

## The Highland Council

Minutes of Meeting of the **Planning, Development and Infrastructure Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness, on Wednesday, 14 May 2014, at 10.30 a.m.

### Present

Mr T Prag	Mrs I McCallum
Dr D Alston	Mr J McGillivray (by video conference)
Mrs H Carmichael	Mr D Millar
Mr G Farlow	Mr G Phillips
Mr C Fraser	Mr M Reiss
Mr J Gordon	Mr I Renwick
Mr M Green	Mr G Rimell
Mr R Greene	Mr R Saxon
Mr D Hendry	Dr A Sinclair
Mr R Laird	Mr H Wood
Mr B Lobban	

### Non-Members also present:

Mrs I Campbell	Mr C Macaulay
Mr B Clark	Mrs L MacDonald
Mrs M Davidson	Mr T MacLennan
Mr D Fallows	Mrs M Paterson
Mr K Gowans	

### Officials in attendance:

Mr S Black, Director of Development and Infrastructure  
Mr M MacLeod, Head of Planning and Building Standards  
Mr G Hamilton, Head of Environment and Economic Development  
Mr A McCann, Economy and Regeneration Manager  
Ms N Wallace, Environment Manager  
Mr S Dalgarno, Development Plans Manager  
Ms A Mackay, Service Support Manager  
Mr D Mudie, Team Leader, Development Management  
Mr D Cowie, Principal Planner  
Mr T Stott, Principal Planner  
Mr B MacKenzie, Principal Planner  
Ms L Clarke, Planner  
Mr A Webster, Regeneration Adviser  
Mr A Hamilton, European Officer  
Ms M Peter, Business Gateway Officer  
Mr B MacKinnon, Employability Team Leader  
Ms F Cameron, Acting Programme Manager (Highland LEADER Programme)  
Mr C Simpson, Tourism Co-ordinator  
Ms K Hawthorne, Conservation Officer  
Mr A Maguire, Head of Property Partnerships  
Mr G Bull, Corporate Property Asset Manager  
Mr C Anderson, Property Manager (Operational Estates Management)  
Mr C Howell, Acting Head of Infrastructure

Mr E Boyd, Principal Engineer, Energy Engineering  
Mr DGC MacKenzie, Chief Structural Engineer  
Mr G Robb, Trading Standards Manager  
Mr K Walker, Policy Officer, Health Improvement, Chief Execs  
Mrs R Moir, Principal Committee Administrator  
Ms L Lee, Committee Administrator  
Mr S Taylor, Administrative Assistant

**Also in Attendance:**

Mr M Roughead, Chief Executive, VisitScotland (Item 4)  
Mr S Armstrong, Regional Director, VisitScotland (Item 4)  
Mr D MacLeod, Agriculture Adviser

An asterisk in the margin denotes a recommendation to the Council. All decisions with no marking in the margin are delegated to the Committee.

**Mr T Prag in the Chair**

**1. Apologies for Absence  
Liesgeulan**

Apologies for absence were intimated on behalf of Mr J Crawford, Mr J Gray and Mr D MacKay.

**2. Preliminaries  
Ro-fhiosrachadh**

The Committee **NOTED** and welcomed that:

- Mark McGinty, Team Leader for Trading Standards, had been appointed as Chair of the Trading Standards Institution
- the Council's Create and Employ Team had received a Gold Award at the 2014 COSLA Excellence awards.

**3. Declarations of Interest  
Foillseachaidhean Com-pàirt**

The Committee **NOTED** the following declarations of interest:

- Item 6 – Mr G Farlow (Financial)
- Item 13 – Mr G Farlow, Mr M Reiss (Non-financial)
- Item 16 – Mr T Prag, Mr B Lobban, Mr D Fallows, Mr T MacLennan, Mrs H Carmichael (Non-financial)
- Item 21 – Mr T Prag, Mr B Lobban, Mr D Fallows, Mr T MacLennan (Non-financial)
- Item 25 – Mr T Prag, Mr D Hendry, Mr G Farlow, Mr R Saxon (Non-financial)

**4. VisitScotland – Presentation and Annual Report  
VisitScotland – Taisbeanadh agus Aithisg Bhliadhnail**

A presentation was given by Mr Malcolm Roughead, Chief Executive of VisitScotland (VS), on VisitScotland's recent and proposed activity.

Mr Roughead explained that tourism spend extended beyond visitors' overnight stays, and included money spent by visitors, hotels and event organisers, etc., on a broad range of goods and services. This wider visitor economy was estimated to contribute £509m annually to the Highland economy, supporting around 12,500 jobs (£12.6bn and 300,000 jobs in Scotland as a whole). The industry had grown by 6.5% year on year, despite the recession, with the largest percentage increase in visitor numbers coming from abroad. Mr Roughead emphasised the importance of improving connectivity, to and within Scotland, and drew attention to actions being taken by VS in this regard. He also highlighted a cross-section of forthcoming events; a full events programme, locally and nationally was essential. Visitors attracted to Scotland by major events in the Central Belt, such as the Commonwealth Games, would often also take the opportunity to visit the Highlands. Partnership working was crucial to all that VS did – for example bringing conferences and events to an area, or establishing new international flights, involved the Council, Highlands and Islands Enterprise, Highlands and Islands Airports Ltd, Chambers of Commerce and others. Partnership working in the Highlands was excellent and used as an exemplar for the rest of Scotland.

In discussion, Members recognised the importance of tourism to the economy and employment, and drew attention to the potential of the growing Chinese market. It was suggested that promotion of Highland golf courses could attract visitors from China. Also, young people must be made aware of the career opportunities within the industry.

In response to these and other points raised, Mr Roughead advised that:

- Globally, all economies were looking to the Chinese market to attract customers; however, standards expected by the Chinese were very high.
- Skills Development Scotland and Enterprise Scotland were working on improving capacity and capability in Scotland before the Chinese market was fully targeted, although the new Kelpies public art installation at Falkirk was proving of current interest during the Chinese Year of the Horse.
- Initiatives such as the “Year of the Monster” could be piloted in Highland – VS could look at supporting this.
- High level discussions were currently taking place to scope the next 10 years of VS activity; this would lead to a “mapping and gapping” exercise in the next 6-9 months.
- Much of VS’ work was carried out behind the scenes; for example, it had taken six years to bring about the new flight route from Chicago to Edinburgh – airlines introduced new routes on a profit basis.

Views were also expressed that the Council would welcome support from VS in talks with Transport Scotland regarding the scheduling of road works planned for the A9 during the summer, and in advising the Council of any gaps in the market that the Highlands could address or any examples of good practice from around the world.

The Chairman having thanked Mr Roughead, the Committee **NOTED** the information given.

## 5. Capital Expenditure Monitoring 2014/15 Sgrùdadh Chaiteachais Chalpa 2014/15

There had been circulated Report No. PDI-1/14 dated 28 April 2014 by the Director of Development and Infrastructure outlining the expenditure and income to 30 April 2014 and for the 2014/15 capital programme as it impacted on the Projects and Facilities team delivery of the Capital Programme and the delivery of the Vacant and Derelict Land Fund (VDLF) across Highland.

