

**Minutes of Meeting** of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 13 March 2014 at 10.35 am.

**1. Calling of the Roll and Apologies for Absence**  
**A' Gairm a' Chlàir agus Leisgeulan**

Dr D Alston, Mr R Balfour, Mrs J Barclay, Mr A Baxter, Mr I Brown, Mrs C Caddick, Mrs I Campbell, Miss J Campbell, Mrs H Carmichael, Mr A Christie, Mr B Clark, Dr I Cockburn, Mrs G Coghill, Mrs M Davidson, Mr N Donald, Ms J Douglas, Mr A Duffy, Mr D Fallows, Mr G Farlow, Mr B Fernie, Mr M Finlayson, Mr J Ford, Mr C Fraser, Mr L Fraser, Mr H Fraser, Mr J Gordon, Mr B Gormley, Mr K Gowans, Mr A Graham, Mr J Gray, Mr M Green, Mr R Greene, Mr A Henderson, Mr D Hendry, Mr D Kerr, Mr R Laird, Mr B Lobban, Mr C Macaulay, Mrs L MacDonald, Mr J McGillivray, Mrs D Mackay, Mr D Mackay, Mr W MacKay, Mr G MacKenzie, Mr A Mackinnon, Ms A MacLean, Mr T MacLennan, Mr K MacLeod, Mrs B McAllister, Mrs I McCallum, Mr D Millar, Mr H Morrison, Ms L Munro, Mr B Murphy, Mr F Parr, Mrs M Paterson, Mr G Phillips, Mr T Prag, Mr M Rattray, Mr M Reiss, Mr I Renwick, Mr A Rhind, Mr G Rimell, Mrs F Robertson, Mr J Rosie, Mr G Ross, Ms G Ross, Mr R Saxon, Dr A Sinclair, Mrs G Sinclair, Mrs J Slater, Ms M Smith, Ms K Stephen, Mr J Stone, Mrs C Wilson, Mr H Wood

**In Attendance:**

Chief Executive

Depute Chief Executive

Director of Education, Culture and Sport

Director of Planning and Development Director of Community Services

Director of Health and Social Care

Director of Finance

Acting Head of Community and Democratic Engagement

**Mr J Gray in the Chair**

Apologies for absence were intimated on behalf of Mr D Bremner, Mr J Crawford and Mr N MacDonald.

**Preliminaries**

Prior to the commencement of the formal business, the Convener thanked all those present who had purchased and were wearing daffodil pins to signify their support for the Marie Curie Cancer Appeal.

The Convener also conveyed the congratulations of the Council to Jamie Bowie who had been successful in winning the relay silver medal at the Indoor World Championships.

Finally, a warm welcome was extended to ex Councillor John Green who was in attendance at the meeting and who had been awarded the Freedom of John O'Groats at a recent ceremony.

## **2. Declarations of Interest**

### **Foillseachaidhean Com-pàirt**

The Council **NOTED** the following declarations of interest:-

Item 6: Ms J Douglas, Mr K Gowans, Mr D Millar and Mr F Parr (all non-financial)

Item 12: Mr I Brown (financial)

Item 12: Mr R Saxon and Dr D Alston (non-financial)

Item 17: Mr A Baxter and Mr G Farlow (non-financial)

Item 19: Ms J Douglas (non-financial)

## **3. Membership of the Council**

### **Ballrachd na Comhairle**

It was **NOTED** that Mr Eddie Hunter had tendered his resignation as a Member of the Council with effect from 27 February 2014.

In this regard, a By-Election for Ward 12 (Caol and Mallaig) had been arranged and would be held on Thursday, 1 May 2014.

## **4. By-Election – Ward 10 (Black Isle)**

### **Fo-thaghadh – Uard 10 (An t-Eilean Dubh)**

It was **NOTED** that, at the By-Election held on 19 December 2013, Mrs Jennifer Barclay, Boggiewell, Fortrose, IV10 8SN had been elected as the Member for Ward 10 (Black Isle).

## **5. Confirmation of Minutes**

### **Daingneachadh a' Ghearr-chunntais**

There had been submitted for confirmation as a correct record the Minutes of Meeting of the Council held on [19 December 2013](#) as contained in the Volume which has been circulated separately – which were **APPROVED**.

## **6. Minutes of Meetings of Committees**

### **Gearr-chunntasan Choinneamhan Chomataidhean**

There had been submitted for confirmation as correct records, for information as regards delegated business and for approval as appropriate, the Minutes of Meetings of Committees contained in Volume circulated separately as undernoted:-

[|Link to Minutes Index|](#)

- Planning, Environment and Development Committee, 8 January
- Adult and Children's Services Committee, 15 January
- Finance, Housing and Resources Committee, 22 January
- Skye, Ross and Cromarty Area Committee, 5 February
- Transport, Environmental and Community Services Committee, 6 February
- Caithness and Sutherland Area Committee, 11 February
- Planning, Environment and Development Committee, 12 February
- Adult and Children's Services Committee, 19 February

- Gaelic Implementation Group, 20 February
- Pensions Committee, 21 February
- Finance, Housing and Resources Committee, 26 February
- Lochaber Area Committee, 27 February
- City of Inverness and Area Committee, 4 March

The Minutes, having been moved and seconded were, except as undernoted, **APPROVED** – matters arising having been dealt with as follows :–

### **Adult and Children’s Services Committee, 15 January**

**\*Starred Item\***: Page 977: Item 6: Draft Local Fire and Rescue Plan for Highland 2014-2017

It was **AGREED** that the points raised in discussion at the meeting should be included in the Council’s response to the Local Fire and Rescue Plan 2014-2017.

**\*Starred Item\***: Page 992: Item 23: Duncraig Castle Educational Trust Scheme 1999

It was **AGREED** that the approved Duncraig Educational Trust Scheme Plan should be amended to change the minimum qualifying age for scholarships, grants or assistance to individuals participating in sporting events at national and international level and/or for assistance with costs of attendance at specialist sports coaching from 16 to 14.

### **Caithness and Sutherland Area Committee, 11 February**

Page 935: Preliminaries

It was **AGREED** that an amendment should be made to the Minute to the effect that Councillor Matthew Reiss had been elected to Ward 4: Landward Caithness.

### **Gaelic Implementation Group, 20 February**

**\*Starred Item\***: Page 996: Item 4: Gaelic Language Plan 2012-16 – Draft First Annual Implementation Report 2012-13 for Bòrd na Gàidhlig

It was **AGREED** that the finalised Implementation report should be included on an agenda for a future full Council meeting.

### **Finance, Housing and Resources Committee, 26 February**

Prior to discussion of the Notice of Amendment, the Depute Chief Executive confirmed that, on procedural grounds and having taken advice from the Head of Corporate Governance, the following addendum to the Minute in respect of Item 21 (Customer Services Review 2) was now to be deleted –

\*(The Leader has since clarified that whilst it is correct that staff will not see changes to their terms and conditions, it is also the case that there will be adjustment to the salaries of the staff involved).

