitution. Only the Leaders meeting on 26\textsuperscript{th} May can approve the final proposals that will be submitted to Convention on 30\textsuperscript{th} June. Therefore, the proposed changes will be the subject of a full report to the Leaders meeting on 26\textsuperscript{th} May and following that, 28 days’ notice will be given to member Councils of the exact proposals to be discussed at the June Convention. This process is required to fulfil the requirements regarding how our Constitution can be changed.

I appreciate the challenges involved at this very busy time but by writing to you early I hope that this will make it as easy as possible to integrate COSLA’s Constitutional requirements and timescales into your Council’s decision making process. Clearly, you will wish to bring these to the attention of your political leadership and appointed Convention delegations as soon as you know who they are.

I hope everything I’ve outlined makes sense but should you have any queries please do get in touch. I look forward to seeing Council Leaders on 26\textsuperscript{th} May and receiving full Convention delegations from every Council by 8\textsuperscript{th} June.

Yours sincerely,

Sally Loudon
Chief Executive
### LOCAL GOVERNMENT 2017 ELECTION TO COSLA CONVENTION TIMELINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>8th March</td>
<td>Email to all Councils outlining constitutional position within COSLA and timelines</td>
</tr>
<tr>
<td>4th May</td>
<td>Local Government Elections</td>
</tr>
<tr>
<td>8th May</td>
<td>Letter to all Councils inviting nominations for their delegation to COSLA Convention, nominations for President and Vice President and explaining procedures</td>
</tr>
<tr>
<td>19th May</td>
<td>Agenda &amp; reports distributed for Leaders meeting on 26th May</td>
</tr>
<tr>
<td>26th May</td>
<td>Leaders meeting at the COSLA Offices, Verity House, Edinburgh</td>
</tr>
<tr>
<td>8th June</td>
<td>Date for receiving notification of Council’s Convention delegations</td>
</tr>
<tr>
<td>9th June</td>
<td>Nominations must be received from Convention delegates for COSLA President and Vice-President posts</td>
</tr>
<tr>
<td>16th June</td>
<td>Letter to all Councils containing nominations received for President and Vice President</td>
</tr>
<tr>
<td>23rd June</td>
<td>Agenda and reports for Convention meeting on 30th June distributed</td>
</tr>
<tr>
<td>30th June</td>
<td>COSLA Convention at the COSLA Offices, Verity House, Edinburgh</td>
</tr>
</tbody>
</table>
Convention Delegation and Election of President and Vice President: Key Considerations

- Councils are responsible individually for agreeing their Convention delegation. This must reflect the balance of political representation on the Council.

- Councils should inform COSLA of their Convention delegation no later than 8th June in order to allow delegates to be able to make nominations for COSLA President and Vice President.

- All nominations for President and Vice President must be made by members of Convention

- All nominations must be received by COSLA by June 9th. COSLA cannot provide any flexibility around this date.

- Any local elected member from a COSLA member Council is eligible to be nominated for President and Vice President.

- The COSLA Constitution requires that President and Vice President must be of different political groups and of different genders.

- The same candidate can be nominated for both President and Vice President.

- To be a competent nomination, any candidate must have at least two nominations.

- The election will take place at COSLA Convention on 30 June by secret ballot. The President will be elected first, followed by the Vice President.

- Councils should provide information to Convention members about the nomination requirements for President and Vice President, and the process for making these. COSLA will also contact all Convention members once these have been confirmed by Councils but, particularly in cases where notification is close to the deadline, it will be important that Councils share relevant information with elected members as early as possible.
### NUMBER OF PLACES ON CONVENTION