The report summarised progress with capital projects currently being delivered under the Capital Programme and VDLF and advised that approval was being sought from the Scottish Government with regard to carrying forward unused VDLF monies from 2013/14 to the current financial year. The Council's draft delivery plan for 2014/15 had been submitted to the Government, and a Ministerial decision was expected around the end of May 2014.

The Committee **NOTED** the report and that a report would be brought to a future meeting on the outcome of discussions with the Scottish Government regarding the VDLF programme in Highland.

## 6. Housing Development Investment Tasgadh ann an Leasachadh Taigheadais

### **Declaration of Interest:**

**As a Council House tenant, Mr G Farlow declared a financial interest in this item but, in terms of the dispensation granted by the Standards Commission, remained to participate in the discussion.**

There had been circulated Report No. PDI-2/14 dated 6 May 2014 by the Director of Development and Infrastructure providing an update on the new build housing investment programme, and seeking agreement that the revised programme be adopted as part of the Highland Strategic Housing Investment Plan.

The report referred to the Council's indicative programme of new build council houses, as had been agreed by the Finance, Housing and Resources Committee in January 2014 and which, through collaboration with other social housing bodies, provided for 625 new builds for rent or shared equity. It also drew attention to a further 37 homes for rent/low cost ownership being constructed under the Scottish Government's "Greener Homes Innovation" and "Shovel Ready" Schemes. Additional funding had now become available under the Scottish Government's grant investment programme, which, should the Committee agree to the report's recommendations, would result in a total of 909 affordable new builds (including Council, Housing Association and shared equity homes) being approved by 2014/15. The Council's own target was to deliver 688 new Council homes by 2017; the above proposals would bring the total of new Council houses to 664 by the end of 2015. The report also identified the land transactions which would be required, should the new build proposals for 2014/15 be approved.

A summary of the loans and Landbank Fund position was provided, together with information on a design and build contract at Academy Street, Inverness. Should any further design and build projects arise, these would be reported to the Committee.

Points raised in discussion and in response to questions included that:

- The increase in affordable housing provision was excellent news for the Highlands.
- The type of heating system installed in a development was decided on the basis of what was best for a particular scheme; smaller developments were better suited to individual biomass or air-source heat pumps; for district heating schemes to be appropriate, a housing development needed to be large-scale.
- It could take longer to obtain planning permission in the Cairngorms National Park, as that Authority's main objective was to protect flora and fauna – this led to a higher level of opposition to new homes.

The Committee **APPROVED** an amended programme of new build housing; and **AGREED** that:

- i. a site at 92/94 Academy Street, Inverness be purchased, on terms and conditions to be agreed by the Director of Development and Infrastructure, as part of the proposed programme; and
- ii. the amended programme be submitted to the Scottish Government as part of an agreed Housing Investment Programme.

## **7. Planning Performance Framework and Quarter 4 Performance Review Frèam Dèanadas Dealbhaidh agus Ath-bhreithneachadh Dèanadais Cairteil 4**

There had been circulated Report No. PDI-3/14 dated 2 May 2014 by the Director of Development and Infrastructure providing an update on performance against the actions set out within the Planning Service Improvement Plan. The report also advised Members on the delivery of the Development Management, Building Standards and the Development Plan services for the last Quarter of 2013/2014.

Many of the 31 actions contained in the Service Improvement Plan were now complete. Emphasis continued on reducing average processing times and improving service delivery, including the e-planning system and further developments relating to customer engagement. Work with other bodies to address transport issues and guide future development was ongoing, as were actions to improve enforcement procedures. Many Development Management targets had been surpassed, thus meeting Scottish Government aspirations. The number of Building Standards applications and the value of the work were increasing. During the last Quarter there had been 15 applications for works valued at over £1m. Increases in workloads in Inverness were being evened out by passing work to outlying areas. The report also highlighted actions being taken to deliver town centre regeneration in Inverness, Nairn and Fort William, and drew attention to the good progress being made with the Caithness and Sutherland Local Plan. The three actions for which targets had not been met were being actively worked on.

The Head of Planning and Building Standards gave an explanation of the terminology relating to Environmental Impact Assessments (EIAs), and responded to Member questions on the best way to measure EIA scoping performance and on options for comparing Highland's performance with that of other Authorities. He also undertook to keep Members informed of any enforcement actions being taken in their Ward.

The Committee **NOTED**:

- i. the progress made against the actions set out within the Planning Service Improvement Plan;
- ii. the performance updates for the Development Management, Building Standards and Development Plans teams;
- iii. that, in future years, the average time taken for scoping work in relation to Environmental Impact Assessments would be reported, rather than the percentage of applications for which scoping had been completed within the target time; and
- iv. that future quarterly performance reports would include performance figures from other Authorities within the same “benchmarking family” as the Highland Council, for comparison.

## **8. Guidance on the Role of Councillors in Pre--Application Procedures Stiùireadh mu Dhreuchd Chomhairlichean ann am Modhan Ro-iarrtais**

There had been circulated Report No. PDI-4/14 dated 28 April 2014 by the Director of Development and Infrastructure advising that the Scottish Government had recently published a document which sought to encourage elected Members to highlight issues with a proposed development at pre-application stage. Planning Authorities had been tasked with preparing guidance for Members and the report set out the proposed approach for Highland.

The report set out how participation in the Pre-Application procedure sat in relation to the Councillors' Code of Conduct, and outlined a process which would allow Members to input to Pre-Application consideration of development proposals via the appropriate Planning Applications Committee (PAC). The proposed process would apply to major developments only.

The Head of Planning and Building Standards explained the proposals in detail, advising that Members would be asked to comment on material considerations only, and that this would be managed in a way that ensured no Member would inadvertently breach the Code of Conduct. There would be mandatory training.

Points raised in discussion included:

- That the proposals were welcome and could be helpful in preventing a situation where developers had met requirements stipulated by officers only to have their application refused by Members.
- Members would need to be very careful that they did not break the Councillors' Code of Conduct; training, including refresher training, was very important, needed to be of a high standard and to include non-PAC Members if they were to comment on applications in their Ward.
- Consideration of Major Applications would be unlikely to substantially increase the workload of PACs.
- Locally significant applications should be brought within the scheme as soon as possible, ideally within six months.

The Committee **AGREED**:

- i. the pre-application procedure for Highland as set out in the report;
- ii. that the Planning Applications Committee (PAC) scheme of delegation be modified to include the new Planning Advice Note procedure;

- iii. that mandatory Member training on the new procedures be undertaken before its implementation;
- iv. that the new procedure be implemented at the meetings of the respective PACs in September 2014; and
- v. that extension of the procedure, once bedded in, to locally significant applications be explored further at the earliest opportunity, by Spring 2015 if possible.

The Committee also **NOTED** that:

- i. a provisional date of 29 August 2014 had been set aside for the mandatory Member training on the new procedures; and
- ii. clarification would be sought as to whether Members would be excluded from participation in the pre-application procedure if they had not undertaken the mandatory training.