## **Notice of Amendment – Customer Services Review 2**

### **Brath Atharrachaidh – Ath-sgrùdadh air Seirbheisean Luchd-cleachdaidh 2**

#### **Declarations of Interest –**

Ms J Douglas, Mr F Parr and Mr D Millar declared non-financial interests in this item as Directors of High Life Highland and Mr K Gowans declared a non-financial interest as a director of High Life Highland and on the basis that his wife was an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude them from taking part in the discussion and voting.

With reference to the Minutes of Meeting of the Finance, Housing and Resources Committee of 26 February 2014 as contained in the Volume and circulated separately, the following Notice of Amendment had been received in accordance with Standing Order 10.3 –

“We, the undersigned Members of the Council, wish to rescind the decision of the Finance, Housing and Resources Committee of 26 February 2014 to –

- (i) agree the revised service delivery model of 12 community hubs as outlined in the report;
- (ii) note the work undertaken as part of the Customer Services Review 2 and agree the £160,000 of savings which will be delivered as a result of this review;
- (iii) approve the revised staffing structure as outlined in Sections 14 and 15 of the report; and
- (iv) agree the implementation arrangements as outlined in Section 18.1 of the report

and instead -

Move that the Highland Council agrees the following –

- (i) we believe in equal access to services for everyone across Highland and that the status quo regarding our 35 Service Points should remain;
- (ii) any future changes to the Service Point network should be done in full consultation with communities, staff and Local Members; and
- (iii) we propose the compensatory saving should be taken from the extra interest from the Loans Fund which is traditionally underspent and which this year has a substantial surplus.”

Signed: Mrs C Wilson, Mrs M Davidson, Mrs H Carmichael, Mr M Reiss, Mr W Fernie, Mrs G Coghill, Mrs M Paterson, Mr J Gordon, Mr A Baxter, Miss J Campbell, Mrs I McCallum, Mr L Fraser, Mr H Morrison, Dr A Sinclair, Mr M Green, Mr A MacKinnon, Mrs I Campbell, Ms J Douglas, Mr R Greene.

In this connection, there had been re-circulated Report No. [FHR/43/14](#) dated 18 February 2014 by the Depute Chief Executive.

At this point, the Chair of the Finance, Housing and Resources Committee confirmed that it was his intention not to move the recommendations within the Minute but instead to move a second amendment which was tabled as follows –

‘That the Council should:-

- (i) note the work undertaken as part of Customer Service Review 2;
- (ii) agree that the Strategic Change & Development Fund should finance, up to £68,500, for 2014-15 the enhancements to the website as detailed in Section 15.1 of the report, the Service Centre as detailed in Section 15.2 and Quality and Performance Improvement as detailed in Section 16.4;
- (iii) agree to establish, for the next 15 months, a cross-group Customer Services Board of 10 Members with delegated powers to (a) undertake a rolling consultation of Members, staff, partner agencies and the public on the future of the Service Point network (b) consider customer service provision in each of the 23 communities with a Service Point not designated a Community Hub and (c) agree a future service delivery model for each such community on the basis of a business case which took into account the impact on service users and the Council's commitment to remote and rural communities; and
- (iv) agree that a report be submitted to the Resources Committee on achieving the saving of £355,200 as detailed in Section 19.1 should the decisions of the Board leave that saving unmet’.

Prior to discussion, petitions from a number of communities who wished to register their objection to the proposed closure of Service Points were presented to the Convener by Mrs M Davidson, Mr A Baxter, Mr A MacKinnon, Mr R Greene, Mr H Fraser, Mr J McGillivray and Dr A Sinclair.

In response, the Convener confirmed that the petitions would be dealt with under the Council’s formal Petitions Procedure.

During discussion, and speaking in support of the Notice of Amendment as detailed on the agenda papers, Members raised the following issues:-

- the decision taken by the Finance, Housing and Resources Committee decision on 26 February had prompted unprecedented levels of press attention and public opposition, including from Church representatives, and it was important that these views were listened to and represented fairly in the Chamber;
- it had to be recognised that Community Councils were statutory consultees and the Council therefore had a duty to respect their views and to engage with them at an early stage of any review;
- it would have been helpful for all representations and relevant correspondence to have been presented to all Members by both the Administration and the Opposition;
- public trust in the democratic processes of the Council had been badly affected as a result of the way this issue had been handled;
- public opinion overwhelmingly favoured retention of all 35 Service Points as evidenced by the vast number of letters and petitions which had been received;

- there were concerns that differing levels of service provision and discrimination would result from the proposals which had been put forward;
- the Service Point network was and always had been a flagship service of the Council but the current proposals now called into question the value which was placed upon it;
- Service Point staff were highly regarded, having received Charter Mark status on two occasions, and at a time when many were studying for work-related qualifications they were now faced with the prospect of having to re-apply for their jobs;
- many queries which had been raised at the meeting on 26 February remained unanswered, particularly in terms of how many High Life Highland staff would be financially affected by the proposals and there were serious concerns at the undue pressure which might be placed on these staff if they were asked to take on additional responsibilities;
- there was general uncertainty as to the proposed outreach service (and the associated costs) in that it had been understood this would be a face to face service in people's homes whereby it now appeared that it would be an appointment system within Service Points which had been closed;
- it was considered that there were opportunities for Service Point staff to take on additional work and that these should be explored before taking any decisions on closure;
- many facilities had been co-located with other organisations, such as the Police Service, and their closure would therefore also have a financial impact on these organisations;
- there was a need for clarification as to how certain functions would be undertaken in future if Service Points were to close, such as completing application forms and checking identification;
- the statistics which had been presented on the level of business conducted at Service Points were considered to be misleading as it was known that many transactions took several hours to complete but only appeared as one entry;
- it remained unclear as to whether the reasons for the proposed closures had been cost per transaction or a drop in footfall at Service Points;
- in terms of access to services, it was feared that Human Rights and Equalities legislation had not been considered and that this could lay the Council open to significant legal challenge;
- the Highland Senior Citizen's Network had stated that it could be another two decades before significant numbers of older people were confident in the use of technology so face to face services remained of vital importance;
- the Community Planning Policy of connecting older people geographically to prevent social isolation was at odds with this proposal to close Service Points;
- the introduction of Universal Credit through Welfare Reform would have a major impact on many people in the Highlands and within this context the proposal to close Service Points was a false economy;
- it had been claimed that 30% of respondents preferred to do more business online but this ignored the needs of the majority of people in the Highlands; The surveys had also revealed that disabled customers recorded the highest levels of dissatisfaction which would likely increase as a result of these proposals;
- the recent re-establishment of Area Committees was meant to strengthen the Highlands and support fragile areas but these were the very communities which would be the most affected by the loss of Service Points so there appeared to be no strategic overview;

- the closure of Service Points appeared to be at odds with the Council's Carbon CLEVER Programme in that in rural areas people might have to travel huge distances to reach one of the Community Hub Service Points;
- in terms of the Registrar function, it was not clear whether it was feasible for this to be undertaken online or through an outreach service;
- there was a need for greater clarity on the remit of the proposed Customer Services Board, particularly in relation to delegated powers, transparency and accountability; and
- the potential distress, inconvenience and loss of services for many people in the Highlands if the proposals went ahead would be significant and this had been evidenced by the number of petitions received.

