

**The Highland Council  
No. 1 2015/2016**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 14 May 2015 at 10.35 am.

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

**Present:**

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

**In Attendance:**

Chief Executive	Director of Care and Learning
Depute Chief Executive/Director of Corporate Development	Director of Finance
Director of Development & Infrastructure	Director of Community Services

**Ms M Smith (Vice Convener) in the Chair**

Apologies for absence were intimated on behalf of Mr D Bremner, Dr I Cockburn, Mr J Gordon, Mr J Gray, Mr D Hendry, Mr N MacDonald, Mr J McGillivray, Mrs B McAllister, Mr G Rimell and Mrs C Wilson.

## **Preliminaries**

The Vice Convener, on behalf of the Council, extended her congratulations to the Council Leader, Mr Drew Hendry, on his election to represent Inverness, Nairn, Badenoch and Strathspey in the recent UK Parliamentary Election.

She also extended congratulations and welcomed Mr Stephen Fuller who had recently been elected to serve as the Councillor for Ward 19 (Nairn).

## **2. Declarations of Interest Foillseachaidhean Com-pàirt**

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

Items 7 and 13 – Mr A Christie, Mrs D MacKay, Mr G Philips, Ms A MacLean, Mr I Renwick and Mr M Green (all non-financial)  
Item 18 – Mr W Mackay (non-financial)

## **3. By-Election – Ward 19 (Nairn) Fo-thaghadh – Uard 19 (Inbhir Narann)**

It was **NOTED** that, following the By-Election held on 7 May 2015, Mr Stephen Kenneth Fuller had been elected to serve as the Councillor for Ward 19 (Nairn).

## **4. Presentation – Child Sexual Exploitation Action Plan Taisbeanadh – Plana-gnìomh Gabhail Brath Feiseil air Cloinn**

A Joint Presentation was undertaken at the meeting with Police Scotland on the Child Sexual Exploitation Action Plan.

In this regard, there had been circulated Report No. HC/15/15 dated 22 April 2015 by the Director of Care and Learning which outlined the response in Highland to national reports on Child Sexual Exploitation and described the Action Plan which had been endorsed by the Highland Child Protection Committee.

During the presentation, it was confirmed that in recent years there had been an increasing awareness of the extent of this issue and its impact on the lives of children and young people, particularly but not exclusively those in vulnerable situations. Research had shown that young people were unlikely to disclose exploitation at the time that it was taking place and it was therefore important to improve understanding of what constituted abuse and to avoid wrongly labelling victims as had happened in the past. In this respect, the key indicators of abuse were listed and it was stressed that they needed to be widely disseminated amongst all those involved in the care of children and young people.

During discussion, Members raised the following issues:-

- everyone in society had a responsibility to protect children from abuse and community liaison events, such as Community Council meetings, could be used to issue continuous reminders in this regard;
- implementation of the 'Named Person' scheme had been well received by families and children's charities;

- no excuses or mitigation should ever be used or accepted for historical abuse;
- future reports, with input from the integrated health authority, should be sought on other issues such as forced marriage and female genital mutilation;
- child exploitation was a blight on society and efforts should be concentrated on prevention, monitoring groups known to be at risk and the development of mechanisms to identify victims;
- the Council should be ever vigilant in its role as corporate parent with particular emphasis on prevention and early intervention;
- it should be recognised that vulnerable adults could often also be victims;
- it was important to maintain the appropriate flow of information between services and professionals to ensure that no indicators of exploitation were missed; and
- consideration should be given to the most appropriate accommodation to be provided for young people who were homeless with their safety being paramount.

### **Decision**

Thereafter, the Council **NOTED** the Child Sexual Exploitation Action Plan and **AGREED** to support the awareness raising proposals which had been highlighted.

#### **5. Confirmation of Minutes Daingneachadh a' Gheàrr-chunntais**

There had been submitted for confirmation as a correct record the Minutes of Meeting of the Council held on 12 March 2015 and of the Special Meeting held on the same date as contained in the Volume which had been circulated separately which were **APPROVED** - subject to the following addition –

#### **Item 14: Page 908: Affordable Warmth Campaign for the Highlands and Islands**

Seventh bullet point - **AGREED** to include the following wording – ‘consideration should be given to the setting up of a Hardship Fund which could be utilised in emergency situations, such as power-cuts *and to address the barriers that prevented families accessing cheaper fuel*’.