<table>
<thead>
<tr>
<th>COUNCIL</th>
<th>NO. OF COUNCIL PLACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glasgow City</td>
<td>8</td>
</tr>
<tr>
<td>Edinburgh, City of</td>
<td>6</td>
</tr>
<tr>
<td>Fife</td>
<td>6</td>
</tr>
<tr>
<td>North Lanarkshire</td>
<td>6</td>
</tr>
<tr>
<td>South Lanarkshire</td>
<td>6</td>
</tr>
<tr>
<td>Aberdeen City</td>
<td>5</td>
</tr>
<tr>
<td>Aberdeenshire</td>
<td>5</td>
</tr>
<tr>
<td>Dundee City</td>
<td>5</td>
</tr>
<tr>
<td>Highland</td>
<td>5</td>
</tr>
<tr>
<td>Renfrewshire</td>
<td>5</td>
</tr>
<tr>
<td>Angus</td>
<td>4</td>
</tr>
<tr>
<td>Dumfries and Galloway</td>
<td>4</td>
</tr>
<tr>
<td>East Ayrshire</td>
<td>4</td>
</tr>
<tr>
<td>East Dunbartonshire</td>
<td>4</td>
</tr>
<tr>
<td>Falkirk</td>
<td>4</td>
</tr>
<tr>
<td>North Ayrshire</td>
<td>4</td>
</tr>
<tr>
<td>Perth and Kinross</td>
<td>4</td>
</tr>
<tr>
<td>Scottish Borders</td>
<td>4</td>
</tr>
<tr>
<td>South Ayrshire</td>
<td>4</td>
</tr>
<tr>
<td>West Lothian</td>
<td>4</td>
</tr>
<tr>
<td>Argyll and Bute</td>
<td>3</td>
</tr>
<tr>
<td>Clackmannanshire</td>
<td>3</td>
</tr>
<tr>
<td>Comhairle nan Eilean Siar</td>
<td>3</td>
</tr>
<tr>
<td>East Lothian</td>
<td>3</td>
</tr>
<tr>
<td>East Renfrewshire</td>
<td>3</td>
</tr>
<tr>
<td>Inverclyde</td>
<td>3</td>
</tr>
<tr>
<td>Midlothian</td>
<td>3</td>
</tr>
<tr>
<td>Moray</td>
<td>3</td>
</tr>
<tr>
<td>Orkney Islands</td>
<td>3</td>
</tr>
<tr>
<td>Shetland Islands</td>
<td>3</td>
</tr>
<tr>
<td>Stirling</td>
<td>3</td>
</tr>
<tr>
<td>West Dunbartonshire</td>
<td>3</td>
</tr>
<tr>
<td><strong>TOTAL SCOTLAND</strong></td>
<td><strong>133</strong></td>
</tr>
</tbody>
</table>
1. EXECUTIVE SUMMARY

1.1 This report sets out a list of outside bodies and organisations to which the Council is invited to make appointments.

2. RECOMMENDATIONS

2.1 The Council is invited to consider whether or not it wishes to make appointments to any of the outside bodies/organisations listed in Appendix 1 and to make such appointments at this meeting as appropriate.

2.2 The Council is asked to instruct the Area Governance Manager to prepare a report for the first meetings of all Area Committees with details of area-based outside bodies to which the Committee may wish to make appointments.

3. MEMBERSHIP OF OUTSIDE BODIES AND ORGANISATIONS

3.1 It has been the Council’s practice to appoint members to a range of outside bodies and organisations. Members are now invited to make appointments on the basis of the detail in the schedule attached as Appendix 1.

4. IMPLICATIONS

4.1 Policy – This is in keeping with the Council’s commitment to working in partnership with other agencies to benefit the people and communities of Argyll and Bute.
4.2 **Financial** – The Council will incur costs arising from Elected Members’ participation in some meetings, except where the body has its own allowances scheme.

4.3 **Legal** – None

4.4 **HR** – None

4.5 **Equalities** – None

4.6 **Risk** – None

4.7 **Customer Service** – None

Douglas Hendry  
Executive Director – Customer Services

9th May 2017

For further information please contact Charles Reppke, Head of Governance and Law on 01546 604192 or email charles.reppke@argyll-bute.gov.uk

Appendix 1 – List of Outside Bodies and Organisations with detail on representation
<table>
<thead>
<tr>
<th>OUTSIDE BODY/ORGANISATION</th>
<th>NO OF APPOINTMENTS PREVIOUSLY MADE</th>
<th>LENGTH/TERM OF APPOINTMENT</th>
<th>VALUE OF MEMBERSHIP TO THE COUNCIL</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HEALTH</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NHS Highland Board</td>
<td>1 nomination</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Accountable to the Secretary of State</td>
</tr>
<tr>
<td>NHS Highland Health and Wellbeing Partnership</td>
<td>1 nomination</td>
<td>Until the next election</td>
<td>Desirable</td>
<td></td>
</tr>
<tr>
<td><strong>EDUCATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University of the Highlands and Islands Foundation Committee</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Essential</td>
<td>The UHI Project was established in 1992 with the aim of creating a university which would reach the smallest communities in remote regions. In 2001 the project was designated as a higher education institute and currently has around 5,000 students throughout the Highlands and Islands, offering over 100 undergraduate and postgraduate courses.</td>
</tr>
</tbody>
</table>
## SOILLSE National Network for Gaelic Research – Consultative Committee

<table>
<thead>
<tr>
<th>Role</th>
<th>Number</th>
<th>Term</th>
<th>Importance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>1</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Recently established project which aims to provide an enhanced research capacity to inform public policy towards the maintenance and revitalisation of the Gaelic language and culture. Committee will meet once per year.</td>
</tr>
</tbody>
</table>

