

**ARGYLL COMMUNITY HOUSING ASSOCIATION
BOARD OF MANAGEMENT MEETING**

Thursday 11th September 2014 at 10.30am, Argyll Hotel, Inveraray

Minute

Present:

Mike Brown (Chair)
Jim Milne (Vice chair)
Councillor Roddy McCuish (Secretary)
Lorraine Anne Drysdale (Finance and Audit Chair)
Andy Birnie
Colin Davidson
Stafford Day
Cameron Grant
Danny Kelly
Margaret MacGregor
Councillor Donnie MacMillan
Councillor Bruce Marshall
Douglas Prophet
Councillor Sandy Taylor
Councillor Richard Trail
Kate Winton

Not in Attendance:

None

In Attendance:

Alastair MacGregor, Chief Executive
Allan MacDonald, Finance Manager
Christine Johnston, Director of Housing & Neighbourhood Services
Colette Benham, Director of Human Resources & Corporate Services
Linda Haig, Director of Investment and Regeneration
Gayle Stead, Governance & Compliance Manager
Lesley Lindsay, PA to Board of Management

The Chair advised that Allan MacDonald, Finance Manager would be standing in for the Director of Finance & IT

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| 1. | Apologies Archie Blair | |
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| 2. | <p>Minutes of Previous Meeting – 14th August 2014 Page 10 – Item 10 – fourth paragraph insert “it” between “if” and “was”</p> <p>Subject to the above amendment, the Board of Management APPROVED the minute as true and accurate record.</p> <p>Proposed by: Lorraine-Anne Drysdale Seconded by: Margaret MacGregor</p> | Lesley |
| 3. | <p>Matters Arising The Chair stated that following discussion with the Officer Bearers, it had come to light there was a difference of opinion of which staff were deemed to be Senior Staff in relation to attendance at Area Committee meetings. The Chairs of the Area Committees thought Senior Staff were the Chief Executive and Directors but had been made aware it also included Regional Managers. The Chair proposed that a Local Manager facilitated the Area Committee meetings.</p> <p>Colin Davidson thanked the Chair for raising the matter and drew the Board’s attention to Page 6 of the August minute and the proposal agreed in relation to Senior Staff attendance at Area Committee meetings. He advised the formal motion stated a “reduction in Senior Staff involvement”. He added that it had not been the intention of the proposal to have no Senior Staff in attendance. Colin stated that Regional Managers should continue to facilitate the meetings with only the Chief Executive and Directors not being required to attend.</p> <p>The Chief Executive clarified that Senior Staff incorporated the Chief Executive, Directors and Regional Managers.</p> <p>The Chair stated that in order to re-visit the decision made by the Board, two thirds of Board members would be required to be in agreement. A vote took place: 10 members voted to re-visit the decision 4 members voted against re-visiting the decision</p> <p>The Secretary asked why Area Committees wished Regional Managers to facilitate the meetings when the Committees could be well serviced by staff of a different grade.</p> <p>Danny Kelly stated that the Regional Manager servicing the</p> | |

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| | <p>Helensburgh & Lomond Area Committee did a very good job and in his view it was important to have a member of staff of that level in attendance.</p> <p>Andy Birnie stated the Oban, Lorn & Isles Area Committee wished the Regional Manager to continue to attend meetings. Councillor Donnie MacMillan agreed on behalf of the Mid Argyll & Kintyre Area Committee.</p> <p>Douglas Prophet stated the last Area Committee meeting he attended had been the first time he had been made aware that no staff, with the exception of administration, would be servicing the Committees. He stated it was very important that a manager was in attendance to answer questions raised.</p> <p>The Secretary stated that a Local Manager would be in attendance to answer questions. He further stated that on most occasions the Regional Manager obtained the information from the Local Manger and suggested removing the need for the “middle person”.</p> <p>The Director of Housing & Neighbourhood Services reminded the Board there were two Local Managers within most of the offices and the Area Committees would be required to highlight which Local Manager they wished to attend.</p> <p>Cameron Grant commented it was very useful to have a Regional Manager in attendance.</p> <p>The Vice Chair stated the discussion was in danger of going round in circles and proposed the facilitation of Area Committees by a Local Manager with the flexibility to invite a Regional Manager to attend when required.</p> <p>Councillor Bruce Marshall asked how many times per year the Area Committees met. The Chair advised each Area Committee met six times per year. Colin Davidson stated the Mid Argyll & Kintyre Area Committee were suggesting reducing the number of meetings be reduced to four per year but that would be discussed under item 12.</p> <p>The Chief Executive advised that Regional Managers had a considerable number of other responsibilities and Local Managers had the knowledge required to service the Committees and would be perfectly competent.</p> | |
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Stafford Day agreed with the Vice Chair's proposal.