In support of the further amendment which had been tabled at the meeting, Members raised the following issues:-

- whilst Members were elected to represent their constituents, it was also their duty to govern and direct resources according to need;
- the Council had agreed radical changes to Service Points in 2010 which had set the direction for the current proposals and been reflected in budgets since that time. Whilst this was a difficult decision, there was a responsibility to make services more open for more people;
- neither of the two options before the Council involved closing a single Service Point and this should be recognised;
- the Members who had signed the Notice of Amendment as detailed on the agenda had called for retention of the status quo but this would lead to other unpalatable saving measures having to be made, such as cuts in roads maintenance;
- the amendment which had been tabled would allow consideration of the merits of each Service Point on an individual basis by the proposed cross party Customer Services Board which would also take on board views expressed by Community Councils;
- in comparison with the other savings measures which would require to be considered by the Council in future years, the savings from this review were relatively small;
- some Service Points were used very minimally, such as the facility in Mallaig, and in such cases improved web services would provide a better overall service for users;
- local communities had welcomed the 15 month timescale proposed and the close scrutiny each facility would be given by the Customer Services Board and in this regard the tabled amendment also provided an opportunity to establish a checklist to address rural considerations;
- it would be helpful if the business case for the Invergordon Service Point could be carried out later in the process if possible;
- the tabled amendment highlighted how the Council could use its resources effectively for the benefit of everyone and in this respect an improved website was a big step forward;
- the existing arrangements at many rural Service Points did not provide enough privacy which was a major consideration in relation to various issues and a reason not to retain the status quo;
- the tabled amendment represented improvements and additional facilities for areas where none currently existed;
- issues in relation to the equality process would be followed up by the Customer Services Board;

- Community Council representations would be carried forward to the Customer Services Board and no facility would close until an alternative service arrangement was in place;
- it was important to take account of the needs of other partner organisations and the process highlighted within the tabled amendment would provide all the information to deliver a review based on rational arguments and sound data; and
- the tabled amendment sought to address many of the concerns raised at the previous Committee meeting in terms of processes, business case justification, canvassing of service users and consideration of wider rural issues.

At this point, and for clarification, it was confirmed that the proposed Customer Services Board of 10 Members would have delegated powers but this still allowed any decisions made to be referred to the full Council for further consideration and discussion if necessary.

Thereafter, Mrs C Wilson, seconded by Ms J Douglas, moved the terms of the Notice of Amendment which had been detailed on the agenda paper which now became the **MOTION** (on the basis that no member of the Council wished to move the original recommendations from the Finance, Housing and Resources Committee).

Mr D Fallows, seconded by Dr D Alston, moved the **AMENDMENT** which had been tabled at the meeting.

On a vote being taken, the **MOTION** received 31 votes and the **AMENDMENT** received 43 votes, with no abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Balfour, R; Barclay, J; Baxter, A; Campbell, I; Campbell, J; Carmichael, H; Coghill, G; Davidson, M; Donald, N; Douglas, J; Fernie, B; Finlayson, M; Fraser, H; Fraser, L; Gordon, J; Green, M; Greene, R; Kerr, D; Mackay, D (W2); Mackinnon, A; MacLennan, T; McCallum, I; McGillivray, J; Morrison, H; Paterson, M; Reiss, M; Rhind, A; Robertson, F; Ross, G (W14); Sinclair, A; Wilson, C.

**For the Amendment:**

Alston, D; Brown, I; Caddick, C; Christie, A; Clark, B; Cockburn, I; Duffy, A; Fallows, D; Farlow, G; Ford, J; Fraser, C; Gormley, B; Gowans, K; Graham, A; Gray, J; Hendry, D; Laird, R; Lobban, B; Macaulay, C; MacDonald, L; Mackay, D (W5); MacKenzie, G; MacLean, A; MacLeod, K; McAllister, E; Millar, D; Munro, L; Murphy, B; Parr, F; Phillips, G; Prag, T; Rattray, M; Renwick, I; Rimell, G; Rosie, J; Ross, G (W3); Saxon, R; Sinclair, G; Slater, J; Smith, M; Stephen, K; Stone, J; Wood, H.

**Decision**

The Council:-



- i. **NOTED** the work undertaken as part of Customer Service Review 2;
- ii. **AGREED** that the Strategic Change & Development Fund should finance, up to £68,500, for 2014-15 the enhancements to:
  - a) the website as detailed in Section 15.1;
  - b) the Service Centre as detailed in Section 15.2; and
  - c) quality and performance improvement as detailed in Section 16.4.
- iii. **AGREED** to establish, for the next 15 months, a cross-group Customer Services Board of 10 Members with delegated powers to:
  - a) undertake a rolling consultation of Members, staff, partner agencies, and the public on the future of the Service Point network;
  - b) consider customer service provision in each of the 23 communities with a Service Point not designated a Community Hub; and
  - c) agree a future service delivery model for each such community on the basis of a business case which took into account the impact on service users and the Council's commitment to remote and rural communities.
- iv. **AGREED** that a report be submitted to the Resources Committee on achieving the saving of £355,200, as detailed in Section 19.1, should the decisions of the Board leave that saving unmet.

(The Council adjourned for lunch at 1.05pm and resumed at 1.45pm).

## **7. Highland and Western Isles Valuation Joint Board Bord Lucachaidh na Gaidhealtachd is nan Eilean Siar**

There had been circulated for information Minutes of Meeting of the Highland and Western Isles Valuation Joint Board held on [21 November 2013](#) which were **NOTED**.

## **8. Recruitment Panel – Post of Director of Community Services Pannal Fastaidh – Dreuchd Stiùiriche nan Seirbheisean Coimhearsnachd**

There had been circulated for information Minutes of Meeting of the Recruitment Panel for the post of Director of Community Services held on Thursday, [23 January 2014 \(918kb pdf\)](#) which were **NOTED**.

## **9. Membership of Committees, etc Ballrachd air Comataidhean, msaa**

It was **NOTED** that, following the result of the By-Election for Ward 10 (Black Isle), the political make-up of the Council was now as follows:-

Ind (33) SNP (21) Lib Dem (14) Lab (8) Ind Nat (1) Non Aligned (2)

It was further **NOTED** that the formula in of the number of places on Strategic Committees was now 10/6/4/2.

In this regard, revised Committee memberships had been tabled at the meeting and were **APPROVED**.

