

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER,
KILMORY, LOCHGILPHEAD
on THURSDAY, 26 SEPTEMBER 2019**

Present: Councillor Len Scoullar (Chair)

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| Councillor Jim Anderson | Councillor Yvonne McNeilly |
| 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 Lorna Douglas | Councillor Alastair Redman |
| Councillor Jim Findlay | Councillor Alan Reid |
| Councillor George Freeman | Councillor Elaine Robertson |
| Councillor Audrey Forrest | Councillor Richard Trail |
| Councillor Bobby Good | Councillor Sandy Taylor |
| Councillor Kieron Green | Councillor Douglas Philand |
| Councillor Anne Horn | Councillor Andrew Vennard |
| Councillor Donald MacMillan | Councillor Jean Moffat |
| Councillor Sir Jamie McGrigor | Councillor Jim Lynch |
| Councillor David Kinniburgh | Councillor Graham Archibald Hardie |

Attending: Cleland Sneddon, Chief Executive
Douglas Hendry, Executive Director of Customer Services
Pippa Milne, Executive Director of Development and Infrastructure
David Logan, Head of Legal and Regulatory Support
Kirsty Flanagan, Head of Financial Services

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Devon, Kelly, McCuish, McKenzie and Paterson.

The Provost intimated that he would be varying the order of business so that the Motion at Item 15 of the published Agenda will be heard immediately before Item 8 in terms of Standing Order 8.1 and therefore the Motion will now become Item 8 of this Minute.

The Provost ruled and the Council agreed that the business dealt with at Item 16 of this Minute will be taken as a matter of urgency by reason of the need to take a decision before the next meeting.

2. DECLARATIONS OF INTEREST

Councillor Jim Findlay declared non-financial interests in items 16 & 17 (Rothesay Pavilion and Kirkmichael Centre) of the Agenda due to his membership on the Board. He left the room and took no part in the discussion of these items.

Councillors Horn, Vennard and Roberson each declared non-financial interests in item 18 (Colonsay Affordable Housing Update) of the Agenda due to their membership on the Board. They all regarded their interests as insignificant in terms of the item.

3. MINUTES

The Minutes of the Meeting of Argyll and Bute Council of 27 June 2019 were approved as a correct record.

4. MINUTES OF COMMITTEES

(a) Policy and Resources Committee of 15 August 2019

The Minutes of the Policy and Resources Committee of 15 August 2019 were noted.

Arising under item 5 (Budget Outlook 2020-21 to 2022-23) the Council agreed to earmark the surplus budget in 2019-20 in relation to teachers pensions as a result of the decision by Scottish Government to defer the pension increase from 1 April 2019 to 1 September 2019.

Arising under item 9 (Wellbeing Strategy: Improving the Wellbeing of our Workforce) the Council:-

Approved the wellbeing strategy and associated actions to address the issue of sickness absence and improve the wellbeing of the workforce.

Noted the following measures would be put in place, funded from existing resources across the Council to support the delivery of the proposed wellbeing strategy:

- Funding for 2x Attendance and Wellbeing Assistants within the HR and OD team.
- Funding of 10k annually for teams to bid for funds to implement actions that will improve wellbeing.

Arising under item 14 (Film in Argyll and Bute – Review of Film Location Charging Schedule) the Council approved the Film Location Charging Schedule for permanent implementation with charges to be reviewed annually as part of the budget process.

(b) Community Services Committee of 5 September 2019

The Minutes of the Community Services Committee of 5 September 2019 were noted.

Arising under item 10 (Anti-Bullying Policy) the Council approved the revised Anti-Bullying Policy.

(c) Environment, Development and Infrastructure Committee of 12 September 2019

The Minutes of Environment, Development and Infrastructure Committee of 12 September 2019 were noted.

Arising under item 8 (Waste Strategy Consultation Results) the Council approved the proposed amendments to the Waste Strategy that resulted from the consultation feedback.

5. LEADER'S REPORT

The Council gave consideration to a report that updated them on the activities of the Leader of the Council from 15 June 2019 to 6 September 2019. The report included an update from the Leader in relation to her role as Policy Lead for Economic Development.

Decision

The Council:-

Noted the contents of the report.

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 6 September 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 27 June 2019 to 6 September 2019.