The Chair put forward a formal proposal for Local Managers to service the Area Committees with the flexibility to have a Regional Manager attendance when required.

The Vice Chair seconded the proposal.

Colin Davidson proposed an amendment, that the status quo should remain in relation to Area Committee servicing and Regional Managers would be required to attend. Cameron Grant seconded the amended proposal.

A vote was taken:

The Chair's proposal:

For 11

Against 4

Colin Davidson's amendment:

For 4

Against 8

As a result of the vote taken, the Board of Management **AGREED** that Local Managers would facilitate Area Committee meetings with the flexibility to invite a Regional Manager to attend when required.

Danny Kelly asked who would invite the Regional Manager to attend. The Chief Executive stated procedure would be to invite the Regional Manager through the Chair of the Area Committee, if required.

Page 2 – Rockfield – the Chief Executive advised that the Council's Area Committee had met yesterday to discuss Rockfield under a closed session. The Board were advised the Chief Executive had received information that the Area Committee had taken the decision that their preferred bidder was Oban Communities Trust and had allowed them until Christmas to produce a business plan. The Chief Executive recommended, as a result of the decision taken, that the Association could no longer continue with the proposal to build 37 new properties on the former school site. The Board were advised that alternative proposals were available and would be raised under Item 14.1 on the agenda.

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| | <p>The Secretary advised the Rockfield decision had been taken under an exempt item by two Mull Councillors and two Councillors from other wards. He confirmed no Councillors from the Rockfield ward had been in attendance. He conveyed his disappointment to the Board given the time that ACHA had spent on the proposal and the benefits that it would have brought to Oban.</p> <p>Page 4 – Item 7 – the Chief Executive advised a survey of Dalriada House, Lochgilphead had been commissioned and the outcome would be presented to the Board for consideration along with a full report.</p> <p>Page 6 – Item 7.1 – the Chair stated that the wording to Recommendation 5 be amended to read: The Board of Management AGREED to holding four Finance & Audit Committee meetings per year along with four Strategic Planning meetings. Both sets of meets would be held in the afternoon following a Board meeting. The Board of Management further AGREED the main financial business would be dealt with by the Board of Management.</p> <p>Margaret MacGregor asked whether future Board meetings were to be held in Lochgilphead. The Chief Executive advised an appropriate meeting facility was available within Dalriada House but the Board would require to make a decision on the future venue of meetings.</p> <p>Danny Kelly asked whether the staff from the Ardrishaig office would move to Dalriada House in the future. The Chief Executive advised it was likely they would. He added that the Ardrishaig office would be used for another purpose or disposed of.</p> | Lesley |
| 4. | <p>Minutes of Finance & Audit Committee for Ratification – 10th July 2014</p> <p>The Board of Management ratified the minute.</p> | |
| 5. | <p>Conflict of Interest to Declare</p> <p>None</p> | |
| 6. | <p>Correspondence</p> <p>Letter from SHR and Chair's response</p> <p>The Board of Management NOTED the contents of the letter from the Scottish Housing Regulator along with the Chair's</p> | |

