

**MINUTES of MEETING of ARGYLL AND BUTE COUNCIL held in the COUNCIL CHAMBER,
KILMORY, LOCHGILPHEAD
on THURSDAY, 27 NOVEMBER 2014**

Present: Councillor Len Scoullar (Chair)

Councillor Gordon Blair	Councillor Donald MacMillan
Councillor Rory Colville	Councillor Iain Stewart
Councillor Maurice Corry	MacLean
Councillor Robin Currie	Councillor Alex McNaughton
Councillor Vivien Dance	Councillor James McQueen
Councillor George Freeman	Councillor Bruce Marshall
Councillor Anne Horn	Councillor Aileen Morton
Councillor Donald Kelly	Councillor Ellen Morton
Councillor John McAlpine	Councillor Gary Mulvaney
Councillor Roderick McCuish	Councillor Douglas Philand
Councillor Iain Angus MacDonald	Councillor Elaine Robertson
Councillor Alistair MacDougall	Councillor James Robb
Councillor Robert E Macintyre	Councillor Sandy Taylor
Councillor Robert G MacIntyre	Councillor Richard Trail
	Councillor Dick Walsh

Attending: Sally Loudon, Chief Executive
Douglas Hendry, Executive Director – Customer Services
Cleland Sneddon, Executive Director – Community Services
Pippa Milne, Executive Director – Development and Infrastructure Services
Charles Reppke, Head of Governance and Law
Bruce West, Head of Strategic Finance
Jim Robb, Head of Adult Care
Louise Long, Head of Children and Families
Donald MacVicar, Head of Community and Culture
Elaine Garman, Public Health Specialist, NHS Highland
Dr Jenny Wares, Public Health Speciality Registrar, NHS Highland
Martin Caldwell, Chair of Audit Committee

The Provost invited Councillor Vivien Dance to inform the Council of trophies that had recently been awarded. Councillor Dance advised that following Argyll and Bute Council's success at the Scottish National Renewables Awards last year when the Council won awards for Biomass and Hydro Power she was pleased to announce that this year the Council had been very successful winning three awards for Hydro Power, Wind Power and Solar Thermal Power. She paid tribute to the staff involved and presented the awards for display in the Provost's Office.

The Provost announced that the Council were raising a white flag at Kilmory from 25 November to 10 December 2014 to show support for the White Ribbon Campaign – men working to end violence against women. He invited Councillor Anne Horn who represented the Council on Argyll and Bute Women's Aid to say a few words about this campaign. Councillor Horn gave a short speech on the

White Ribbon Campaign and thanked colleagues for showing their support by wearing white ribbons.

The Provost announced that Argyll and Bute Council had won the silver award at the Institute of Revenues, Ratings and Valuations Performance Awards 2014 in the Excellence Innovation category. He invited Councillor Robin Currie to say a few about the awards ceremony he had attended. Councillor Currie confirmed that he had attended the Gala Awards Ceremony in Telford with Fergus Walker, Margaret Thomson and Kelly Ferns. The award was for the innovation of joint working between the Housing and Council Tax teams to bring empty homes back into use. He advised that in addition to this award he had just heard that the Initiative had also been named Outstanding Overall Project at the Scottish Empty Homes Partnership Conference earlier today.

The Provost ruled, and the Council agreed, to consider an urgent item of business in respect of Oban CHORD by reason of the need to award contracts. It was agreed to consider this report after item 19 of this Minute.

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Michael Breslin, Mary-Jean Devon, David Kinniburgh, Duncan MacIntyre, Neil MacIntyre and Isobel Strong.

2. DECLARATIONS OF INTERESTS

There were no declarations of interest.

3. OBAN NORTH AND LORN BY-ELECTION

The Returning Officer reported on the results of the election for the return of a Councillor to Ward 5 – Oban North and Lorn which was held on 23 October 2014. Iain Stewart MacLean was duly elected a Councillor to the ward and the Provost congratulated Councillor MacLean on his election.