Decision

The Council noted the terms of the report.

(Ref: Report by Policy Lead Councillors dated 16 September 2019, submitted)

7. AMENDMENT TO THE 2019-2020 TREASURY MANAGEMENT STRATEGY

The Council considered a report which advised that the Council has significant balances which are invested in accordance with its Annual Treasury Management Strategy. The Council considered the request for two amendments to the strategy to allow for a greater flexibility when making investment decisions in the current economic environment.

Decision

The Council agreed to:-

- a) Amend the investment limit for term deposits with UK Banks from £10m to £15m.
- b) Amend the maximum duration that a deposit can be made with other local authorities or public bodies from 1 year to 2 years.

(Ref: Report by the Head of Financial Services dated 22 August 2019, submitted)

8. NOTICE OF MOTION UNDER STANDING ORDER 13

Councillor A Morton, seconded by Councillor Green had given notice of the following motion:-

Motion

Climate change is causing grave concern all over the world. It affects everyone and everything – and therefore everyone has a duty to take whatever action they can to make a difference.

As an area full of outstanding natural resources, including significant forest cover, ancient woodlands of international importance and low pollution levels, the Argyll and Bute local authority area currently has the lowest rate of CO2 emissions per head of population in the UK.

Argyll and Bute Council has already undertaken work to reduce its carbon footprint and protect the environment but we want to ensure that every opportunity is taken for the area to contribute effectively to both the national and international response to climate change.

The Council therefore:

1. Recognises the growing concerns about the climate change emergency, and acknowledges the part that Argyll and Bute Council, community planning partners and the residents they represent can contribute to the ongoing national and international response to climate challenges;
2. Establishes the Climate Change Environmental Action Group for the purpose of considering and advising on policy options and opportunities for strategic projects and activities that will form part of our ongoing commitment to deliver the Climate Change (Scotland) Act and efforts to enhance Argyll and Bute's contribution to addressing this global issue;
3. Agrees that the Group will operate under the terms of a Short Life Working Group and can work with partners outwith the council, for example from relevant industry sectors, to explore ways of tackling climate matters that affect everyone;
4. Agrees that the Group will comprise 6 members, to include 4 from the council's Administration and 2 from the Opposition group/s;
5. Appoints the following members to the Group: Cllr Aileen Morton (chair); Cllr Rory Colville (vice chair); Cllr Kieron Green; Cllr Bobby Good;
6. Invites members of the opposition to nominate 2 councillors to sit on the SLWG;
7. Asks the Group to develop and determine, at its first meeting, a plan which identifies the focus for its activity, and the council services from which it will draw support. An initial update should be provided to the Policy and Resources Committee meeting in December 2019 with recommended actions from the group to be reported by August 2020 or earlier.

Decision

The Council agreed the terms of the Motion and appointed Councillors Jim Findlay and Jim Lynch from the Opposition.

9. POLITICAL MANAGEMENT ARRANGEMENTS

The Council considered a report which updated the Council on political management arrangements principally arising from resignations on outside bodies and statutory organisations. The Council was invited to consider appointing Elected Member representation to these.

The Provost adjourned the meeting at 11.50am and re-convened at 11.55am.

Decision

The Council:

- 1) Appointed Cllr Bobby Good as the council's representative on PA23 BID (Dunoon Business Improvement District);
- 2) Nominated Cllr Bobby Good as the council's 'other member' representative on the LLTNP, with Cllr Ellen Morton as the 'local member' representative, to be confirmed by Scottish ministers;
- 3) Noted the creation of the Short Life Working Group on Climate Change;
- 4) In respect of the Argyll Islands Strategic Group:
 - a) Agreed that the group will meet once more, as scheduled in January, as a Short Life Working Group;
 - b) Agreed that the group will then meet twice yearly thereafter as the Argyll Islands Sounding Board, retaining the original remit as approved by council in June 2017 and referring any recommendations as required to the Policy and Resources Committee;
- 5) In respect of the Industry and Regional Development Sounding Board:
 - a) Agreed that the board will hold its final meeting in November, following the first meeting of the private sector led group due to take place in November;
 - b) Noted that there will be a requirement in due course to establish the governance arrangements for the Rural Growth Deal Steering Board, with the detail to be agreed by the Policy and Resources Committee following the agreement of Heads of Terms for Argyll and Bute's Rural Growth Deal;
 - c) Agreed to establish the EU Exit Leadership Group, an advisory group with no decision making powers, comprising: the Council Leader; Depute Leader; Leader of the Opposition and the Integrated Joint Board Chair and Vice-Chair. To meet with the Chief Executive as required in relation to arrangements for the UK's anticipated exit from the European Union and any impact on Argyll and Bute; this group to complement existing arrangements (briefing notes, member seminars and reports to Council).
- 6) Agreed that, in light of the changes to the council's management structure and department responsibilities in June 2019, that matters relating to the council's Strategic Housing function will be reported to the Environment, Development and Infrastructure Committee with effect from its next meeting;
- 7) Following the senior management restructure, noted the following Policy Lead and Depute Policy Lead appointments and agreed the resulting changes to appointments to external organisations and strategic committees:

