

## AGENDA ITEM 10

### The Highland Council

Minutes of Meeting of the **Lochaber Area Committee** held in the Council Chamber, Lochaber House, High Street, Fort William on Thursday, 11 February, 2016 at 10.30 am.

#### Present:

Mr A Baxter	Mr T MacLennan
Mr B Clark	Mr B Murphy
Mr B Gormley	Mr B Thompson
Mr A Henderson	

#### In attendance:

Mrs D Ferguson, Senior Ward Manager (Ross, Skye and Lochaber)  
Ms C McDiarmid, Head of Policy and Reform, Chief Executive's Office (by Video Conference)  
Mr A Gunn, Head of Revenues and Business Support, Finance Service (by Video Conference)  
Mr C Kemp, Area Community Services Manager, Community Services  
Mr S Callan, Assistant Area Manager, Community Services  
Mr D Esson, Quality Improvement Manager, West  
Mr T Stott, Principal Planner, Development & Infrastructure Service  
Ms C Pratt, Graduate Planner, Development & Infrastructure Service  
Chief Inspector B Mackay, Police Scotland  
Inspector D Campbell, Police Scotland  
Mr A MacInnes, Administrative Assistant, Corporate Development Service

**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 MacLennan in the Chair

#### Business

##### 1. Apologies for Absence Leisgeulan

There were no apologies for absence.

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

The Committee **NOTED** the following Declarations of Interest:-

Item 6 – Mr A Henderson (Financial)

Item 8 – Mr Murphy (Financial)

### **3. Localism Action Plan Update Cunntas às Ùr mu Phlana-gnìomh Ionadaileachd**

There was circulated Report No LA/1/16 by the Head of Policy and Reform. The report highlighted the new devolved powers for the Committee and the further powers likely to be devolved in 2016. It provided an up-date of work with partners on local community planning arrangements which Members would be involved in during 2016.

In discussion, the following points were raised:-

- Reference was made to the Lochaber Partnership and the informal discussions that had been taking place with the District Partnerships and the Economic Development and Employability Forum on how linkages between them could be improved and how to evolve a more formalised linkage with the Highland Community Planning Partnership – Community Planning Board. Work was still in progress on engagement with communities and local Community Councils were being consulted in this respect. Further, there was a need to properly reflect the views of the community as expressed through the Partnership mechanisms into the Highland Community Planning Partnership. It was proposed that to improve the linkages between the Lochaber Partnership and the Highland Community Planning Partnership – Community Planning Board, that the Chair and Lead Officer of the Lochaber Partnership be invited onto the Board.
- There were community learning and development elements in the existing community plan, so rather than have a new start on a community development plan, the community planning and developing elements from the existing plan should be identified.
- A number of agencies that were partners had a community development function which they exercised in various ways, but not often in ways that were fully joined up, so working with partners to establish community planning arrangements would be a useful mechanism to correct that.
- Views were expressed that the devolved powers to Local Committees did not go far enough and in this respect Lochaber Members at a Ward Business meeting were to consider proposed changes to the scheme of delegation for Local Committees which it was suggested should be forwarded to the Administration for consideration by full Council. For example, in the local development plan, Lochaber was included along with Skye and Wester Ross. There was a lot of detail in that plan that was specific to Lochaber, but currently the detail would be considered by Members at the strategic committee in Inverness. This was one element that could be devolved to local committees. There was also a need to get the budgets to match the devolved powers.
- in terms of the Council decision to not give extra payments to Chairs of Local Committees at a time when they were being given more responsibility, this was against localism and it was queried if this decision would be reversed.
- With reference to ensuring productive working relationships with Community Councils, it was felt that many Community Councils were concerned about the working relationship with the Council, as they felt their role was only to respond to the Council and other public agencies on consultation exercises. Also when they were consulted and they responded, they never seemed to receive any feedback or further information about the suggestions they had made. It was requested that the Council should look at how this process

could be streamlined so that Community Councils did not feel inundated with consultation exercises and that they received information on the responses they had provided. Community Councils also wanted to see action on issues such as for example, the repair of potholes. Whilst in the past this type of work was done fairly quickly, given depleting resources, the time it took to carry out repairs was much longer.

