

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER,  
KILMORY, LOCHGILPHEAD  
on THURSDAY, 27 JUNE 2019**

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

Councillor Jim Anderson	Councillor Roderick McCuish
Councillor John Armour	Councillor Barbara Morgan
Councillor Gordon Blair	Councillor Ellen Morton
Councillor Rory Colville	Councillor Aileen Morton
Councillor Robin Currie	Councillor Gary Mulvaney
Councillor Mary-Jean Devon	Councillor Iain Paterson
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Jim Findlay	Councillor Alan Reid
Councillor Audrey Forrest	Councillor Elaine Robertson
Councillor Kieron Green	Councillor Richard Trail
Councillor Donald Kelly	Councillor Sandy Taylor
Councillor Donald MacMillan	Councillor Douglas Philand
Councillor Sir Jamie McGrigor	Councillor Andrew Vennard
Councillor David Kinniburgh	Councillor Jean Moffat
Councillor Julie McKenzie	Councillor Graham Archibald Hardie

**Attending:** Cleland Sneddon, Chief Executive  
Douglas Hendry, Executive Director of Customer Services  
Pippa Milne, Executive Director of Development and Infrastructure  
Charles Reppke, Head of Governance and Law  
Kirsty Flanagan, Head of Strategic Finance  
Fergus Murray, Head of Economic Development

The Provost, on behalf of the Council, thanked a number of long serving and very experienced senior Officers that were due to retire from the Council at the end of June for their dedication, hard work and commitment to Local Government in Argyll and Bute.

To mark their retirement and as a token of appreciation for all their years' service, Quaichs were presented to all officers and the Provost on behalf of everyone at the Council wished Angus Gilmour, Donnie Kelly, Janne Leckie, Malcolm MacFadyen, Shirley MacLeod, Judy Orr and Charles Reppke best wishes for a long, happy and fulfilling retirement.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillors Freeman, Horn, Lynch and McNeilly,

**2. DECLARATIONS OF INTERESTS**

The Provost declared a non-financial interest in item 11 (Third Sector Recycling Services) which he regarded as insignificant in terms of the item.

Councillor Roddy McCuish declared a non-financial interest in item 8 (Scottish Government Town Centre Capital Fund) which he regarded as insignificant in terms of the item.

Councillor Jim Findlay declared a non-financial interest in item 8 (Scottish Government Town Centre Capital Fund) which he regarded as insignificant in terms of the item.

### **3. MINUTES**

The Minutes of the Argyll and Bute Council held on 18 April 2019 were approved as a correct record.

### **4. MINUTES OF COMMITTEES**

#### **(a) Policy and Resources Committee - 16 May 2019**

The Minutes of the meeting of the Policy and Resources Committee held on 16 May 2019 were noted.

Arising under item 8 (Council Operated Ferries) this item was taken as a substantive item on the Agenda.

#### **(b) Environment, Development and Infrastructure Committee - 6 June 2019**

The minute of the Environment, Development and Infrastructure Committee held on 6 June 2019 was noted.

#### **(c) Community Services Committee - 13 June 2019**

The minute of the Community Services Committee held on 13 June 2019 were noted.

### **5. LEADER'S REPORT**

The Council gave consideration to a report that updated them on the activities of the Leader of the Council from 5 April 2019 to 14 June 2019. The report included an update from the Leader in relation to her role as Policy Lead for Economic Development.

#### **Decision**

The Council –

1. Noted the content of the report.
2. Noted that the full Leader's Report Pack was available in the Leader's Office which included COSLA and other papers and briefings as referenced in the report, and noted that any item discussed in public could be provided electronically with the papers being taken in private session being made available for review in the Leader's office.

(Ref: Report by Leader of the Council dated 14 June 2019, submitted)

### **6. POLICY LEADS REPORT**

The Council gave consideration to a report that provided an update on key areas of activity for each Policy Lead Councillor with a view to keeping all members informed, up to date and able to engage with all issues. The report covered the period from 18 April 2019 to 10 June 2019.

## **Decision**

The Council noted the terms of the report.

(Ref: Report by Policy Lead Councillors dated 14 June 2019, submitted)

## **7. YEAR END REPORTS PACK 2018-19**

### **(a) Covering Report and Unaudited Accounts 2018-19**

The Council considered a report which gave an overview of the Unaudited Annual Accounts for 2018/19 and a summary of the significant movements from 2017/18. The report also gave information on the revenue outturn for 2018/19 and sought approval of the unaudited financial statements in respect of 2018/19 for issue.

