

**MINUTES of MEETING of OBAN LORN & THE ISLES AREA COMMITTEE held in the MCCAIG SUITE, CORRAN HALLS, OBAN on WEDNESDAY, 11 SEPTEMBER 2019**

**Present:** Councillor Elaine Robertson (Chair)

Councillor Mary-Jean Devon	Councillor Sir Jamie McGrigor
Councillor Kieron Green	Councillor Julie McKenzie
Councillor Jim Lynch	Councillor Andrew Vennard

**Attending:** Douglas Hendry, Executive Director of Customer Services  
David Logan, Head of Legal and Regulatory Support  
Jim Smith, Head of Roads and Amenity Services  
Stuart Mclean, Area Committee Manager  
Kirsteen Macdonald, Regeneration Project Manager  
Laura MacDonald, Community Development Officer

**1. APOLOGIES**

Apologies for absence were intimated on behalf of Councillor Roderick McCuish.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest intimated.

The Area Committee Manager advised that in terms of Standing Order 14 a Notice of Urgent Motion by Councillor McKenzie, seconded by Councillor Lynch had been received for consideration as a matter of urgency at this meeting. With no-one being otherwise minded and the Motion deemed competent by the Area Committee Manager, the Chair agreed to the request at agenda item 17.

**3. MINUTES**

**(a) Oban, Lorn and the Isles Area Committee 12 June 2019**

The minutes of the Oban, Lorn and the Isles Area Committee as held on Wednesday 12 June 2019 were approved as a correct record.

**(b) Oban, Lorn and the Isles Area Community Planning Group 14 August 2019**

The minutes of the Oban, Lorn and the Isles Area Community Planning Group as held on Wednesday 14 August 2019 were noted.

**4. PUBLIC QUESTION TIME**

**Question from Joe Reid, Tobermory Community Council**

In relation to the Mull Traffic Road Order (TRO), Mr Reid asked the Committee who they choose to listen to, the voting public who Members' represent or the advice of Officers? Mr Reid tabled a document and asked the Committee to consider its contents and respond to the statements contained within.

## **Response from the Committee**

The Chair confirmed that Members did listen to and work hard for their communities and take cognisance of the advice from professional officers.

Councillor Green stated that it is Officers who advise, but it is Councillors who decide and after weighing up advice given in good faith by Officers he felt that the decision reached at the Area Committee in 12 June 2019 regarding the Mull TRO was the right decision to make at that time. He stated that he welcomed the Chief Executive's acknowledgment of the failings and how to proceed.

Councillor McGrigor stated that mistakes had been made of which the Council had recognised and that the Council and public should work together for a positive outcome.

Councillor McKenzie apologised for what had happened and welcomed the people from Mull and Iona that were in attendance and asked the Chair to consider a recess in order for the Committee to consider the tabled item.

Councillor Devon spoke about the TRO process whereby she felt people were not allowed to speak and suggested an adjournment to allow the Committee to consider the tabled item and therefore their responses.

The Chair ruled, and the Committee agreed, to adjourn the meeting at 11.00am to allow Members of the Committee time to consider the tabled item.

The Committee reconvened at 11:10am.

The Chair recognised that mistakes and errors were made and apologised for these, adding that she deeply regretted the anxiety and stress it had caused the communities of Mull and Iona. Councillor Robertson welcomed the Chief Executive's apology and commitment to review the TRO consultation process in a meaningful manor. She stated that during the public meeting on Mull she was under the impression the Islands Community Impact Assessment would be incorporated into the TRO process but it was not until a later date it was discovered that the supporting legislation was not in place.

Councillor Vennard stated that there was a need to look at the way the Council consults and communicates in the future and they need to wait until the full terms of the Islands Act are in place.

Councillor Green referred to his earlier statement and agreed that procedural mistakes had been made, but he believed Councillors went beyond what they were required to do. He stated that he welcomed the opportunity to improve procedures and to listen to communities and there was a need for any revised procedures to take into account the differing natures of communities.

Councillor McGrigor stated that Members had acknowledged the mistakes and he understood that car parking was not just about generating income but also about safety.

Councillor Lynch said that he welcomed the statement from the Chief Executive and the opportunity to follow up and learn from what had happened in a positive way.

Councillor McKenzie felt the investigation process should be taken forward out with the Council and by an independent investigation team.

Councillor Devon welcomed the revocation of the Mull TRO but could not forget the concern caused amongst island communities and asked that the Committee listen to and back the affected communities.

The Chair thanked Members for all their contributions, adding that the Area Committee had acknowledged their concerns and deeply regretted the stress and anxiety it had caused to communities, specifically those on Mull and Iona.