The Council also **AGREED** the following –

- Highland Opportunity Limited – Mrs L MacDonald to replace Mr K Gowans
- Highland & Western Isles Valuation Joint Board – Mr A Duffy to replace Mr K Gowans
- Highland & Western Isles Valuation Joint Board (Substitute) – Mr C Fraser to replace Mr A Duffy
- Gaelic Implementation Group (Substitute) – Mrs I Campbell to fill the current vacancy

### **Highland Licensing Committee**

It was **NOTED** that Mr D Millar had confirmed his resignation from both the Highland Licensing Committee and the Highland Licensing Board with effect from 6 March 2014. On that basis, nominations had been sought from the Ross, Skye and Lochaber area for the vacant place on the Highland Licensing Committee and had been received as follows:-

Mr C Fraser

There being no other nominations, the Council **AGREED** to appoint Mr C Fraser to the Highland Licensing Committee.

### **Highland Licensing Board**

Following the appointment of 1 Member to the Highland Licensing Committee at the meeting, nominations were sought (from within the membership of the Highland Licensing Committee) for the vacant place on the Highland Licensing Board.

It was **AGREED** to appoint Mr C Fraser to the Highland Licensing Board.

### **Vice Chair of Highland Licensing Committee**

It was **AGREED** to appoint Mr J Stone as Vice Chair for the Highland Licensing Committee.

## **10. Question Time** **Àm Ceiste**

The following Questions had been received by the Assistant Chief Executive in terms of Standing Order 42 –

[Mrs M Davidson \(911kb pdf\)](#)

To the Depute Leader of the Council

“May we get a written summary of the outcomes and commitments to future actions from the Highland Council Seminar with NHS Highland on 13 February 2014?”

The response had been circulated.

In terms of a supplementary question, Mrs Davidson queried as to whether the Depute Leader of the Council could provide clarification and a summary of what improvements in accountability, scrutiny and governance would be taking place for Adult Services within the Highland Council and circulate this to all Members.

In response, the Depute Leader of the Council undertook to provide this information.

**[Mrs H Carmichael \(913kb pdf\)](#)**

To the Leader of the Council

“The Islands Area Ministerial Working Group, chaired by Communities Minister Derek Mackay, met for the fourth time with Shetland, Orkney and the Western Isles Councils. Their topics for discussion include transport, agriculture, tourism, construction and digital services. The meeting was attended by the Chief Executives and Leaders of the three Islands Councils and Ministers Paul Wheelhouse, Minister for Environment and Climate Change, Keith Brown, Minister for Transport and Veterans, and Fergus Ewing, Minister for Energy, Enterprise and Tourism.

Will the Leader of Highland Council confirm for us what dialogue has taken place on these topics between Highland Council and Scottish Government Ministers on behalf of the Highlands to ensure the principle of local decision making and subsidiarity.”

The response had been circulated.

In terms of a supplementary question, Mrs Carmichael queried why, in view of the fact that the reply had made it clear that the Council met with the Leaders of other Councils at CoSLA but was not part of the Ministerial Working Group along with the Orkney, Shetland and Western Isles authorities, the Leader had made no representation to be part of this Ministerial Working Group which would ensure that the Highlands would share in any benefits negotiated by our neighbouring Highland Authorities.

In response, the Leader confirmed that the Council not only met with other Islands Authorities at CoSLA but also at the Convention of the Highlands and Islands where issues were discussed in detail with Ministers present in the room. Issues were also raised at the Leaders of the Highlands and Islands meeting and there was therefore close contact on a regular basis.

**[Mrs M Davidson \(913kb pdf\)](#)**

To the Leader of the Council

“Shetland Island Council has been very successful attracting investment from UK and Scottish Governments for their council housing and this has enabled them to write off most of their housing debt.

The Secretary of State, Alastair Carmichael MP, has been integral to those discussions.

Has the Leader of the Council asked for a meeting with the Secretary of State for Scotland to discuss the strong case for help with Highland housing debt?"

The response had been circulated.

In terms of a supplementary question, Mrs Davidson queried as to whether the Leader would circulate to all Members a list of what campaigning issues the Council was currently working on.

In response, the Leader confirmed that he would be happy to re-circulate a copy of the Programme for the Council.

### **Decision**

The Council **NOTED** the position.

### **11. Notices of Motion** **Brath Glusaid**

The following Notices of Motion had been received in accordance with Standing Order 10.1

–

“The Councils of Orkney, Shetland and the Western Isles deplore the decision to close the Police and Fire Control Rooms in Inverness.

We call on the Highland Council to support this stance and join with like-minded Councils and to continue to fight against these closures.”

Signed: Mrs C Wilson, Mrs I McCallum

During discussion, Members raised the following issues:-

- there was concern at the lack of feedback from meetings held with other Councils, in particular it was unclear who would take the lead on this on behalf of the Council and who would attend the Police Board meeting in Inverness on 26 March;
- the Council should deplore the loss of the Control Room (and the resultant loss of jobs, expertise and local knowledge from the area), as well as the centralisation of services which had led to strongly expressed opposition;
- there appeared to be no back-up provision in the event that one of the Call Centres should encounter difficulties, no information on what level of savings would be achieved or what effect it would have on morale in the two services;
- the suggestion that there would be a Major Incident Centre in Inverness was not felt to be a practical option;
- any new jobs created would not equate to those which had been lost from the area;
- there was strong feeling that there should be five Emergency Centres in Scotland with Fire, Police and Ambulance Services represented in each; and

- the strength of feeling from the Highlands in opposition to these closures could have been more emphatically conveyed;
- it was unfortunate that the Police Authority meeting had been scheduled for the same day as the Community Safety, Public Engagement and Equalities Committee meeting but it was hoped that as many Members as possible would still attend;
- the proposed Inquiry/Data Centre would create up to 60 jobs which had to be welcomed, irrespective of the loss of the Inverness Control Centre;
- it would be essential to ensure that any new systems had been proven to work, were reliable, could take account of different regional dialects and rurality and that there were no risks to life;
- if it had not been for the Council's active campaigning, Inverness might not have benefited from the establishment of the National Command Centre for Major Events;
- the Leader of the Council was continuing to garner additional support from the Convention of the Highlands and Islands and the Leaders of the Highlands and Islands Group and in this respect a joint submission had been put together from the Island Authorities on the location of the joint Control Centre in the Highlands; and
- the decision of the Board was now final and the Council could no longer exert any influence but would continue to fight for the best possible results for the people of the Highlands.

At this point, it was clarified that Acting Chief Constable Campbell Thomson had confirmed that the Command Centre would provide technical support and data covering the whole of Scotland and that it would be staffed by well-trained and skilled personnel in order to provide both a local and national response to emergency incidents.

Thereafter, Mrs C Wilson, seconded by Mrs I McCallum, **MOVED** the terms of the Notice of Motion as detailed.

As an **AMENDMENT**, Mr D Millar, seconded by Mr D Hendry, moved that the Council should share concern over the closure of Police and Fire Control Centres with Islands Authorities and actively pursue assurances from each service that there would be robust communications systems put in place which were proven to work, ensuring that there was no increased risk to life and property, and that all staff received the highest standard of training. Also, that the Council should continue to work with them in pressing for better integration of all emergency services in the Highlands and Islands.