## ENTERPRISE/ECONOMY

### Stramash Board

<table>
<thead>
<tr>
<th>Role</th>
<th>Number</th>
<th>Term</th>
<th>Importance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>2</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>In accordance with PA23 BID proposal and BID Business Plan. 1 Director to be an elected member nominated from Argyll and Bute Council, 10 directors elected by businesses in Dunoon; plus Strathclyde Police but only as observer with no voting rights.</td>
</tr>
</tbody>
</table>

### PA23BID Board

<table>
<thead>
<tr>
<th>Role</th>
<th>Number</th>
<th>Term</th>
<th>Importance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative (director)</td>
<td>1</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>In accordance with PA23 BID proposal and BID Business Plan. 1 Director to be an elected member nominated from Argyll and Bute Council, 10 directors elected by businesses in Dunoon; plus Strathclyde Police but only as observer with no voting rights.</td>
</tr>
<tr>
<td>RURAL/ENVIRONMENTAL</td>
<td>Argyll &amp; Bute Local Biodiversity Partnership</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------------------------</td>
<td>------------------</td>
<td>------------------------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td>Argyll, Lomond and The Islands Energy Agency – Management Board</td>
<td>2 nominations</td>
<td>Until the next election</td>
<td>Desirable</td>
</tr>
<tr>
<td></td>
<td>Argyll and Bute Renewables Alliance (ABRA)</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
</tr>
</tbody>
</table>
## Appendix 1 – Membership of Outside Bodies and Organisations

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Representatives</th>
<th>Term</th>
<th>Desirability</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argyll and Bute Agriculture Forum</td>
<td>2 representatives</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>Set up in 1999 to raise awareness of agricultural issues across Argyll and Bute; act as forum for discussion about agricultural issues; promote sustainable development of agriculture; and create unique opportunities for all agencies with an interest in land use sectors to work together.</td>
</tr>
<tr>
<td>Argyll and the Isles Coast and Countryside Trust</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
<td></td>
</tr>
<tr>
<td>Argyll and the Isles Strategic Tourism Partnership</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Has equal standing to the Agricultural Forum and</td>
</tr>
<tr>
<td>Organisation</td>
<td>Members</td>
<td>Term of Appointment</td>
<td>Status</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>---------------------</td>
<td>-----------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>KIMO (Kommuners International Kiljorganisation)</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>Campaigns on marine pollution issues affecting coastal communities, exchanging information on effective pollution prevention, clean up operations and sustainable development. It currently has 128 members from 10 European communities and lobbies national Governments, the European Commission and others to take effective actions on issues affecting Northern Seas.</td>
</tr>
<tr>
<td>Loch Lomond and the Trossachs National Park Authority Board</td>
<td>2 nominees</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Has 17 members appointed by Scottish Executive. Its purpose is to deliver the 4</td>
</tr>
</tbody>
</table>
Appendix 1 – Membership of Outside Bodies and Organisations

<table>
<thead>
<tr>
<th>Organisation Name</th>
<th>Number of Representatives</th>
<th>End Date</th>
<th>Desirability</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scottish Liaison Group on Radioactive Waste Management</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>To provide a mechanism to identify a common, Scottish local authority viewpoint on radioactive waste management issues; to act as an interface with the Scottish Executive, Scottish Parliament and regulatory</td>
</tr>
<tr>
<td>Outside Bodies and Organisations</td>
<td>Number of Members</td>
<td>Term of Appointment</td>
<td>Desirability</td>
<td>Aims</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>---------------------</td>
<td>--------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Scottish Councils’ Committee on Radioactive Substances</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>Aims to give factual advice to Scottish local governments on radiation and radioactive waste matters.</td>
</tr>
<tr>
<td>West of Scotland Archaeology Service Joint Committee</td>
<td>1 representative, 1 substitute</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>The Service provides information and advice to the Planning Departments and other services of the twelve WoSAS Councils</td>
</tr>
<tr>
<td>Argyll Marine SAC Forum</td>
<td>2 representatives, one of which chairs the Forum</td>
<td>Until the next election</td>
<td>Essential</td>
<td>The Argyll Marine SAC Management Forum brings together organisations with an interest in the</td>
</tr>
</tbody>
</table>
Appendix 1 – Membership of Outside Bodies and Organisations