#### **Question from Adrian Steven**

Mr Steven stated that the minutes of the Mull TRO Community participation meeting were not produced in a timely manner and that the notes released under a Freedom of Information Request were ineligible. Mr Steven also highlighted that the attendees had not been given the opportunity to comment on the accuracy of the minutes. He asked what procedures were in place to ensure attendees were offered the opportunity to comment on the accuracy of the minutes?

#### **Answer from Officers**

The Executive Director of Customer Services advised that as a matter of principle any meeting note or minute would be produced within an appropriate timeframe, but they are not a verbatim record of proceedings but a summary.

Mr Hendry stated that he did not know the particular circumstances, adding that if the minutes had been produced 14 months after the meeting that this would certainly be of concern. Mr Hendry, on behalf of Chief Executive, assured Mr Steven that any short comings in procedures would be addressed and lessons learnt.

#### **Question from Shiona Ruheman, Iona Community Council**

Ms Ruheman stated that they want to work with Members to repair the damage done and welcomed the Chief Executive's apology. She said the community felt they were silenced by their elected representatives and asked that Councillors dig a bit deeper and to stop using a passive voice and acknowledge mistakes they had made.

#### **Response from the Committee**

Councillor Green stated that he was under no illusion of the representations from the community about an unpopular decision but safety concerns needed to be looked into.

#### **Question from Neil MacIntyre, Oban Community Council**

Mr MacIntyre asked for further details on the financial details contained within the 'Mossfield Stadium Upgrade Proposal – Next Steps' report that would be considered at the Area Committee, and for clarity on the aims and objectives of the Oban Strategic Framework.

#### **Response from the Committee**

The Chair advised that as these items would be considered later in the agenda they would be addressed at this point and that the Area Committee Manager would direct the responses back to Mr MacIntyre.

### **Question from John Steel**

Mr Steel asked what the current policy was on the upkeep of verges along the A85 and what steps had been taken regarding the litter free Scotland 5 year plan.

### **Answer from Officers**

The Head of Roads and Amenity Services advised that the council had no direct remit as it is not the roads authority for the A85 but would take the specific issues back to BEAR Scotland for him.

Mr Smith advised that the council work with a multitude of agencies and that there were 2 formal litter picks each year. The Council also works to promote responsible behaviours.

The Chair ruled, and the Committee agreed, to adjourn the meeting at 12:28pm to allow for a short break.

## **5. REVIEW OF MULL TRAFFIC REGULATION ORDER**

Consideration was given by the Committee to a report which recommended that the decision to establish the Traffic Road Order (TRO) for Mull Off Street Car Parks be revoked and that a review of the TRO procedure be undertaken before any further TRO process is commenced.

The Committee held a robust discussion around how improvements can be made with community engagement to ensure that work is undertaken jointly with the affected communities when identifying the need to regulate traffic.

The Chair ruled, and the Committee agreed, on two separate occasions, 13.01pm and 13.10pm, to adjourn the meeting to allow members time to prepare a competent Motion and Amendment(s).

### **Motion**

The Oban, Lorn and the Isles Area Committee;

1. note the advice from officers in terms of the likelihood of a successful legal challenge;
2. agree to revoke the decision of the June meeting of the Area Committee in regard to the Mull TRO as set out in Appendix 1;
3. note that in light of the impact on community relations with the affected communities, the council has issued an apology to Mull and Iona Community Councils as the representative bodies of those communities;
4. agree that officers:
  - a) review the operational TRO process which will take into consideration the issues raised in the legal challenge;
  - b) as part of that review, consider how best to ensure that there is adequate validation and quality assurance of the various technical inputs;

- c) consider whether future TRO's should be sought on a multiple geographical basis;
  - d) consider how further community engagement will be undertaken by Roads and Infrastructure Services before any further TRO process is embarked on;
5. note that if these recommendations are accepted, a report will be submitted to the Policy and Resources Committee regarding the potential financial consequences; and
  6. to agree that following the conclusion of the review that a report be submitted to the responsible Committee for consideration and further action taken as appropriate.
- Moved by Councillor Robertson, seconded by Councillor Green

### **Amendment**

To agree the Officer recommendations within the report and as a gesture of good will to the affected communities and in the interests of transparency to commission an independent review of the TRO process.

