

**The Highland Council**  
**No. 12 2015/2016**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 12 May 2016 at 10.35 am.

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

**Present:**

Dr D Alston	Mrs D Mackay
Mr R Balfour	Mr D Mackay
Mrs J Barclay	Mr W MacKay
Mr A Baxter	Mr A Mackinnon
Mr I Brown	Ms A MacLean
Mrs C Caddick	Mr T MacLennan
Mrs I Campbell	Mr K MacLeod
Miss J Campbell	Mrs B McAllister
Mrs H Carmichael	Mrs I McCallum
Mr A Christie	Mr D Millar
Mr B Clark	Mr H Morrison
Mrs M Davidson	Ms L Munro
Dr J Davis	Mr B Murphy
Mr N Donald	Mr F Parr
Ms J Douglas	Mrs M Paterson
Mr A Duffy	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	Mr G Rimell
Mr H Fraser	Mrs F Robertson
Mr L Fraser	Mr J Rosie
Mr S Fuller	Mr G Ross
Mr K Gowans	Mr R Saxon
Mr A Graham	Dr A Sinclair
Mr M Green	Mrs G Sinclair
Mr R Greene	Mrs J Slater
Mr R Laird	Ms M Smith
Mr B Lobban	Ms K Stephen
Mrs L MacDonald	Mr J Stone
Mr J McGillivray	Mr H Wood

**In Attendance:**

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

**Mrs I McCallum in the Chair**

Apologies for absence were intimated on behalf of Mr D Bremner, Dr I Cockburn, Mrs G Coghill, Mr J Crawford, Mr J Gordon, Mr B Gormley, Mr J Gray, Mr A

Henderson, Mr D Kerr, Mr N MacDonald, Mr G MacKenzie, Ms G Ross, Mr B Thompson and Mrs C Wilson.

## **Preliminaries**

Prior to the commencement of the formal business, the Convener, on behalf of the Council, congratulated Ms Gail Ross on her election as a Member of the Scottish Parliament and also paid tribute to the hard work and commitment shown by the other Members of the Council who had also stood for election.

It was also agreed that a message of congratulations should be sent to Her Majesty the Queen on the occasion of her 90<sup>th</sup> Birthday.

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

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

Item 5 – Ms J Douglas, Mr K Gowans, Mr M Green, Ms A MacLean, Mr F Parr (all non-financial) and Mr K Gowans (financial)

Item 8 – Mr A Christie, Mr B Murphy, Dr A Sinclair, Ms M Smith (all non-financial) and Mr G Farlow (financial)

Item 10 – Dr D Alston (non-financial) Mr G Farlow and Mr K Gowans (financial)

Item 11 – Mrs B McAllister (non-financial) Dr D Alston and Mrs L Munro (both financial)

Item 15 – Dr D Alston and Mr I Brown (financial)

## **3. Presentation – Commission on Highland Democracy Taisbeanadh – Coimisean air Deamocrasaidh na Gàidhealtachd**

It was noted that the work of the Commission on Highland Democracy was being led by Mr Rory Mair who was unwell at present and therefore unable to attend the meeting. In this regard, it was agreed that the best wishes of the Council should be conveyed to Mr Mair to wish him a speedy recovery.

On that basis, an update was provided by the Leader of the Council at the meeting during which she confirmed that the Commission represented a unique opportunity to open discussions on the kind of democracy which people wished to see across the Highlands and which the Council could help to deliver.

In regard to the progress which had been made since the last meeting, it was noted that meetings had been held with all of the Group Leaders and these had gone well. It had also been agreed that the Commission should comprise twelve members, which would include six elected Members from the Council and nominations coming forward in due course for the remaining six members. Support was also to be provided by the Improvement Service. Work was expected to commence in June - with evidence being collated over the Summer months, an interim report to the Council in the Autumn and final recommendations in December.

During discussion, it was confirmed that there was still time for additional nominations to be put forward for the remaining members of the Commission. In this regard, it was suggested that there should be a strong community focus in the selection of these remaining members, such as through the various Community Trusts.

The position was otherwise **NOTED**.

**4. 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 10 March and the Minutes of the Special Meeting held on 24 March 2016 as contained in the Volume which had been circulated separately - which were **APPROVED**.

