

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held BY TEAMS  
on THURSDAY, 25 NOVEMBER 2021**

**Present:**

Councillor David Kinniburgh (Chair)

Councillor Jim Anderson	Councillor Donald MacMillan BEM
Councillor John Armour	Councillor Sir Jamie McGrigor
Councillor Gordon Blair	Councillor Liz McCabe
Councillor Rory Colville	Councillor Roderick McCuish
Councillor Robin Currie	Councillor Yvonne McNeilly
Councillor Mary-Jean Devon	Councillor Jean Moffat
Councillor Lorna Douglas	Councillor Aileen Morton
Councillor Jim Findlay	Councillor Iain Paterson
Councillor George Freeman	Councillor Gemma Penfold
Councillor Audrey Forrest	Councillor Alastair Redman
Councillor Bobby Good	Councillor Alan Reid
Councillor Kieron Green	Councillor Elaine Robertson
Councillor Graham Hardie	Councillor Richard Trail
Councillor Anne Horn	Councillor Sandy Taylor
Councillor Donald Kelly	Councillor Andrew Vennard
Councillor Jim Lynch	

**Attending:**

Pippa Milne, Chief Executive  
Douglas Hendry, Executive Director  
Kirsty Flanagan, Executive Director  
David Logan, Head of Legal and Regulatory Support  
Fergus Murray, Head of Development and Economic Growth  
Douglas Whyte, Team Lead – Housing Strategy  
Laurence Slavin, Interim Head of Financial Services  
Fiona Davies, Chief Officer, Health and Social Care Partnership  
Tricia O'Neill, Governance Manager

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillors McKenzie, Mulvaney and Philand.

**2. DECLARATIONS OF INTEREST**

Councillors Robertson and Horn each declared a non-financial interest in the Colonsay Affordable Housing Update at Item 17 of the Agenda due to them both being on the Board of the West Highland Housing Association. They both advised that they would take no part in the consideration of this item of business.

**3. MINUTES**

**(a) Minute of Argyll and Bute Council 30 September 2021**

The Minutes of the meeting of Argyll and Bute Council held on 30 September 2021 were approved as a correct record.

**(b) Minute of Special Argyll and Bute Council 28 October 2021**

The Minutes of the meeting of the Special Argyll and Bute Council held on 28 October 2021 were approved as a correct record.

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

##### **(a) Policy and Resources Committee of 14 October 2021**

The Minutes of the Policy and Resources Committee held on 14 October 2021 were noted.

Arising under Item 4 (Financial Reports Monitoring Pack – 31 August 2021), the Council approved the revenue virements over £0.200m during July and August 2021.

Arising under Item 9 (ICT – Revised Acceptable Use Policy, the Council agreed the revised ICT AUP as attached at Appendix 1 to the report submitted to the P&R Committee.

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

The Council gave consideration to a report outlining the Council Leader's activity during the period from 30 September to 9 November 2021. The report also included updates in relation to the Policy Lead portfolio.

##### **Decision**

The Council noted –

1. The content of the report.
2. That any reports, briefings or copy correspondence referred to in the report could be requested as appropriate through Leadership Support staff, noting that some confidential reports provided by external organisations, such as COSLA, may be restricted.

(Ref: Report by Leader of the Council dated 9 November 2021, submitted)

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

The Council gave consideration to a report providing an update on the key areas of activity for each Policy Lead Councillor since the last update provided to the Council at the meeting held on 30 September 2021. Councillor Devon also provided an update on the recent Learning Awards Ceremony.

##### **Decision**

The Council noted the contents of the report.

(Ref: Report by Policy Lead Councillors dated 8 November 2021, submitted)

#### **7. AUDITED ACCOUNTS 2020-2021**

Consideration was given to a recommendation by the Audit and Scrutiny Committee and the report presenting the Audited Annual Accounts of the Council and Charitable Trusts for the year to 31 March 2021.

The Section 95 Officer took the opportunity to thank both the Finance team and Audit team for their continued hard work in the provision of the annual accounts.

### **Decision**

The Council approved the Audited Annual Accounts of the Council and Charitable Trusts for the year to 31 March 2021.