- It was advised that the Government had commissioned a review of the standards of community engagement and one of the standards related to feedback on consultation views. The new standards were expected to be published around April, 2016 and it was anticipated that there would be statutory guidance for the Community Empowerment Act, for all the public agencies listed to have a statutory duty to use the standards for community engagement. This would improve all public bodies feedback to responses provided on consultation exercises.
- In terms of support for asset transfers, proposals were needed on how asset transfers are dealt with and how to approach communities about asset transfers before budget decisions are made on some of those assets. It was advised that there was an agreement with the Highland Community Planning Partnership to redesign the asset transfer process in Highland.
- It was advised that in the last year there had been a significant amount of work done in terms of devolving powers to local areas and particular reference was made to Community Services where the restructure of staff had been done with localism in mind. Elected Members in Lochaber did want more powers for the local area, but appropriate time should be taken with this process.
- There was a lot of work going to Community Councils in terms of community empowerment and engagement. In order to get the engagement with community councils there was an issue with Partnership meetings being held during the day and Community Council meetings being held in the evenings and this had to be addressed.
- Concern was expressed that in terms of the current voluntary redundancy scheme and Service redesign, that no consideration had been taken as yet of the future capacity to manage and deliver services at a local level. In response, it was advised that all Senior Managers of the Council had been briefed on the budget situation by the Chief Executive and were informed that there would have to be some redesign of the Council following decisions by Members on the budget. There was still uncertainty over what the new design of the Council would be, but this would be developed and worked on during the course of 2016. Senior Managers were briefed on the importance of localism to the Council, but also on the strong national drivers to have a local democratic form of decision making, so that local people were far more involved in decisions that affected them. So these discussions on localism were happening, but no proposals had been made as yet.
- Reference was made to a suggestion from some Elected Members to have one Planning Committee for the whole of the Highlands which was strongly opposed given the distances Members would have to travel to meetings/site visits and that local Members would lose their democratic right to have a say on local planning matters.
- Work was still needed on the cost savings that could be made from localism, and particular reference was made to work being undertaken on this by Argyle and Bute Council where localism could potentially produce significant cost savings. If this work was not done, any savings that were made would inevitably go back to central budgets. Therefore, along with the localism

agenda there was a need to know what the budgets would be in local areas and also what savings could be achieved through localism. There was also a need to ensure that Local Committees retained their fair share of the savings.

Thereafter, the Committee **NOTED**:-

- i. the new powers devolved to the Committee and the planned further devolution of powers subject to Council approval in March 2016, and that further changes were likely during 2016;
- ii. the work underway with partners to establish community planning arrangements across Highland and that the experiences from Lochaber can be shared in other places;
- iii. that Members would consider at their next Ward Business Meeting amendments to the Scheme of Delegation, with a view to these being forwarded to the Administration for consideration by full Council in March, 2016 when other Scheme changes were expected; and
- iv. **AGREED** that it be proposed to the Highland Community Planning Partnership – Community Planning Board that the Chair and Lead Officer of the Lochaber Partnership be invited onto the Board.

#### **4. Local Committees – Webcasting Comataidhean Ionadail – Craoladh-lìn**

There was circulated Report No LA/2/16 by the Head of Revenues and Business Support seeking a decision on whether the Lochaber Committee meetings should be webcast and, if so, the funding source/s of the additional costs that webcasting would incur.

In discussion, it was noted that demand was currently low for webcasting, but with Local Committees having more devolved powers, there may be more of a demand from the public to view these meetings in future. There was also to be more community engagement and members of the public would require to attend meetings in person if webcasting was not an option.

It was felt that the low take up was in part due to people's broadband connections not allowing them to get the webcast. There was a need for a minimum amount of broadband bandwidth to stream the webcast and up until now the vast majority of people in Lochaber did not have the necessary bandwidth to successfully stream webcasts. However, improvements in broadband were being rolled out across the area, and people may take advantage of this to watch webcasts.

New Council Administration offices were being developed in Fort William and there were currently limitations to the IT infrastructure in Lochaber House. It was queried if the new building would have suitable IT infrastructure so avoiding recurring costs as at present. In response, it was intended to have as a minimum similar IT infrastructure in the new building to that currently in Lochaber House which would allow video conferencing and webcasting. However for webcasting a mobile unit would be used as the costs associated with webcasting facilities such as provided at Council Headquarters, Inverness for strategic committees could not be financially justified for Local Committees given the low demand. Through localism there perhaps would be more demand, but it was unknown if this would be through webcast or by personal attendance at meetings.

