

MINUTES of SPECIAL MEETING of ARGYLL AND BUTE COUNCIL held ON A HYBRID BASIS IN THE COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD AND BY MICROSOFT TEAMS on FRIDAY, 20 DECEMBER 2024

Present: Councillor Dougie Philand (Chair)

| | |
|-----------------------------------|---------------------------------|
| Councillor John Armour | Councillor Paul Donald Kennedy |
| Councillor Gordon Blair | Councillor Reeni Kennedy-Boyle |
| Councillor Jan Brown | Councillor Jim Lynch |
| Councillor Math Campbell-Sturgess | Councillor Luna Martin |
| Councillor Garret Corner | Councillor Tommy MacPherson |
| Councillor Maurice Corry | Councillor Liz McCabe |
| Councillor Audrey Forrest | Councillor Dougie McFadzean |
| Councillor Kieron Green | Councillor Julie McKenzie |
| Councillor Amanda Hampsey | Councillor Yvonne McNeilly |
| Councillor Daniel Hampsey | Councillor Ross Moreland |
| Councillor Graham Hardie | Councillor Gary Mulvaney |
| Councillor Anne Horn | Councillor Iain Shonny Paterson |
| Councillor Fiona Howard | Councillor Gemma Penfold |
| Councillor Willie Hume | Councillor Alastair Redman |
| Councillor Mark Irvine | Councillor William Sinclair |
| Councillor Andrew Kain | Councillor Andrew Vennard |
| Councillor Jennifer Kean | Councillor Peter Wallace |

Attending: Pippa Milne, Chief Executive
Douglas Hendry, Executive Director
Kirsty Flanagan, Executive Director
David Logan, Head of Legal and Regulatory Support
Carolyn Earl, Interim Head of Financial Services
Fergus Murray, Head of Development and Economic Growth
Shona Barton, Governance Manager
Ishabel Bremner, Economic Growth Manager

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ian MacQuire.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

Councillor Yvonne McNeilly joined the meeting during discussion of agenda item 3 (Audited Annual Accounts for the year ended 31 March 2024).

3. AUDITED ANNUAL ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2024

The Council gave consideration to a report providing an update on the external audit of the Annual Accounts for the Council for the year ended 31 March 2024 and to a recommendation from the Audit and Scrutiny Committee held on 17 December 2024.

Decision

The Council –

1. noted that the audit was substantially complete and that Forvis Mazars have advised the Council that they are expecting to issue an unqualified opinion on the Council's Annual Accounts for the year ended 31 March 2024;
2. noted Forvis Mazars Annual Audit Report, given in Appendix 2 to the submitted report;
3. authorised for issue, the Council's Audited Annual Accounts for the year ended 31 March 2024, on the basis that no material changes were anticipated to arise from the follow up letter from Forvis Mazars, otherwise the Audited Annual Accounts would be referred back to Members for approval; and
4. approved for signature the Letter of Representation, included as Appendix 4 to the submitted report.

(Reference: Report by Section 95 Officer dated December 2024, submitted)

4. TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY - MID YEAR REVIEW REPORT 2024/25

The Council gave consideration to the Treasury Management Strategy and Annual Investment Strategy Mid-year Review Report and to a recommendation from the meeting of the Audit and Scrutiny Committee held on 17 December 2024.

Decision

The Council agreed the recommendation from the Audit and Scrutiny Committee –

1. that the report and the treasury activity during the period 1 April to 30 September 2024 be noted; and
2. that the changes to prudential indicators at set out in paragraph 5.4 of the report are approved.

(Reference: Recommendation from meeting of the Audit and Scrutiny Committee held on 17 December 2024 and report by Section 95 Officer dated 29 November 2024, submitted)

5. AUDIT AND SCRUTINY COMMITTEE ANNUAL REPORT 2023/24

The Council gave consideration to a report which presented the Chair of the Audit and Scrutiny Committee's annual overview of the Committees activity during the financial year 2023/24 and a summary of key developments since the commencement of 2024/25. The report set out how the Committee had fulfilled its remit and provided assurances to the Council.