(Ref: Report by Section 95 Officer dated 24 November 2021, submitted recommendation by the Audit & Scrutiny Committee, submitted)

## **8. AUDIT AND SCRUTINY ANNUAL REPORT 2020-2021**

The Council considered the annual overview of the Audit and Scrutiny's activities during financial year 2020/21 and a summary of key developments since the commencement of 2021/22. The report set out how the Committee has fulfilled its remit and provided assurances to the Council.

### **Decision**

The Council reviewed and endorsed the Chair's Annual Report.

(Ref: Report by Chair of the Audit and Scrutiny Committee dated 25 November 2021, submitted)

## **9. 2023 REVIEW OF UK PARLIAMENT CONSTITUENCIES - BOUNDARY COMMISSION FOR SCOTLAND PROPOSALS**

The Council considered a report which provided information on the Boundary Commission for Scotland consultation on its proposals relating to the 2023 Review of UK Parliament constituencies.

### **Motion**

Argyll and Bute Council agrees that its formal response to the Boundary Commission for Scotland 2023 Review of UK Parliamentary Constituencies should comprise the following:

- a) Agreement with the proposals to extend the existing Argyll and Bute Constituency boundary to the north, to incorporate part of the current Highland Council Ward 21, as set out in the report and detailed in the map at Appendix 1;
- b) Rejection of the Boundary Commission for Scotland's proposal to rename the new constituency 'Argyll' and requests that the existing Argyll and Bute name is retained.

Moved by Councillor Currie, seconded by Councillor Freeman

### **Amendment**

- a) Reject the proposals to extend the existing Argyll and Bute Constituency boundary to the north, to incorporate part of the current Highland Council Ward 21, as set out in the report and detailed in the map at Appendix 1;
- b) Rejection of the Boundary Commission for Scotland's proposal to rename the new constituency 'Argyll' and requests that the existing Argyll and Bute name is retained.

Moved by Councillor Lynch, seconded by Councillor Forrest.

The Provost adjourned the meeting at 12.15pm and re-convened at 12.25pm.

As the meeting was held on a virtual basis the vote required to be taken by calling the Roll and Members voted as follows –

**Motion**

**Amendment**

Councillor Anderson  
Councillor Colville  
Councillor Currie  
Councillor Devon  
Councillor Freeman  
Councillor Good  
Councillor Green  
Councillor Hardie  
Councillor Kelly  
Councillor Kinniburgh  
Councillor MacMillan BEM  
Councillor McCabe  
Councillor McCuish  
Councillor Sir McGrigor  
Councillor McNeilly  
Councillor Morton  
Councillor Penfold  
Councillor Reid  
Councillor Robertson  
Councillor Vennard

Councillor Armour  
Councillor Blair  
Councillor Findlay  
Councillor Forrest  
Councillor Horn  
Councillor Lynch  
Councillor Moffat  
Councillor Paterson  
Councillor Redman  
Councillor Taylor  
Councillor Trail

**Decision**

The Motion was carried by 20 votes to 11 and became the finding of the Council.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support, dated 18 October 2021, submitted)

**10. MICROSOFT TEAMS/HYBRID MEETINGS/LIVE STREAMING UPDATE**

The Council considered a report which provided an update on the progress of the project which has seen Microsoft Teams becoming the preferred platform for meetings and gave detail on the work which is ongoing to facilitate hybrid meetings and live streaming.

**Decision**

The Council –

1. Noted the progress made to date in relation to the rollout of Microsoft Teams as the preferred meeting platform, including the options relating to hybrid meetings and live streaming;
2. Agreed that the Council will, for the time being, continue to operate by way of remote on-line meetings with a view to the introduction of Hybrid meetings in early 2022 dependent on the guidance from Scottish Government;

3. Agreed, subject to the satisfactory completion of testing that the Policy and Resources Committee on 9<sup>th</sup> December and the Audit and Scrutiny Committee on 14<sup>th</sup> December will be livestreamed on a fully remote basis; and
4. Agreed that all Strategic Committees and Council will be livestreamed from January 2022.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 10 November 2021, submitted)

## **11. CONSUMPTION OF ALCOHOL BYE-LAW LUSS**

The Council considered a report which provided an update on the Consumption of Alcohol Byelaw in Luss due for review on 19<sup>th</sup> January 2022.