4. NHS HIGHLAND DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT 2014

The Council heard a presentation by Ms Elaine Garman of NHS Highland on the Annual Argyll and Bute Public Health Report which was tabled for Members. Members asked questions which were answered by Ms Garman and Dr Jenny Wares and the Provost thanked them for the informative presentation.

Councillor Maurice Corry joined the meeting during the question and answer session of the foregoing item.

5. MINUTES

The Minutes of the Argyll and Bute Council of 25 September 2014 were approved as a correct record.

6. MINUTES OF COMMITTEES

(a) POLICY AND RESOURCES COMMITTEE HELD ON 30 OCTOBER 2014

The Minutes of the Policy and Resources Committee held on 30 October 2014 were noted.

Arising from item 10, the Council –

1. Endorsed the following 3 principles:
 - Services will be delivered as “digital first” and customers who can will be enabled and encouraged to self-service;
 - Customers who are unable to self-service will be assisted to access services so they are not disadvantaged;
 - Service access, delivery and associated business processes will be re-designed to improve performance and productivity and to reflect the above two principles.
2. Agreed the supporting draft action plans at appendices 1 and 2 to the report.

(b) ENVIRONMENT, DEVELOPMENT AND INFRASTRUCTURE COMMITTEE HELD ON 13 NOVEMBER 2014

The Minutes of the meeting of the Environment, Development and Infrastructure Committee held on 13 November 2014 were noted.

Arising from item 4, the Council –

Endorsed the decision of the Committee that Transport Scotland and the Scottish Government be asked to provide a permanent solution for the Rest and Be Thankful and requested the Executive Director – Development and Infrastructure Services to write to the Scottish Government in these terms in order to add weight to the petition submitted by Argyll First.

7. LEADER'S REPORT

The Council considered the Leader's report which outlined key activities undertaken within the role of Leader since 25 September 2014 through participation in meetings as follows: COSLA HR Executive, COSLA Leaders, COSLA Resources and Capacity Executive, Argyll and Bute Economic Summit, COSLA Convention and a Video Conference with MEPs.

Decision

The Council:-

1. Noted the report and that additional documents were available in a Leaders Report Pack through the Leadership Support Officer; and

2. Noted that COSLA papers would continue to be available to view in the Members Support room each Monday after COSLA meetings were held.

(Reference: Report by Leader of the Council dated 18 November 2014, submitted)

8. POLICY LEAD COUNCILLORS' REPORTS

(a) REPORT BY POLICY LEAD COUNCILLOR FOR ADULT CARE

The Council considered a report by the Policy Lead Councillor for Adult Care, Councillor Douglas Philand, which provided an update on issues he had been involved with from 1 March to 30 November 2014. Councillor Philand responded to a number of questions arising from his report.

Decision

The Council noted the content of the report.

(Reference: Report by Policy Lead Councillor for Adult Care dated 5 November 2014, submitted)

(b) REPORT BY POLICY LEAD COUNCILLOR FOR CHILDREN AND FAMILIES

The Council considered a report by the Policy Lead Councillor for Children and Families which outlined a number of activities she had been involved with during 2013/14.

Decision

The Council:-

1. noted the content of the report; and
2. noted that, in Councillor Devon's absence, Members should contact Councillor Devon direct if they had any questions arising from her report.

(Reference: Report by Policy Lead Councillor for Children and Families dated 4 November 2014, submitted)

(c) REPORT BY POLICY LEAD COUNCILLOR FOR EDUCATION, LIFELONG LEARNING AND STRATEGIC IT SERVICES

The Council considered a report by the Policy Lead Councillor for Education, Lifelong Learning and Strategic IT which outlined a number of activities she had been involved with from 14 April to 7 November 2014. Councillor Morton responded to a number of questions arising from her report.

Decision

The Council noted the content of the report.

(Reference: Report by Policy Lead Councillor for Education, Lifelong Learning and Strategic IT dated 7 November 2014, submitted)

9. CHIEF SOCIAL WORK OFFICE REPORT 2013/14

The Chief Social Work Officer is required to ensure the provision of appropriate professional advice in the discharge of local authorities' statutory Social Work duties. Part of the remit is to present an annual report to the Council to highlight issues related to performance and strategic development issues in the context of national policy and changes in legislation. The Chief Social Work Officer, Jim Robb, presented his report for 2013/14.