#### **6. Minutes of Meetings of Committees Geàrr-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:

Nairn and Badenoch and Strathspey Area Committee, 18 March  
Community Safety, Public Engagement and Equalities Committee, 25 March  
Audit and Scrutiny Committee, 26 March  
Skye, Ross and Cromarty Area Committee, 22 April

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

## **Nairn and Badenoch and Strathspey Area Committee, 18 March**

### **Item 12: Page 932: Nairn Common Good – former Marine Road Public Conveniences, Nairn**

The Council **NOTED** an update provided at the meeting that the applicant had now withdrawn the proposal for the lease of these buildings.

## **Audit and Scrutiny Committee, 26 March**

### **\*Starred Item 8: Page 949: Financial Regulations – Proposed Amendment**

The Council **AGREED** the proposed amendment to the Financial Regulations as detailed.

## **7. Customer Services Board Bòrd Sheirbheisean Luchd-ceannach**

### **Declarations of Interest**

**The following Members declared non-financial interests in this item on the grounds outlined below 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:**

**Mr A Christie** - General Manager of Inverness and Badenoch and Strathspey Citizen's Advice Bureau,

**Mr M Green** - Board Member of Nairn Citizen's Advice Bureau

**Mrs D Mackay** - Director of East Sutherland Citizen's Advice Bureau

**Ms A MacLean** - Board Member of Ross and Cromarty Citizen's Advice Bureau

**Mr G Phillips** - Director of East Sutherland Citizen's Advice Bureau

**Mr I Renwick** - Director of Portree Citizens Advice Bureau

There had been circulated Minutes of Meetings of the Customer Services Board held on 17 March and 20 April 2015 - which were **NOTED**.

## **8. Membership of Strategic Committees, etc Ballrachd air Comataidhean Ro-innleachdail, msaa**

It was **NOTED** that, following the result of the By-Election for Ward 19, the political make-up of the Council was now as follows:-

Independent, 34; Scottish National Party, 21; Liberal Democrat, 12; Labour, 8 and Highland Alliance, 5.

In this regard, the formula for the number of places on Committees remained unchanged at 9/6/3/2/2.

## **9. Question Time Àm Ceiste**

The following Questions had been received by the Depute Chief Executive/Director of Corporate Development in terms of Standing Order 42 –

**(i) Mrs J Douglas**

To the Leader of the Council

“In December, the Council, despite concerns raised, agreed a 200% Council Tax increase on vacant properties in an attempt to bring formerly vacant properties back into the housing market.

While this may work in more urban areas, this blanket tax has now disproportionately impacted on the rural areas and on culturally important abandoned and uninhabitable buildings such as former Drovers cottages and historically valuable agricultural buildings. Many have not been occupied for many years and are without services and at times even roofs. It is also acknowledged that in the remoter areas of Highland, the sale of such properties, often with the high cost of installing services, etc can take several years to achieve.

Current exemptions do not cover the situations now developing across Highland which means rural areas are being the hardest hit by this.

Does the Leader intend to lobby Scottish Government to allow flexibility for unique rural areas such as ourselves before such buildings are demolished to avoid a punitive tax that is unfairly hitting the remote and rural areas?”

The response had been circulated.

In terms of a supplementary question, Mrs Douglas queried if the Council would agree to learn from this experience and make decisions only when in full possession of all the implications and facts.

In response, the Depute Leader of the Council confirmed that the Council was always willing to learn from experience and that the Audit Scotland report on the Overview of Local Government highlighted this as a priority for all Councillors.

**(ii) Mr M Reiss**

To the Chair of the Planning, Development and Infrastructure Committee

“What are the annual costs to the Highland Council determining/responding to Energy Consent Unit/defending of all Wind Turbine Applications over the last three years and how much planning fee income has been received for same?”

The response had been circulated.

In terms of a supplementary question, Mr Reiss queried whether the Chair would be prepared to meet with the Independent Group to assist with attaining these costs which were of great public interest in Highland.