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Representatives</th>
<th>Term</th>
<th>Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argyll and Bute Economic Forum</td>
<td>2 representatives</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Set up by the Council, with private sector representatives.</td>
</tr>
<tr>
<td>A83 Taskforce</td>
<td>4 representatives</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Set up in August 2012 to provide leadership and direction, and ensure the delivery of an emergency diversion route and the wider study into the permanent solution to landslides at the Rest and be Thankful.</td>
</tr>
<tr>
<td>SOCIAL (INCLUDING ARTS AND LEISURE)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Argyll &amp; Bute Care &amp; Repair Agency</td>
<td>2 representatives</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>Argyll &amp; Bute Care &amp; Repair (ABCR) is part of a nationwide network of organisations to...</td>
</tr>
</tbody>
</table>
Appendix 1 – Membership of Outside Bodies and Organisations

<table>
<thead>
<tr>
<th>Organization</th>
<th>Type</th>
<th>Membership Details</th>
<th>Role</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fyne Homes Group</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Registered Social Landlord across Argyll and Bute.</td>
</tr>
<tr>
<td>Argyll Community Housing Association (ACHA)</td>
<td>3 substantive representatives</td>
<td>Until the next election</td>
<td>Essential</td>
<td>ACHA is a community led housing association that manages all 5,800 Council properties across Argyll and Bute as well as delivering associated housing services.</td>
</tr>
<tr>
<td>STRATEGIC/FINANCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Convention of the Highlands and Islands</td>
<td>1 representative (usually Leader) 1 substitute</td>
<td>Until the next election</td>
<td>Essential</td>
<td>The Convention is a meeting between the Executive and its main partner agencies, represented by the</td>
</tr>
</tbody>
</table>
Chairperson of each organisation. It is currently held twice yearly, and is hosted by a different local authority each time with the location alternating between a mainland and an island. The Convention is intended to strengthen co-ordination between member organisations, the Executive and other representative bodies to better inform the development and realisation of strategic economic, environmental, cultural and social justice objectives.

| Programme Monitoring Committee (Highlands and Islands) | 1 representative (automatically Leader) 1 substitute | Ministerial appointment | Essential | Following the success of the 1994-99 Objective 1 Programme, the economy of the |
Highlands & Islands has improved to such an extent that the region is no longer eligible for Objective 1. However, in recognition of the difficulties still being faced by this large, peripheral area, a special transitional programme has been put in place. The Programme Monitoring Committee was established to oversee the strategic implementation of the programme, and includes representatives from the regional bodies, the social partners, the Scottish Executive and the European Commission.

| Scottish Islands Federation | 2 representatives | Until the next election | Desirable | The aim of the Scottish Islands Federation is to |
**Appendix 1 – Membership of Outside Bodies and Organisations**

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Representation</th>
<th>Term</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Islands Strategic Group</strong></td>
<td>1 representative (automatically Leader)</td>
<td>Ministerial appointment</td>
<td>Essential</td>
<td>Established in 2016 in light of the Scottish Government Islands Bill.</td>
</tr>
<tr>
<td><strong>Conference of Peripheral Maritime Regions &amp; CPMR Atlantic Arc Political Bureau</strong></td>
<td>1 representative</td>
<td>Until the next election</td>
<td></td>
<td>Objective of CPMR is to influence EU institutions and national governments to ensure its member’s needs and interests are met, so that regions are taken into account in the development of policies which have a territorial impact. Further see report at Council meeting on 14 June 2012.</td>
</tr>
<tr>
<td><strong>Scottish Government Forum Against Poverty</strong></td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>Forum operating since 1996 and is a cross party network of Scottish local authority elected Members with a specific interest in anti-poverty,</td>
</tr>
<tr>
<td>Association for Public Service Excellence (APSE)</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Desirable</td>
<td>is a not for profit local government body working with over 300 councils throughout the UK. It promotes excellence in public services and is the foremost specialist in local authority front line services, hosting a network for front line service providers in areas such as waste and refuse collection,</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>------------------</td>
<td>-------------------------</td>
<td>-----------</td>
<td>inequality and social justice and to develop and shore “good practice” in anti-poverty strategy development amongst its Members. Meets 6 times per year. Cost to Councils of annual membership to the Forum is £10 per 1,000 people within local pop up to a max of £3,750.</td>
</tr>
<tr>
<td>Name of Group</td>
<td>Members</td>
<td>Tenure</td>
<td>Role</td>
<td>Notes</td>
</tr>
<tr>
<td>---------------</td>
<td>---------</td>
<td>-------</td>
<td>------</td>
<td>-------</td>
</tr>
<tr>
<td>Argyll and Bute Leisure and Libraries Trust</td>
<td>3 representatives</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Charitable trust established to deliver leisure and library services in Argyll and Bute.</td>
</tr>
<tr>
<td>Business Loans Scotland</td>
<td>1 representative (Director)</td>
<td>Until the next election</td>
<td>Essential</td>
<td>Set up in 2016 and replaces the West of Scotland Loan Fund.</td>
</tr>
<tr>
<td>Clyde Ferry User Group</td>
<td>3 representatives</td>
<td>Until the next election</td>
<td>Essential</td>
<td>These groups deal with operational and some strategic issues arising from the ferry services operating in these areas.</td>
</tr>
<tr>
<td>Argyll Ferry User Group</td>
<td>4 representatives</td>
<td>Until the next election</td>
<td>Essential</td>
<td>As above</td>
</tr>
<tr>
<td>Raasay, Skye, Small Isles, Ardnamurchan &amp; Mull Ferry User Group</td>
<td>1 representative</td>
<td>Until the next election</td>
<td>Essential</td>
<td>As above</td>
</tr>
<tr>
<td>(Hebrides)</td>
<td>West of Scotland Road Safety Forum</td>
<td>1 representative 1 substitute</td>
<td>Until the next election</td>
<td>Essential</td>
</tr>
</tbody>
</table>
EMPLOYEE JOINT CONSULTATIVE COMMITTEE