**5. 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:-

Education, Children and Adult Services Committee, 17 March  
Communities and Partnerships Committee, 23 March  
Audit and Scrutiny Committee, 24 March  
Nairnshire Committee, 20 April  
Caithness Committee, 25 April  
Ross and Cromarty Committee, 27 April  
Community Services Committee, 28 April

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

**Education, Children & Adult Services Committee**

**Notice of Amendment: Item 12: Management of Schools**

**Declarations of Interest**

**Ms J Douglas, Mr K Gowans, Mr M Green and Mr F Parr declared non-financial interests in this item as Directors of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude them from taking part in the discussion.**

**Mr K Gowans also declared a financial interest on the grounds that a family member was an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude him from taking part in the discussion.**

**Ms A MacLean declared a financial interest on the grounds that family members were employed in Schools and in the Catering Service and, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, left the Chamber during discussion of the item.**

With reference to the Minutes of Meeting of the Education, Children and Adult Services Committee of 17 March as contained in the Volume and circulated separately, the following Notice of Amendment had been received in accordance with Standing Order 10.3 –

"We, the undersigned, wish to challenge the Education, Children and Adult Services Committee decision with regard to recommendation iii which is shown below:

(iii) the development of a full business case for the transfer of catering, cleaning and janitorial services to High Life Highland to be considered at the May 2016 Highland Council Meeting.

We seek to amend the decision of the Education, Children and Adult Committee and urge the Council to agree to the following prior to commencing work on a Business Case to justify a Committee decision:

1. That a Seminar be held for Members on the concept of increasing High Life Highland's remit into new areas of service that are beyond the current services contracted to deliver;
2. That a Briefing be prepared by both Chief Executives for presentation to Members which will cover the impact of the proposed transfer of Catering, Cleaning and FM to an Arms-Length Organisation on High Life Highland as an organisation, the Council itself and the staff impacted by any changes; and
3. That the matter should form part of the deliberations in the 'Re-design of the Highland Council' and not be fast tracked solely for budget purposes".

Signed: Mr A Christie, Mr J Gray Ms M Smith, Mr A Graham Mr K Gowans, Mr B Lobban, Mr C Fraser Mr I Renwick, Mr D MacKay, Mr T Prag

In this connection, there had been re-circulated Report No. ECAS/25/16 dated 8 March 2016 by the Director of Care and Learning.

In this regard, the Chair of the Education, Children and Adult Services Committee confirmed that a meeting had taken place involving the Chief Executive, the Director of Care and Learning and some of the signatories on the Notice of Amendment and a Seminar, as requested, was now scheduled to take place following the Council meeting on the concept of increasing High Life Highland's remit into new areas of service.

Accordingly, the Council **AGREED** the terms of the Notice of Amendment as detailed.

### **Ross and Cromarty Area Committee, 27 April**

#### **\*Starred Item: Item 8: PP. 75-77: Tain Common Good Fund – Tain Mussels**

The Council **AGREED**:-

- i. that the current operation be ceased in favour of a fishery leased to 3rd party operators;
- ii. that the fishing boat, licence and ancillary equipment be kept in Lochinver until local interest was gauged, with the position being reviewed in 2 years; and
- iii. that a programme of sampling and stock assessment be agreed for implementation during 2016/17 and allowance made for this work within the Common Good Budget annually.

## **Community Service Committee, 28 April – Item 12: Public Convenience Strategy and Review of Highland Comfort Scheme**

**NOTED** clarification at the meeting that the Castle Wynd toilets were funded by the Inverness Common Good and therefore any decision regarding the introduction of cash collection would fall within the remit of the City of Inverness and Area Committee (and not the Community Services Committee).

### **6. Membership of Committees, etc Ballrachd Chomataidhean, is eile**

It was **NOTED** that Mr D Fallows had now left the SNP Group and had joined the Highland Alliance. It was also **NOTED** that the political make-up of the Council was now as follows:-

Independent – 32/SNP – 19 /Liberal Democrat – 12 /Labour – 8 /Highland Alliance – 6/Non Aligned - 3

The formula in respect of the number of places on Strategic Committees had now changed to 9/5/4/2/2.

On that basis, the Council **AGREED** revised Committee membership lists as tabled.

The Council also **AGREED** the following revisions to memberships of Committees, etc –

Education, Children and Adult Services Committee – Mrs M Davidson to replace Mr M Green  
ICT Executive Board – Mr D Fallows to replace Mrs I McCallum

### **7. 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) Mr H Fraser**

#### **To the Chair of the Education, Children and Adult Services Committee**

“Given the Council’s commitment to GIRFEC and the Highland model with a commitment to every child having a named person, can the Chair reassure Highland families that this is not an intrusion by authorities into people’s private lives but is there to provide support to parents and families when they need it?”