In response, the Chair of the Planning, Development and Infrastructure Committee confirmed that he was willing to do this as he was fully aware that the Council did not get full cost recovery on the planning fees on wind turbine applications and on many others.

**(iii) Mr M Reiss**

To the Chair of the Planning, Development and Infrastructure Committee

“What is the cost to the Council of the ‘Cumulative Landscape and Visual Assessment of wind energy in Caithness’ Report prepared by L.U.C. Consultants?”

The response had been circulated.

In terms of a supplementary question, Mr Reiss queried whether an approximate figure for Highland Council’s own costs be obtained.

In response, the Chair of the Planning, Development and Infrastructure Committee confirmed that he would provide this information.

**(iv) Mr M Reiss**

To the Chair of the Planning, Development and Infrastructure Committee

“What was the Minister’s justification for the decision not to award the costs to the Council for the Dalnessie Wind Farm Application Public Local Inquiry?”

The response had been circulated.

In terms of a supplementary question, Mr Reiss queried whether the Chair felt that the £16k costs lost to Highland taxpayers as a result of the Minister’s decision which benefitted SSE was justified and fair.

In response, the Chair of the Planning, Development and Infrastructure Committee appreciated the concern expressed and explained that the Council was in the hands of the Reporter. In terms of fairness, the Council would prefer not to have to pay out for things that were not needed but this was nevertheless a relatively small sum.

**(v) Mrs G Coghill**

To the Chair of the Planning, Development and Infrastructure Committee

“In light of the recent local publicity and questions around the safe installation of wind turbines in schools, can the Chair please reassure concerned parents, constituents and Councillors that all the Highland Council’s policies on the safe siting of wind turbines, including continual maintenance of adequate fencing and so on, are adhered to?”

The response had been circulated.

In terms of a supplementary question, Mrs Coghill queried whether the Council could guarantee that wind turbines in Caithness could be 100% safe near school playgrounds, football pitches and children’s sandpits, irrespective of the fencing which was in place.

In response, the Chair of the Planning, Development and Infrastructure Committee confirmed that he shared the concern which had been expressed. In this regard, there was a very thorough inspection routine in place and it was understood that any wind turbines were actually switched off as a precaution during high storms. However, the situation was under review and a further update would be provided in due course.

## **Decision**

The Council **NOTED** the position.

### **10. Notice of Motion Brathan Glusaid**

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

“The recent Strengthening Democracy report was applauded and supported across the Chamber. It puts forward the opinion that the current situation of centralisation and detached decision making is unsustainable and that we have to return to more local decision making. The current size of Highland Council is acknowledged to be too large to allow real local democracy to happen.

Therefore we call on the Highland Council to take leadership of the debate. We propose Highland Council produce a report that sets out viable options for fully localised decision making in Highland region”.

Signed: Mr L Fraser, Ms J Douglas, Mr B Thompson, Mrs I Campbell, Mrs F Robertson, Mrs M Davidson, Mr B Fernie, Mr H Fraser, Mrs J Barclay, Mrs H Carmichael, Mr G Ross, Mrs C Wilson, Mr M Reiss, Mr R Greene, Mr A Henderson, Mr M Green

In this regard, it was confirmed at the meeting that revisions had been agreed to the terms of the Motion as follows:-

“The report of the Commission on Strengthening Local Democracy was supported across the Chamber and Members agreed strongly with its conclusions that we must develop genuine local decision making closer to the communities in the Highlands. Whilst noting the important role of regional governance in many other European countries, we recognise that these aspirations cannot be met by the Highland Council alone with its current structures.

Therefore, we call on Highland Council to continue its leadership in this debate and propose that Highland Council, in partnership with community representatives, produce a report that sets out a range of viable options for local decision making through stronger local representation and participative democracy in the Highlands”.