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| | reply. The Chair advised he would keep the Board updated on any future correspondence received. | |
| 7. | <p>Cancelled Memberships</p> <p>The Board of Management NOTED the cancellation of three members.</p> <p>The Board of Management NOTED the current membership total as at 3rd September 2014 was 268.</p> | |
| 8. | <p>Statement by Secretary</p> <p>The Board of Management NOTED the contents of the statement by the Secretary confirming Rules 68 – 72 have been followed.</p> | |
| 9. | <p>Chief Executive's Presentation</p> <p>The Chief Executive gave a presentation covering:</p> <ul style="list-style-type: none"> • Key Updates • External Updates <p>The Chief Executive thanked the Director of Investment & Regeneration and her team for the work undertaken in relation to Rockfield, along with Douglas Hendry and Malcolm MacFadyen (Argyll & Bute Council). The Chief Executive stated he was disappointed at the decision taken by Councillors. The Board were advised ACHA's feasibility study had indicated around £5.2million would require to have been spent to facilitate the new housing.</p> <p>All members in attendance were provided with a copy of the Chief Executives presentation.</p> <p>The Chair advised he had visited the Rothesay office site earlier in the year and stated he thought the timescale for the refurbishment was optimistic. The Director of Investment & Regeneration confirmed she had no concerns over the timeline.</p> | |
| 9.1 | <p>AGM Update</p> <p>The Chief Executive advised that three Tenant nomination forms had been received from Mike Brown, Douglas Prophet and John Muir. He stated that as the number of nomination forms received had not exceeded the number of tenant vacancies, there was no requirement to hold a ballot. The Board were</p> | |

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| | <p>advised there would be two Tenant vacancies remaining.</p> <p>The Board were advised that four Independent nomination forms had been received from Stafford Day, Archie Blair, Danny Kelly and Michael Roberts. The Chief Executive advised that following the AGM, the Board would be required to decide which Independent members would fill the three vacancies.</p> <p>The Board were advised that to date, 95 apologies had been received and 31 members had indicated they would be attending. The Board of Management noted that if 31 members attended the meeting the quorum would be fulfilled.</p> <p>The Chief Executive advised that staff would be available at the AGM to answer any questions raised by members.</p> <p>The Secretary asked whether the proposed reduction to Council nominees would take place at the AGM. The Chief Executive advised that he had written to Charles Reppke of Argyll and Bute Council to seek the Council's opinion on reducing the number of Council nominees. He stated he would advise the Board once a response had been received.</p> | |
| 9.2 | <p>Scottish Housing Regulator Landlord Report</p> <p>The Chief Executive stated he was disappointed the Landlord Report did not contain a contextual analysis. Board members were advised they could view the Scottish Housing Regulator's website to allow comparisons to be made.</p> <p>The Board noted the number of positives contained within the report: SHQS compliance 89%, higher than the Scottish average of 85.4%, 96.8% of tenants who had repairs carried out were satisfied against the Scottish average of 87.6%, number of repairs completed first time 96.9% compared to the Scottish average of 87.2%. The Association's rents were also deemed to be good value for money.</p> <p>The Board of Management also noted the areas of challenge which were below the Scottish average; quality of engagement, service satisfaction and communication. The Chief Executive advised the Association were looking at ways to communicate more effectively with younger tenants in particular. The Vice Chair asked whether participation figures were lower as a result of reducing the newsletter to four per year. The Director of Housing & Neighbourhood Services advised she did not know</p> | |

as there were no comparators available.

The Chief Executive stated that contextual information would have been helpful in relation to void re-let times as the difficult to let voids had not been separated. He advised the figure would have been 27 days if the hard to let voids had been removed.

The Chief Executive advised the Association had a responsibility to prepare a Landlord Report in response which allowed tenants to comment. The Director of Human Resources and Corporate Services advised the Board would be asked to consider the Landlord Report at their October meeting to meet the 31st October deadline for issuing. The Board were reminded that SHBVN would be carrying out a training session on 15th October linked to the Charter.

Councillor Bruce Marshall stated he agreed with the positives in the report but queried why satisfaction levels were lower as Key Performance Indicator information showed satisfaction levels as high. The Chief Executive stated there was dissatisfaction throughout Scotland in relation to the condition of older buildings as opposed to new builds and that the Association's main stock holding was in older properties. He advised that he received few complaints or letters of representation relating to service delivery. Councillor Bruce Marshall stated it would be disappointing for staff.

Colin Davidson agreed with Councillor Marshall and stated that it was encouraging ACHA's rents were lower than the Scottish average. He stated he found it extraordinary that tenants felt they could not participate as there were many routes open to tenants who wished to participate. He questioned how other Housing Association compiled their statistics. The Chair advised he had gone through the ARC completion process along with the Governance and Compliance Manager and confirmed ACHA had inserted true figures. He stated that the way some of the questions were asked highlighted the more negative figures. He added that the comparison facility on the Regulator's website was useful in allowing the Association to compare and recognise areas for improvement. Colin Davidson stated he was not suggesting the Association submitted misleading figures but he suggested looking at how other Housing Associations had compiled their statistics.