The response had been circulated.

There was no supplementary question.

#### **(ii) Mr A Baxter**

#### **To the Chair of the Planning, Development and Infrastructure Committee**

“What meetings have you had with Transport Scotland since your appointment and what were the substantive items of business at each of these meetings?”

The response had been circulated.

In terms of a supplementary question, Mr A Baxter queried as to what had been the outline case to Transport Scotland in support of an A830 Caol to An Aird extension and why did Officers still seem so determinedly lukewarm on such a proposition.

In response, the Chair of the Planning, Development and Infrastructure Committee confirmed that this was an item on the agenda for Transport Scotland meetings with the next stage being part of the consultation period in dealing with the Local Development Plan. As such, Officers were working through the process of pulling information together, including taking together the information which had been provided by Transport Scotland and produced in the transport background paper to go along with the consultation. In this regard, Planning Officers had been taking account of the comments during the consultation period which was running through to 10 June and there was a consultation meeting planned for the following week in Fort William. In addition, Planning Officers had been to meetings with Caol Community Council and, together with the Director, she was due to meet with Lochaber Members in a fortnight to progress this matter further.

## **8. Notices of Motion Brathan Glusaid**

### **Declarations of Interest**

**The following Members declared non-financial interests in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude them from taking part in the discussion:-**

**Mr A Christie – Director of Highland Small Communities Housing Trust  
Mr B Murphy – Committee Member of Lochaber Housing Association  
Dr A Sinclair – Board Member of Skye and Lochalsh Housing Association  
Ms M Smith – Board Member and Company Secretary of Albyn Housing Society and Board Member of Highlands Small Communities Housing Trust**

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

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

“Agree that, at the earliest opportunity, an approach is made to Scottish Government Ministers with responsibility for housing and finance to request that local authorities are given the same level of grant as housing associations to enable the maximum number of council houses to be built.”

Signed: Mrs M Davidson    Mr D Millar

During discussion, Members raised the following issues:-

- this was a really important issue for the area and as such a real step change was now needed to try to meet the housing demand in the Highlands;
- young people in particular faced significant challenges as they tried to get on the ‘housing ladder’;
- there was need for a strong focus on the fundamental issues around this

- subject, including the supply of land for housing, infrastructure and finance;
- tribute should be paid to the Scottish Government and specifically Mr Alec Neil who had brought back grant arrangements to help local authorities with the building of Council Houses when he had been in the position of Minister for Housing and Communities. In this regard, it was suggested that consideration now needed to be given to a higher rate of grant for the Highlands in particular;
  - it was now suggested that Notice of Motion should be re-worded to include reference to the need to 'discuss the level of grant support to Highland for Council House building to enable the maximum number of Council Houses to be built';
  - there also had to be a focus on the wider impediments to housing development, including the unrealistically high aspirations of land owners in relation to land values;
  - land reform and land taxation were fundamental issues which would need to be discussed as part of future proposals;
  - it would be helpful if the Highland MSP's could be briefed on all issues in relation to this subject;
  - an examination of planning issues would be crucial as the process progressed in order to identify any possible avenues of help and support; and
  - the significant economic impact of house building across the Highlands should not be underestimated.

### **Decision**

The Council **AGREED** that, at the earliest opportunity, an approach be made to Scottish Government Ministers with responsibility for housing and finance to discuss the level of grant support to Highland for Council House building to enable the maximum number of Council Houses to be built.

## **9. Progress Report from the Re-design Board Ath-dhealbhadh Chomhairle na Gàidhealtachd**

There had been circulated Report No. HC/17/16 dated 4 May 2016 by the Chief Executive which confirmed that a Redesign Board had been established as agreed at the Special Council meeting on 24 March 2016 and provided an update on progress to date.

There had also been tabled Minutes of the Redesign Board meeting held on 18 April which had been approved by the Board at the meeting on 10 May and which were **NOTED**.

A verbal update on the Board Meeting and Workshop which had been held on 10 May was also provided at the meeting during which all Members of the Council were encouraged to become involved in the work of the Board. In this regard, it was confirmed that a range of information was now available on the Council Website in relation to the terms of reference which had been agreed by the Board and this included objectives, scope, timescales for reporting, frequency and format of meetings, membership and methods.

It was also highlighted that the pace of the work would be dictated by the need to ensure that formal recommendations were presented to the Council in December 2016 and March 2017.

