

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held BY SKYPE
on THURSDAY, 24 SEPTEMBER 2020**

Present: Councillor Roderick McCuish (Chair)

Councillor John Armour	Councillor Julie McKenzie
Councillor Gordon Blair	Councillor Yvonne McNeilly
Councillor Rory Colville	Councillor Barbara Morgan
Councillor Robin Currie	Councillor Aileen Morton
Councillor Mary-Jean Devon	Councillor Gary Mulvaney
Councillor Lorna Douglas	Councillor Iain Paterson
Councillor Jim Findlay	Councillor Alastair Redman
Councillor George Freeman	Councillor Alan Reid
Councillor Audrey Forrest	Councillor Elaine Robertson
Councillor Bobby Good	Councillor Richard Trail
Councillor Kieron Green	Councillor Sandy Taylor
Councillor Anne Horn	Councillor Douglas Philand
Councillor Donald Kelly	Councillor Andrew Vennard
Councillor Donald MacMillan BEM	Councillor Jean Moffat
Councillor Sir Jamie McGrigor	Councillor Jim Lynch
Councillor David Kinniburgh	Councillor Graham Hardie

Attending: Pippa Milne, Chief Executive
Douglas Hendry, Executive Director
Kirsty Flanagan, Executive Director
Louise Connor, Head of Education
David Logan, Head of Legal and Regulatory Support
Laurence Slavin, Interim Head of Financial Services
Joanna MacDonald, Chief Officer, Health and Social Care Partnership

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Anderson, E Morton and Scoullar.

DEPUTATION

The Depute Provost intimated that a request for a deputation by Black Lives Matter - Oban to be heard by the Council had been received and it was unanimously agreed to hear the deputation to be heard prior to the Notice of Motion at item 14 of the Agenda.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTES

The Minutes of Special Argyll and Bute Council held on 30 June 2020 was approved as a correct record.

4. MINUTES OF COMMITTEES

(a) **Community Services Committee held on 27 August 2020**

The Minute of the Community Services Committee held on 27 August 2020 were noted.

Arising from Item 7 (Scottish Social Services Council (SSSC) Registration Policy, the Council approved the SSSC Registration Policy.

(b) **Environment, Development and Infrastructure Committee held on 10 September 2020**

The Minute of the Environment, Development and Infrastructure Committee held on 10 September 2020 were noted.

5. LEADER'S REPORT

A report providing an update on the activities of the Leader of the Council from 16 June to 7 September 2020, together with an update on the A83 from the Policy Lead for Commercial and Strategic Priorities as considered.

Decision

The Council:-

1. Considered and noted the report and any further verbal updates from the Leader, and
2. Noted that the full Leader's Report Pack was available in the Leader's Office. This included COSLA and other papers and briefings as referenced in the report.

(Ref: Report by Leader of the Council dated 15 September 2020, submitted)

6. POLICY LEADS REPORT

A report providing an update on key areas of activity of Policy Lead Councillors, including updates, during the period from 28 November 2019 to date was considered.

Decision

The Council considered and noted the report and any further updates from Policy Leads.

(Ref: Report by Policy Leads dated 15 September 2020, submitted)

7. APPOINTMENT OF LEADER OF THE COUNCIL

The Council considered a report which advised of the resignation of the Leader of the Council.

Decision

The Council elected Councillor Robin Currie to be the Leader of the Council.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 8 September 2020, submitted)

8. COUNCIL CONSTITUTION

The Council considered a report which proposed changes and various minor amendments to the Council Constitution.

Decision

The Council agreed to the adjustments to the Constitution as outlined in Appendix 1 to the submitted report.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 3 September 2020, submitted)

9. POLITICAL MANAGEMENT ARRANGEMENTS

The Council considered a report which updated the Council on political management arrangements arising from a number of resignations.

Motion

Appoint Councillor Yvonne McNeilly as Vice Chair to the Bute and Cowal Area Committee;

Appoint Councillor Graham Hardie to;
NHS Highland Board (Non-executive Director) and;
NHS Highland, Health and Wellbeing Partnership (Board Member);

Appoint a Director to the board of the Nadair Trust at the next Council meeting when further appointments will be considered.

Note the political composition of the Council, as at the date of this report, set out at appendix 1.

Moved by Councillor Robin Currie, seconded by Councillor Gary Mulvaney.