The Chair advised where no answer was provided, the figure

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| | <p>showed as a negative.</p> <p>Danny Kelly asked whether the Association could compare figures by area as there had been huge improvements within the Helensburgh and Lomond area. Councillor Bruce Marshall stated there had been huge improvements in every area. Danny Kelly asked whether there were certain areas which could be lowering the figures. The Director of Housing & Neighbourhood Services advised the figures had been obtained from a sample survey of 400 tenants. She confirmed she would provide information split into the four operational areas.</p> <p>Councillor Richard Trail stated the Association's rent levels for one and two apartment properties were lower than the average and questioned whether that was a loss of revenue to the Association. The Director of Housing & Neighbourhood Services stated that ACHA did have a high number of one bedroom properties in comparison to other Associations and the rent for that type of property was traditionally lower. Councillor Trail asked whether it would be worthwhile carrying out a comparison exercise with other rural Housing Associations. The Director of Housing & Neighbourhood Services stated an attempt had been made within Argyll and Bute to compare but Fyne Homes' one bedroom properties were in the main new build so a comparison could not be carried out.</p> <p>The Board of Management NOTED the contents of the SHR Landlord Report.</p> | Christine |
| 10. | <p>Finance and Audit Committee Recruitment</p> <p>The Chair of the Finance & Audit Committee stated at the last Board meeting, Danny Kelly and Colin Davidson had been recruited onto the Finance & Audit Committee. She advised that the Secretary would also become a member.</p> <p>The Board were advised that any further interest in becoming a member of the Finance & Audit Committee should be directed to the Chair of the Committee.</p> | |
| 11. | <p>Key Performance Indicators including Directorate Exception Reports</p> <p>Housing & Neighbourhood Services</p> <p>The Director of Housing & Neighbourhood Services talked the Board through her report and commented on the headline figures for repairs, voids, rent arrears, tenancy sustainment and post inspections.</p> | |

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| | <p>Human Resources & Corporate Services The Director of Human Resources & Corporate Services advised that the absence rate was now on target, turnover was slightly higher than the target. She then covered SPSO Determinations and Notifiable Events.</p> <p>Investment & Regeneration The Director of Investment & Regeneration stated the development programme was progressing well. She stated she would cover the position regarding Rockfield under item 14.</p> <p>Finance & IT The Finance Manager talked the Board through the exception report and highlighted: Right to Buy – 3 properties sold – down against the estimated Business Plan figure of 30 Creditor payments – 26 days against a 28 day target Three main tenders have been issued for tenants home contents insurance, general insurance and legal services Deeplake, the system to allow communication via text messaging went live. The Association hold around 3,400 text numbers. Approximately 47% have responded positively, 2% have advised they do not wish to be contacted by text.</p> <p>The Board of Management NOTED the content of the KPI graphical report and directorate exception reports.</p> | |
| 12. | <p>Partial Rule Amendments The Director of Human Resources & Corporate Services talked the Board through her report and reminded the Board that the track changes in blue related to the changes the Board had agreed at their meeting held on 14th August 2014, the changes in red related to amendments reflecting the 2013 Model Rules compiled by the SFHA and the changes highlighted in yellow related to changes in law where the Co-operative and Community Benefit Societies Act 2014 had replaced the Industrial and Provident Society Acts of 1965 and 1968. The Board were advised the Association's Solicitors had been involved with the proposed rule changes to ensure legal compliance.</p> <p>Colin Davidson advised that at the last meeting of the Mid Argyll & Kintyre Area Committee it had been agreed to propose reducing the number of meetings per annum from six to four to</p> | |