During discussion, Members raised the following issues:-

- the revised Motion emphasised the need for the Council to take a proactive lead in discussions on local democracy and it was essential that Members were receptive to different visions and aspirations for the delivery of future services as it was clear that the solution would not be “one size fits all”;
- this was a proactive step which evidenced the Council’s focus on people and places rather than on policies. In this respect, communities, voluntary groups and social enterprises should be encouraged to become more involved;
- it was important to ensure that all Members were involved in progressing this work;
- it was clear that the most effective form of democracy was where there was both strong regional and local government;
- the Council was already leading on this nationally and this was welcomed;

- it was particularly welcome that there was a wider local and national debate on decentralisation and to achieve real change it would be essential to involve Highland communities to reach genuine consensus;
- the Badenoch and Strathspey and Nairn areas had agreed on participatory budgeting and this would make a significant difference to communities who would have influence over discretionary budgets;
- full consideration had to be given to establishing the most effective forms of community engagement and this would take time;
- it had to be recognised that the transitional funding which had been available in 1996 could not be replicated in the current economic climate;
- there were costs involved in bringing democracy to a local level and this had to be acknowledged as part of any future discussions; and
- it was vital to continue support for the Scottish Rural Parliament which gave a voice to many community groups at present.

### **Decision**

Thereafter, the Council **AGREED** the terms of the revised Notice of Motion as detailed.

#### **11. Audit Scotland National Report: Overview of Local Government in Scotland 2015**

#### **Aithisg Nàiseanta Sgrùdadh Alba: Sealladh Coitcheann air Riaghaltas Ionadail na h-Alba 2015**

There had been circulated Report No. HC/16/15 dated 30 April 2015 by the Director of Finance which presented the Overview Report of Local Government in Scotland 2015, highlighted the key messages and considered how the Council was responding.

In this regard, the Audit Scotland Report (Annex 1) had been circulated separately.

During discussion, Members raised the following issues:-

- in acknowledging reference in the report to the fact that all Councils had reduced staff numbers to help make savings, there was a need to review the current arrangements for employing external contractors in order to examine whether in-house staff could undertake such work instead and thereby provide efficiencies for the Council as a whole;
- it was crucial that further emphasis was placed on scrutiny and governance in future and this was improved wherever possible;
- this report and the recommendations within it represented the job description of the Councillor of the future and as such governance, scrutiny and performance monitoring were crucial aspects of that role;
- there was a need to systematically embed governance and performance improvement within the systems of the Council;
- it would be helpful if the current operation of the Community Challenge Fund could be re-examined to ensure that it was working efficiently;
- it was recognised that constraints were placed on the Council in terms of future forward planning because of the way that the financial settlement was dealt with and it would be helpful to be able to explore options for influencing this wherever possible in future;
- there were concerns about the potential effect of staff reduction on future efficiency and performance improvement;



- there was a need for more training for Members on financial issues and the decision making process;
- best value from services had to be obtained in order to be able to provide the best outcomes for and with communities;
- the long term financial planning which had been undertaken in recent years by the Council had been beneficial for the Highlands and this compared well with other areas; and
- there was a need to improve the dissemination of information to the public wherever possible;

### **Decision**

The Council **NOTED** the findings of the National Overview Report of Local Government in Scotland in 2015 and the response set out to the main recommendations as outlined in Paragraph 2.2 of the report.

It was also **AGREED** that Members of the Council had to address their personal training requirements in light of the issues raised by the report.

## **12. External Scrutiny - Local Scrutiny Plan Update 2015/16 Comhairle na Gàidhealtachd – Plana Sgrùdadh Ionadail 2015/16**

There had been circulated Report No. HC/17/15 dated 13 April 2015 by the Chief Executive which confirmed that the annual Local Scrutiny Plan 2015/16 for Highland Council had been produced by the Local Area Network and was based on a shared risk assessment undertaken by representatives of all the scrutiny bodies who engaged with the Council.

In this regard, the Local Scrutiny Plan had been attached as Appendix 1 to the report.

During discussion, Members made reference to the considerable number of inspections which had been undertaken within the Council over recent years and suggested that this needed to be recorded in future, perhaps through a review of Service Plans or through the work of the Audit & Scrutiny Committee.

It was also highlighted that there was now a very real move towards localism and the potential benefits from different ways of working and delivering services needed to be recognised and acknowledged by Audit Scotland and other agencies in future.