1. BACKGROUND

1.1 The Council has an Employee Joint Consultative Committee (EJCC) to negotiate conditions of service and other local matters with representatives of the Council’s employees. This report invites the Council to re-appoint the EJCC and to appoint Members to the Committee.

2. RECOMMENDATIONS

That the Council re-appoint the EJCC and to appoint Members to the Committee.

3. DETAIL

3.1 The Council has previously resolved to appoint Members to represent the Council on the Employee Joint Consultative Committee which meets with Unions on a regular basis to consider matters of mutual interest.

3.2 The representation from the Council prior to elections on 4 May 2017 was the Leader, Depute Leader, Policy Lead Councillors and the Leader of the largest opposition group.

4. IMPLICATIONS

4.1 Policy  Commitment to working in partnership in relation to policy.
4.2 Financial  None
4.3 Legal  None
4.4 HR  Supports strategic oversight of HR related matters.
4.5 Equalities  None
4.6 Risk  None
4.7 Customer Service  None

Douglas Hendry
Executive Director of Customer Services
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law Tel: 01546 604192 email: Charles.reppke@argyll-bute.gov.uk
This page is intentionally left blank
LOCAL NEGOTIATING COMMITTEE FOR TEACHERS (LNCT)

1. BACKGROUND

The Council has a Local Negotiating Committee for Teachers to negotiate certain conditions of service and other local matters related to the organisation of the Education Service. The Council agreed representation is the Policy Lead for Education, Depute Policy Lead for Education and the Policy Lead for HR, as set out in the Local Framework Recognition and Procedure Agreement.

2. RECOMMENDATIONS

The Council is invited to:

a) re-appoint the Local Negotiating Committee for Teachers comprising three Elected Members to negotiate certain conditions of service and other local matters related to the organisation of the Education Service, and if so approved;

b) to appoint the Elected Members to sit on the Committee as appropriate.

3. IMPLICATIONS

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>Policy</td>
<td>Commitment to working in partnership in relation to policy.</td>
</tr>
<tr>
<td>3.2</td>
<td>Financial</td>
<td>None</td>
</tr>
<tr>
<td>3.3</td>
<td>Legal</td>
<td>None</td>
</tr>
<tr>
<td>3.4</td>
<td>HR</td>
<td>Supports strategic oversight of HR related matters.</td>
</tr>
<tr>
<td>3.5</td>
<td>Equalities</td>
<td>None</td>
</tr>
<tr>
<td>3.6</td>
<td>Risk</td>
<td>None</td>
</tr>
<tr>
<td>3.7</td>
<td>Customer Service</td>
<td>None</td>
</tr>
</tbody>
</table>

Douglas Hendry
Executive Director of Customer Services
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law Tel: 01546 604192 email: Charles.reppke@argyll-bute.gov.uk
This page is intentionally left blank
1.0 EXECUTIVE SUMMARY

The purpose of this report is to provide Members with information relating to the administration of common good funds in Argyll, and to invite them to appoint members of the new council to serve as trustees on the funds relating to Campbeltown, Dunoon, Rothesay, Lochgilphead and Oban.
1. **SUMMARY**

   This report sets out the administration of common good funds for the new council.

2. **RECOMMENDATIONS**

   2.1 The council agree to appoint a panel of members to be the common good fund trustees and to make all decisions in regard to financial matters relating to those common good funds, including advice and investments from the Head of Strategic Finance or the relevant independent financial adviser to the funds, and the determination of applications for financial assistance.

   2.2 The council agree that in respect of the Campbeltown, Dunoon, Rothesay and Lochgilphead common good funds the members for the South Kintyre, Dunoon, Isle of Bute and Mid Argyll wards be the panel, and in respect of the Oban common good fund that the Council appoint 2 members from those members elected within the Oban South and the Isles and 2 members from those members elected within the Oban North and Lorn wards.