The Head of Strategic Finance advised Members of typographical errors within the group accounts in relation to the consolidation of associates. There is a figure in the group comprehensive income and expenditure account updated, a figure relating to group reserves in the balance sheet updated and figures within the group statement of movement in reserves updated.

## **Decision**

The Council approved the Unaudited Annual Accounts for the year ended 31 March 2019 for issue subject to the changes identified.

(Ref: Report by the Head of Strategic Finance dated 19 June 2019, submitted)

Councillor Aileen Morton left the meeting as this point.

### **(b) Revenue Budget Monitoring Year End Report 2018-19**

The Council considered a report which summarised the revenue budget position of the Council at the end of the financial year 2018/19.

## **Decision**

The Council –

1. Noted the revenue budget monitoring position as at the end of financial year 2018/19.
2. Noted that the unallocated balance within the General Fund as at 31 March 2019, after taking into account the contingency, amounts to £1.107m.

(Ref: Report by Head of Strategic Finance dated 11 June 2019, submitted)

### **(c) Earmarked Reserves Year End 2018-19**

The Council considered a report which provided information on the progress with balances already earmarked within the General Fund, new balances earmarked at the end of 2018/19 that qualify for automatic carry forward.

## **Decision**

The Council –

1. Reviewed and approved the Policy on Year End Flexibility, included as Appendix 1.
2. Noted that there are no new unspent budget earmarking proposals.
3. Noted the new balances at the end of 2018-19 that qualify for automatic carry-forward as outlined within Appendix 2.
4. Noted the previously approved unspent budget earmarked reserves and the justification for continuing to earmark these as outlined within Appendix 3.
5. Noted that £1.172m of earmarked balances will be released back into the General Fund as these balances are no longer required.
6. Noted the other balances contained within Appendix 4, previously earmarked balances that have been subject to a previous Council decision.

(Ref: Report by the Head of Strategic Finance dated 7 June 2019, submitted)

(d) **Capital Budget Monitoring Report Year End Report 2018-19**

The Council considered a report which highlighted the contents of the financial summary in relation to the Capital Budget as at 31 March 2019. The report provided information on the financial position in respect of the Capital Plan and also the performance in terms of delivery of capital plan projects.

**Decision**

The Council noted the contents of the financial summary.

(Ref: Report by the Head of Strategic Finance dated 27 June 2019, submitted)

(e) **Annual Treasury Report 2018-19**

The Council considered the Annual Treasury Management report for 2018/19.

**Decision**

The Council approved the Annual Treasury Management report for 2018/19.

(Ref: Report by the Head of Strategic Finance dated 27 June 2019, submitted)

(f) **Annual Efficiency Statement 2018-19**

The Council considered the contents of the Annual Efficiency Statement for 2018/19.

**Decision**

The Council approved the Annual Efficiency Statement for 2018/19.

(Ref: Report by the Head of Strategic Finance dated 13 June 2019, submitted)

**(g) Strategic Housing Fund Annual Report 2018-19**

The Council considered a report which provided an annual update on the Strategic Housing Fund (SHF) for 2018/19.

**Decision**

The Council noted the report on income and expenditure for 2018/19 and the balance on the SHF as at 31 March 2019; and noted the estimated future income for SHF for 2019/20.

(Ref: Report by Head of Strategic Finance dated 7 June 2019, submitted)

**8. SCOTTISH GOVERNMENT TOWN CENTRE CAPITAL FUND**

The Council considered a report which sought consideration and agreement to the town centre projects which will be supported by the £1.242m Town Centre Capital Funding from the Scottish Government for 2019/20.

The Provost adjourned the meeting at 11.35 and reconvened at 11.45.

**Motion**

The Council –

1. Agrees in principle to the allocation of the Fund as detailed in the attached project list (Appendix C).
2. Delegates any amendments that are required, including respective redistribution of costs, to the Director of Development and Infrastructure, in consultation with the Leader and Depute Leader of the Council and Leader of the Opposition.
3. Note that changes may be required based on deliverability and relevant timelines.
4. Note that an update report will come before Policy and Resources in December 2019 following submission of the first monitoring report to Scottish Government in November 2019.

Moved by Councillor Mulvaney, seconded by Councillor Currie.