However, the majority of Members felt that webcasting was not a high priority for the public, and good reporting by journalists at the meeting would suffice for most people. There were also savings to be made by not having to purchase a mobile webcasting unit.

Thereafter, the Committee:-

- i. **NOTED** the current service demand for webcasting;
- ii. **AGREED** that the Lochaber Committee should not be webcasted;
- iii. **NOTED** that when the views of all local committees were obtained then where these views are that webcasting is to be undertaken, then approval for the capital funding would be submitted to Resources Committee at the earliest opportunity; and
- iv. **NOTED** that where webcasting is to be undertaken the annual recurring cost of £4,800 is met by each Ward Discretionary budget providing £218 per annum.

## **5. Police – Area Performance Summary Poilis – Geàrr-chunntas Dèanadais Sgìre**

There was circulated Report No LA/3/16 by the South Area Commander for Police which updated Members on progress with reference to the local priorities within the Highland 2014-2017 Policing Plan.

In terms of drug related deaths in the Lochaber area there had been one since April, 2015 and not three as stated in the report, the latter figure referred to drug related deaths for the whole of 2015 in Lochaber.

In terms of proposals to bring in a law to make it illegal for vehicles to park on pavements, it was queried if this was a particular problem in the Lochaber area, and if so, what action was taken. In response, there was legislation in respect of dangerous parking and where this occurred it was dealt with appropriately.

In relation to the trunk roads Policing unit, there had been problems in recruiting sufficient Officers locally for this unit and it was queried if there was now a full complement of Officers. It was advised that while recruitment had improved, the unit was still not up to its full complement of Officers. However, this was work in progress and vacancies were advertised nationally. Any local operational shortcomings were enhanced by Officers from Dingwall and Inverness.

The Committee Scrutinised the progress report and updates in relation to the 3 Priorities: Road Safety, Drug and Alcohol Abuse, Dishonesty.

## **6. West Highland and Islands Local Development Plan Main Issues Prìomh Chùisean Plana Leasachaidh Ionadail na Gàidhealtachd an Iar is nan Eilean**

**Declaration of Interest – Mr A Henderson declared a financial interest as a Member of the Mallaig Harbour Authority and intimated that he would leave the meeting should there be any discussion on Mallaig Harbour.**

There was circulated Report No. LA/4/16 by the Director of Development and Infrastructure setting out the content of the Main Issues Report for the West Highland and Islands Local Development Plan.

In discussion, Members raised the following points:-

- Spean Bridge – in terms of the site for housing behind the café (former Little Chef) there was a planning application pending by the landowner, and it was intended to let the planning process for this application determine the content of the local development plan, as the planning process would be completed before the Plan went out to consultation. Also concerns had been raised by local people regarding surface water and drainage on this site. In this respect, it was queried if these issues had been resolved. In response as there was a planning application pending and given the history of this site the Planning Officer would usually consult with the Council's Flood Prevention Team and they would provide advice on any record of flood events. Given the history of the site it was likely that the Planning Officer would ask the Developer for a flood risk assessment and drainage risk assessment for the site.
- Lochyside – previous proposals for housing in this area had been hindered by the requirement for a road bridge to be built, costing approximately £2.5m, to go over the railway. It was suggested that an additional level rail crossing may be a cheaper solution. However, Network Rail had advised that there were signalling issues and significant costs associated with this (over £2.5m). The landowner and the developer were in discussions with Network Rail on these issues.
- Fort William Waterfront – it was suggested that the area zoned for development be extended to the Yacht Club.
- Kinlochleven – in terms of the KNH2 site (a Yard) it was advised that this was being developed at present with houses. In response, where there was an outstanding planning permission and it had not been built yet, the proposed area zoned for development still appears in the Plan. However if the development was completed before the next version of the Plan went out for consultation, it would be removed from the Plan.
- Kinlochleven - In terms of an area to the east of the Football ground (south of the river), which in a previous plan had been zoned for mixed use or light industrial use, but was not on the current plan, there was a wish in the local community that this area be zoned for light industrial use again. It was currently a car park which was not used. Members agreed that this area should be identified for employment use.
- Consultation – after the last consultation exercise, members of the public who felt they had made a very good case for something which then did not appear in the local plan were obviously disappointed, and there was no feedback. In response, with online plans, there was now software that would send out automatic e-mails to everyone following the conclusion of the consultation period for every draft of the Plan, i.e. they would get an e-mail providing them with a link to the outcome of their particular objection, other people's comments on the consultation, and the Committee's decision. It was advised that verbal comments on the consultation, at drop in sessions for example, could not be accepted, and comments had to be in writing, as the Committee that makes the decisions required to see the written comments. An undertaking was made to make it clear in the consultation

that verbal comments could not be accepted and that all comments had to be in writing.