### **Decision**

The Council **NOTED**:-

- (i) that the Local Scrutiny Plan had highlighted that no additional scrutiny of the Council was required for 2015/16;
- (ii) the positive comments made about the Council's Integrated Care (Children's Services), Criminal Justice Service and Community Learning and Development;
- (iii) the areas where monitoring was planned (Integrated Care (Adult Services), Self-Evaluation in Primary and Secondary Schools, Education Leadership and Use of Resources); and
- (iv) that there were five areas of scheduled audit and inspection activity identified contributing to National Audit Reports and three National Performance Audits planned as outlined in Paragraph 2.4 of the report.

13. **Review of the Performance Framework for the Council Programme**  
**Sgrùdadh air Frèam Coileanaidh airson Prògram na Comhairle**

**Declarations of Interest**

The following Members declared non-financial interests in this item on the grounds outlined below 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:

**Mr A Christie** - General Manager of Inverness and Badenoch and Strathspey Citizen's Advice Bureau,

**Mr M Green** - Board Member of Nairn Citizen's Advice Bureau

**Mrs D Mackay** - Director of East Sutherland Citizen's Advice Bureau

**Ms A MacLean** - Board Member of Ross and Cromarty Citizen's Advice Bureau

**Mr G Phillips** - Director of East Sutherland Citizen's Advice Bureau

**Mr I Renwick** - Director of Portree Citizens Advice Bureau

There had been circulated Report No. HC/18/15 dated 7 April 2015 by the Chief Executive which proposed amendments to commitments and the high level actions and indicators for measuring progress with delivering the Council's Programme 'Working Together for the Highlands 2012-17'.

During discussion, Members raised the following issues:-

- in terms of the amendments to existing actions and indicators, there was a need for ambitious milestones to be set for the proposed Energy Strategy on the way to the 2017 target and also for the long awaited Community Transport review on the way to the August 2016 target;
- there was a need to make information on Council Tax as easily accessible as possible and in a number of different formats;
- it would be helpful if an update report on the Petitions Procedure could be submitted to a future meeting and for encouragement to be given to the general public in terms of making more use of this procedure;
- an update was required on the current position regarding the co-operative buying of fuel;
- in regard to HMIE inspection reports, and specifically the amended target of 90% being sought for the inspection of schools, it was suggested that this should be raised to 100%;
- the proposal to deliver 688 new Council Houses by March 2017 was welcomed; and
- there was a need for a revised questioning style to be considered for future engagement with the Citizens Panel, Communities Panel, etc.

**Decision**

The Council **AGREED** that the commitments identified in Paragraph 2.5 should be marked as 'achieved in 2013/14'.

The Council also **AGREED** the amendments to the Performance Framework as outlined in Appendix 1 to the report – subject to the following –

Paragraph 4.2 – Amendments to Existing Actions and Indicators – that (i) for the proposed Energy Strategy, ambitious milestones were set what were reported on, on

the way to the 2017 target and (ii) for the long awaited Community Transport Review, ambitious milestones were set to get to the August 2016 target.

It was **NOTED** that the Performance Framework would be used to update Service Plans and that these would be brought to the current cycle of Strategic Committees for consideration and that progress with delivering the Programme would be reported in year through Strategic Committees and annually to the Council.

**14. Fifth Review of Electoral Arrangements – Highland Council Area –  
Proposals for Wards  
Sgrùdadh Coimisean nan Crìochan – Freagairt na Comhairle**

There had been circulated Report No. HC/19/15 dated 5 May 2015 by the Chief Executive which summarised the proposals put forward by the Local Government Boundary Commission for Scotland for changes to the Ward boundaries in the Highland Council area, highlighted alternative suggestions made by Members where there had been unanimity at Ward Business Meetings and offered possible proposals to give effect to those suggestions.

During discussion, a number of Members made reference to and supported the alternative proposals which had been contained within the report in regard to the Caithness, Nairn – Cawdor & Culloden – Ardersier and Black Isle Wards.

In regard to the Central Ward, a number of Members spoke in support of the status quo, not least in view of the fact that this particular Ward represented the largest area of urban deprivation in the Highlands and for this reason and many others there was a need to retain the status quo.

Reference was also made to the current arrangements within the Smithton and Culloden area and it was confirmed that representations had been received from a number of local residents who wished to see these two areas remain together within the same Ward if possible.