Amendment 1

Accept the terms of the Motion but to nominate Councillor Jim Findlay as Vice Chair to the Bute and Cowal Area Committee;

Appoint Councillor Jim Findlay to;
NHS Highland Board (Non-executive Director) and;
NHS Highland, Health and Wellbeing Partnership (Board Member);

Moved by Councillor Sandy Taylor, seconded by Councillor Gordon Blair

Amendment 2

Accept the terms of the Motion but to nominate Councillor Dougie Philand to;

NHS Highland Board (Non-executive Director) and;
NHS Highland, Health and Wellbeing Partnership (Board Member);

Moved by Councillor Donald Kelly, seconded by Councillor George Freeman.

The Members voted by calling the roll and voted as follows:-

Motion

Amendment 1

Amendment 2

Councillor Colville
Councillor Currie
Councillor Devon
Councillor Good
Councillor Green
Councillor Hardie
Councillor Kinniburgh
Councillor MacMillan
Councillor McCuish
Councillor McGrigor
Councillor McNeilly
Councillor Morgan
Councillor A Morton
Councillor Mulvaney
Councillor Redman
Councillor Reid
Councillor Robertson
Councillor Vennard

Councillor Armour
Councillor Blair
Councillor Douglas
Councillor Findlay
Councillor Forrest
Councillor Horn
Councillor Lynch
Councillor McKenzie
Councillor Moffat
Councillor Paterson
Councillor Taylor
Councillor Trail

Councillor Freeman
Councillor Kelly
Councillor Philand

Decision

With the Motion receiving 18 votes, Amendment 1, 12 votes and Amendment 2, 3 votes, the Council resolved as follows.

The Council:-

1. Appointed Councillor Yvonne McNeilly to the Vice Chair of the Bute and Cowal Area Committee.
2. Appoint a Director to the board of the Nadair Trust at the next Council meeting when further appointments will be considered.
3. Appointed Councillor Graham Hardie to the NHS Highland Board.
4. Appointed Councillor Graham Hardie to the NHS Highland, Health and Wellbeing Partnership Board.
5. Noted the political composition of the Council as at 24 September 2020.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 27 August 2020, submitted)

10. BOUNDARY COMMISSION - REVIEW OF ELECTORAL ARRANGEMENTS

The Council considered a report which advised of the Boundary Commission for Scotland's proposals for Argyll and Bute area together with the Councils response to the initial consultation.

Motion

1. Notes the proposed response to the Boundary Commission attached at appendix 1; and
2. Agrees that this forms the basis of the Council's response to the Boundary Commission by 30th September 2020 deadline.

Moved by Councillor Robin Currie, seconded by Councillor Gary Mulvaney.

Amendment

Notes the report but to take no action.

Moved by Councillor Richard Trail, seconded by Councillor George Freeman.

The Members voted by calling the roll and voted as follows:-

Motion

Councillor Colville
 Councillor Currie
 Councillor Devon
 Councillor Good
 Councillor Green
 Councillor Hardie
 Councillor Kinniburgh
 Councillor MacMillan
 Councillor McCuish
 Councillor McGrigor
 Councillor McNeilly
 Councillor Moffat
 Councillor Morgan
 Councillor A Morton
 Councillor Mulvaney
 Councillor Redman
 Councillor Reid
 Councillor Robertson
 Councillor Vennard

Amendment

Councillor Armour
 Councillor Douglas
 Councillor Findlay
 Councillor Forrest
 Councillor Freeman
 Councillor Horn
 Councillor Kelly
 Councillor Lynch
 Councillor McKenzie
 Councillor Paterson
 Councillor Philand
 Councillor Taylor
 Councillor Trail

Decision

With the Motion receiving 19 votes and the Amendment 13 votes, the Council resolved accordingly.

1. Noted the proposed response to the Boundary Commission attached at appendix 1; and
2. Agreed that this forms the basis of the Council's response to the Boundary Commission by 30th September 2020 deadline.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 26 August 2020, submitted)

11. CORONAVIRUS (COVID-19) - MEETINGS AND ASSOCIATED MATTERS

The Council considered a report with regard to the continued role of the Business Continuity Committee (BCC), other meetings and associated matters.

Motion

The Council:-

1. Agrees that meetings of the BCC are suspended meantime.
2. Agrees that the Policy and Resources Committee resumes from the scheduled meeting on 15 October 2020.
3. Agrees that all Committee meetings will continue on a virtual basis.
4. Agrees that a further review of the operation of Committees will be undertaken and reported to Council in April 2021.