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| | <p>assist in the reduction of costs. Councillor Bruce Marshall seconded the proposal.</p> <p>Councillor Marshall asked what Area Committee attendance levels were like. The Chair advised he had attended all of the Area Committee AGMs and stated that with the exception of one, the AGMs only just managed to be quorate.</p> <p>Andy Birnie stated that if the Area Committee meetings were to be reduced to four per annum with no Regional Manager in attendance, then if the Committee wished a Regional Manager to attend they would have to wait for 12 weeks.</p> <p>Colin Davidson stated he would be willing to withdraw the proposal if required.</p> <p>The Director of Human Resources & Corporate Services advised the number of Area Committee meetings were only mentioned in the Standing Orders. She suggested amending the Standing Orders to read that Area Committees could meet on a minimum of four occasions per year which would allow Area Committees to decide whether they wished to hold four or six.</p> <p>After further discussion, the Board of Management AGREED to remain with the status quo with Area Committee meetings taking place six times per year.</p> <p>The Director of Human Resources & Corporate Services advised the rule change process would take around six months to finalise.</p> <p>The Director of Human Resources & Corporate Services thanked the Board members who had submitted comments in advance of the meeting.</p> <p>56.1 – it was AGREED to insert the track change, currently at the end of the paragraph at the start of 56.1.</p> <p>Subject to the above amendment, the Board of Management APPROVED the track changes in terms of the proposed rule changes.</p> | |
| 12.1 | Code of Conduct Comparisons | |

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| | <p>The Board of Management reviewed the differences between the SFHA Model Code of Conduct for Staff and the Association's document:</p> <p>Point 23 – it was AGREED to remove “we request that” and replace with “you must not”</p> <p>Point 24 – it was AGREED to amend the footnote to reflect the same as the Governing Body member Code of Conduct and replace with “connected person”</p> <p>Point 34 – BTO suggested the existing wording be placed elsewhere or as an appendix. The Board of Management APPROVED the suggestion</p> <p>Point 35 – BTO suggested if this point was to be included that examples should be inserted. The Board of Management APPROVED the suggestion</p> <p>Within the Code of Conduct (4.1.8.) the Board of Management AGREED to replace “de minimus” with a specific figure.</p> <p>Subject to the above amendments, the Board of Management APPROVED all the amendments to the Staff Code of Conduct.</p> <p>The Board of Management reviewed the differences between the SFHA Model Code of Conduct for Governing Body Members and the Association's document:</p> <p>Point 7 – the Board of Management REQUESTED that examples be inserted</p> <p>Point 18 – the Board of Management AGREED to insert “to ensure the organisation's objectives are achieved”</p> <p>Point 28 – the Board of Management AGREED to replace “within 24 hours of the meeting” with “as soon as practically possible taking into account all circumstances”</p> <p>Within the Code of Conduct (15.2) – the Board of Management AGREED to insert “Governing Body” before “member” to provide clarity.</p> <p>The Chair of the Finance & Audit Committee queried why the SFHA Code of Conduct (2.1) referred to “Membership of the governing body of another RSL” as it was her view that a Governing Body Member could not belong to two Boards. The Director of Human Resources & Corporate Services confirmed she would make enquiries to clarify.</p> | <p>Colette</p> |
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| | <p>The Chair thanked the Director of Human Resources & Corporate Services and the Governance & Compliance Manager for their efforts.</p> <p>The Director of Human Resources and Corporate Services stated she was aware there were some typos and further tidying up required, which would be resolved prior to being submitted to the Scottish Housing Regulator along with the minute of the meeting.</p> <p>Subject to the above amendments, the Board of Management APPROVED the changes to the Governing Body Code of Conduct.</p> | |
| 12.2 | <p>SPSO Determination</p> <p>The Board of Management NOTED the content of the SPSO Determination.</p> | |
| 13. | <p>Bowmore New Build Name</p> <p>The Director of Housing & Neighbourhood Services advised the Association had invited pupils from Bowmore Primary School to propose names for the new build project currently on site at Bowmore. Seventy two suggestions were received. At their July meeting, members of the Oban, Lorn & Isles Area Committee decided on “Sealladh Na Mara” as their preferred option. The name is translated from Gaelic as “Sea View”.</p> <p>The Board of Management APPROVED the name choice for submission to the Council and Post Office for final approval.</p> | |
| 13.1 | <p>Naming of Stuckleckie Road Office, Helensburgh</p> <p>The Director of Housing & Neighbourhood Services advised a number of suggestions had been received from staff and Area Committee members. At their September meeting, members of the Helensburgh & Lomond Area Committee decided on Lamont House as their preferred option. The Board were advised the office would be named after a former employee of the Association, Alan Lamont, who had sadly passed away earlier in the year. Cameron Grant advised the Area Committee agreed to a plaque being made providing the background to the name choice for the office.</p> <p>The Chair asked that Mr Lamont’s family members be invited to the opening. The Director of Housing & Neighbourhood Services advised she had spoken with Alan’s widow who had</p> | |