It was further suggested that in future the Council should support proposals from the Boundary Commission where it had previously been confirmed that such proposals had the support of the Local Members concerned.

**Decision**

The Council **AGREED** that the following alternative proposals should be submitted to the Local Government Boundary Commission for their consideration -

**Caithness –**

Creation of three Wards with three Members in Caithness by:

Moving Polling Districts C041, C04J and C04K from Landward Caithness to Wick, increasing Wick's electorate from 5,692 to an estimated 6,490, 12.2% below parity.

Moving Polling Districts C04B and C04N from Landward Caithness to Thurso, increasing Thurso's Electorate from 6,294 to an estimated 7,483, 1.3% above parity.

In consequence, Landward Caithness's Electorate decreases from 8,600 to an estimated 6,613, 10.5% below parity.

## **Nairn – Cawdor & Culloden – Ardersier**

Transfer Cawdor into Nairn by:

Moving Polling District I18G with an estimated 594 electors from the proposed Culloden Ward. This would create a Nairn and Cawdor Ward with an estimated 10,182 electors, 3.3% above parity.

Transfer Ardersier back into the Culloden Ward by:

Moving part of Polling District I18F with an estimated 1,157 electors in Ardersier from the proposed Nairn and Ardersier Ward to the proposed Culloden Ward. This would create a Culloden and Ardersier Ward with an estimated 8,305 electors, 12.4% above parity.

## **Black Isle**

Retain the Black Isle Ward as it is currently configured by:

Moving parts of the Redcastle Polling Districts R10A(S) & R10C(W) with an estimated electorate of 366 from the proposed Dingwall and Seaforth Ward back to the Black Isle Ward, which would result in the Black Isle Ward having an estimated electorate of 8,647 which would be 17% above parity with the proposed three Member Ward.

The proposed Dingwall and Seaforth Ward would be reduced by an estimated 366 electors, which would result in it being 2.6% below parity.

It was also **AGREED** that the following two additional proposals should be submitted for consideration –

- (i) that the Council believes that **Inverness Central** should remain a 4 Member Ward with its current boundary with the exception of that part of Ballifeary Community Council contained therein which should instead be contained within the Inverness West Ward; and
- (ii) that, in respect of the **Culloden & Ardersier** Ward, a proposal should be put forward to retain the status quo in relation to historical/existing boundaries to include the Retail Park, Ashton and Resaurie – in effect, retaining the Ward 18 existing western boundary.

It was further **AGREED** that the above proposals would be submitted on the basis of a total of 76 Councillors for 22 Wards and that the Council was otherwise content with all other proposals.

## **15. Update on the Review of Area Committees and Local Community Planning Arrangements** **Adhartas a thaobh Ath-sgrùdadh Chomataidhean Sgìre agus Ullachaidhean Dealbhadh Coimhearsnachd Ionadail**

There had been circulated Report No. HC/20/15 dated 5 May 2015 by the Head of Policy and Reform which provided an update on progress being made with reviewing Area Committees and Local Community Planning arrangements.

In this regard, a supplementary paper was tabled which provided an update on the progress with local discussions with the Badenoch and Strathspey Members which

had been held on 12 May and it was confirmed that initial discussions had started in ten Wards with Workshops for Members being scheduled for the remaining twelve Wards.