Moved by Councillor Robin Currie, seconded by Councillor Gary Mulvaney.

Amendment

Agree to the terms of the Motion with one change, Agrees that a further review of the operation of Committees will be undertaken and reported to Council in 3 months time.

Moved by Councillor George Freeman, seconded by Councillor Dougie Philand.

The Members voted by calling the roll and voted as follows:-

Motion

Councillor Colville
Councillor Currie
Councillor Devon
Councillor Good
Councillor Green
Councillor Hardie
Councillor Kelly
Councillor Kinniburgh
Councillor MacMillan
Councillor McCuish
Councillor McGrigor
Councillor McNeilly
Councillor Moffat
Councillor Morgan
Councillor A Morton
Councillor Mulvaney
Councillor Redman
Councillor Reid
Councillor Robertson
Councillor Trail
Councillor Vennard

Amendment

Councillor Armour
Councillor Blair
Councillor Douglas
Councillor Findlay
Councillor Forrest
Councillor Freeman
Councillor Horn
Councillor Lynch
Councillor McKenzie
Councillor Paterson
Councillor Philand
Councillor Taylor

Decision

With the Motion receiving 21 votes and the Amendment 12 votes, and the Council resolved accordingly.

The Council:-

1. Agreed that meetings of the BCC are suspended meantime.
2. Agreed that the Policy and Resources Committee resumes from the scheduled meeting on 15 October 2020.
3. Agreed that all Committee meetings will continue on a virtual basis.
4. Agreed that a further review of the operation of Committees will be undertaken and reported to Council in April 2021.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 10 September 2020, submitted)

12. LUSS CAR PARK - TEMPORARY PORTALOO FACILITIES

The Council considered a recommendation from the Helensburgh and Lomond Area Committee with regard to lost income due to the temporary siting of portaloos at Luss Car Park.

Decision

The Council agreed to waive the charges for the parking bays until the temporary toilet facilities are removed but not beyond 31 October 2020.

(Ref: Recommendation by the Helensburgh and Lomond Area Committee and report to that Committee dated 24 September 2020, submitted)

13. BUDGET 2020-21 UPDATE

The Council noted a report which provided a further update to the report previously presented to the BCC on 13 August 2020 in respect of the current in-year 2020-21 budget position.

Decision

The Council noted the update to the current financial position in 2020-21.

(Ref: Report by Section 95 Officer dated 9 September 2020, submitted)

The Council heard a deputation on behalf of Black Lives Matter – Oban who spoke in connection with the proposal relating to the Notice of Motion which is dealt with at Item 14 of these Minutes.

14. NOTICE OF MOTION UNDER STANDING ORDER 13

The following Notice of Motion was proposed by Councillor Green, seconded by Councillor McKenzie.

Motion

In recent years there has been a worrying reported rise in racism, xenophobia and hate crimes across the United Kingdom. Taking many forms, the impact this is having on people in their day-to-day lives and the inequalities faced have been highlighted by groups such as Black Lives Matter.

Argyll and Bute Council is proud that communities in our area are tolerant and inclusive to people from all racial, ethnic and religious backgrounds, but also recognises that continuing work is still necessary to ensure that everyone feels welcomed and safe here.

As Councillors we individually:

- Condemn racism, xenophobia, hate crime, and all other forms of intolerance;
- Express our support to victims of these crimes, and;
- Urge members of the public to report incidents and barriers in reporting.

Furthermore we agree that Argyll and Bute Council will continue to:

- Promote initiatives to tackle hate crime and prejudice in our schools, online and within our communities;
- Commit to working with all our partners, including the Scottish Government and Police Scotland, to ensure that divisive and discriminatory behaviour is not allowed to continue in our area, and;
- Be supportive of groups and individuals that are seeking to address these issues through respectful and constructive dialogue.

Amendment 1

Argyll & Bute council agrees:

1. That with a global pandemic affecting every community and every aspect of our lives, we recognise that the top priority of council, government and politicians must be protecting our communities. In these difficult times, that is what those we serve, our constituents expect us to do. We should do just that.
2. To re-affirm that Argyll & Bute is a welcoming, tolerant, inclusive and safe place to live and work, and moreover that we wish to attract more families to visit and stay here. We accept that, of course, there is always more to be done to promote inclusion, opportunities for all, fairness and respect and we pledge to continue to work with our schools, communities, community planning partners and the Scottish Government to that end.