3. **DETAIL**

   3.1 Members will be aware that there are common good funds in existence for Campbeltown, Rothesay and Oban, with very small ones for Dunoon and Lochgilphead.

   3.2 In the past these have been administered by the council on the basis of the local members appointed for the Burgh areas being the panel which makes decisions on requests for final assistance in accordance with the rules which apply to common good funds.
3.3 Since the introduction of the multi member awards these have been administered as follows:-

In respect of Campbeltown, Dunoon, Rothesay and Lochgilphead, the multi member ward which covers the Burgh area comprises of 3 Councillors and these Councillors have been identified as the decision making body for common good applications in respect of each of those common good funds.

In respect of Oban where the 2 multi member awards Oban South and the Isles and Oban North and Lorn both have an interest in the Burgh of Oban, the council, since January 2011, have appointed 2 members from Oban South and the Isles and 2 members from Oban, North and Lorn wards to serve as the decision making panel for Oban Common Good Fund applications.

3.4 The procedure for dealing with financial requests would be in accordance with existing practice.

3.5 The quorum for a meeting of the common good fund members would be a full representation of members and this will ensure that matters can be dealt with in an efficient manner.

4. IMPLICATIONS

4.1 Policy – The delegation to a group of local members is in keeping with the council’s policy of bringing decision making to the lowest possible level.

4.2 Financial - None
4.3 Legal – None
4.4 HR - None
4.5 Equalities – None
4.6 Risk – none
4.7 Customer Service - none

Douglas Hendry  
Executive Director of Customer Services  
10th May 2017

For further information contact: Charles Reppke, Head of Governance and Law  
Tel: 01546 604192 email: Charles.reppke@argyll-bute.gov.uk
1. EXECUTIVE SUMMARY

1.1 This report provides information relating to the legal status and role of the Local Licensing Forum (LLF) of Argyll and Bute Licensing Board.

1.2 The recommendations of the report take account of the decision taken by the Council at its meeting on 21st April 2016 regarding the membership of the LLF.
2. **SUMMARY**

2.1 The Licensing (Scotland) Act 2005 (s10) requires the Council to establish a Local Licensing Forum (the 'LLF').

2.2 The role of the LLF is to keep under review the operation of the licensing system in the area and to give advice and recommendations to the Licensing Board. The Board has a duty to “have regard” to the LLF’s views and must offer reasons where it takes decisions against the advice of the LLF.

3. **RECOMMENDATIONS**

3.1 The LLF for the Argyll and Bute Council Licensing Board should comprise at least 5 and no more than 21 members.

3.2 That the following persons or their nominated representatives be appointed as members of the Licensing Forum:–

- Chief Constable of Strathclyde Police;
- Licensing Standards Officer;
- Representative from the Council’s Social Work/Substance Misuse Service;
- Representative from the Council’s Education Service;
- Representative from the Health Service;
- Representative for young persons, e.g. via Young Scot, local Youth projects
- Alcohol and Bute Alcohol and Drugs Partnership
3.3 In addition to the nominees listed above, the membership of the LLF may also be extended to include representatives from:

- Community Councils
- Relevant statutory agencies e.g. Scottish Children’s Reporter Administration (Children’s Hearing organisation)
- Trade representatives; including off sales premises, hotels
- ‘Pub Watch’ groups
- Local residents
- Other relevant agencies and groups

3.4 To confirm the appointment of the existing membership of the LLF pro tem and agree that a review and refresh of membership be undertaken by the end of the calendar year.

3.5 LLF members attend the national training sessions, the cost of which is met by the Council.

3.6 Members of the public who are selected to serve on the Forum are paid travel and subsistence rates in line with the rates paid to members of the public who sit on similar Council operated Committees.

4. BACKGROUND

4.1 The Licensing (Scotland) Act 2005 provides that the Council must establish a LLF; this must meet at least 4 times a year with one joint meeting with the Licensing Board(s) annually. The costs associated with the operation of the LLF must be met by the Council.

4.2 An effective LLF should reflect both independence and expertise in order to enjoy the trust of all those affected by licensing.

4.3 The Forum must consist of between 5 and 21 members. In view of the geography of Argyll and Bute, efforts are continuing to ensure a wide range of participation and interests. It is therefore proposed that the existing membership should continue pro tem and that a review and refresh of membership be undertaken by the end of the calendar year.