Decision

The Council noted the report and presentation.

(Reference: Report by Chief Social Work Officer dated 2013/14, submitted)

Councillor Elaine Robertson left the meeting at this point.

The Provost ruled, and the Council agreed, to consider the Audit Committee's Annual Report prior to consideration of the rest of the business and he invited Martin Caldwell, Chair of the Audit Committee to present the report.

10. AUDIT COMMITTEE ANNUAL REPORT 2013-14

The Council considered a report presented by the Chair of the Audit Committee which provided an overview of the Audit Committee's activity during the financial year 2013/14 and which gave Members assurance that the Committee continued to discharge its duties in accordance with published guidance.

Decision

The Council:-

1. noted the opinion of the Audit Committee that substantial assurance can be placed upon the adequacy and effectiveness of the Council's internal control system in 2013/14; and
2. recorded their appreciation of the work undertaken by the Chair and Vice Chair of the Audit Committee with the Audit Team on behalf of the Council.

(Reference: Report by Chair of Audit Committee, submitted)

11. STRATEGIC HOUSING INVESTMENT PLAN 2015 - 2020

In June 2014 the Scottish Government issued revised guidance to all local authorities on the process and procedures for the administration of the affordable housing supply programme. It also issued revised guidance on the preparation of Strategic Housing Investment Plans (SHIP) in July 2014. Consideration was given to a report which set out for Members the key proposals contained within the SHIP 2015-2020 which the Council are required to submit to the Scottish Government by 28 November 2014. The report also set out proposals for resourcing the SHIP including revisions to the contribution to the programme from the Strategic Housing Fund and Rural Housing Development Fund.

Motion

To approve:-

1. The SHIP 2015-2020 for submission to the Scottish Government as the basis for the Strategic Local Programme Agreement; and
2. Revisions to the Strategic Housing Fund and Rural Housing Development Fund grants to supplement the Affordable Housing Supply Programme and bring empty homes back into use.

Moved by Councillor Robin Currie, seconded by Councillor Ellen Morton

Amendment

1. To agree the submission of the SHIP 2015-2020 to the Scottish Government as the basis for the Strategic Local Programme Agreement; and
2. To approve revisions to the Strategic Housing Fund and Rural Housing Development fund grant to supplement the Affordable Housing Supply Programme and bring empty homes back into use.

Moved by Councillor James Robb, seconded by Councillor Richard Trail

On a show of hands vote the Motion was carried by 17 votes to 7 and the Council ruled accordingly.

Decision

The Council approved:-

1. The SHIP 2015-2020 for submission to the Scottish Government as the basis for the Strategic Local Programme Agreement; and
2. Revisions to the Strategic Housing Fund and Rural Housing Development Fund grants to supplement the Affordable Housing Supply Programme and bring empty homes back into use.

(Reference: Report by Executive Director – Community Services dated 27 November 2014, submitted)

Prior to the vote being taken on the foregoing item Councillors John McAlpine, Robert E Macintyre and Bruce Marshall left the meeting.

Councillor Anne Horn left the meeting at this point.

12. COMPOSITION OF THE COUNCIL

The Council considered a report outlining the updated Political Composition of the Council.

Decision

The Council noted the report.

(Reference: Report by Executive Director – Customer Services dated 19 November 2014, submitted)

13. VACANCIES ON COMMITTEES AND OUTSIDE BODIES

The Council considered a report inviting nominations to be made to a number of vacancies which existed on Committees and Outside Bodies.