Decision

The Council endorsed the Annual Report by the Chair of the Audit and Scrutiny Committee.

(Reference: Report by Chair of Audit and Scrutiny Committee dated 3 December 2024, submitted)

Councillor Iain Shonny Paterson joined the meeting during discussion of agenda item 6 (Argyll and Bute Council Draft Visitor Levy Scheme).

6. ARGYLL AND BUTE COUNCIL DRAFT VISITOR LEVY SCHEME

The Council gave consideration to a report providing a draft Visitor Levy Scheme and all associated paperwork for discussion and which sought approval for the draft Visitor Levy Scheme to go out to a 12 week public consultation in early January 2025.

Motion

The Council:

1. Notes the report on an Argyll and Bute Draft Visitor Levy Scheme, the related impact assessments and formal consultation documents outlined in Appendices 1, 2 and 3.
2. Notes the Scottish Tourism Alliance (STA) visitor levy policy position as referred to by the Executive Director in her presentation.
3. Acknowledges the feedback provided by all those who took part in the pre-consultation survey and stakeholder workshops and, in addition, the range of views, for and against, shared by local residents and businesses.
4. Agrees the draft Argyll and Bute Council Visitor Levy Scheme formal consultation document (Appendix 3), with reference to all appropriate content (Appendices 1 and 2), to go to a formal, 12-week public consultation in early January 2025.

Moved by Councillor Jim Lynch, seconded by Councillor Ross Moreland.

Amendment 1

Members having considered the report:

1. Agree to note the content of the paper.
2. Expresses strong opposition to the introduction of any Visitor Levy Scheme within Argyll and Bute, considering the negative economic and administrative impacts such a levy would have on the tourism industry, local businesses, and residents.
3. Rejects the need for any further consultation on the Visitor Levy Scheme, deeming it an unnecessary expense and an undue burden on council resources.
4. Instructs officers to discontinue any plans related to the preparation, consultation, or implementation of a Visitor Levy Scheme.
5. Calls on the Council Leader to strongly advocate to the Scottish Government and other relevant authorities against imposing a Visitor Levy on local authorities, highlighting the potential harm to the tourism-dependent economy of Argyll and Bute.
6. Agrees that no additional council resources or officer time should be allocated to developing or promoting a Visitor Levy Scheme.

Moved by Councillor Daniel Hampsey, seconded by Councillor Garret Corner.

Amendment 2

Agree to proceed to consultation on the basis set out in the report subject to

1. agree to a 12month consultation period.
2. to be run in tandem with ongoing engagement with accommodation providers, stakeholders, and with regular reporting on progress to the Council's Policy and Resources Committee throughout the period of the consultation.

This will allow Members, at intervals throughout the 12month period, the opportunity to digest and scrutinise, the much-needed data-based analysis to determine the schemes complexities before making an informed decision to introduce a Visitor Levy or not.

Moved by Councillor Tommy Macpherson, seconded by Councillor Fiona Howard.

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

| Motion | Amendment 1 | Amendment 2 |
|------------------------|--------------------|--------------------|
| Cllr Armour | Cllr Corner | Cllr Howard |
| Cllr Blair | Cllr Corry | Cllr Macpherson |
| Cllr Brown | Cllr A Hampsey | |
| Cllr Campbell-Sturgess | Cllr D Hampsey | |
| Cllr Forrest | Cllr Kean | |
| Cllr Green | Cllr McCabe | |
| Cllr Hardie | Cllr McNeilly | |
| Cllr Horn | Cllr Mulvaney | |
| Cllr Hume | Cllr Penfold | |
| Cllr Irvine | Cllr Redman | |
| Cllr Kain | Cllr Vennard | |
| Cllr Kennedy | Cllr Wallace | |
| Cllr Kennedy-Boyle | | |
| Cllr Lynch | | |
| Cllr Martin | | |
| Cllr McFadzean | | |
| Cllr McKenzie | | |
| Cllr Moreland | | |
| Cllr Paterson | | |
| Cllr Philand | | |
| Cllr Sinclair | | |

Decision

The Motion received 21 votes, Amendment 1 received 12 votes and Amendment 2 received 2 votes. The Motion having received an overall majority in terms of those Members present and voting, the Council resolved accordingly.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 4 December 2024, submitted)

Councillor Amanda Hampsey left the meeting during discussion of agenda item 7 (Learning Estate Investment Programme (LEIP) – Mull Campus Update).