4.4 The Act provides that the Licensing Standards Officer must be a member of the Forum. The other members are to be individuals appointed by the Council on such terms and conditions as may be determined. The relevant guidance issued by the Scottish Executive suggests that the following should be included:

(a) Holders of premises licences and personal licences;
(b) The Chief Constable;
(c) Persons having functions relating to health, education or social work;
(d) Young people; and
(e) Persons resident within the Forum area.

4.5 Whilst it is not anticipated that members will be paid for attending meetings, it is recommended that, to be consistent with other Council operated bodies, members of the public who serve on the LLF should receive the same travel and subsistence rates.

5. CONCLUSION

The Council agree the recommendations set out in this Report.

6. IMPLICATIONS

6.1 Policy Consistent with current policy
6.2 Financial Within current provision
6.3 Legal Consistent with statutory duties
6.4 HR No new issues
6.5 Equalities To be addressed in recruiting membership
6.6 Risk No new risks identified
6.7 Customer Service No new issues

Douglas Hendry
Executive Director of Customer Services
10th May 2017

For further information contact:
Charles Reppke, Head of Governance and Law,
Tel: 01546 604192
Email: Charles.reppke@argyll-bute.gov.uk
1.0 EXECUTIVE SUMMARY

The purpose of this report is to seek a decision from Council as to the timing of the next review of the Scheme for the Establishment of Community Councils in Argyll and Bute.

The quadrennial review of the Scheme is scheduled to take place this year having been implemented in October 2013. However, the Scottish Government has a manifesto commitment to deliver National Elections for Community Councils and their Policy Officers have already been seeking information about various methods of elections and costs of running these with the 32 Scottish Local Authorities. While no timescale for introducing National Elections has been divulged, there are no scheduled elections during 2018 which could pave the way for elections to take place at this time without coinciding with other planned elections.

As the position re National Elections is not clear at present, officers have sought views of our community councils as to whether they would be willing to continue in position for a further 6 month period thus delaying the implementation of a new Scheme until May 2018. The majority who responded indicated that they see the merit in extending the current Scheme until the position with National Elections became clearer and that they would continue to serve as Community Councillors. The Council therefore has the option to (a) agree to immediately review the Scheme so that elections take place in 2017 to ensure elections can be held during the course of this year or (b) to continue the existing Scheme for a period of 6 months by which time the position as to National Community Council Elections may become be clearer.

Previous decisions of the Council will require to be implemented as part of a review process. The first agreement was that a provision would be incorporated to allow 16-17 year old candidates to stand and vote in community council elections which reflects changes in the Local Government Election rules. It was also agreed that the next Scheme would pick up on a request to amend the name of Arrochar & Tarbet Community Council to Arrochar, Tarbet & Ardlui Community Council. Having worked effectively it is also suggested that the period of co-option be extended from 6 months to 2 years with annual by-elections being removed and replaced with an interim election to ratify co-option.

The review process should also consider the request of the Minister for Local Government and Housing, Kevin Stewart MSP, who has invited Councils, when next reviewing their Schemes, to incorporate a robust complaints process including sanctions to remove community councillors. A copy of his request is attached as Appendix 1. This additional work may be difficult to resource from existing staff resources due to the reduction of staffing in the Area Governance Team from 12 fte to 7.6 fte as of 1st April 2017.
2.0 INTRODUCTION

2.1 The purpose of this report is to seek approval from Council as to the timing of a review of the Scheme for the Establishment of Community Councils in Argyll and Bute. The key purpose of the review is to update the Scheme as required and ensure it continues to underpin and support effective working arrangements against the context of:

- National policy and model frameworks
- Community Planning and Community Engagement
- Representative Democracy
- Practical issues relating to boundaries and geography

The review will be completed prior to Community Council Elections which are currently scheduled on a four-yearly cycle and fall due in 2017.

3.0 RECOMMENDATIONS

3.1 The Council is asked to resolve in favour of one of the following two options:

(a) Agree to immediately review the Scheme so that elections take place in 2017; or

(b) Continue the existing Scheme for a period of 6 months by which time the position as to National Community Council Elections may become be clearer.

3.2 In addition the Council should determine whether the new Scheme should contain provisions to apply sanctions to any community council or community councillor found to be in breach of the Code of Conduct per the recommendation by the Minister for Local Government and Housing (Appendix 1)

4.0 DETAIL

4.1 The Council previously appointed a Short Life Working Group who undertook a review of Community Councils during 2013. In June
2013 the Council approved a revised Scheme for the Establishment of Community Councils with associated Model Constitution, Model Standing Orders, and Best Practice Agreement.

4.2 Every review of the Scheme is underpinned by an extensive, two-stage consultation process during which Community Councils, and other stakeholders, were asked to consider a number of strategic issues regarding the effectiveness of Community Councils, including the boundaries of designated Community Councils. There was only one minor change made to boundaries as part of the 2013 review and no issues were identified regarding boundaries during the current 4 years term.