## **9. Inner Moray Firth Local Development Plan Plana Leasachaidh Ionadail Linne Mhoireibh A-staigh**

There had been circulated Report No. PDI-5/14 dated 30 April 2014 by the Director of Development and Infrastructure summarising the representations received on the Inner Moray Firth Proposed Local Development Plan and seeking approval for the proposed Council position on the issues raised. It provided recommendations for the next steps in the statutory process towards adoption of the Plan, starting with submission to Scottish Ministers to enable an Examination of the Plan by independent Reporters.

The Plan had been agreed as the settled view of the Council in September 2013 and was already being used as a material consideration in determining planning applications. The report set out the stages through which the Plan had gone since September 2013, including a 12 week public consultation where 1,300 representations had been received. It then summarised the key issues that had been raised and gave the Council's response to these – this information had been recorded in full in the "Schedule 4s" that had been made available on line and in the Members' library and would be submitted to the Reporter as part of the Examination of the Plan. The report also explained the ways in which changes could be made to the Plan, and the time and cost implications of these.

The report highlighted the issues which the Council regarded as worthy of consideration at Examination, and those which it did not support, and set out a number of amendments which the Council would ask the Reporter to consider, some of which had arisen due to changes in circumstances or new information. The outcome of the Examination by Reporters was expected between December 2014 and March 2015.

The Development Plans Manager summarised the main points of the report, and the Principal Planner spoke in more detail on instances where changes to the Plan were being suggested, either as a result of further information becoming available (e.g. clarification as to land ownership at Conon Bridge and Fort Augustus; and, from Transport Scotland, with regard to the Nairn by-pass route and trunk road junction requirements); or in response to representations received (e.g. a site reduction at Bogbain). He acknowledged comments that had been made in relation to NA8 Nairn; confirmed that neighbour representations opposing development on allotment land at Beauuly would be brought to the attention of the

Directorate for Planning and Environmental Appeals (DPEA); and highlighted instances where developer representations had not been agreed to, but would still be referred to the DPEA for their final decision.

The Committee thanked officers for their hard work in taking the Plan forward. In response to questions, clarification was given that:

- The sequential element of Policy 1 was suggested for change in order to clarify that developers need not search for commercial sites within Inverness City Centre ahead of the Plan area's town centres.
- Infrastructure requirements for each part of the Plan had been drawn up; a development would be unable to go ahead unless the necessary infrastructure was in place.
- It was open to the Reporter to look at the Council's scale of growth estimates.
- Whilst the quality of agricultural land was recognised as important in zoning sites, it was not an over-riding factor – decisions were taken on balance over a number of factors.
- The decision whether or not to retain the proposed zoning of land at Knocknagael was finely balanced – retaining it would mean the Reporter would consider it, would allow objections to its retention to be heard, and would also allow the Crofting Commission's proposal to be heard.
- Feedback would be given to those who had lodged comments – if the Committee approved the recommendations, the Plan would be re-published and a letter sent to all who had responded to the consultation, to say what the outcome of their comments had been.

Points raised in discussion included:

- the importance of supporting development and the potential consequences of not so doing
- that it was good to see points raised by communities being taken on board
- the importance of responding to those who had made representations.

The Chairman having thanked all those who had taken part in the consultation, the Committee **AGREED**:

- i. the suggested Council position on the issues highlighted in the report, as set out in the full Schedule 4s and summarised in Section 3 of the report; subject to:
  - aligning the reference to NA8 Nairn with the Committee's previous planning decision relating to this site
  - describing the reference to the Beaully allotments as a "suggestion for consideration";
- ii. to authorise officers to proceed with the statutory procedures required to progress the Proposed Plan to Examination, including the submission of all Schedule 4s for 'unresolved issues' to Scottish Ministers; and
- iii. to authorise the Director of Development and Infrastructure, in consultation with the Chair and Vice Chair of the Committee, to make non-material changes to the Schedule 4s prior to their submission to the Directorate for Planning and Environmental Appeals.



## 10. Inshes and Raigmore Masterplan, and Inshes Junction Upgrade Prìomh Phlana nan Innseagan agus An Rathaig Mhòir, agus Leasachadh Ceann-rathaid nan Innseagan

There had been circulated joint Report No. PDI-6/14 dated 1 May 2014 by the Director of Development and Infrastructure and the Director of Community Services setting out the background to a forthcoming public consultation being carried out in partnership with Transport Scotland, relating to land use opportunities and strategic and local transport network improvements in the Inshes and Raigmore areas of Inverness. The draft material to be used at the consultation events had been circulated as Appendices A and B to the report.

The report highlighted the importance of the Inshes and Raigmore area to the future development of Inverness and the wider Highlands, and identified key issues for consideration, including: transport infrastructure; employment; walking, cycling and public transport arrangements; flood risk; access to existing housing and businesses; and guidelines for new developments. Environmental Assessments would be carried out. The report also provided information on the Transport Scotland A9/A96 Connections Study, the linking of local and trunk roads, and proposals for Inshes junctions. However, it would not be possible to agree the layout for local road improvements until Transport Scotland's preferred option for the trunk road improvements had been announced.

Detail was provided as to the timescales and milestones for progression of the Development Brief, including reporting to this and the City of Inverness and Area Committee, and the proposals for communication with affected businesses, statutory bodies, landowners and communities. Public Exhibitions on the roads and planning proposals would be held jointly with Transport Scotland on 30 May and 3 June 2014; public consultation on these three areas would be run simultaneously thereafter. The finalised Masterplan and Junction upgrade proposals would be brought to the Committee for statutory adoption.

The Head of Planning and Building Standards and the Acting Head of Infrastructure gave presentations illustrating the key issues. In discussion, Members welcomed that the busy and complex Inshes Junction would be improved, particularly with the Campus opening in 2015. In response to questions raised, Members were advised that:

- Once plans were received from Transport Scotland, sophisticated traffic modelling would be used to identify the best solution for the Inshes Junction and surrounding roads; this could include a combination of roundabouts and traffic lights, including part time lights; promotion of cycling and walking was likely to require additional pedestrian crossings.
- There was room for three lanes of traffic on the Culloden Road bridge over the A9; adding a fourth lane would require a major re-build.
- The plan was to run the Council's and Transport Scotland's consultations for a two-month period; however, should this prove difficult for Community Councils, it being the summer recess, an extension could be given.

The Committee **AGREED** that:

- i. the material contained in the Appendices to the report form the basis of a public consultation on development opportunities in the Inshes and Raigmore areas, which would inform a draft development brief and the

- related outline roads proposals for Inshes Junction Improvements Phase 2; and
- ii. the consultation period be extended if it were found that communities could not respond in the given time, it being the summer recess.

## **11. Millburn Road Active Travel Corridor Tranrsa Siubhail Rathad Allt a' Mhuilinn**

There had been circulated Report No. PDI-7/14 dated 1 May 2014 by the Director of Development and Infrastructure seeking approval for £50,000 from the Development and Infrastructure Capital Programme as a contribution to the Millburn Road Active Travel Corridor. Approval was also sought for £50,000 of the £1million Carbon CLEVER allowance for 2014/15 for LED Street Lighting along the Millburn Road Active Travel corridor.