During discussion, Members raised the following issues:-

- thanks were expressed to the Head of Policy and Reform and the Community and Democratic Engagement Manager for the wide ranging conversations and positive workshops which had been held with Local Members;
- Members for Nairn and Badenoch and Strathspey were enthusiastic about taking forward participatory budgeting using the Ward Discretionary Budget and exploring other potential funding, including the Nairn Common Good Fund and Carbon Clever Community Grants;
- the boundary for the Nairn and Badenoch and Strathspey Area Committee was felt to be artificial and, due to the geographic differences between the two Wards, Local Members were considering the feasibility of taking a separate approach to replace the Area Committee with a local community planning partnership model in each Ward, splitting the funding across three areas in Badenoch and Strathspey;
- consideration was also being given to the Nairnshire Area having complete control over all services and a fully devolved budget based on the fair share principle in line with other best practice models elsewhere in Scotland;
- Members in Lochaber wanted to improve on the success of the Lochaber Partnership by making it more participative;
- consideration should be given to a representative from each local community planning partnership sitting on the Highland-wide Community Planning Partnership;
- only Members had the right to speak at Area Committees whereas community partnerships gave everyone an equal voice to contribute;
- it was suggested that consideration should be given to planning and licensing issues being re-introduced to Area Committees;
- in the best interests of the democratic process, planning applications within the Cairngorms National Park Authority area should be dealt with by the Council;
- the Skye, Ross and Cromarty area was too large to be effective locally and a new approach needed to be established in this regard;
- Members in Skye, Ross and Cromarty preferred that local people should decide on how some mainstream resources were allocated rather than participatory budgeting using ward discretionary funding;
- it was important to ensure that the public did not have unrealistic expectations and were fully involved in the process and in this respect the Community Safety, Public Engagement and Equalities Committee could be a suitable route to take forward community consultations;
- due to the wide and diverse area of the Highlands which meant that communities were geographically furthest away from decision making, the Council needed to push to deliver outcomes sooner than the Commission's estimated 10-15 year programme.

### **Decision**

The Council **NOTED** the progress being made in early conversations with Local Members and that two different models had emerged so far – one combining Council and partner business with community involvement into a community partnership in Nairn and the other keeping Area Committee and partnership governance distinct but with new connections between them through reporting and with greater

community involvement. Also, that participatory budgeting was to be tried in both localities in 2015/16 using different approaches.

The Council also **NOTED** the ideas emerging from Members in Badenoch and Strathspey which had been highlighted at the meeting and that other areas would be considered at the full Council meeting in June.

**16. Scheme of Delegation – Proposed Amendments  
Sgeama Tiomnaidh – Atharrachaidhean a Thathar a’ Moladh**

There had been circulated Joint Report No. HC/21/15 dated 1 May 2015 by the Directors of Planning & Development and Community Services which outlined proposals for amendment to the Council’s Scheme of Delegation and Administration to Committees and Sub Committees and to Officers.

There had also been circulated an additional recommendation in regard to Part IV – Powers Delegated to Officers – Development and Infrastructure.

**Decision**

The Council **AGREED** the proposed amendments as detailed in the report.

The Council also **AGREED** the inclusion of the following wording at the end of the current Section (m) in Part IV – Powers Delegated to Officers – Development and Infrastructure - Applications where the Appointed Officer exercises their discretion and requests that a decision is made by the relevant Planning Applications Committee -

“For the avoidance of doubt, this discretion may not be exercised where Members of Highland Council for the Ward(s) in which the development is proposed, having been given prior notification under sub section (k) of the recommendation of refusal, have by majority not requested in writing within 5 working days of such notification that the application be referred to the relevant Planning Applications Committee”.

It was further **AGREED** to re-order the various sections within this part of the Scheme whereby the current Section (m) would become Section (j) and the existing Sections (j) to (l) would be re-numbered accordingly.

**17. Pensions Board – Membership  
Bòrd nam Peinnseanan – Ballrachd**

Members were reminded of the decision taken at the last meeting on 12 March to establish a Pensions Board - to meet the requirements of the Local Government Pension Scheme (Governance) (Scotland) Regulations 2015 – which needed to comprise four Trade Union representatives, one representative from Comhairle nan Eilean Siar, one representative from other Employers and two Highland Council Elected Members (who could not also be Members of the Pension Committee).

The Council was therefore asked to appoint 2 Members to the Pensions Board.

In this regard, Mr R Laird, seconded by Dr D Alston, nominated Mrs C Caddick. Ms J Douglas, seconded by Mr H Fraser, nominated Mrs M Paterson. Mrs D Mackay, seconded by Mr B Lobban, nominated Mr T Maclennan.