Moved by Councillor Gary Mulvaney, seconded by Councillor Barbara Morgan.

Amendment 2

Our communities are enriched with a diverse mix of people with a variety of experiences and from different cultures and backgrounds. This rich diversity enhances our lives. Today more than 40 years after the 1976 Race Relations Act and 10 years from the 2010 Equalities Act, there are still incidents of hate crimes motivated by prejudice in our

society. This has been most recently highlighted by the Black Lives Matter, global campaign.

As individual Councillors, we will always strive to promote community inclusion and cohesion, and support local initiatives and people addressing issues of inequality and prejudice.

Argyll and Bute Council will continue to work in promoting communities of respect that embrace diversity and challenge prejudice and inequality wherever it's encountered, in all aspects of its operational work.

In passing this motion, we will strengthen our resolve and commitment to make Argyll and Bute an inclusive place where people want to live.

Moved by Councillor Lorna Douglas, seconded by Councillor Sandy Taylor.

The Members voted by calling the roll and voted as follows:-

Motion	Amendment 1	Amendment 2
Councillor Colville	Councillor Good	Councillor Armour
Councillor Currie	Councillor Kelly	Councillor Blair
Councillor Devon	Councillor Kinniburgh	Councillor Douglas
Councillor Green	Councillor McNeilly	Councillor Findlay
Councillor Hardie	Councillor Morgan	Councillor Forrest
Councillor MacMillan	Councillor Mulvaney	Councillor Freeman
Councillor McCuish	Councillor Redman	Councillor Horn
Councillor McGrigor		Councillor Lynch
Councillor McKenzie		Councillor Moffat
Councillor A Morton		Councillor Paterson
Councillor Reid		Councillor Philand
Councillor Robertson		Councillor Taylor
Councillor Vennard		Councillor Trail

The Motion received 13 votes, Amendment 1, 7 votes and Amendment 2, 13 votes. With there being an equality of votes for the Motion and Amendment 2, Amendment 1 fell and a second vote was taken for the Motion and Amendment 2.

Motion	Amendment 2	No Vote
Councillor Colville	Councillor Armour	Councillor Kelly
Councillor Currie	Councillor Blair	Councillor Kinniburgh
Councillor Devon	Councillor Douglas	Councillor Morgan
Councillor Green	Councillor Findlay	Councillor Mulvaney
Councillor Hardie	Councillor Forrest	Councillor Redman
Councillor MacMillan	Councillor Freeman	
Councillor McCuish	Councillor Good	
Councillor McGrigor	Councillor Horn	
Councillor McKenzie	Councillor Lynch	
Councillor A Morton	Councillor McNeilly	
Councillor Reid	Councillor Moffat	
Councillor Robertson	Councillor Paterson	
Councillor Vennard	Councillor Philand	
	Councillor Taylor	

Councillor Trail

Decision

With the Motion receiving 13 votes and Amendment 2 receiving 15 votes, the Council resolved accordingly.

Our communities are enriched with a diverse mix of people with a variety of experiences and from different cultures and backgrounds. This rich diversity enhances our lives. Today more than 40 years after the 1976 Race Relations Act and 10 years from the 2010 Equalities Act, there are still incidents of hate crimes motivated by prejudice in our society. This has been most recently highlighted by the Black Lives Matter, global campaign.

As individual Councillors, we will always strive to promote community inclusion and cohesion, and support local initiatives and people addressing issues of inequality and prejudice.

Argyll and Bute Council will continue to work in promoting communities of respect that embrace diversity and challenge prejudice and inequality wherever it's encountered, in all aspects of its operational work

In passing this motion, we will strengthen our resolve and commitment to make Argyll and Bute an inclusive place where people want to live.

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 item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraphs 6&9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

15. NPDO & HUB DBFM SCHOOLS ANNUAL REPORT - APRIL 2020

The Council considered a report which summarised provided progress in relation to the Council's NPDO & HUB DBFM projects to the end of March 2020 together with an update on the current financial position of both Projects.

Decision

The Council:-

1. Noted the contents of the report.
2. Agreed to take forward the NPDO Change in Law variation with a view to achieving one off sums for the Council. It should be noted that there will be a requirement for the Council to ring fence a portion of the sums achieved to provide for future NPDO/Hub contract management requirements.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated August 2020, submitted)