Decision

The Council:-

1. Agreed to appoint Members to the following positions:-

Policy and Resources Committee – Councillor Richard Trail
Community Services Committee – to be filled by the new Member elected following the Ward 1 By Election
Dunbartonshire and Argyll & Bute Valuation Joint Board Substantive Member – to be filled by the new Member elected following the Ward 1 By Election
HITRANS – Highlands and Islands Transport Partnership Substantive Member – Councillor Robert G MacIntyre
Strathclyde Concessionary Travel Scheme Joint Committee Substantive Member – Councillor Robert G MacIntyre

2. Noted that the Leader will advise the Executive Director – Customer Services of the appointment of a Member of the Administration to the Performance Review and Scrutiny Committee vacancy in due course.

(Reference: Report by Executive Director – Customer Services dated 28 October 2014, submitted)

Councillors Iain Angus MacDonald and James Robb left the meeting at this point.

14. PROGRAMME OF MEETINGS 2015/16

The Council considered a report inviting approval of a draft Programme of Meetings for the year 2015/16.

Decision

The Council:-

1. approved the Programme of Meetings for 2015/16 with the exception of the dates recommended for the Area Community Planning Group meetings; and
2. agreed to delegate finalisation of the Area Community Planning Group meeting dates to the Executive Director – Customer Services in consultation with the Area Chairs.

(Reference: Report by Executive Director – Customer Services dated 28 October 2014, submitted)

15. COSTS AND SAVINGS FROM EARLY DEPARTURES FROM COUNCIL EMPLOYMENT 2013/14

The Council considered a report which provided information on the costs and savings associated with early departures from Council employment due to early retirement or redundancy between April 2013 and March 2014.

Decision

The Council noted the contents of the report.

(Reference: Report by Executive Director – Customer Services dated 3 November 2014, submitted)

16. AUDITED ACCOUNTS 2013-14

The Council considered a report which advised that the external auditors, Audit Scotland, had completed their audit of the Council's accounts for the year to 31 March 2014. The audited accounts incorporating the audit certificate for 2013-14 were also submitted and the audit certificate contained no qualifications.

Decision

The Council noted the audited accounts and the terms of the audit certificate.

(Reference: Report by Head of Strategic Finance, submitted)

17. EXTERNAL AUDIT ANNUAL REPORT 2013-14

The Council considered a report which introduced the external auditors

annual audit report for 2013/14.

Decision

The Council noted the annual audit report for 2013/14.

(Reference: Report by Audit Scotland dated October 2014, submitted)

18. FLAG FLYING POLICY

The Council considered a recommendation from the Bute and Cowal Area Committee that a full and urgent review of the Council's Flag Flying Policy be undertaken.

Motion

To take no action and maintain the status quo.

Moved by Councillor Dick Walsh, seconded by Councillor Ellen Morton

Amendment

To carry out a review of the Council's Flag Flying Policy.

Moved by Councillor Richard Trail, seconded by Councillor Gordon Blair

On a show of hands vote the Motion was carried by 18 votes to 4 and the Council resolved accordingly.

Decision

The Council agreed to take no action and maintain the status quo.

(Reference: Extract from Minutes of Bute and Cowal Area Committee meeting held on 7 October 2014, submitted)

Councillor George Freeman left the meeting at this point.

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following 2 items of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraphs 8 & 9; and 8 & 9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

19. CAMPBELTOWN CHORD BERTHING FACILITY

The Council considered a recommendation from Mid Argyll, Kintyre and the Islands Area Committee in respect of the CHORD Campbeltown Berthing Facility Project.

Decision

Agreed the recommendations detailed at paragraph 3 of the Executive

Director's report.

(Reference: Extract from Minutes of Mid Argyll, Kintyre and the Islands Area Committee of 5 November 2014 and report by Executive Director – Development and Infrastructure Services dated 3 November 2014, submitted)

20. OBAN CHORD PROJECT UPDATE

The Council considered a recommendation from Oban, Lorn and the Isles Area Committee in respect of the Oban CHORD Project.

Decision

Agreed the recommendations detailed at paragraph 3.1 of the Executive Director's report.

(Reference: Extract from Minutes of Oban, Lorn and the Isles Area Committee of 21 November 2014 and report by Executive Director – Development and Infrastructure Services dated 17 November 2014, submitted)