On a vote being taken, the **MOTION** received 25 votes and the **AMENDMENT** received 43 votes, with 1 abstention, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows –

**For the Motion:**

Barclay, J; Baxter, A; Campbell, I; Carmichael, H; Coghill, G; Davidson, M; Douglas, J; Fernie, B; Finlayson, M; Fraser, H; Fraser, L; Gordon, J; Green, M; Greene, R; Mackinnon, A; MacLennan, T; McCallum, I; McGillivray, J; Morrison, H; Paterson, M; Reiss, M; Rhind, A; Robertson, F; Sinclair, A; Wilson, C.

**For the Amendment:**

Alston, D; Balfour, R; Brown, I; Caddick, C; Campbell, J; Christie, A; Clark, B; Cockburn, I; Duffy, A; Fallows, D; Farlow, G; Ford, J; Fraser, C; Gowans, K; Graham, A; Gray, J; Hendry, D; Laird, R; Lobban, B; Macaulay, C; MacDonald, L; Mackay, D (W5); MacKenzie, G; MacLean, A; MacLeod, K; McAllister, E; Millar, D; Munro, L; Murphy, B; Phillips, G; Prag, T; Rattray, M; Renwick, I; Rimell, G; Ross, G (W14); Ross, G (W3); Saxon, R; Sinclair, G; Slater, J; Smith, M; Stephen, K; Stone, J; Wood, H.

### **Abstentions:**

Parr, F

### **Decision**

The Council **AGREED** to share its concern over the closure of Police and Fire Control Centres with Islands Authorities and actively pursue assurances from each service that there would be robust communications systems put in place which were proven to work, ensuring that there was no increased risk to life and property, and that all staff received the highest standard of training.

It was also **AGREED** that the Council would continue to work with them in pressing for better integration of all emergency services in the Highlands and Islands.

### **Notice of Motion**

“The Highland Council believes that 16 and 17 year olds should be eligible to vote and endorses Highland Youth Voice’s ‘Votes @ 16’ Campaign to that effect”.

Signed: Mr R Laird, Mrs L Munro

During discussion, and following a short presentation by Ainya Taylor, Youth Convener, Members raised the following issues:-

- the aim of the campaign to extend voting eligibility to 16 year olds was to engage, empower and inspire young people and this should be supported;
- there was no reason why a young person could not vote at 16 when they could legally get married, work and pay taxes at the same age;
- it was important to change the perception of many young people that there was no point in getting involved in politics until they were able to vote and the UK and Scottish Youth Parliaments and Highland Youth Voice had all raised this a high priority;
- the Council had a history of listening and responding to young people and it was therefore its duty to work with them on this issue;
- it was a fact that voter turn-out was often poor and whatever could be done to encourage an increase should be pursued. In this regard, it was particularly concerning that statistics had highlighted that if a person had not voted by the age of 21, it was unlikely that they would vote thereafter;
- there were over 1.5 million young people currently denied a vote and the best way to influence change was through the ballot box; and

- the work of Highland Youth Voice had made a significant contribution throughout the Highlands and they had to be supported in continuing to fight for changes where they were needed in order to deliver benefits for the wider community.

## **Decision**

The Council **AGREED** that 16 and 17 year olds should be eligible to vote and to endorse Highland Youth Voice's 'Votes @ 16' Campaign to that effect.

## **12. Adult Care Services – NHS Highland Seirbheisean Cùraim Inbheach - NHS na Gàidhealtachd**

### **Declarations of Interest –**

Mr I Brown declared a financial interest in this item as an employee of NHS Highland and left the Chamber.

Mr R Saxon declared a non-financial interest in this item as a member of the Programme Review Board for Adult Services Redesigning Caithness but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

Dr D Alston declared a non-financial interest in this item as a member of the NHS Highland Board but, in terms of the dispensation granted by the Standards Commission, remained to participate in the discussion.

There had been circulated Report No. [HC-63-13 \(1063kb pdf\)](#) dated 4 March 2014 by the Director of Finance which sought agreement of an additional payment of £1m from balances in the current financial year to partly meet a forecast budget deficit and a revised funding package for NHS Highland to deliver Adult Care Services over the following three financial years 2014/15 to 2016/17.

During a summary of the report, and with particular reference to the 2013/14 Budget, it was confirmed that, since March 2013, demand for Adult Care Services had continued to increase and NHS Highland had continued to face financial challenges to achieve a balanced budget position by 31 March 2014. The main financial challenges had related to the increasing number of young adults with disabilities, the increasing numbers of elderly clients and complexities of caseloads, reduced income from clients and pay/non-pay inflation. NHS Highland had also faced additional costs in relation to Pensions auto-enrolment and fire compliance work within Care Homes and as such a net overspend of £2.396m had been forecast against budget.

In relation to the Financial Years 2014/15 to 2016/17, Officers from NHS Highland and the Highland Council had been working together to identify ways in which the Budget Quantum could be placed on a sounder financial footing for the balance of the Partnership Agreement period. Whilst fully acknowledging the demand led and other financial pressures, it was also considered important for any further financial settlement to acknowledge and reflect the benefits arising from integration and to evidence that services were being re-configured with improved outcomes for clients. In this connection, NHS Highland were working on a Change and Improvement Plan to provide detailed evidence but the budget proposals had

been brought forward in advance of finalisation of the Plan to enable budgets to be set prior to the start of the financial year and also to provide certainty of funding.

In this regard, Appendices 1-3 to the report illustrated three funding scenarios for consideration as follows – Option 1 (a flat cash budget for NHS Highland), Option 2 (the level of additional recurring funding which the Highland Council would require to input to achieve a balanced budget without a significant reduction in service) and Option 3 (a combination of recurring and non-recurring funding by the Highland Council).

Finally, Members' attention was drawn to the regulations, currently being prepared by the Scottish Government to support the Integration of the Health and Social Care Bill, which proposed that balances accrued by Partnerships be carried forward at the financial year end by Local Authorities to take advantage of the powers which Local Authorities (but not NHS Boards) had in this regard. These regulations encouraged Local Authorities to assist in managing spend across financial years in a way in which NHS Boards were unable to do and Members were therefore asked to agree that the Council should help NHS Highland in this regard, purely for budgets for Adult and Children's Services and definitely restricted to the confines of agreed budgets and approved funding arrangements.