- Moved by Councillor Lynch, seconded by Councillor Devon

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

#### **Motion**

Councillor Green  
Councillor McGrigor  
Councillor Robertson  
Councillor Vennard

#### **Amendment**

Councillor Devon  
Councillor Lynch  
Councillor McKenzie

### **Decision**

The Motion received 4 votes and the Amendment received 3 votes and the Oban, Lorn and the Isles Area Committee resolved accordingly.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Services and Monitoring Officer and Executive Director with responsibility for Roads and Infrastructure Services dated 11 September 2019, submitted)

13:31 At this point Councillor Devon left the room and took no further part in the meeting.

## **6. PERFORMANCE REVIEW - AREA SCORECARD**

The Committee considered the Area Scorecard report for Financial Quarter 1 of 2019-2020 (April - June 2019) which illustrated the agreed performance measures.

### **Decision**

The Oban, Lorn and the Isles Area Committee;

1. noted the performance presented on the Scorecard and supporting commentary;

2. noted that upon receipt of the quarterly performance report the Area Committee Members could contact either the Performance Improvement Officer or the responsible named officer with any queries; and
3. noted that work is ongoing and to respond to the Performance Improvement Officer with requests or comments regarding the layout and format of the report and scorecard.

(Reference: Report by Executive Director with responsibility for Customer Support Services dated 11 September 2019, submitted)

## **7. OBAN HARBOUR MANAGEMENT GROUP - OBAN BAY**

The Committee gave consideration to a verbal update from the Head of Road and Amenity Services on the Oban Harbour Management Group (OHMG). The Committee heard that the OHMG met on 20 August 2019 and discussed the possibility of setting up a working group to consider ongoing work to establish an Oban Bay Order. The Committee noted that there was currently no request for elected member representation on the working group.

### **Decision**

The Oban, Lorn and the Isles Area Committee noted and considered the update.

(Reference: Verbal Update by Executive Director with responsibility for Roads and Infrastructure Services, 11 September 2019)

## **8. ROADS AND AMENITIES REVENUE AND CAPITAL UPDATE**

The Committee gave consideration to a report providing an update on the Roads and Infrastructure Services operational capital and revenue matters in the Oban, Lorn and the Isles area.

Discussion focussed on how future reports could provide more detail on how Officers were progressing actions to help raise awareness for the wider public.

### **Decision**

The Oban, Lorn and the Isles Area Committee agreed to note the contents of the report.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services dated 11 September 2019, submitted)

## **9. MOSSFIELD STADIUM UPGRADE PROPOSALS - NEXT STEPS**

Consideration was given by the Committee to a report which provided details on potential upgrades to Oban's Mossfield Stadium. Members noted that the proposals were as a result of representation by event users of the Mossfield Stadium facility and that any agreed upgrades would benefit sporting events together with alternative events such as music festivals and was seen as an overall enhancement to the facility.

The Chair ruled, and the Committee agreed, to adjourn the meeting at 13.42pm to allow Members of the Committee time to prepare competent Motion and Amendment(s).

The Committee reconvened at 13.45pm.

### **Motion**

To commit no resources and to seek a continuation until such time as robust consultation with stakeholder groups had been undertaken.

- Moved by Councillor McKenzie, seconded by Councillor Lynch

### **Amendment**

The Oban, Lorn and the Isles Area Committee;

1. noted and considered the report;
2. agreed that further development of the improvement proposals would be undertaken subject to a further report to the December 2019 meeting of the Oban, Lorn and the Isles Area Committee; and
3. agreed that no resources are committed until such time as robust consultation with a stakeholders group has been undertaken.

- Moved by Councillor Green, Seconded by Councillor McKenzie

The mover and the seconder agreed to the withdrawal of their motion and in agreement with the Amendment; the Committee gave general agreement and resolved accordingly.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure dated August 2019, submitted)

## **10. MONITORING OF SUPPORTING COMMUNITIES FUND 2018/19**

The Committee gave consideration to a report providing monitoring information on the grants distributed through the Supporting Communities Fund 2018/19.

### **Decision**

The Oban, Lorn & the Isles Area Committee;

1. noted the positive contribution of the grants to community projects, detailed in paragraph 4.1 and the accompanying table in the report;
2. agreed that the unspent funds of £2,170 as detailed in paragraph 4.4 of the report be carried forward to be included in funds available for dispersal in 2020/21; and
3. agreed to carry forward £650 of the fund allocated to Oban Community Sensory Garden as detailed in paragraph 4.5 of the report.

(Reference: Report by Chief Executive dated 8 July 2019, submitted)

## 11. OBAN, LORN AND THE ISLES FESTIVE LIGHTING - ALLOCATION OF REMAINING FUNDS

The Committee gave consideration to a report which presented the final step in the community festive lighting handover in Oban, Lorn and the Isles with the proposed allocation of the remaining festive funds.