Policy Leads and Depute Policy Leads

| Portfolio | Policy Lead | Depute Policy Lead |
|--|--------------------|---------------------------|
| Commercial Services and Strategic Priorities | Aileen Morton | Bobby Good |
| Financial Services and Major Projects | Gary Mulvaney | Andrew Vennard |
| Education | Yvonne McNeilly | Kieron Green |

| | | |
|--|------------------|-----------------|
| Support Services | Rory Colville | Graham Hardie |
| Health and Social Care | Kieron Green | Mary Jean Devon |
| Planning Services | David Kinniburgh | |
| Housing, Roads and Infrastructure Services | Robin Currie | Ellen Morton |
| Economic Growth | Alastair Redman | Jim Anderson |

External organisations

| Organisation | New Representative | Former Representative |
|---|---------------------------|------------------------------|
| Northern Roads Collaboration | Robin Currie | Roddy McCuish |
| HITRANS | Robin Currie | Roddy McCuish |
| Local Plan Flood District Highland and Argyll | Robin Currie | Roddy McCuish |
| CHArts Argyll and the Isles (Culture, Heritage and Arts Assembly) | Jim Anderson | Robin Currie |
| Argyll Islands Strategic Tourism Partnership | Alastair Redman | Aileen Morton |

Committee/Other Internal Appointments

| Committee | New Member | Former Member |
|---|----------------------|----------------------|
| Policy and Resources Committee | Alastair Redman | Roddy McCuish |
| Environment, Development and Infrastructure Committee | Robin Currie - Chair | Bobby Good |
| Argyll and Bute Harbour Board | Robin Currie – Chair | Roddy McCuish |
| Community Services Committee | Donnie MacMillan | Robin Currie |
| Policy and Resources Committee | Bobby Good | Alan Reid |

(Ref: Report by the Executive Director of Customer Services dated 22 August 2019, submitted)

10. CHARLES AND BARBARA TYRE TRUST - APPOINTMENT OF GOVERNORS

The Council considered a report which advised that the Trust have written to the Council seeking agreement for the appointment of two Governors to the Board of the Charles and Barbara Tyre Trust. The Council had previously taken the decision to investigate the legality of having to make appointments to the Trust and the report presented an update in that regard.

Decision

The Council agreed not to make appointments to the Trust and further recommended that no further appointments will be made if they are requested by the Trust.

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

11. PROPOSED LOCAL DEVELOPMENT PLAN 2

The Council considered a report which sought Council approval of the Proposed Local Development Plan 2 as the “settled view” of the Council and for the Plan to be published for consultation for an 8 week period.

Decision

The Council:-

1. Approved the Proposed Argyll and Bute Local Development Plan 2 as contained within Appendix 1 of the report as the Council’s “settled view” to be published before the end of the year for an 8 week public consultation excluding the 2 week Christmas period.
2. Agreed that the Executive Director with the responsibility of Development and Economic Growth, that includes Planning Services, be given delegated authority to undertake the statutory consultation including, non-material edits of PLDP2, preparation of associated documents, statutory notification and statutory adverts.