During discussion, Members raised the following issues:-

- this was an extremely important report which would shape the way in which integration of care was taken forward in the Highlands in future years and as such careful and detailed consideration required to the issues involved before any decision could be taken;
- demand for Adult Care Services, both for the elderly and for people with complex needs, was increasing across the UK and in this respect the Council had taken forward shared working with NHS Highland in order to achieve better outcomes and deliver the best possible service across the Highlands;
- if Option 1 was to be taken forward, a flat cash budget would result in significant cuts to services and this was considered to be unacceptable;
- Option 2 would retain existing services but could not be afforded by the Council unless it made cuts in other services;
- Option 3, a combination of recurring and non-recurring support, involving a one-off payment of £1m funded from Council reserves and an agreed Change and Improvement Plan for the remainder of the 5-year Partnership Agreement, would be challenging but offered the best chance of success on the basis that NHS Highland would still be required to deliver savings in care packages;
- the expectation was that no additional financial commitment would be required from the Council over the next three years. Should any exceptional pressures arise, they would be considered by the Partners through the Finance and Commissioning Group in line with the Financial Protocol. In this regard, it was confirmed that an exceptional pressure would need to be something very fundamental which could not have been predicted (and not just simply an increase in demographics, complex packages or the number of young adults requiring such packages);
- reducing Council reserves to 2.5% was of concern, not only in principle but also because the Change and Improvement Plan, which would set expenditure boundaries, milestones and monitoring arrangements for the remainder of the Partnership Agreement, was not yet available;



- progress in moving the balance of care to communities appeared slow and this could potentially lead to current levels of service proving unsustainable in future;
- whilst the level of risk facing the Council could be reduced by, for example, delaying payment until the Change and Improvement Plan was in place and/or to carrying out a full review of the Agreement, on balance the recommendations from the Director of Finance should be accepted;
- it was imperative that the Change and Improvement Plan was circulated to all Members of the Council as soon as it became available (and placed on Committee, Council and NHS Board agendas as appropriate) to allow full scrutiny;
- the Children's Care Services budget should also be carefully monitored;
- the Council should expect its partners and those in the private sector to pay the living wage; and
- the removal of monies from the Preventative Spend budget must not impact on projects that were already up and running.

## Decision

The Council:-

1. **APPROVED** the allocation of £1m from the projected budget surplus in 2013/14 to contribute to funding the forecast budget deficit in Adult Care Services in the current year;
2. **AGREED** the amendments to the Budget Quantum for Adult Care Services covering the period 2014/15 to 2016/17 as follows –
  - (i) additional recurring funding – 2014/15 (£3.0m), 2015/16 (£1.3m) and 2016/17 (£0.4m)
  - (ii) additional non-recurring funding in 2014/15 of £1.5m
3. **AGREED** that the amendments to the Budget Quantum as outlined above be financed as follows –
  - (i) additional £1m in both 2014/15 and 2015/16 from the budget for Preventative Spend (in addition to an assumed baseline £1m preventative spend per annum for adult care);
  - (ii) £2m from balances in 2014/15; and
  - (iii) Balance of funding required is addressed as part of the work required to deliver a balanced budget in the period 2015-19;
4. **NOTED** the requirement to amend the Council's policy regarding the level of reserves held (covered by a separate report on today's agenda);
5. **NOTED** the expectation that no additional financial commitment would be required from the Council over the next three years. Should any exceptional pressures arise, these would be considered by the Partners through the Finance and Commissioning Group in line with the Financial Protocol; and
6. **NOTED** that a Change and Improvement Plan would be provided by 31 March 2014.

(At this point, the Convener left the meeting the Vice-Convener took the Chair for the remainder of the meeting).

### **13. Revenue Budget: 2014/15 Budget Update and Long Term Financial Planning 2015/16 - 2018/19**

#### **Buidseat Teachd-a-steach: Cunntas Buidseit 2014/15 agus Planadh Iomhasail Fad-ùine 2015/16 - 2018/19**

There had been circulated Report No. [HC-64-13 \(1077kb pdf\)](#) dated 4 March 2014 by the Director of Finance which provided an update in relation to the Revenue Budget for 2014/15 and an updated outlook and progress to date in relation to the Council's longer term financial planning for years 2015/16 to 2018/19.

During a summary of the report, it was confirmed that, in regard to the 2014/15 Revenue Budget, a number of pressures had been identified which would be carried forward, including Additional Support Needs and Out of Authority Placements, Refuse Disposal and School and Public Transport. In addition, Services would need to continue to manage pressures within available resources and realign budgets as necessary, with action taken being reported to the appropriate Committee.

In regard to the 2015/16 to 2018/19 Budget outlook, it was confirmed that Finance Officers and the Senior Management Team had undertaken a review of budget assumptions to ensure that they were robust and to identify where there was any scope to mitigate the level of budget gap and savings required. In this respect, Annex 1 to the report set out the updated forecast for the period which highlighted that the forecast gap over the 4 financial years had reduced from £78.6m to £62.7m.

The Senior Management Team had also reviewed the assumption of £36m for budget pressures (which equated to £9m pa) and it was now proposed that this could be reduced by £12m to £24m, with decisions on agreement of specific pressures being made as part of future budget setting decisions.

In terms of Review Areas and Early Transformation Opportunities, Annex 2 to the report set out the current expanded list of areas for further review under the following themes – Process Improvement and Modernisation, Bringing Things Together, Income Generation, Working With Community Groups, Working with Public and/or Private Partners, Waste Disposal and Procurement.

During discussion, Members raised the following issues:-

- whilst the reduction in the forecast funding gap was welcomed, it was important to avoid complacency as significant savings were still required over the next four years;
- the list of areas for further review as highlighted in Annex 2 to the report had to be considered very carefully in order to take account of and to minimise wherever possible any adverse impact on communities across the Highlands;
- although it was acknowledged that difficult decisions would need to be made, it was hoped that improvements to services could still be delivered;
- there was a need to consider the potential impact of future interest rate changes on budget predictions; and

- consultation should be undertaken with communities and groups on the themes set out in the report and the list of areas which had been identified for further review.

## **Decision**

The Council **NOTED**:-

- (a) the update in relation to the 2014/15 Revenue Budget;
- (b) the revised assumptions relating to the budget plan for 2015/16 – 2018/19;
- (c) the review areas being progressed by Senior Management Team and the early transformation savings identified; and
- (d) the budget timetable for the remainder of the 2014 calendar year.

## **14. Reserves and Balances – Review and Strategy**

### **Airgead Glèidhte agus Cothromachaidhean – Lèirmheas agus Ro-innleachd**

There had been circulated Report No. [HC-65-13 \(972kb pdf\)](#) dated 3 March 2014 by the Director of Finance which set out a review of the Council's Reserves and Balances position, an updated strategy and recommendations in relation to proposals for use of balances.

In this regard, it was confirmed that for a number of years the Council had maintained a strategy which was summarised as follows – (a) where specific commitments or risks were identified or legislation required maintenance of a separate reserve, standalone reserves and earmarked balances were created. These sums were not available for general use unless the commitment did not materialise and a decision was made to return these sums to mainstream balances (subject to that being permissible in legislation) and (b) separate to these sums, a remaining General Fund Revenue Contingency Balance was retained. This sum represented the uncommitted balance retained to provide a contingency against unforeseen events and the Council's policy for a number of years had been for this sum to be held at a target level of 3% of the revenue budget as a minimum.

It was now proposed to vary this overarching strategy and reduce the target level to 2.5% which equated to a sum of £14.1m.