During discussion, Members raised the following issues:-

- the redesign of the Council would be immensely challenging, particularly in light of the considerable number of services currently provided, but should be viewed as an opportunity and in this respect there was a need for all Members to become involved wherever possible;
- the involvement of all stakeholders was vital in order to ensure that all views were represented as the work progressed; and
- communication would be key as the process developed at a very fast pace and whilst it was important that the new organisation was fit for purpose, it was also necessary to ensure that there was a continual focus on the needs of vulnerable members of society who relied on Council services.

### **Decision**

The Council **NOTED** that the Redesign Board had been established and had met twice.

The Council also **NOTED** the agreed Terms of Reference (including objectives, methods and operating arrangements) and the verbal update on the Board meeting and workshop held on 10 May as detailed.

## **10. Inverness City and Highland Region Deal – Local Governance Arrangements Cùmhnant Roinne Baile Inbhir Nis**

### **Declarations of Interest**

**Dr D Alston declared a non-financial interest in this item as a member of the Court of UHI 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 him from taking part in the discussion.**

**Mr K Gowans declared a financial interest as an employee of UHI 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 him from taking part in the discussion.**

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

There had been circulated Report No. HC/18/16 dated 4 May 2016 by the Director of Development and Infrastructure which provided an update on the City-Region Deal Heads of Terms agreement and set out proposed governance arrangements for taking forward the City-Region Deal.

During discussion, Members raised the following issues:-

- there was a need to convey thanks to the Director of Development and Infrastructure and the Parliamentary Officer for the considerable work which had been undertaken in bringing this to fruition which was a huge achievement for the Council and for the future of the Highlands;
- this City-Region Deal represented improved status and the certainty of investment in the Highlands for the next ten years, particularly in terms of connectivity across the area;



- the City-Region Deal also addressed a number of issues which had been raised by young people and as such presented an opportunity to retain them in the area;
- there were many ways in which communities across the Highland area could become involved, such as through projects focused on digital connectivity, assisted living, employability, science skills and housing;
- the Leader of the Council would be in attendance at future Local Committee meetings in order to discuss local priorities and how local communities could make the City-Region Deal work for them;
- Briefing Papers would also be circulated to Local Committees to identify and explain the various issues associated with the City-Region Deal and this information would also be shared online through the Council Website;
- the focus on the Science Skills Academy within the Heads of Terms Agreement was welcomed;
- there was a need to acknowledge the considerable work undertaken in relation to the City-Region Deal by both the previous Leader of the Council and the previous MP for the area;
- it had to be highlighted that the City-Region Deal funding was expected to realise around £1 billion of investment for the Highlands;
- there was a need for more information to be made available in rural areas in particular as there was still a degree of scepticism in terms of what the City-Region Deal would mean for them, particularly in regard to infrastructure and tourism initiatives, and in this regard it was queried as to which capital projects would be scheduled for the Fort William, Portree and Thurso areas;
- whilst it was welcomed that the Leader of the Council was to attend Local Committee meetings, priorities had already been discussed and submitted by some local communities;
- the references within the report for new houses was welcomed and it was hoped that this would help to stimulate interest in developing the Sandown Land in Nairn for this purpose;
- the lack of broadband provision in areas across the Highlands was causing significant problems for small businesses and the tourism industry and any proposals to improve on the current situation would be much appreciated;
- consideration should be given to the inclusion of Community Councils and other local groups at Local Committee meetings in order to take forward the localism agenda;
- it had to be recognised that the City-Region Deal was based on confidence and enthusiasm and as such it was vital to highlight the many initiatives which were already happening in the area through research/development and innovation;
- in terms of addressing the concerns of rural areas as to what the City-Region Deal would mean for them, it would be helpful for the broad areas identified within the report (Digital, Skills, Northern Innovation Hub, Innovative Assisted Living Scheme, School of Healthcare and Life Sciences, Air Access, Road Infrastructure, Land Infrastructure, Affordable Housing and Tourism) to be mapped across the Highland area to illustrate the potential future benefits;
- it should perhaps be clarified that the outcome (as opposed to the impact) of the City-Region Deal on Inverness and the wider region would be significant in helping to rebalance the population and grow the economy of the area;
- it would be important to record dates, times, milestones, etc as this progressed in order to show progress over time;
- in terms of the recommendation within the report for the establishment of a Member City-Region Deal Scrutiny Board comprising 'Group Leaders', it would be appropriate for this to be amended to 'Group Leaders or their nominees';

- it was felt that in many instances remote areas might in fact benefit most from increased tourism due to local attractions;
- there should be a focus wherever possible on the rail network across the Highlands in the future;
- it would be important not to duplicate projects and initiatives already being undertaken in the area;
- there was real progress now in investing in Inverness Castle and this would play a large part in attracting visitors to the Highlands; and
- there would be a focus on supporting Local Committees to deliver priorities/projects which were less easy to deliver within the Programme of the Council.