**Amendment**

1. Do not agree in principle to the allocation as detailed in the submitted project list with regard to the Oban, Lorn and the Isles projects but otherwise accepts the recommendations.
2. Delegate any amendments that are required to the Oban, Lorn and the Isles projects including retrospective redistribution of funds in the Oban, Lorn and the Isles area, to the Executive Director of Development and Infrastructure Services in

consultation with the Leader and Depute Leader, Leader of the Opposition and the Chair and Vice Chair of the Oban, Lorn and the Isles Area Committee.

3. The members of the Oban, Lorn and the Isles Area Committee will meet on Tuesday 4<sup>th</sup> July 2019 to consider the distribution to projects in Oban, Lorn and the Isles.

Moved by Councillor Robertson, seconded by Councillor Sir McGrigor.

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

<b>Motion</b>	<b>Amendment</b>	<b>No Vote</b>
Councillor Anderson	Councillor Armour	Councillor McCuish
Councillor Colville	Councillor Blair	
Councillor Currie	Councillor Devon	
Councillor Hardie	Councillor Douglas	
Councillor Kinniburgh	Councillor Findlay	
Councillor MacMillan	Councillor Forrest	
Councillor Morgan	Councillor Green	
Councillor E Morton	Councillor Kelly	
Councillor Mulvaney	Councillor Sir J McGrigor	
Councillor Redman	Councillor McKenzie	
Councillor Reid	Councillor Moffat	
Councillor Scoullar	Councillor Paterson	
Councillor Vennard	Councillor Philand	
	Councillor Robertson	
	Councillor Taylor	
	Councillor Trail	

### **Decision**

The Motion received 13 votes and the Amendment received 16 votes and the Council resolved accordingly.

(Ref: Report by the Executive Director of Development and Infrastructure Services dated 27 June 2019, submitted)

### **9. REQUEST FOR SUPPLEMENTARY ESTIMATE FROM PLANNING PROTECTIVE SERVICES AND LICENSING COMMITTEE**

The Council considered a supplementary estimate as requested by the Planning, Protective Services and Licensing Committee for the Head of Planning, Housing and Regulatory Services to take enforcement action.

### **Decision**

The Council approved a supplementary estimate of £24,000 to the Head of Planning, Housing and Regulatory Services to be drawn down from Council Reserves.

(Ref: Report by Executive Director of Customer Services dated 29 May 2019, submitted)

## **10. CHILD POVERTY ACTION PLAN**

The Council considered a report which advised that the Child Poverty (Scotland) Act 2017 had received Royal Assent and the aim is to eradicate child poverty in Scotland. Local Authorities are required, along with the local Health Board to publish jointly an annual local Child Poverty Action Report to contribute towards the targets and the measures proposed for the future.

### **Decision**

The Council –

1. Considered and approved the Child Poverty Action Report and appendix to be submitted to the Scottish Government by 30 June 2019.
2. Noted that updated Child Poverty Action Reports will require to be prepared, approved and published annually jointly by the Council and the Health Board.
3. That progress on Child Poverty actions be reported to and overseen by the Community Planning Partnership in order to strengthen links to the Local Outcome Improvement Plan.

(Ref: Report by the Executive Director of Customer Services dated 27 June 2019, submitted)

## **11. THIRD SECTOR RECYCLING SERVICES**

The Council considered a report which provided Members with a recommendation in relation to the Council's contracts with Kintyre Recycling Limited (KRL) and Fyne Futures Ltd.

### **Decision**

The Council –

- 1 Instructs officers to negotiate the continuation of the KRL and Fyne Futures contracts until March 2020.
- 2 Approved a supplementary estimate of £32,662 to continue the kerbside service delivery by KRL in Kintyre until March 2020.
- 3 Approved a supplementary estimate of £29,167 to continue the kerbside service delivery by Fyne Futures on Bute until March 2020.
- 4 Instructs officers to report to Policy and Resources committee on options for service delivery post March 31<sup>st</sup> 2020 once an evaluation of those options has been completed.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 27 June 2019, submitted)

## 12. NOTICE OF MOTION UNDER STANDING ORDER 13

The Council considered a recommendation by the Mid Argyll, Kintyre and the Islands Area Committee of 5 June 2019 with regard to a Motion to amend the constitution to allow for by-monthly meetings of all 4 Area Committees.