In terms of the Reserves and Balances Forecast, Annex 1 to the report set out details of all the reserves and balances currently held, the purpose of each and the forecast position as at 31 March 2014. In this respect, proposals for the use of balances were also presented and included the following – NHS Budget for Adult Care 2013/14, NHS Budget for Adult Care 2014/15 to 2015/17, Strategic Change and Development Fund, Additional Support Needs and Roads Maintenance.

During discussion, it was stressed that the situation with regard to interest rates should be kept under constant review, particularly in terms of the proposed use of balances and the potential impact on the Council and specifically projects which could be undertaken in the future.

## **Decision**

The Council:-

- (i) **NOTED** the balances strategy and **AGREED** a revised target of a 2.5% retention as a general contingency; and
- (ii) **AGREED** the proposed use of balances as set out at Paragraph 3.2 of the report.

## **15. Treasury Management Strategy Statement and Investment Statement 2014/15**

### **Aithris Ro-innleachd Rianachd Ionmhais agus Aithris Tasgaidh 2014/15**

There had been circulated Report No. [HC-66-13 \(1140kb pdf\)](#) dated 3 March 2014 by the Director of Finance which presented the Treasury Management Strategy Statement and Investment Statement for 2014/15.

In compliance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management in Local Authorities, it was confirmed that the Treasury Management Strategy Statement and Investment Statement for 2014/15 had been submitted to the Finance, Housing and Resources Committee for scrutiny on 26 February 2014 and was now submitted to the Council for formal approval.

In this regard, specific and detailed information was provided in relation to treasury limits for 2014/15 to 2016/17, the current treasury position, the borrowing requirement based upon the Council's current capital programmes, Prudential and Treasury Indicators, prospects for interest rates, the borrowing strategy (including the policy on borrowing in advance of need), debt re-scheduling and the annual investment strategy (including the creditworthiness policy).

During discussion, it was suggested that further information should be provided on the Banking Reform Act in order to highlight any potential short and long term implications which might arise for the Council in this regard.

### **Decision**

The Council **AGREED** the Treasury Management Strategy Statement and Investment Statement for 2014/15 as detailed.

It was also **AGREED** that a report should be submitted to a future meeting of the Resources Committee in regard to any short and long term implications for the Council which might arise from the new UK Banking Reform Act.

## **16. Carbon CLEVER Programme and Action Plan Program Càrbon Ciallach ga Mholadh**

There had been circulated Report No. [HC-67-13 \(959kb pdf\)](#) dated 4 March 2014 by the Head of Policy and Reform which proposed a vision of a low carbon Highlands and outlined key strategic themes which needed to be addressed and incorporated into the Carbon CLEVER approach to achieve a carbon neutral Inverness in a low carbon Highlands by 2025.

The report also provided an update on a number of pertinent actions occurring across Highland, outlined the potential of European funding for achieving the aims of the initiative and proposed that a strategy document required to be developed to help deliver the initiative, accompanied by an action plan, with detailed appropriate timescales.

During a summary of the report, corrections were highlighted as follows – Page 93 - Land Use and Resources –

First Bullet Point to read – ‘Land and resources across the city and region utilised to realise economic, social and environmental benefits; and

Second Bullet Point to read – ‘An increased amenity value of sites’ (deleting the words ‘across Inverness’).

During discussion, Members raised the following issues:-

- there was an urgent need to tackle carbon use and in this regard the Carbon CLEVER Action Plan aimed to provide real benefits for communities and people across the Highlands in terms of delivering a healthier, safer and more prosperous environment for all;
- the ‘low carbon Highlands’ declaration within the report was aimed at achieving greater access to support, including financial support, for the region;
- the Carbon CLEVER initiatives impacted upon every aspect of everyday life and this had to be recognised;
- a carbon neutral Inverness in a low carbon Highlands would benefit the area in many ways, including increased inward investment, enhanced growth and increased good quality employment opportunities;
- in relation to the Carbon CLEVER Action Plan, it was important to recognise that this was a live document which would be updated and reviewed regularly and in this regard it was stressed that this would allow Carbon CLEVER to be both reactive and more specifically proactive in taking advantage of opportunities as and when they arose;
- in terms of the initial focus on transport projects, it was highlighted that cycling projects were just the first step and consideration would be given in future to better public transport, interconnectivity and support for rural economies;
- it was important that the Carbon CLEVER aspect of all future projects was carefully considered and taken into account from the outset in order to take advantage of opportunities in this regard as and when they arose;
- the public had to be encouraged wherever possible to share these ambitions for the Highlands and this could be achieved by demonstrating the tangible benefits of Carbon CLEVER policies across a range of issues; and
- in terms of rural areas, there was a need to clarify how Carbon CLEVER projects could be progressed, perhaps through an assessment of current projects and activities to be undertaken as part of the vision of a low carbon Highlands.

## **Decision**

The Council **NOTED** the following corrections to the report – Page 93 – Land Use and Resources –

First Bullet Point to read – ‘Land and resources across the city and region utilised to realise economic, social and environmental benefits; and

Second Bullet Point to read – ‘An increased amenity value of sites’ (deleting the words ‘across Inverness).

The Council **AGREED**:-

- (i) the vision statement of a low carbon Highlands by 2025 based on the description provided at Paragraph 2.2 of the report;
- (ii) the proposed strategic themes of the Carbon CLEVER initiative as outlined at Paragraph 2.4 which would form the basis for drafting the Carbon CLEVER strategy and action plan;
- (iii) the proposed development and associated timescales for the Carbon CLEVER action plan as detailed in Paragraph 3.2; and
- (iv) a Carbon CLEVER Conference in November 2014.

The Council also **NOTED** the action to date on improving active travel and external funding potential with a focus currently on EU funding for the initiative.

## **17. Community Challenge Fund Maoin Dùbhlán Coimhearsnachd**

### **Declarations of Interest –**

Mr A Baxter and Mr G Farlow declared non-financial interests in this item on the grounds of being Chair and Director of Kinlochleven Community Trust and Chair of Highland European Fisheries Fund Axis 4 Committee respectively but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

There had been circulated Report No. [HC-68-13 \(945kb pdf\)](#) dated 20 February 2014 by the Depute Chief Executive which summarised progress to date, outlined findings from a review of the Community Challenge Fund over the course of the first year and proposed several ways to take it forward.

There had also been circulated Minutes of Meetings of the Community Challenge Fund Applications Panel held on [2 October 2013 \(34kb pdf\)](#) and [28 February 2014 \(32kb pdf\)](#) for approval.

It was confirmed that the Community Challenge Fund had been launched in January 2013 and was supported by £1m of expenditure replenished by the savings generated. Three main types of project were eligible for funding, namely those which delivered a service at a lower cost than currently provided, those which provided a higher level of service for the same cost and those which helped to reduce the Council’s costs for maintaining premises. In addition, projects were required to demonstrate that there would be a worthwhile community benefit achieved as a result of the one-off funding. Over the first year, forty-seven expressions of

interest had been received of which seven had been asked to progress to the second stage, with three on hold pending further discussions. To date, two of the seven projects had been successful (the Kyle and Lochalsh Community Trust and the Fort Augustus and Glenmoriston Community Company), four were still working on the business case stage and one had been withdrawn.