The report drew attention to the number of short (under 5km) journeys within Highland and the relatively high proportion of these which were made by car. Creating good cycling and walking routes would allow greater take up of active travel. This would help the Council fulfil its legal duty to help Scotland achieve its national carbon reduction targets, and would also benefit health. The report provided details of what was proposed, and how the Travel Corridor would be funded, including significant contributions from external funders.

The Acting Head of Infrastructure summarised the main points of the report, making reference to a presentation illustrating the travel corridor route and the budgetary position, tenders having come in above estimate. He also provided details of the works required, and the constraints and obstacles faced.

In discussion, there was broad support for the cycle path in terms of the improved connectivity and safety for cyclists and pedestrians between the City and both the new University campus and Culloden Battlefield; cycling was becoming more popular and the Council must think ahead; encouraging cycling helped reduce traffic.

However, strong views were expressed that the project did not provide best value for money in the current financial circumstances and that cheaper ways of providing the path should be looked at. In response, Members were reminded that the project had already been approved by the Council and could not be changed; in addition, revisiting the plans would be likely to jeopardise £280,000 funding from the European Regional Development Fund (ERDF) which had to be spent by September 2014. An assurance was given that all route options had been considered prior to going to tender – none was straightforward. Discussions with the contractor as to how the project could be delivered at lower cost were ongoing, but the dimensions of the path could not be changed – the path had to meet the standards required for a two-way cycle/pedestrian shared path in order to qualify for external funding.

In answer to questions raised, confirmation was given that there would be compensatory planting for any trees felled, and Members were advised that the inclusion of an assessment of the carbon emitted by capital projects was being looked at for future tenders. The carbon emitted by construction of the Travel Corridor should be seen as a one-off cost, which would lead to future benefits.

After discussion, Mr T Prag, seconded by Mr G Farlow, **MOVED** that, as recommended in the circulated report, the Committee approve:

- i. a contribution of £50,000 from the Capital Programme for the Millburn Road Active Travel Corridor; and
- ii. a £50,000 allocation from the Carbon CLEVER capital budget for 2014/15 for the installation of LED street lighting along the Active Travel Corridor.

As an **AMENDMENT**, Mrs I McCallum, seconded by Dr A Sinclair, moved that the Committee not make the contributions contained in the recommendation towards this over-priced scheme, because the Council could not afford to.

On the vote being taken, 13 votes were cast for the motion and 4 votes for the amendment, with 1 abstention, as follows:

#### **Motion**

Dr D Alston, Mrs H Carmichael, Mr G Farlow, Mr C Fraser, Mr R Laird, Mr B Lobban, Mr D Millar, Mr G Phillips, Mr T Prag, Mr I Renwick, Mr G Rimell, Mr R Saxon, Mr H Wood

#### **Amendment**

Mr R Greene, Mrs I McCallum, Mr M Reiss, Dr A Sinclair

#### **Abstention**

Mr J McGillivray

The Committee thus **APPROVED** the contributions for the Millburn Road Active Travel Corridor, as recommended in the circulated report.

## **12. Proposed Compulsory Purchase of land at Nether Lochaber Slip (Corran Ferry)**

### **Ceannachd Èigheachail a Thathar a' Moladh a thaobh Talamh aig Sliop Loch Abar Ìochdarach (Aiseag a' Chorrain)**

There had been circulated joint Report No. PDI-8/14 dated 1 May 2014 by the Director of Development and Infrastructure and the Head of Corporate Governance seeking approval to proceed with the compulsory purchase, using the Council's statutory powers, of ground relating to the Nether Lochaber Slip, the eastern terminal of the Council-operated Corran Ferry crossing.

Between September and December 2010, the Council had undertaken urgent repair and strengthening of the Slip. The work had included the construction of a new berthing face for the ferry vessel. The new berthing face sat on seabed and foreshore ground which was in private ownership. The Council had sought to purchase that area of ground (some 116 sq. metres); however, the owner remained unwilling to sell the ground to the Council.

The report set out the background to the current position and explained the potential risk to the Council if the land were not purchased.

- \* The Committee **AGREED** to recommend that the Council:

- i. resolve to make The Highland Council (Nether Lochaber Slip) Compulsory Purchase Order 2014 to acquire the ground required for the slip as shown in Appendix A to the report;
- ii. authorise the Director of Development and Infrastructure to advertise the Compulsory Purchase Order and take all necessary steps to obtain title; and
- iii. authorise the Director of Development and Infrastructure to undertake negotiations through the District Valuer of any claims for compensation and costs payable to owners and lessees of the ground required.

### **13. Cumulative Landscape and Visual Assessment of Wind Energy in Caithness Measadh Tionalach Cruth-tìre agus Lèirsinneach a thaobh Lùth Gaoithe ann an Gallaibh**

#### **Declarations of Interest:**

**Mr G Farlow and Mr M Reiss, as Members of the Dounreay Stakeholder Group, each declared a non-financial interest in relation to this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, each concluded that his interest did not preclude his involvement in the discussion.**

There had been circulated Report No. PDI-9/14 dated 1 May 2014 by the Director of Development and Infrastructure presenting conclusions and recommendations from a draft Cumulative Landscape and Visual Assessment of Wind Energy in Caithness, which had been produced for the Council. The assessment had been funded by Scottish Government grant, for which The Highland Council and Argyll & Bute Council had submitted a joint bid. Landscape and visual impacts, including cumulative impacts, were typically key considerations for wind energy proposals and Caithness had experienced considerable development pressure. The report presented the consultant's initial conclusions and recommendations to Committee. Further work was being carried out in the Ardrross area, and potentially would be carried out by the Council in certain other areas that were experiencing cumulative pressure from wind energy developments. Although the draft Assessment for Caithness identified areas of suggested development limitation/potential from a cumulative impact landscape and visual perspective, each application would be judged on its own merits, taking account of all relevant planning considerations and detailed assessment of the specific proposal.

The Assessment was a technical study which provided evidence on which the Council could base its spatial steer and assessment of development proposals. It would be used to inform a review of the Council's Onshore Wind Energy Interim Supplementary Guidance that would take place later in the year, following the issue of Scottish Planning Policy (SPP), due to be issued in June 2014. A report would be brought to a future meeting.

With reference to a presentation, the Principal Planner clarified the findings of the Assessment and the terminology used. He also summarised how the Assessment would be utilised, and what would happen next, including that, as the research was based on a "snapshot" of the windfarms in existence or approved at the end of 2012, it would be checked against recent wind energy proposals and decisions in Caithness. Officers would also be asking for a number of changes to the Assessment with regard to accuracy, inclusion of references to other relevant guidance, and to make the document easier to understand and use.