- A comment was made on the perception of the Plan and the process within local communities that many people felt that once something was in the Plan it was going to happen i.e. if an area was zoned for housing then housing would be built there. It would be useful to explain to the public that it was a plan and things change, and what's in the plan may not happen. Also it was not necessarily in the Council's power to develop an area, as the land maybe owned by a private developer. In response, the way neighbour notifications at the main issues report stage were written and information about the consultation on the Council's website, would make it clear that the Plan was concerned with the principle of local development and the Council's likely attitude to a potential planning application.
- Members were of the view that there should be a proposed amendment to the Scheme of Delegation for Local Committees that Local Committees should have the decision making power on the content of the proposed local development plan.

Thereafter, the Committee:

- NOTED** that the Main Issues Report had been shaped by a series of appraisals, suggestions and discussions outlined in paragraphs 1.3 and 2.1 of the report;
- APPROVED** the Main Issues Report, accepting that a number of minor presentational and typographical changes will be made prior to publication, and minor changes following consideration of the following Members comments raised at the meeting:
  - Fort William Waterfront – the area zoned for development be extended to the Yacht Club;
  - Kinlochleven - area to the east of the Football ground (south of the river) - this area be identified for employment use;
- AGREED** the approach to consultation outlined in paragraph 3.1 of the report; and an undertaking was made to make it clear in the consultation that verbal comments could not be accepted and that all comments had to be in writing;
- AGREED** to include as a proposed amendment to the Scheme of Delegation for Local Committees that Local Committees should have the decision making power on the content of the proposed local development plan.

## **7. Education Scotland Report – Inverie Primary School and Nursery Class Aithisg le Foghlam Alba – Bun-Sgoil agus Clas Sgoil-àraich Inbhir Aoidhe**

There was circulated Report No LA/5/16 by the Director of Care and Learning which provided details on Education Scotland's report of Inverie Primary School and Nursery Class of 24 November, 2015.

Members commended the report on Inverie Primary School and Nursery Class which showed the strong performance in the quality of education provision at the school. The Head Teacher and staff at the School were congratulated for this

performance. It was requested that in future reports where there was strong performance that the staff were named in report, so that their achievement could be recognised.

A point was made that this was a very remote school and the Head Teacher was in charge of a cluster of two schools, so to see such a good report was very welcomed and gave confidence that the cluster system did work there. The extra curricular activities in that school were invaluable and the efforts of the Head Teacher, staff and parents was commended.

It was queried if there were any lessons to be learned that could be passed onto other cluster schools in the way this Head Teacher used her time to support these remote schools. It was advised that key themes were the Head Teacher knowing the schools very well, having strong links between the schools and knowing the communities that they were in and having contacts in the communities.

It was noted that the number of Education Scotland reports on schools had reduced and it was explained that the number of inspections nationally had gone down. There had been many developments in primary and secondary education and Education Scotland had both a development and inspection role, which might explain the difference in the number of inspections. Education Scotland were currently reviewing the format of inspections and the number of inspections may increase in future.

The Committee **NOTED** the Education Scotland report on Inverie Primary School and Nursery Class of 24 November, 2015.

**8. Housing Performance Report - 1 April 2015 to 31 December 2015**  
**Aithisg Dèanadais a thaobh Taigheadais – 1 Giblean 2015 gu 31 Dùbhlachd 2015**

**Declaration of Interest: Mr B Murphy declared a financial interest as a temporary accommodation provider and left the room for this item.**

There was circulated Report No. LA/6/16 by the Director of Community Services which provided information on how the Housing Section performed in relation to the Scottish Social Housing Charter and other performance indicators up to 31 December, 2015.

It was advised that a correction required to be made in the Appendix to the report where it had a Red RAG status for the percentage of lettable houses becoming vacant in Lochaber. It was explained that there was no target for this performance indicator, so there should be no RAG status.