During a review of Year 1, which had involved Officers and External Partners, challenges which had been identified included awareness of the Fund, the detail of applications and internal support for Officers. In addition, a range of next steps had been highlighted and these included proactive promotion, capacity building, staff support, Fund criteria and asset transfer.

During discussion, and with specific reference to the Kyle and Lochalsh Community Trust, concern was expressed in relation to the time delay from the decision to award funding to the signing of the Service Level Agreement and it was hoped that this would be improved for future projects.

It was also suggested that examples of successful projects should be added to the Council Website in future.

### **Decision**

The Council:-

- (i) **NOTED** the update on the Community Challenge Fund;
- (ii) **NOTED** the findings from the review of the Fund after Year 1;
- (iii) **AGREED** the proposals outlined in Section 4 for taking the Fund forward – promoting the Fund, building capacity among community groups to access the Fund and supporting staff to help with its implementation; and
- (iv) **AGREED** to widening the criteria to include preventing new demands for services arising from deprivation as outlined at Paragraph 4.5 of the report.

The Council also **AGREED** the Minutes of Meetings of the Community Challenge Fund Applications Panel held on 2 October 2013 and 28 February 2014.

### **18. Standing Orders Relating to the Conduct of Meetings – Amendments Gnath-riaghailtean co-cheangailte ri Giulan Choinneamhan**

There had been circulated Report No. [HC-69-13 \(925kb pdf\)](#) dated 4 March 2014 by the Depute Chief Executive which outlined proposals for further amendment to the Council's Standing Orders Relating to the Conduct of Meetings.

### **Decision**

The Council **APPROVED** the proposed amendments to Standing Orders Relating to the Conduct of Meetings as detailed in the report.

## **19. Revised Scheme of Delegation – Strategic Committees and Officers Sgeama Tiomnaidh Ath-sgrùdaichte – Comataidhean Ro-innleachdail**

### **Declaration of Interest –**

Ms J Douglas declared a non-financial interest in this item on the grounds of being a member of the Badenoch & Strathspey Community Transport Company and also a Director of the Partnership for Wellbeing but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that her interests did not preclude her involvement in the discussion.

As agreed at the last meeting on 19 December 2013, there had been circulated Report No. [HC-70-13 \(1470kb pdf\)](#) dated 28 February 2014 by the Depute Chief Executive which proposed further revisions to the current Scheme of Delegation following approval of changes in relation to Strategic Committees and the Council's Service structure.

Revised arrangements had also been proposed in relation to the Vacancy Management Group in order to reduce the amount of administration and bureaucracy and these had been highlighted in Section 3 of the report.

During discussion, it was clarified that issues in relation to community transport would be dealt with under the heading of 'public transport' within the new Scheme of Delegation for the Community Services Committee.

### **Decision**

The Council **AGREED** the amendments to the Scheme of Delegation in regard to Strategic Committees and to Officers as detailed and as highlighted in Appendices 1 and 2 to the report.

The Council also **AGREED** the revised arrangements in regard to the Vacancy Management Group as detailed in Section 3 of the report.

## **20. Caithness Heat and Power – Report on Findings Issued by the Accounts Commission Program Càrbon Ciallach ga Mholadh**

There had been circulated Report No. [HC-71-13 \(1226kb pdf\)](#) dated 3 March 2014 by the Director of Finance which confirmed that a follow up statutory report on Caithness Heat and Power (CHAP) had been published by the Accounts Commission on 4 December 2013 and following consideration the Accounts Commission had issued their findings to the Council on 20 December 2013.

The detailed findings had been contained within Appendix 1 to the report and included a summary of the previous Commission reports from July 2010 and February 2011 (which had highlighted wide ranging and deficiencies in the Council's involvement in the CHAP project), the acceptance that the final cost to the Council had been £11.5m and that this was a substantial and serious loss of public money which did not represent value for money for Council taxpayers, that the Council had learned an expensive lesson albeit that the Commission recognised the commitment shown and progress made in addressing the



situation and that the case provided useful learning points for all Councils (in particular the need for robust governance and accountability arrangements for an Arms Length External Organisation in which roles and responsibilities were clear, particularly those of Councillors). The findings had also highlighted the need to ensure sound risk management, a full assessment of the skills required and a rigorous option appraisal for initiatives which provided Council services.

It was confirmed that the Council had already implemented a number of operational and governance changes arising from the lessons which had been learned from CHAP and it was considered that overall the Commission's findings had been fair and reasonable.

During discussion, it was stressed that it was important for the Council to still be ambitious in terms of running schemes within communities on the basis that the very significant lessons which had been learned as a result of this particular issue would not be forgotten.

### **Decision**

The Council:-

- (i) **NOTED** that a follow up statutory report had been compiled on Caithness Heat and Power;
- (ii) **NOTED** that there were no further specific actions to be taken by the Council;
- (iii) **AGREED** to accept the findings issued by the Accounts Commission; and
- (iv) **AGREED** that a reply should be issued to the Accounts Commission and that the notice required to complete the statutory process should be published.

### **21. Deeds Executed Sgrìobhainnean Lagha a Bhuilicheadh**

It was **NOTED** that a [List of Deeds \(36kb pdf\)](#) and other documents executed on behalf of the Council since the meeting held on 19 December 2013 was available in the Members' Library and on the Council's Website.

### **22. Exclusion of the Public Às-dùnadh a' Phobail**

The Council **RESOLVED** that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public should be excluded from the meeting for the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 6 and 9 of Part 1 of Schedule 7A of the Act.

### **23. Fort William Office Review – Outline Business Case for the Strategic Change and Development Fund Maoineachadh SCDF airson Ath-sgrùdadh Oifis a' Ghearasdain**

There had been circulated to Members only Report No. HC/72/13 dated 18 February 2014 by the Director of Planning and Development on the Fort William Office Review – Outline Business Case for the Strategic Change and Development Fund.

### **Decision**

The Council **AGREED** the recommendations as detailed in the report.

**24. Management of Council Re-Organisation – Care and Learning Service  
Rianachd Ath-eagrachadh na Comhairle – Seirbheis Cùraim agus  
Ionnsachaidh**

There had been circulated to Members only Report No. HC/73/13 dated 27 February 2014 by the Chief Executive on the Management of Council Re-Organisation – Care and Learning Service.

**Decision**

The Council **AGREED** the recommendations as detailed in the report.

**25. Pathfinder North Re-Procurement - SWAN Contract  
Cunradh SWAN**

There had been circulated to Members only Report No. HC/74/13 dated 17 February 2014 by the Head of Digital Transformation on the Pathfinder North Re-Procurement – SWAN Contract.

**Decision**

The Council **AGREED** the recommendations as detailed in the report.

The meeting ended at 4.35pm.