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| | <p>confirmed she would be delighted to attend the opening.</p> <p>The Board of Management APPROVED the name choice for submission to the Council and the Post Office for final approval.</p> | |
| 14. | <p>Monthly Investment Programme Update</p> <p>The Director of Investment & Regeneration talked the Board through her report and advised that an extra section on Exemptions and Abeyances had been included following a request at the August Board meeting.</p> <p>The Board were advised the procurement figure for investment in properties over the next four years was likely to be around £30million. The Director of Investment & Regeneration stated her Department's two key targets were to meet and maintain the SHQS, along with Energy Efficiency Standard for Social Housing (EESH). She advised she would present a report to the October Board meeting covering EESH.</p> <p>The Board were advised that in order to meet the procurement timetable, packages of work would require to be advertised and a framework of contractors put in place. The Director of Investment & Regeneration advised the work packages would be split into the four operational areas.</p> <p>The Director of Investment & Regeneration advised that in order to proceed, the contract notice for lots would be published, PQQ forms would be returned by potential contractors and shortlists presented to the Board.</p> <p>The Director of Investment & Regeneration invited two or three Board members to volunteer to join the evaluation panel, which would consist of Board members along with staff from both Investment & Regeneration and Housing & Neighbourhood Services. The Chair asked that interested members contact the Director of Investment & Regeneration. Board members were advised the size of the task would be dependent upon the level of interest received.</p> <p>Cameron Grant asked when the Roof & Roughcast programme would start in Helensburgh. He was advised it would be after Christmas.</p> <p>Margaret MacGregor asked whether windows would be replaced</p> | <p>Linda</p> <p>All</p> |

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| | <p>while the Roof & Roughcast programme was ongoing in Rothesay. She was advised that window would only be replaced where programmed.</p> <p>The Board of Management NOTED the contents of the report.</p> | |
| 14.1 | <p>Development Update</p> <p>The Director of Investment & Regeneration advised discussion had been ongoing with Argyll and Bute Council in respect of the Strategic Local Programme 2015-18 to agree the core programme.</p> <p>As a result of the decision taken by Argyll and Bute Council on Rockfield, the Association required to take a decision on which “shovel ready” projects from the Shadow Programme to bring forward.</p> <p>The Director of Investment & Regeneration recommended three projects which would deliver and meet the expectations the Association had for Rockfield:</p> <p>Glenshellach Phase 7 – would deliver around 17 properties Connel Phase 2 – would deliver around 10 properties Bowmore Phase 2 – would deliver around 10 properties</p> <p>The Board of Management APPROVED the projects being brought forward from the Shadow Programme.</p> <p>The Board of Management APPROVED the development priorities and housing mix and further APPROVED the Shadow Programme. In addition, the Board of Management NOTED progress on the current development programme.</p> <p>The Finance Manager stated that projects on the Shadow Programme had not been through the Association’s Business Plan.</p> | |
| 14.2 | <p>Memorandum of Understanding – Burcote Wind</p> <p>The Director of Investment & Regeneration stated that Burcote Wind had sought permission to develop a wind farm near Glenbarr and had invited the Association to enter into a Memorandum of Understanding. The Board were advised that following the preparation and issue of the report the local Area Committee had considered and opposed in strong terms the wind farm development.</p> | |

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| | The Board of Management AGREED not to enter into a Memorandum of Understanding with Burcote Wind at the present time. | |
| 15. | A.O.C.B. The Chief Executive brought the Board's attention to the Decision Notice in relation to Dunbritton Housing Association in the Information Pack. The Chief Executive advised that a legal analysis would be formulated and presented to a future Board meeting. | Nick |
| 16. | Date & Time of Next Meeting Thursday 18 th September 2014, following the AGM in the Argyll Hotel, Inveraray Thursday 9 th October 2014 at 10.30am in the Argyll Hotel, Inveraray Margaret MacGregor and Councillors Bruce Marshall and Roddy McCuish submitted their apologies in advance of the October meeting. | |