In full discussion, confirmation and clarification was given in response to Member questions relating to the report, including as to how the findings would be used, and the changes to be made to the document to make it easier to use and understand and to take into consideration views that had been expressed by Scottish Natural Heritage (SNH); further work being undertaken at Ardross and potentially to be undertaken for certain other areas, including around Loch Ness; and the process for revising the Council's Onshore Wind Energy Interim Supplementary Guidance, including a public consultation exercise.

In addition to the above, points raised by Members included that:

- The findings would provide an additional tool for the assessment of onshore wind energy applications.
- In view of the many factors which Members were asked to take into consideration in determining Onshore Wind Energy applications, a Members' workshop should be arranged; also, Members would benefit from a visit to Caithness to gain an understanding of the landscape and the impact of wind turbines where topography was relatively flat.
- Public involvement was very important – there was often a view that consultations were a fait accompli; there needed to be wide consultation, and the Assessment should also be considered by the Caithness and Sutherland Area Committee.
- Not everyone was against windfarms, but they did need to be in the right place – windfarms affected locals and visitors; the Caithness landscape was flat and developments were visible over large distances.
- Although the Assessment itself would not be used alone to identify or exclude potential developments, people were nonetheless likely to see the findings as a “traffic light” system.
- The terminology used in the report was very difficult to understand.
- The consultants' assumption that existing and consented windfarms were acceptable was open to question: some windfarms had not been supported either locally or by the Council, but granted by Scottish Ministers or their appointed appeal reporters; decision-makers had previously not had available to them a strategic steer on cumulative impact – there could be windfarms which would have been refused, had this tool been available.
- There was a need to move forward quickly once the SPP was issued – there had been many changes since 2012 and a large number of applications were currently being submitted.
- There had been a large increase in single large turbine applications on farms, and guidance was needed for this also.

In response, an assurance was given that the Assessment and future proposals for guidance informed by it would be the subject of appropriate reporting, – recognising that the research needed to be academically robust as it would be used in appeals. A copy of the finalised Assessment would be made available to Members. The SPP would be critical to how the Council's Interim Supplementary Guidance would be revised; this work would start as soon as possible after June, and would include any appropriate action to clarify the approach to development with respect to Wild Land considerations. A report would be brought to a future meeting of the Committee with the draft revisions to the Supplementary Guidance, following which there would be a period of public consultation.

The Committee **NOTED**:

- i. the initial conclusions and recommendations from the consultant's (LUC) draft report on the Cumulative Landscape and Visual Assessment of Wind Energy in Caithness;
- ii. that officers would draft revisions to the Council's Onshore Wind Energy Interim Supplementary Guidance in light of both the LUC work, once it was finalised, and the new Scottish Planning Policy to be published in June 2014;
- iii. the intention that a further report would be brought to a future meeting of the Committee to consider officers' draft revisions to the Interim Supplementary Guidance prior to public consultation, and on options for producing cumulative landscape and visual guidance for other areas of Highland, together with an update on work for Ardross;
- iv. that consideration was being given to carrying out a similar Cumulative Landscape and Visual Assessment for the Loch Ness area.

The Committee **AGREED** that:

- i. LUC would be asked to make final changes to their report in the light of feedback from officers, to include an emphasis on the need for Plain English to be used, with the finalised report to be made available to Members and reported to the Caithness and Sutherland Area Committee;
- ii. a Member workshop be held on the full range of issues for revision of the Interim Supplementary Guidance, including cumulative impact, this potentially to be held in Caithness in order to allow Members to see the particular considerations of that landscape setting; and
- iii. the arrangements for consultation on draft revisions to the Council's Interim Supplementary Guidance would include a public consultation event to be held in Caithness, at which information about the LUC work would be available, together with the draft revisions.

**14. Highland Historic Environment Strategy, Appendix 1: Historic Windows & Doors (Consultation draft)**  
**Ro-innleachd Àrainneachd Eachdraidheil na Gàidhealtachd, Pàipear-taice 1: Uinneagan & Dorsan Eachdraidheil (Dreachd Cho-chomhairle)**

There had been circulated Report No. PDI-10/14 dated 25 April 2014 by the Director of Development and Infrastructure introducing the Highland Historic Environment Strategy, Appendix 1, Historic Windows and Doors (Consultation Draft). The Appendix had been prepared by officers with input from other professional bodies, as there was a lack of detailed policy and guidance at a local level in relation to changes to historic doors and windows. The document would be useful to listed building owners wanting to make changes to their doors and windows, and to Members when called on to consider planning applications in this regard.

The Conservation Officer having summarised the main points of the report and, in response to a question, having confirmed that the draft document would be circulated to all stakeholders for comment, the Committee **APPROVED** the content of the Highland Historic Environment Strategy, Appendix 1, Historic Windows and Doors (Consultation Draft) for full public consultation prior to formal adoption.

**15. High Hedges (Scotland) Act 2013**  
**Achd nan Callaidean Àrda (Alba) 2013**

There had been circulated Report No. PDI-11/14 dated 25 April 2014 by the Director of Development and Infrastructure advising that, on 1 April 2014, the High Hedges (Scotland) Act 2013 had come into force and introduced new powers for Councils in Scotland to take action against high hedges that formed a barrier to light and adversely affected the enjoyment of an adjacent property. In order to discharge its functions under this Act, the Council had amended its Scheme of Delegation at its March 2014 meeting. Interim policies and fees had also been introduced by the Development and Infrastructure Service. The report provided a brief background to, and explanation of, the new high hedge processes and made recommendations on the adoption of guidance and fixing of fees.

In speaking to the report, the Team Leader, Development Management, explained that there were two stages in applying the legislation: the lodging of an application, and enforcement action taken by the Council. The onus was on applicants to try and resolve disputes informally in the first instance, with a high hedge notice application being used as a last resort. At £450, the fee was above the national average, but was the same as/similar to that charged by other large rural Councils such as Argyll and Bute and Dumfries and Galloway. It had been set partly to cover administrative costs, but also to discourage frivolous or vexatious claims. This reflected the intention expressed by the Scottish Parliament. Of note was the ability of both sides to appeal (applicant and hedge owner). The position with regard to the fee would, however, be monitored.

In discussion, Members welcomed the legislation which offered a way of dealing with distressing situations. However, whilst it was accepted that the cost of implementing the legislation would be high and that this must not become a burden on the Service, Members were of the view that £450 would be prohibitive for many people. The fee should be reviewed in early course, following a bedding-in period.

A number of suggestions were put forward as to ways in which access to legal redress could be made affordable; however, in general, it was considered that these would be difficult to administer or enforce. It was hoped that the possibility of legal action being taken would provide sufficient impetus for people to resolve disputes themselves, and that few cases would be brought.

The Committee **NOTED** the general information in the report and the background to the High Hedges (Scotland) Act 2013 contained within Appendix A to the report; and **AGREED**:

- i. the guidance included in Appendix B to the report as statutory guidance under Section 31 of the High Hedges (Scotland) Act 2013;
- ii. the fees and fee refund scenarios included in Appendix C to the report under Section 4 of the High Hedges (Scotland) Act 2013; and
- iii. that both the guidance and fees/refund scenarios would be reviewed in due course after a bedding-in period and a further report presented to Committee, should any revisions be considered necessary; this to take place within 12 months.