On a vote being taken between the three candidates, Mrs C Caddick received 40 votes, Mrs M Paterson received 16 votes and Mr T Maclennan received 41 votes, with no abstentions, the votes having been cast as follows:-

**Votes for Mrs C Caddick –**

Balfour, R; Rattray, M; Millar, D; Maclennan, T; Renwick, I; Gormley, B; Parr, F; Saxon, R; Ford, J; Stephen, K; Barclay, J; Campbell, I; Robertson, F; Fraser, H; Sinclair, G; Lobban, B; Gowans, K; MacDonald, L; Slater, J; Fallows, D; Phillips, G; Wood, H; Stone, J; Reiss, M; Coghill, G; Duffy, A; Brown, I; Ross, G; Farlow, G; MacKenzie, G; MacLean, A; Prag, T; MacLeod, K; Caddick, C; Smith, M; Douglas, J; Laird, R; Alston, D; Christie, A; Mackay, D (W5)

**Votes for Mrs M Paterson –**

Finlayson, M; Ford, J; Murphy, B; Barclay, J; Campbell, I; Robertson, F; Fraser, H; MacKay, W; Reiss, M; Coghill, G; Rosie, J; Fraser, L; Sinclair, A; Mackay, D (W2); Douglas, J; Fernie, B

**Votes for Mr T Maclennan –**

Balfour, R; Finlayson, M; Baxter, A; Rattray, M; Millar, D; Maclennan, T; Renwick, I; Gormley, B; Parr, F; Saxon, R; Murphy, B; Stephen, K; Sinclair, G; Lobban, B; Gowans, K; MacDonald, L; Slater, J; Fallows, D; Phillips, G; Wood, H; Stone, J; MacKay, W; Rosie, J; Fraser, L; Sinclair, A; Mackay, D (W2); Duffy, A; Brown, I; Ross, G; Farlow, G; MacKenzie, G; MacLean, A; Prag, T; MacLeod, K; Caddick, C; Smith, M; Fernie, B; Laird, R; Alston, D; Christie, A; Mackay, D (W5)

**Decision**

The Council **AGREED** to appoint Mrs C Caddick and Mr T Maclennan to the Pensions Board – on the basis that Mr T Maclennan would now resign with immediate effect from the Pensions Committee (and be replaced on that Committee at the next full Council meeting in June).

**18. Caithness Horizons  
Fàirean Ghallaibh**

**Declarations of Interest**

**Mr W MacKay declared a non-financial interest in this item on the grounds of being a Director of Caithness Horizons 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.**

It was advised that Mr John Rosie had intimated he wished to step down as a Director of Caithness Horizons and the Council was therefore asked to appoint a Member as a replacement.

In this regard, Mr D Mackay, seconded by Mr J Rosie, nominated Mrs G Coghill.  
Mr W MacKay, seconded by Mr M Reiss, nominated Mr R Saxon.

On a vote being taken between the two candidates, Mrs Coghill received 15 votes, and Mr Saxon received 31 votes, with no abstentions, the votes having been cast as follows:-

**Votes for Mrs G Coghill –**

Balfour, R; Finlayson, M; Baxter, A; Rattray, M; Barclay, J; Campbell, I; Robertson, F; Fraser, H; Coghill, G; Rosie, J; Fraser, L; Sinclair, A; Mackay, D (W2); Douglas, J; McCallum, I

**Votes for Mr R Saxon –**

MacLennan, T; Renwick, I; Parr, F; Saxon, R; Ford, J; Murphy, B; Sinclair, G; Lobban, B; Gowans, K; MacDonald, L; Slater, J; Fallows, D; Phillips, G; Wood, H; Stone, J; MacKay, W; Reiss, M; Duffy, A; Brown, I; Ross, G; Farlow, G; MacKenzie, G; MacLean, A; Prag, T; MacLeod, K; Caddick, C; Smith, M; Fernie, B; Laird, R; Alston, D; Christie, A

**Decision**

The Council **AGREED** to appoint Mr R Saxon to Caithness Horizons.

**19. Deeds Executed  
Sgrìobhainnean Lagha a Bhuilicheadh**

It was **NOTED** that a list of deeds and other documents executed on behalf of the Council since the meeting held on 12 March 2015 was available in the Members' Library and on the Council's Website.

**20. 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 item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A of the Act.

**21. Proposed Civic Recognition  
Moladh airson Aithneachadh Catharra**

There had been circulated to Members only Report No. HC/22/15 dated 5 May 2015 by the Head of Policy and Reform which invited Members to consider a proposal for civic recognition.

**Decision**

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

The meeting ended at 4.55pm.