### **Motion**

That the Council agree to amend its constitution to allow for bi-monthly meetings of all 4 Area Committees to take place throughout the calendar year as opposed to the current quarterly meetings as at present. It would therefore follow that meetings of the Area Committees would take place during the months of February, April, June, August, October and December each year with Business days to be arranged as and when required.

Moved by Councillor Donald Kelly, seconded by Councillor Dougie Philand.

### **Amendment**

The Council Constitution allows for meetings to be held at any frequency if that is the will of the Council. Moving to quarterly meetings was a decision taken by the Council as part of a budget saving and as such I would move that the Area Committee takes no action.

Moved by Councillor Robin Currie, seconded by Councillor Donald MacMillan.

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

### **Motion**

Councillor Armour  
Councillor Blair  
Councillor Devon  
Councillor Douglas  
Councillor Findlay  
Councillor Forrest  
Councillor Kelly  
Councillor Sir J McGrigor  
Councillor McKenzie  
Councillor Moffat  
Councillor Paterson  
Councillor Philand  
Councillor Taylor  
Councillor Trail

### **Amendment**

Councillor Anderson  
Councillor Colville  
Councillor Currie  
Councillor Green  
Councillor Hardie  
Councillor Kinniburgh  
Councillor MacMillan  
Councillor McCuish  
Councillor Morgan  
Councillor E Morton  
Councillor Mulvaney  
Councillor Redman  
Councillor Reid  
Councillor Robertson  
Councillor Scoullar  
Councillor Vennard

### **Decision**

The Motion received 14 votes and the Amendment received 16 votes and the Council resolved accordingly.

(Ref: Recommendation by the MAKI Area Committee of 5 June 2019, submitted)



### **13. COUNCIL CONSTITUTION**

The Council considered a report which advised Members of proposed changes and adjustments to the Council Constitution.

#### **Decision**

The Council agreed to the adjustments to the Constitution as outlined in Appendix 1 to take effect from 1 July 2019.

(Ref: Report by Executive Director of Customer Services dated 21 June 2019, submitted)

### **14. APPOINTMENTS TO OUTSIDE BODIES**

The Council considered a report which invited the Council to consider appointing Elected Member representation to three outside bodies.

#### **Decision**

1. Agreed to nominate Councillor Roddy McCuish to the Marine Protected Areas Management and Monitoring (MarPAMM) Steering Group.
2. Agreed to nominate Councillor Robin Currie to the Ionad Chaluim Chille Ile, the Gaelic Centre based in Islay.
3. Agreed to nominate Councillor Andrew Vennard to the ALienergy, Argyll Lomond and the Islands Energy Agency.

(Ref: Report by Executive Director of Customer Services dated 15 June 2019, submitted)

### **15. COUNCIL OPERATED FERRIES - POTENTIAL TRANSFER TO TRANSPORT SCOTLAND**

The Council considered a recommendation by the Policy and Resources Committee of 16 May 2019 with regard to progress in relation to the potential transfer of council operated ferries to Transport Scotland.

#### **Decision**

1. Agreed that the Council continue to pursue the transfer of ferries to Transport Scotland.
2. Agreed that the transfer should be on the basis of 'no transfer of revenue funding'.

(Ref: Report by the Executive Director of Development and Infrastructure Services dated May 2019, submitted)

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

Councillor Colville, seconded by Councillor Mulvaney had given notice of the following motion:-

Fairtrade International and the World Fair Trade Organisation (WFTO) have jointly launched the International Fair Trade Charter.

Fair Trade has a significant role to play in tackling challenges such as inequality, gender rights, climate change and more. It has a real impact on the lives of workers, farmers and artisans by contributing to inclusive economic growth, improved wages and better working conditions – and also by empowering women and ensuring opportunities for the next generation.

The new Charter refreshes the Fair Trade vision and highlights its longstanding contribution in addressing the challenges noted above alongside other elements of the United Nations' Sustainable Development Goals.

Public bodies, including local authorities, are able to help Fair Trade achieve its goals by recognising the Charter. In doing so, they also acknowledge the diversity of the Fair Trade movement and they support it to share its vision with the wider world. This also makes a contribution to a future where trade is fair and consumers get a good deal at no cost to the quality of life of producers or the environment.

Argyll and Bute Council therefore agrees to pledge support for the International Fair Trade Charter.

### **Decision**

The Council agreed to the terms of the Motion.