## 16. Business Gateway Slighe Gnothachais

**Declarations of Interest:**

Mr D Fallows, as Chair of Highland Opportunity Limited, and Mr T Prag, Mr B Lobban and Mr T MacLennan, as Directors of that company, each declared a non-financial interest in relation to this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, each concluded that his interest did not preclude his involvement in the discussion.

Mrs H Carmichael, as Regional Chair of the Prince's Trust Youth Business Scotland, declared a non-financial interest in relation to this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that her interest did not preclude her involvement in the discussion.

There had been circulated Report No PDI-12/14 dated 25 April 2014 by the Director of Development and Infrastructure updating Members on the Business Gateway Contract Performance for the year ended 2013/14; and on the integration of Business Gateway within the wider support activity provided by The Highland Council, with Business Gateway offered and promoted as the "one door" into an important portfolio of business interventions and business support, managed and delivered through Highland Opportunity Ltd.

Performance areas covered included: business start-up activity, growth activity, advice to existing businesses and Quality Assurance. Council support activity covered included: business finance, business grants, the Enterprise Europe service, Business Gateway Plus, Prince's Trust Youth Business Scotland, enterprise stimulation in Education, the Create and Employ service, the Highlands and Islands Digital Engagement Programme and serviced business space.

Points raised in discussion included:

- Business Gateway was performing well against national targets previously set under different economic circumstances.
- Work would be undertaken over the course of the year to enhance the transfer of growing businesses into the Highland and Islands Enterprise growth pipeline and account management.

The Committee **NOTED**:

- i. the Business Gateway core service, its delivery and the wider business support provided; and
- ii. performance for the operational year 2013/14.

**17. Employability Services  
Seirbheisean Cosnaidh**

There had been circulated Report No. PDI-13/14 dated 29 April 2014 by the Director of Development and Infrastructure updating Members on existing and planned activity for 2014/15 across the various workstreams undertaken by the Employability Team in order to meet the task of delivering a client centred service that would assist people furthest removed and distant from the labour market, including those with disabilities, to be job ready and able to move into the world of work.



The report set out proposed activity for the Council's Employment Advisory Service, reminded Members of the operation of the Deprived Area Fund, and outlined briefly a number of specific projects, including:

- "Create and Employ", the business advice and recruitment service operated in partnership with Business Gateway
- the Public Sector Work Experience Programme, designed to provide 26 weeks paid work experience for unemployed young people under 25 with little work experience
- "Try It Out", a service designed to provide one to one engagement with people with longer term social or health barriers to work needing sustained support to build personal and social skills to enable them to engage better in pre-employment activity such as skills development and more formal training
- "Work It Out", a short course programme to provide short term and part time "pre-employment" events and courses aimed at building confidence and allowing people to consider their employment options
- "GO4IT!", a programme providing outreach and mentoring to young people not yet engaging in post school activity
- Graduate Placements
- Council Graduate Interns
- Youth Employment Scotland, an Employer Recruitment Incentive for businesses across Scotland

The report also highlighted general partnership working in relation to Youth Employment and also the role of Highland Works, the Local Employability Partnership for Highland with responsibility for setting and delivery of the Employability targets included in the Single Outcome Agreement. This Partnership included the Council's principal partners: NHS Highland, Highland and Islands Enterprise, Department of Works and Pensions, Skills Development Scotland, Third Sector Interface and the University of the Highlands and Islands.

Following a brief presentation summarising the Council's winning submission to the 2014 COSLA Excellence awards on its Create and Employ service (item 2 above refers), the Economy and Regeneration Manager drew attention to the resource implications section of the circulated report, which indicated that earmarked funding would carry over from 2013/14 into the current financial year, thereby allowing activity to continue after current European Social Fund (ESF) funding finished in September. Positive discussions regarding future funding from the ESF Programme would continue and budget proposals would be presented to the Committee in due course.

Points raised in discussion included:

- Whilst opportunities for providing young people with experience were welcomed, concern was expressed that provision was limited for people over 25 and even more so for those over 50.
- It was important to balance the particular requirements of individuals with long term health problems seeking to return to work.
- The importance of employability opportunities to the success of drugs and alcohol recovery programmes should be more explicitly recognised.

The Committee **NOTED** the contents of the report and updates given on activity; and **AGREED** the proposed Work Plan 2014/15.

## **18. Trading Standards 2014/15 Operational Plan Plana Obrachaidh Inbhean Malairt 2014/15**

There had been circulated Report No. PDI-14/14 dated 15 April 2014 by the Director of Development and Infrastructure setting out the factors that had been taken into account in setting the priorities for Trading Standards in the year ahead and placing the Trading Standards Operational Plan for 2014/15 before Members, for approval. The report also advised that, in due course, Trading Standards would be assimilated into the Development and Infrastructure Service Plan, with approval of the Annual Operational Plan becoming a Service Plan enabling action, supporting Annual Performance Review.

The report confirmed that the overall objectives of Trading Standards were to fulfil the Council's statutory duties under numerous pieces of consumer protection and trading standards legislation, to ensure that trade in the Highlands was carried out in accordance with relevant statutory requirements and statutory codes of conduct, and, in so doing, to protect the safety and economic interests of consumers and businesses, and support those regulated to understand and comply with their obligations and grow their businesses.

The report also clarified that, wherever possible, the objectives of the Operational Plan had been aligned with the Scottish Government's National Outcomes and with the Council's Single Outcome Agreement and "Working together for the Highlands" programme. An in-house assessment of specific local issues for inclusion had also been undertaken. In addition to the proactive work programme set out in the Operational Plan, operational activities also included investigating complaints and referrals from other regulatory and advice agencies and responding to service requests. The Trading Standards Performance Review was reported to Committee each autumn.

The Chairman thanked the Trading Standards Manager for the Drop-in Session that had been available to Members prior to the meeting and suggested that a workshop be arranged to provide Members with the opportunity to examine the work of Trading Standards and to raise any concerns or issues.

Points raised in discussion included:

- Members welcomed the suggestion of a workshop and expressed their appreciation for the Drop-in Session, which had provided a range of information on a number of subjects and enabled Members to gain a better understanding of the work of Trading Standards.
- The Trading Standards unit was complimented on the work it had undertaken and its transfer to the remit of this Committee was welcomed.
- At a recent COSLA conference, the Highland Council Trading Standards unit had been identified as one of the best in Scotland and provided a model for other trading standards bodies/landscape in Scotland to emulate.
- The inclusion of doorstep crime within the Plan was welcomed, and the importance of alerting the vulnerable and elderly to the risk of doorstep crime was emphasised.
- The work being done with regard to high delivery charges in the Highlands was welcomed.