### **Decision**

The Council –

1. Noted the position with regards to the review of Luss Byelaw prohibiting consumption of alcohol in designated areas which is due to review in January 2022.
2. Agreed that no change to the Luss Byelaw is required at this time, in the knowledge that should there be any changes in circumstances that a formal review could take place at any point before the next period of review subject to adherence to Scottish Government Guidelines and their consequent approval and confirmation.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 3 November 2021, submitted)

## **12. POLITICAL MANAGEMENT ARRANGEMENTS**

The Council gave consideration to filling vacancies on Council Committees and Outside Bodies which had arisen principally as a result of Councillor Barbara Morgan's resignation from the Council on 12 October 2021 and intimation of the resignation of Councillor Roddy McCuish as a Council Representative on the Argyll Community Housing Association Board.

### **Motion**

The council agrees the following arrangements in relation to the vacancies and appointments set out in the report:

- a) Appoints Cllr Aileen Morton as Chair of the Helensburgh and Lomond Area Committee
- b) Appoints Cllr David Kinniburgh as Armed Forces Champion for Argyll and Bute Council
- c) Appoints Cllr Mary Jean Devon as the council's representative on the Argyll Community Housing Association Board
- d) In respect of the vacant seat on the Community Services Committee and the substitute member vacancy on the Dunbartonshire and Argyll and Bute Valuation Joint Board, agrees to postpone any appointments until after the by-election scheduled for 16<sup>th</sup> December 2021
- e) Notes the political composition of the Council

Moved by Councillor Currie, seconded by Councillor Devon.

## **Amendment**

- a) Appoints Cllr Richard Trail as Chair of the Helensburgh and Lomond Area Committee
- b) Appoints Cllr Gordon Blair as Armed Forces Champion for Argyll and Bute Council
- c) Appoints Cllr John Armour as the council's representative on the Argyll Community Housing Association Board
- d) Appoints Cllr Sandy Taylor on the Community Services Committee.
- e) In respect of the vacancy as substitute member on the Dunbartonshire and Argyll and Bute Valuation Joint Board, agrees to postpone that appointment until after the by-election scheduled for 16<sup>th</sup> December 2021
- f) Notes the political composition of the Council

Moved by Councillor Lynch, seconded by Councillor Forrest.

As the meeting was held on a virtual basis the vote required to be taken by calling the Roll and Members voted as follows –

### **Motion**

Councillor Anderson  
Councillor Colville  
Councillor Currie  
Councillor Devon  
Councillor Good  
Councillor Green  
Councillor Hardie  
Councillor Kinniburgh  
Councillor MacMillan BEM  
Councillor McCabe  
Councillor McCuish  
Councillor Sir McGrigor  
Councillor McNeilly  
Councillor Morton  
Councillor Penfold  
Councillor Redman  
Councillor Reid  
Councillor Robertson  
Councillor Vennard

### **Amendment**

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

### **Decision**

The Motion was carried by 19 votes to 13 and became the finding of the Council.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 12 November 2021, submitted)

## **13. APPOINTMENT OF PERSONS INTERESTED IN THE PROMOTION OF RELIGIOUS EDUCATION**

The Council considered a report which advised that a vacancy had arisen on the Community Services Committee due to the resignation of Mr William Stewart Shaw who

served as a representative of the Church of Scotland. The Church of Scotland has subsequently nominate Rev Sandy MacPherson to fill this vacancy.

### **Decision**

The Council –

1. Confirmed the appointment of Rev Sandy MacPherson (as nominated by the Church of Scotland) as a member of the Community Services Committee.
2. Noted that the appointment of Rev Sandy MacPherson is conditional on the terms and requirements of the Councillors Code applying to this appointment.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 25 October 2021, submitted)

## **14. APPOINTMENT OF RECRUITMENT PANELS FOR THE POSITIONS OF HEAD OF EDUCATION: LEARNING AND TEACHING AND HSCP CHIEF OFFICER AND HEAD OF ADULT SERVICES**

The Council considered a report which invited Members to establish Appointments Panels to appoint to the posts of Head of Education: Learning and Teaching, Head of Adult Services and HSCP Chief Officer.