### **Decision**

The Council **NOTED** the Heads of Terms Agreement for the City-Region Deal.

The Council also **AGREED** the establishment of a Programme Board (chaired by the Director of Infrastructure and Development which would report to the Planning, Development and Infrastructure Committee) and a Member City-Region Deal Scrutiny Board (comprising the Group Leaders or their nominees) and that the Highland Community Planning Partnership should provide a programme overview.

## **11. Highland Health and Social Care Partnership Plana Ro-innleachdail airson Seirbheisean Chloinne agus Inbheach**

### **Declarations of Interest**

**Mrs B McAllister declared a non-financial interest in this item as a Trustee of the Highland Senior Network 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 from taking part in the discussion.**

**Dr D Alston as Chair of NHS Highland and Ms L Munro as an employee of NHS Highland declared financial interests in this item and, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, left the Chamber during discussion of the item.**

There had been circulated Report No. HC/19/16 dated 28 February 2016 by the Director of Care and Learning which set out and sought agreement for revised governance arrangements for the delivery of adult social care and children's services further to the meeting of the Highland Health and Social Care Partnership Joint Monitoring Committee held on 19 April 2016.

During discussion, Members raised the following issues:-

- it would be essential, as part of the process going forward, to ensure that timescales were adhered to and that any issues arising were highlighted and reported on as soon as possible;
- it had been stated that each District Partnership 'should continue to maintain and monitor local plans for improving services' but it was felt that this could be phrased and dealt with in a more ambitious way in relation to local issues and priorities;
- it had also been stated that the formal process 'must provide confidence to Board members in relation to children's services and confidence to Elected Members in relation to adult services' and in this regard it was felt that this

should also make reference to confidence in transitions to reflect joint responsibilities and to ensure proper governance at all times;

- reference to the Partnership 'being agreed on the functions of scrutiny and governance and where these responsibilities were discharged' was important, particularly in terms of avoiding duplication; and
- in regard to references within the report to the wider community planning role, it was highlighted that this presently came under the remit of Local Committees as opposed to District Partnerships; and
- the assurance given that the full Council had the overall responsibility for governance was welcomed.

### **Decision**

The Council **NOTED** the review of governance arrangements for the Highland Health and Social Care Partnership.

The Council also **AGREED** the proposals as set out in the report at Annexe One.

## **12. Treasury Management Strategy Statement and Investment Statement Aithris Ro-innleachd Rianachd Roinn an Ionmhais agus Aithris Tasgaidh**

There had been circulated Report No. HC/20/16 dated 23 March 2016 by the Director of Finance which contained the Treasury Management Strategy Statement and Investment Statement for 2016/17.

In this regard, the Director of Finance referred to recent press coverage of the Council's borrowing levels and confirmed that the current level of borrowing had been a clear policy decision made by this and previous Administrations which had been supported by clear financial advice.

It was also confirmed that the borrowing levels were set a level which allowed the Council to meet the various pressures and demands placed upon it and also to meet agreed current and future priorities.

During discussion, Members raised the following issues:-

- the excellent advice received from Officials on capital spend was welcomed and provided confidence for Members in terms of the way forward;
- affordability was a key issue in that it enabled expansion of investment for businesses and jobs in the Highlands, as well as continuing investment for local communities;
- it should be highlighted that over the following three year period the estimated cost of borrowing was expected to increase. Whilst this had been factored into revenue budget forecasts, it did present a financial risk to the Council. It should also be noted that ongoing low interest rates had allowed the Council to make short term savings;
- clarification of the cost of interest attached to each individual capital project would be useful;
- the clear message from the meeting should be that Members were not concerned with the Council's current borrowing position in light of the prudent management which had been highlighted within the report;
- there was a need to reinforce the message that borrowing was undertaken for the reason of capital spending in the Highland area;
- benchmarking of the Council performance as compared to other Local

- Authorities would be helpful; and
- further training opportunities for Members on this subject would be appreciated.