During discussion, the Trading Standards Manager's responses to a number of comments/questions included:

- Trading Standards worked in association with Police Scotland and NHS Highland to raise awareness of doorstep crime; this included training events aimed at individuals supervising or working with home carers.
- Work was being undertaken to enable communities to monitor Cold Call Control Zones.
- Trading Standards made use of the Citizens Advice Bureau's advice role to help raise awareness through social media and the Highland Consumer Partnership of the activities associated with cold calling.

The Committee **APPROVED** the Trading Standards 2014/15 Operational Plan and **AGREED** that a Member workshop on the work of Trading Standards be arranged.

## **19. Highland LEADER Programme Prògram LEADER na Gàidhealtachd**

There had been circulated Report No. PDI-15/14 dated 25 April 2014 by the Director of Development and Infrastructure providing an update on the Highland LEADER 2007-13 Programme, highlighting progress to date, audit issues encountered, and the 2013 Internal Audit grading. The report also offered a brief comment on the development of a future LEADER Programme 2014-2020.

The 2007-13 Programme end date had been 31 March 2014, although five of the 371 projects approved in Highland were due to be completed by end August 2014, and 24 completed projects had final claims still to be processed. Whilst the Highland LEADER Programme had been fully committed (£16.5m) in April 2012, project underspend in a number of cases had meant that the final Programme spend, and therefore grant pull-down from the Scottish Government, would be limited to around £15m, representing, together with other match funding, a total investment across the Highlands of some £30m.

The LEADER Programme was audited annually by the Council's Internal Audit unit, which reported to the Audit and Scrutiny Committee and the Scottish Government. Audit Scotland also reviewed Highland LEADER files as part of its annual audit of the wider Scottish Rural Development Programme on behalf of the European Commission. Within this wider audit, Audit Scotland had concluded in February 2013 that the existing framework supporting the LEADER Programme across Scotland was not fit for purpose, leading to a range of additional work for local programmes and a delay in payments. An eligibility review had been completed by the Highland LEADER team by 31 August 2013 and all outstanding funds had now been claimed from the Scottish Government. A wider file review exercise to ensure audit compliance in terms of the EU Regulation was currently ongoing and was anticipated for completion by end September 2014, as were the five recommendations in the Internal Audit report for 2013, all of which were considered Medium priority. Overall, the Internal Audit report had concluded that Reasonable Assurance could be given.

An expression of interest to manage a new LEADER Programme across Highland, submitted by the Council on behalf of the Highland Community Planning Partnership In August 2013, had been accepted by the Scottish Government, and the Council/Highland LEADER Local Area Group (LAG) had now been asked to progress with the preparation of the Local Development Strategies (LDS). Final submission should be in October 2014, with approval by

year end, and establishment of a “shadow” LAG(s) was required to take this forward. Following a first consultation phase, work would commence on the draft LDS and a draft Business Plan, before a second phase of consultation in late August/September. Members were encouraged to participate in both consultations, with further reports to come to this Committee and to Area Committees; more detailed information on the consultations would be provided via Ward Managers. Detailed information on programme criteria and allocations was awaited; it was likely, however, that the financial allocation for the 2014-2020 programme would be significantly lower than that for the 2007-13 Programme, which had contained an element of Convergence Fund allocation.

Points raised in discussion included:

- The reduction in funding for the 2014-2020 LEADER programme was acknowledged and the importance of this to communities was highlighted.
- Consultation would focus on the allocation of resources and economic regeneration at a local level and aligning this with both European and Scottish government aspirations for the Programme.
- Whilst there was a range of European funding initiatives such as Horizon 20/20, focus was primarily on mainstream programmes; however, opportunities for the Council and communities to access other European funding would be looked at in the future.

The Committee **NOTED**:

- i. the progress achieved and benefits secured with the delivery of the 2007-13 Highland LEADER Programme;
- ii. the audit issues, the high level of risk associated with claim eligibility and the priority assigned to the mitigating actions; and
- iii. proposals for the preparation of the 2014-2020 Highland LEADER Programme.

## **20. Scottish Government Consultation on Future CAP Direct Payments in Scotland from 2015**

### **Co-chomhairleachadh Riaghaltas na h-Alba mu Phàighidhean Dìreach CAP san Àm ri Teachd ann an Alba bho 2015**

There had been circulated Report No. PDI-16/14 dated 28 April 2014 by the Director of Development and Infrastructure providing a summary of the Highland Council response to the recent Scottish Government consultation on future Common Agriculture Policy direct payments from 2015. The consultation had been discussed and the response agreed at a workshop attended by members of the Planning, Environment and Development Committee on 27 February 2014. The closing date for responses had been 28 March 2014 and the Council response had been submitted. A copy of the full response had been made available on the Members' Bulletin.

The Committee **HOMOLOGATED** the response submitted on behalf of the Council.

## **21. Establishing a Local Food Network** **A' Stèidheachadh Lìonra Bìdh Ionadail**

**Declaration of Interest:**

**Mr D Fallows, as Chair of Highland Opportunity Limited, and Mr T Prag, Mr B Lobban and Mr T MacLennan, as Directors of that company, each declared a non-financial interest in relation to this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, each concluded that his interest did not preclude his involvement in the discussion.**

There had been circulated Report No. PDI-17/14 dated 28 April 2014 by the Director of Development and Infrastructure providing brief feedback on work undertaken by consultants Rural Analysis Associates on behalf of The Highland Council and the Think Local Community Food Fund.

The Council and Highlands and Islands Enterprise (HIE) had supported the development of local food networks and initiatives throughout Highland over the previous decade; co-ordination at a regional level had, however, ended with the demise of the Highlands and Islands Local Food Network in 2009. The Council, in association with Rural Analysis Associates, had now carried out considerable background research in order to investigate the appetite for developing an industry-led network that could co-ordinate and drive future activities to support the sector in Highland.

This consultation exercise had found a keen demand for local produce in all areas of Highland, but real difficulties both in sourcing such produce and in identifying local outlets and distribution facilities. The favoured model for addressing the need for more effective communication and linkages was to establish a virtual network using social media, combined with promotional events. While pilot Facebook and Twitter pages had already been set up, public sector commitment was required to help establish, manage and promote the virtual network, provide social media training for interested businesses, and bring forward some of the suggested events.

The report recommended that a local food network should be established and that discussions should begin with a number of local partners about how this could best be achieved. In the first instance the Network should be established for two years, with a mid-term review at the end of the first year of operation.

Points raised in discussion included:

- Management and moderation were key to the success of social networking and the proposed Network had the potential to be very useful.
- Account should be taken of new European rules regarding procurement of food and services by local authorities.

The Committee **NOTED** the outcomes of the recent consultancy project and the support that existed for the establishment of a virtual local food network in the Highlands; and **APPROVED** the recommendation to begin discussions with Moray Council, Business Gateway colleagues, Highlands and Islands Enterprise, Highland Opportunity Ltd and Think Local with a view to establishing a Highland and Moray Local Food Network at the earliest opportunity.

## **22. Allotment Policy – Annual Report** **Aithisg Bhliadhnaidh mu Phoileasaidh Lotaichean**

There had been circulated Report No. PDI-18/14 dated 23 April 2014 by the Head of Policy and Reform presenting an annual report on the Council's Allotment Policy and proposing an approach to delivering the Programme commitment to encourage community growing.