4.3 On 23 April 2015 the Council agreed that the next Review would seek to ensure 16-17 year old could stand and vote in CC elections in order that this could be implemented for the next full elections. As part of the same report on Community Councils the Council agreed to consult, as part of the review process of the next Scheme, on a request by Arrochar and Tarbet Community Council to change their name to Arrochar, Tarbet and Ardlui Community Council.

4.4 The Community Empowerment Act creates an expectation that community councils will, in some instances, want to undertake delivery of certain services. In light of this, the Minister for Local Government and Housing has suggested that any Councils whose Scheme does not contain provision for sanctioning community councils/community councilors who breach the Code of Conduct or otherwise bring the community council into disrepute should look to incorporate such a provision in their next review process. If the Council wishes to incorporate a process for sanctions then options will be scoped out by officers which the Council would then be asked to approve as part of the Review.

4.5 The Scottish Government have a manifesto commitment allowing community councils that can demonstrate a strong democratic mandate to deliver some services. It further states that they intend that in future community council elections will be held on the same day across the country to increase their profile and recognition. There is no clarity to date on when such a national election might take place and in delaying introduction of a new Scheme until early 2018 will allow a longer period of time for details of this to emerge.

4.6 Given that the current Scheme runs from 2013-2017 it is critical that a decision be made as to when to review the next Scheme to allow time for the consultation phases required. Once determined, officers will take the necessary steps to conduct a first stage of consultation with a report being taken back on the findings of this consultation to a
future special meeting of the council as is required in terms of the Local Government (Scotland) Act 1973. A second stage consultation will then take place should there be any amendments necessary with the Council being asked to endorse the final version of the Scheme and agreeing a date when the new Scheme it will come into effect. This will be followed by elections and a process of inaugural meetings conducted by the Returning Officer’s staff.

5.0 CONCLUSION

5.1 In order to support Community Councils effectively fulfil their statutory role and represent local communities within Argyll and Bute the Council is asked to resolve in favour of one of the two options outlined at paragraph 2.1 and determine whether there should be provision for sanctions incorporated within the new Scheme as well as the resource for this should there be no provision to resource from within the reduced resources of the Area Governance Team.

6.0 IMPLICATIONS

6.1 Policy – None. Only the Council has the power to approve a Scheme for the Establishment of Community Councils.

6.2 Financial – Incorporating sanctions may require an additional post which would incur an expense which is not budgeted for.

6.3 Legal – Community Councils are required in terms of the Local Government (Scotland) Act 1973 (as amended)

6.4 HR – There may be requirement for additional personnel to staff any complaints should there be an increase due to provision to apply sanctions to community councilors.

6.5 Equalities - none

6.6 Risk – Lack of sanctions could give rise to a lack of faith in our community councils when those breaching the code of conduct cannot be held accountable for their actions.

6.7 Customer Service - None

Executive Director of Customer Services
5 April 2017

For further information contact: Melissa Stewart, Area Governance Officer, Kilmory, Lochgilphead, PA31 8RT (Tel. No. 01546 604331)

APPENDICES

Appendix 1- Request by Minister for Local Government and Housing to incorporate process for applying sanctions to community councillors as part of the Review process.
19 January 2017

Dear CCLOs

I am writing to you about procedures for complaints against community councils and community councillors. Some of you will already know that community councils fall within my Ministerial portfolio although I appreciate that statutory responsibility for them rests with local authorities.

The Scottish Government is aware of concerns around provisions in Schemes of Establishment for complaints against community councils and community councillors and also the sanctions that can be enforced.

We know that some local authority Schemes, for example in East Renfrewshire Council area, do contain comprehensive procedures covering this area which include removal of community councillors, if a complaint is upheld. Moray Council has also facilitated, along with the Joint Community Councils of Moray and individual community councils/councillors, a separate community council complaints procedure.

We are, however, aware that many local authorities do not have such comprehensive complaints procedures and sanctions in place. With the increasing emphasis on community empowerment it strikes me that it is important community councils and community councillors should be accountable for their actions and that there is an appropriate system of redress for complaints.

I would, therefore, like to encourage all local authorities, when next reviewing their Schemes and Codes, to consider including a robust complaints procedures and sanctions.

I would be grateful if questions relating to this letter are addressed to Laura Mulheron in the Community Empowerment Team in the first instance. She can be contacted at laura.mulheron@gov.scot

Yours faithfully,

KEVIN STEWART

St Andrew’s House, Regent Road, Edinburgh   EH1 3DG   www.gov.scot