The Committee **NOTED** the information provided on housing performance in the period 1 April 2015 to 31 December 2015.

**9. Housing Revenue Account Capital Programme Update**  
**Cunntas às Ùr mu Phrògram Calpa Cunntas Teachd-a-steach Taigheadais**

There was circulated Report No. LA/7/16 by the Director of Community Services which provided information to Members on the status of the 2015-16 Housing



Revenue Account Capital Projects and the 2016-17 Housing Revenue Account Capital Programme for Lochaber.

In particular it was advised that the total approved HRA Capital Programme which related to projects in Lochaber for 2015/16 was £9.464m (and not £11.171m) as stated in the report.

In relation to the external wall insulation work in the Plantation, Fort William, the Council's Energy & Sustainability team were carrying out a reverse tendering process to secure a provider to take this work forward. Companies had been approached for this work and bids from them had been sought. These companies would seek external funding and would hopefully come back with a bid for completing the insulation works on the properties. It was intended that the work would be carried out this year, subject to a suitable bid being received.

A point was made that there seemed to be confusion as to who was getting external wall insulation. Properties in Lochaber Place, Inverlochy Place and Swimming Pool houses numbers 1 and 2 did not seem to be included. In response, the current reverse tendering exercise being undertaken would include properties other than those in the Plantation and an undertaking was given to incorporate those properties referred to above in the scheme also.

In relation to the reverse tendering exercise, it was requested that information about the proposed external insulation works be sent to all properties where this work would be carried out.

A point was made that Members had previously requested information on lists of properties to be upgraded, but Members were informed that it was inappropriate to provide this information in a public report. Members still wished to see this information and it was requested that this information be provided to Members privately. An undertaking was given to provide this information as soon as it was available. It was also noted that in terms of works to be completed on the Swedish Timber houses, all the properties were listed in the report, so consistency in the way this information was provided was required in future.

Continuing, information was requested on how many timber houses there were in the Council's housing stock in Lochaber and information on the regularity that they were inspected and were provided with routine maintenance in terms of timber treatment. It was essential that timber treatment was undertaken regularly. An undertaking was given to provide the exact number of timber houses in the Council's housing stock in Lochaber and the maintenance plans for them.

In relation to record keeping on the capital programme, in terms of the volume of work being undertaken, there had been a time delay in inputting this information on the capital programme into the Housing information system and this would be addressed. Information on the works planned in the capital programme would also be provided to tenants.

It was queried how the Council could monitor the maintenance carried out by contractors in the warranty period, as these warranty periods could be a year long. There were cases where tenants had gone without heating and hot water for considerable periods of time and this was in the hands of the contractor. Contractors were taking many months to fix things and there was no performance

measurement on this. If there was a way of providing Members with information on maintenance carried out by contractors in the warranty period this would be useful.

Thereafter, the Committee **NOTED** the:-

- i. status of the 2015-16 Lochaber HRA capital projects contained in this report;
- ii. position regarding the 2016-17 Lochaber HRA Capital Programme and that the status of the 2016-17 programme would be reported to future Lochaber Area Committees;
- iii. position regarding completing external insulation work in the Plantation, Fort William, and that some houses in Lochaber Place, Inverlochy Place and Swimming Pool house numbers 1 and 2 required to be incorporated into the external insulation scheme; and
- iv. information on the proposed external insulation work would be sent to all addresses where this work was to be carried out.

## **10. Minutes** **Geàrr-chunntas**

There were circulated Minutes of Meeting of the Lochaber Area Committee held on 24 November 2015 which were approved by the Council on 17 December 2015, the terms of which were **NOTED**.

In terms of the information requested at the last meeting on the two items shown below, this would be provided to Members as soon as possible.

- “In terms of the Free School Meal uptake at Inverlochy Primary School, the low uptake for P1-3 and P4-7 compared to other schools was queried. The Quality Improvement Manager undertook to liaise with the Head Teacher of Inverlochy Primary School to check what the reasons for this were.”
- “In relation to Bun-sgoil Ghaidhlig Loch Abar it was queried if two additional classrooms were to be added to this school. The Quality Improvement Manager undertook to liaise with the Area Care and Learning Manager (West) for information on this.”

The meeting concluded at 1.20 p.m.