In addition to outlining progress on the Allotment Policy up to April 2014, the report reminded Members of the Council's response to the Scottish Government consultation on the Community Empowerment (Scotland) Bill, which included a section on allotments that might replace the current legislative framework. The report therefore proposed delaying any policy review until the new legislation was in place, perhaps by Autumn 2014.

The report also made a range of proposals for encouraging community growing, particularly in those areas where the Council's preventive spend to tackle deprivation was targeted: Fort William, Wick, parts of Inverness, and Alness. It was proposed to use a community development approach to supporting the establishment of community growing schemes in these areas, linking with NHS Highland and forming an integral part of wider health inequalities work.

It was also proposed that the Council take the same approach to leasing land for community growing projects as under section 3.1 of the Allotment Policy; extend its information provision for allotment groups to include community growing groups; work with the Federation of City Farms and Community Gardens to support its networking events; and establish a community growing page on the Council's web site.

The Committee was also advised that the Community Woodlands Association had proposed a scheme to develop new woodlands in small parcels of land adjacent to settlements. Incorporating this into the Allotment Policy would be considered in a future report.

Points raised in discussion included:

- Developers should be encouraged to promote the benefits an allotment or small garden could bring to people dealing with mental health issues.
- Whilst acquiring suitable land for allotments had initially proved difficult in some areas, local communities had made these allotments successful and were looking at extending them onto further land.
- Providing allotments in areas identified as suffering from social deprivation would help communities.

In response to a question regarding the Council's attitude towards "guerrilla gardening", the Policy Officer, Health Improvement, advised that some communities in the Highlands had shown interest in this practice and were looking for permission to plant on thin strips of land alongside footpaths. Whilst this was not currently addressed in the Policy, this was an area that could be looked at in the future.

The Committee **NOTED**:

- i. the allotment policy annual report and that the Council Programme target of four new sites by 2014 had been met; and
- ii. that the forthcoming Community Empowerment Bill was expected to replace existing allotments legislation and that the Council's Allotment

Policy and targets could be reviewed, to reflect the new legislative requirements.

The Committee **AGREED** the proposed approach to supporting and encouraging community growing in Highland through land availability where the Council had suitable land, targeting support initially for three years in areas of deprivation and facilitating networking and skills sharing.

**23. Internal Audit Final Report – Compliance with the Carbon Reduction Commitment Energy Efficiency Scheme 2012/13**  
**Aithisg Dheireannach In-sgrùdaidh – Gèilleadh ri Sgeama Èifeachdas Lùtha Gealltanais Lùghdachadh Càrboin 2012/13**

There had been circulated a copy of the Audit Report Summary issued by the Internal Audit Section on the Council's Compliance with the Carbon Reduction Energy Efficiency Scheme 2012/13, together with a copy of the Audit Report Action Plan, both previously considered by the Audit and Scrutiny Committee at its meeting on 27 March 2014.

The Committee **NOTED** the position.

**24. Home Energy Efficiency Programme for Scotland – Area Based Scheme**  
**Prògram Èifeachdais Lùtha Dachaigh airson Alba – Sgeama Steidhichte air Sgìre**

There had been circulated Report No. PDI-19/14 dated 22 April 2014 by the Director of Development and Infrastructure confirming the updated position on the Home Energy Efficiency Programme for Scotland – Area Based Scheme (HEEPS-ABS) in Highland and detailing the phase 2 programme of works.

The report explained that the Scottish Government had set up the Scheme, envisaged to run for a period of ten years, in order to assist householders to install a range of energy efficiency measures. The Highland Council administered and directed the programme in Highland, and received the HEEPS-ABS funds as an annual award. It had a three year partnering contract in place with E-On to provide an Energy Company Obligation contribution to the fund and to plan, manage and undertake all suitable works in connection with the programme over that three year period.

The Council had received an element of core funding from the Scottish Government of £1.8M in the first year and £2.055M for the second year. The report outlined the programme of works over those first two years and advised that a further programme was being developed for the final year of the agreement with E-On, with areas and appropriate houses needing to be identified for inclusion in the works. Members were invited to suggest areas where the supplier could survey and review.

Points raised in discussion included:

- When allocating funding, account should be taken of average temperatures and the high cost of fuels in rural areas and of high levels of rural poverty.
- Urban/central areas with rows of houses of a similar build were generally more successful in receiving funding than individual rural properties, which tended to be less likely to meet the criteria.

- An analysis should be made of the various similar schemes that had operated in Highland, to identify areas not yet covered.
- Information was available to Members on the areas targeted by the Programme and the number of houses eligible for funding; a further 30 eligible houses in Aird and Loch Ness would be signed up to the Programme over the coming year.
- Whilst a HEEPS-ABS survey leading to remedial work was free, a charge was made in cases where a property was found not to be suitable for installation.
- E-On had a dedicated bus that could be taken to Ward Forum meetings to provide information on the scheme.

The Committee **NOTED** the progress and implications of the Scheme and **AGREED** that Member suggestions as to areas for inclusion in future years' planning be passed to Ward Managers.

## 25. Caithness and North Sutherland Regeneration Partnership Advisory Board Minutes – 3 December 2013

Geàrr-chunntas Bòrd Comhairleachaidh Com-pàirteachas Ath-bheothachaidh Ghallaibh agus Chataibh a Tuath — 3 Dùbhlachd 2013

### Declarations of Interest:

Mr D Hendry, as Chair of the Caithness and North Sutherland Regeneration Partnership Advisory Board, and Mr T Prag, Mr G Farlow and Mr R Saxon, as members of that Board, each declared a non-financial interest in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, each concluded that his interest did not preclude his involvement in the discussion.

There had been circulated and were **NOTED** Minutes of meeting of the Caithness and North Sutherland Regeneration Forum held on 3 December 2013.

## 26. Minutes

### Geàrr-chunntas

There had been circulated and were **NOTED** Minutes of the Planning Applications Committees (PACs) for:-

- North PAC, 14 January 2014
- South PAC, 21 January 2014
- North PAC, 18 February 2014
- South PAC, 25 February 2014
- North PAC, 25 March 2014

## 27. Exclusion of the Public

### Às-dùnadh a' Phobail

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



## **28. Property Transactions Monitoring Report Aithisg Sgrùdaidh Ghnothachasan Seilbhe**

There had been circulated to Members only Report No. PDI-20/14 dated 2 May 2014 by the Director of Development and Infrastructure providing Members with details of the General Fund and Property Account transactions approved by the Head of Property Partnerships and Corporate Property Asset Manager under delegated authority. The report also advised Members on sales concluded in 2013/14, and sales targeted for completion within the financial year 2014/15 and future years.

The Committee **APPROVED** the monitoring statements for the General Fund and Property Account transactions approved by the Head of Property Partnerships and Corporate Property Asset Manager under delegated authority, Budgeted Sales for 2013/14 and 2014/15, and Future Years Sales.

The meeting ended at 4.20 p.m.