(Ref: Report by the Executive Director of Development and Infrastructure Services dated 19 August 2019, submitted)

12. STRATEGIC HOUSING INVESTMENT PLAN (SHIP) 2020/21 - 2024/25

The Scottish Government issued revised guidance in August 2019 to assist local authorities in the preparation of their annual SHIPs; which will cover the period 2020/21 - 2024/25, and are required to be submitted by 25th October 2019. The submitted report summarised the proposals for the revised SHIP, in line with statutory requirements and the latest guidance.

Decision

The Council approved the SHIP proposals summarised in this report which will then be submitted to the Scottish Government in October 2019.

(Ref: Report by Executive Director with responsibility for Economic Growth and Planning Services dated September 2019, submitted)

13. HELENSBURGH TOWN CENTRE CONSERVATION AREA PROPOSAL

The Council considered a recommendation by the Planning, Protective Service and Licensing Committee of 18 September 2019 with regard to approval to progress the designation of a new conservation area to cover part of Helensburgh town centre.

Decision

The Council agreed to the propose Helensburgh Town Centre Conservation Area and the proposed boundary at detailed in Appendix 2 to the report.

Having moved an Amendment, which failed to find a seconder, Councillor George Freeman asked for his dissent from the foregoing decision to be recorded.

(Ref: Recommendation by the PPSL Committee and report to that Committee, submitted)

14. UK WITHDRAWAL FROM THE EU

A report was before the Council which provided assurance that the Council and the HSCP are as well prepared as they can be with regards to exiting the EU, and are actively engaged with our partners through the local and national resilience frameworks.

Decision

The Council noted the content of the submitted report.

(Ref: Report by Chief Executive dated 3 September 2019, submitted)

15. LOCAL GOVERNANCE REVIEW - CONSULTATION FINDINGS

A report was before the Council for noting which highlighted the summary findings from phases 1 and 2 of the Local Governance Review consultation and the correlation with the submission made by the Council. The Council further noted the anticipated next steps and potential change to the timeline for the Local Democracy Bill.

Decision

The Council noted the content of the submitted report.

(Ref: Report by the Chief Executive dated 25 June 2019, submitted)

16. APPOINTMENT OF RECRUITMENT PANEL: POST OF CHIEF EXECUTIVE

The Council considered a report which invited the Council to establish an Appointments Panel to appoint to the post of Chief Executive. The Provost and the Leader on behalf of the Council congratulated the Chief Executive on his new position and thanked him for all his hard work for the people of Argyll and Bute.

Decision

1. The Council established an Appointments Panel of 7 Members to appoint to the post of Chief Executive comprising Councillors Currie, Green, Mulvaney, A Morton and McNeilly with substitutes as Councillors Good, E Morton and Robertson from the Administration and Councillors Taylor and Douglas with Councillor Lynch as the substitute from the Opposition.
2. Noted that as an operational matter, arrangements will be made as necessary to ensure continuity of service delivery.

(Ref: Report by Chief Executive dated 23 September 2019, tabled)

The Council resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public for the following three items of business on the grounds that they were likely to involve the disclosure of exempt information as defined in Paragraphs 8 and 6 & 9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

17. ROTHESAY PAVILION - REQUEST FOR ADDITIONAL REVENUE FUNDING

The Council considered a report with regard to the short and long term issues which have been identified together with the requests for additional revenue funding for short term funding to assist with the period up to opening and for the projected shortfall in years 1 and 2.

Decision

The Council approved the recommendations as contained within the submitted report.

(Ref: Report by Head of Financial Services dated 12 September 2019, submitted)

E2 18. EXTENSION TO LICENCE FOR ARGYLL COLLEGE AT KIRKMICHAEL CENTRE, HELENSBURGH

The Council considered a recommendation by the Helensburgh and Lomond Area Committee of 19 September 2019 with regard to matters relating to Argyll College and their ongoing use of the Kirkmichael Centre and an extension to their licence.

Decision

The Council agreed to the extension of the current licence for an additional 2 years.

(Ref: Recommendation by the H&L Area Committee and report to that Committee, submitted)

E2 19. COLONSAY AFFORDABLE HOUSING UPDATE

The Council considered a report which provided an update on the options on how to obtain a piece of land in order to allow the development of 5 New Build affordable houses on Colonsay.

Decision

The Council approved the recommendation as contained within the submitted report.

(Ref: Report by Executive Director of Development and Infrastructure Services dated 26 September 2019, submitted)