7. LEARNING ESTATE INVESTMENT PROGRAMME (LEIP) - MULL CAMPUS UPDATE

The Council gave consideration to a report providing an update on the Learning Estate Investment Programme (LEIP) Mull 2 – 18 campus project which was at site selection stage.

Decision

The Council -

1. Acknowledged the work done to date to progress this significant project which aims to deliver a new campus for Mull;
2. Welcomed the engagement that has taken place and thanks the residents and communities who have taken time to share and contribute their views;
3. Noted that the possibility of a split-site option for the Mull Campus was raised as part of the engagement work and has been explored in both educational benefit terms and the Scottish Government's Learning Estate Investment Programme (LEIP) funding metrics;
4. Having regard to the information provided in respect of educational benefits elements and funding metrics, and the advice of the Council's Chief Financial Officer that a two-site Mull Campus would not be affordable, agreed that the process would continue on a single-site basis for delivery of a new Mull Campus;
5. Noted the unanimous view of the community in Iona in relation to their removal from the scope of the project, and agreed that this is given effect to;
6. Agreed the updated timeline set out in the report in relation to a further paper with recommendations in relation to a site for the Mull Campus being brought forward for consideration by the full Council.

(Reference: Report by Executive Director with responsibility for Commercial Services and Education dated 6 December 2024, submitted)

8. APPOINTMENT OF A RECRUITMENT PANEL FOR THE HEAD OF ROADS AND INFRASTRUCTURE SERVICES

The Council gave consideration to a report inviting the establishment of an Appointments Panel to appoint to the post of Head of Roads and Infrastructure Services.

Decision

The Council –

1. agreed to establish an Appointments Panel for the recruitment to the post of Head of Roads and Infrastructure Services;
2. nominated Councillors Jim Lynch and John Armour from the Administration and Councillor Gary Mulvaney from the opposition to the Appointments Panel; and
3. nominated Councillors Audrey Forrest and Ross Moreland from the Administration and Councillor Peter Wallace from the opposition as substitute members.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 20 December 2024, submitted)

9. REVISION OF ARGYLL AND BUTE COUNCIL'S SHORT-TERM LET LICENSING POLICY

The Council gave consideration to a recommendation from the meeting of the Planning, Protective Services and Licensing Committee held on 18 December 2024 in relation to a revised Short-Term Let Licensing Policy.

Decision

The Council approved the revised Short-Term Let Licensing Policy as per the recommendation from the Planning, Protective Services and Licensing Committee.

(Reference: Recommendation from Planning, Protective Services and Licensing Committee held on 18 December 2024; and report by Executive Director with responsibility for Development and Economic Growth dated 2 December 2024, submitted)

Councillor Luna Martin left the meeting during discussion of agenda item 9 (Revision of Argyll and Bute Council's Short-term Let Licensing Policy).

The Provost advised that in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, the recommendations contained at item 10(b) of the agenda would require him to exclude the press and public should any Member wish to discuss the content of those recommendations on the grounds that they were likely to involve the disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

Having noted that the Council wished to discuss the content of the recommendations contained at item 10(b) of the agenda, the Council agreed that the press and public be excluded for the following item of business.

Councillor Amanda Hampsey re-joined the meeting for discussion of agenda item 10 (Oban Airport Business Park).

10. OBAN AIRPORT BUSINESS PARK

The Council gave consideration to a recommendation from the meeting of the Policy and Resources Committee held on 5 December 2024 in relation to Oban Airport Business Park.

Decision

The Council agreed the recommendation from the meeting of the Policy and Resources Committee held on 5 December 2024 as detailed within item 14(b) of the agenda.

(Reference: Recommendation from Policy and Resources Committee held on 5 December 2024; and report by Executive Director with responsibility for Commercial Services and Executive Director with responsibility for Development and Economic Growth dated 28 November 2024, submitted)