### **Decision**

The council:

- a) Agreed to establish Appointments Panels for the recruitment of the Head of Education: Learning and Teaching, the Head of Adult Services, and the HSCP Chief Officer;
- b) Agreed the proposed changes to the HSCP Panels for Heads of Service and the Chief Officer as agreed by the Integration Joint Board at its meetings on 27<sup>th</sup> May 2020 and 21<sup>st</sup> September 2021 respectively;
- c) Appointed Cllr Graham Hardie and Cllr Sandy Taylor as substitutes in relation to the HSCP Appointment Panels for the Chief Officer and Head of Adult Services recruitment processes;
- d) In respect of the Appointments Panel for the recruitment of the Head of Education: Learning and Teaching, appointed the following as members/substitutes:

<b>Name</b>	<b>Nature of appointment</b>
Cllr Yvonne McNeilly	Panel member - Administration
Cllr Kieron Green	Panel member - Administration
Cllr Jim Lynch	Panel member - SNP Group/Opposition
Cllr Mary Jean Devon	Substitute - Administration
Cllr Elaine Robertson	Substitute - Administration
Cllr Lorna Douglas	Substitute - SNP Group/Opposition

(Ref: Report by Executive Director with responsibility for Customer and Support Services dated 25 November 2021, submitted)

## **15. FREEDOM OF ARGYLL AND BUTE**

The Council considered a report which advised that the Lieutenancy of Argyll and Bute had requested that the Council gives consideration to awarding the Freedom of Argyll and Bute to Patrick Stewart in recognition of his years of service to the community, both in the Lieutenancy context and in other areas of activity outlined in the submitted report.

### **Decision**

The Council agreed to award the Freedom of Argyll and Bute to Patrick Stewart, CVO, MBE in recognition of his many years of service to Argyll and Bute through his Lieutenancy work and other areas of activity.

(Ref: Report by Executive Director with responsibility for Legal and Regulatory Support dated 22 October 2021, submitted)

## **16. ARGYLL AND BUTE LOCAL HOUSING STRATEGY (LHS) 2021/22 - 2026/27**

The Council considered a report which advised of the arrangements for submission of the Local Housing Strategy (LHS) for approval by Scottish Ministers, in accordance with the Council's statutory duties under the Housing (Scotland) Act 2001, subsequent legislation, and the latest revised guidance issued by the Scottish Government in 2019.

### **Decision**

The Council considered and approved the Local Housing Strategy for submission to the Scottish Ministers.

(Ref: Report by Executive Director with responsibility for Development and Economic Growth dated 25 November 2021, submitted)

## **17. COLONSAY AFFORDABLE HOUSING UPDATE**

The Council considered a report which provided an update on the options on how to enable the development of 5 new build affordable houses at Port Mor on Colonsay.

### **Decision**

The Council authorised a payment to West Highland Housing Association of £168,999 from the Strategic Housing Fund to enable the development of 5 affordable houses at Port Mor on Colonsay.

(Ref: Report by Executive Director with responsibility for Development and Economic Growth dated October 2021, submitted)

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

Moved by Councillor Trail, seconded by Councillor Paterson.

### **Motion**

St. Joseph's school catchment boundary

a) Council notes that the current catchment of St. Joseph's school in Helensburgh was inherited from Strathclyde Regional Council in 1995.



b) The inherited catchment includes the whole of the Helensburgh and Lomond area apart from a corridor along the A82 from Glen Douglas to the boundary with West Dunbartonshire Council (the excluded area).

c) Council recognises that consideration should be given to whether the excluded area should be included within the catchment area with the rest of the Helensburgh & Lomond area.

d) Council agrees to refer this matter to the Community Services Committee, who exercise the functions of the Council as Education Authority, to consider initiating the statutory procedure in terms of the School (Consultation) (Scotland) Act 2010, to extend the school catchment to cover the whole of the Helensburgh and Lomond Area.

### **Decision**

The Council agreed the terms of the Motion as submitted.