### Decision

The Oban, Lorn and the Isles Area Committee;

1. endorsed the significant amount of work undertaken by the Council's streetlighting team in developing community handover arrangements in Oban, Lorn and the Isles; and
2. agreed the allocation of remaining funds of £10,100 as set out at in the table below;

Town/village	Funding available
Oban	7,390
Tobermory	2,710
<b>TOTAL</b>	<b>10,100</b>

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure dated 16 August 2019, submitted)

## 12. OBAN: A UNIVERSITY TOWN UPDATE

Members gave consideration to a report which provided an update on the progress made with Oban: A University Town project that was launched in January 2018. The report highlighted that the expansion of Oban's Further and Higher education offers a number of potential benefits to the town provided the delivery of the project addresses the key issues that had been identified through public consultation and research.

### Decision

The Oban, Lorn and the Isles Area Committee considered the contents of the report.

(Reference: Report by Executive Director with the responsibility for Development and Economic Growth dated 10 August 2019, submitted)

## 13. OBAN STRATEGIC DEVELOPMENT FRAMEWORK

The Committee gave consideration to a verbal update from the Regeneration Project Manager on the Oban Strategic Development Framework who explained that it was fundamentally a consultation exercise to pull together all programmes currently being undertaken within the Oban area.

### Decision

The Oban, Lorn and the Isles Area Committee considered and noted the verbal update.

## 14. RECYCLING PERFORMANCE

The Committee considered a report which explained that Argyll and Bute Council is both a waste collection and waste disposal authority with some recycling collections carried out

by third sector groups. With respect to recording statistics Members noted that recycling, composting and recovery (i.e. other landfill diversion) are reported quarterly within the council's performance system Pyramid and statutory returns to SEPA such as licensed site tonnage, landfill tax and waste data flow vary.

### **Decision**

The Oban, Lorn and the Isles Area Committee noted the details outlined within the report and the national policy drivers that would likely impact over the next few years.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services dated 11 September 2019, submitted)

## **15. MACDOUGALL PLACE SHELTERED HOUSING, MULL**

The Council holds a Trust Fund in the name of the MacDougall Trust. Argyll Community Housing Association (ACHA) had made representations to the Area Committee seeking an award from the Trust for the benefit of the tenants of MacDougall Place.

Confirmation was sought and received by the Committee that there is no board of trustees that the Area Committee need to consult and there is no requirement for the family of John William MacDougall to be involved in the decision.

### **Decision**

The Oban, Lorn and the Isles Area Committee approved that the resources required to update the communal areas at MacDougall Place (estimated to be £27,534) are met from the MacDougall Trust Fund.

(Reference: Report by Head of Financial Services dated 5 August 2019, submitted)

## **16. DRAFT OBAN, LORN AND THE ISLES AREA COMMITTEE WORKPLAN**

The Draft Oban, Lorn and the Isles Area Committee Workplan, as of September 2019, was before the Committee for noting.

### **Decision**

The Oban, Lorn and the Isles Area Committee noted the Workplan.

(Reference: Oban, Lorn and the Isles Area Committee Workplan dated 11 September 2019, submitted)

## **\* 17. NOTICE OF MOTION UNDER STANDING ORDER 14**

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

'Urgent Motion on Street Signage – Oban'

The Area Committee notes that Argyll and Bute Council has a responsibility to work in partnership with our communities to increase footfall in our town centres and to support and enable our local businesses to thrive, whilst also ensuring the safety of pedestrians and disabled residents.

Following representation from local businesses regarding the current strident enforcement of street signage policy currently taking place in Oban Town Centre and the potential for detrimental impact on trade, affecting in particular our Small and Medium sized Enterprises sited off the main street, who are dependent on street signage to attract and direct passing trade;

The OLI Area Committee request that the PPSL:-

1. Consider an urgent moratorium on current enforcement and also a review of current street signage policy.
2. Consider requesting an urgent consultation exercise be carried forward by officers, working in conjunction with local businesses, and other stakeholders to ensure that town centre trade is not adversely impacted by current policy enforcement.
3. Agrees that the blanket approach to enforcement adopted by the current policy is taking up a great deal of officer time, and a more cost effective solution be sought to address this, which instead turns policy enforcement focus on to the few incidences of street signage actually causing any problems in Oban town centre.

The Chair ruled that the motion be considered as a matter of urgency by reason to initiate discussions to commence the proposed recommendations without further delay.

### **Decision**

The Oban, Lorn and the Isles Area Committee agreed the terms of the Motion and resolved accordingly.