### **Decision**

The Council **APPROVED** the Treasury Management Strategy Statement and the Investment Statement for 2016/17 in compliance with the Chartered Institute of Public Finance and Accountancy Code of Practice on Treasury Management in Local Authorities.

### **13. Banking and Related Financial Transactions – Authorised Signatories Gnothaichean Bancaidh agus Ionmhasail Co-cheangailte – Luchd-soidhnigidh Ùghdarraichte**

There had been circulated Report No. HC/21/16 dated 13 April 2016 by the Director of Finance which addressed the matter of Officers appointed to authorise banking and related financial transactions on behalf of the Council.

### **Decision**

The Council **APPROVED** the following as authorised signatories for banking and related financial transactions with immediate effect –

Derek Yule – Director of Finance  
Edward Foster – Head of Corporate Finance  
Allan Gunn – Head of Revenues and Business Support  
Michael Fraser – Finance Manager, Partnerships and Joint Ventures  
Margaret Grigor – Finance Manager, Corporate Budgeting, Treasury and Taxation  
Mike Mitchell – Finance Manager, Community Services and Development & Infrastructure

**The meeting adjourned for lunch at 1.15 pm and resumed at 2.05 pm.**

### **14. External Scrutiny: Local Scrutiny Plan Update 2016/17 Plana Sgrùdaidh Ionadail 2016/17**

There had been circulated Report No. HC/22/16 dated 15 April 2016 by the Chief Executive which provided information in relation to the annual Local Scrutiny Plan which 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.

During discussion, it was suggested that, in relation to Workforce Planning and specifically references within the Local Scrutiny Plan which had highlighted that this was an area which required ongoing oversight and monitoring during 2016/17 due to reductions in the Council workforce, a report should be brought back to a future meeting of the Audit and Scrutiny Committee on the identification of risks and examples of best practice elsewhere in order to allow close monitoring and scrutiny by Members of the Council.

### **Decision**

The Council **NOTED** the Local Scrutiny Plan attached as Appendix 1 to the report which highlighted that no additional scrutiny of the Council was required for 2016/17.

The Council also **NOTED** the positive comments made about the Council's Integrated Care (Adult Services) and Workforce Planning, the areas where monitoring was planned as outlined in Paragraph 2.2 and the areas of scheduled audit and inspection activity identified which contributed to national audit reports as outlined in Paragraph 2.4 of the report.

The Council also **AGREED** that - in relation to Workforce Planning (and specifically references within the Local Scrutiny Plan which had highlighted that this was an area which required ongoing oversight and monitoring during 2016/17 due to reductions in the Council workforce) – a report should be brought back to a future meeting of the Audit and Scrutiny Committee on identification of risks and examples of best practice elsewhere in order to allow close monitoring and scrutiny by Members of the Council.

**15. NHS Highland Board – Council Representative  
Cur an Dreuchd – Bord na Gaidhealtachd**

**Declarations of Interest**

**Dr D Alston as Chair of NHS Highland and Mr I Brown as an employee of NHS Highland declared financial interests in this item and, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, left the Chamber during discussion of the item.**

The Leader, seconded by the Convener, moved on behalf of the Administration the nomination of Ms J Douglas as the Council's representative to serve on the Board of NHS Highland.

In this regard, it was confirmed that this nomination would require to be approved by the Cabinet Secretary.

As an amendment, Mr A Christie, seconded by Mr T Prag, moved that the Council should not make an appointment today but instead should refer this position for consideration by the Panel which had been set up to consider appointments to Arms-Length External Organisations.

On a vote being taken, the **MOTION** received 27 votes and the **AMENDMENT** received 16 votes, with 12 abstentions and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:-**

Mr R Balfour, Mrs J Barclay, Miss J Campbell, Mrs I Campbell, Mrs H Carmichael, Mrs M Davidson, Mr N Donald, Ms J Douglas, Mr D Fallows, Mr B Fernie, Mr M Finlayson, Mr H Fraser, Mr L Fraser, Mr M Green, Mr R Greene, Mr B Lobban, Mr A Mackinnon, Mr T MacLennan, Mrs I McCallum, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr M Paterson, Mr M Reiss, Mr A Rhind, Dr A Sinclair and Mr G Ross

**For the Amendment:-**

Mr A Baxter, Mrs C Caddick, Mr A Christie, Dr J Davis, Mr A Graham, Mrs D Mackay, Mr D Mackay, Mrs A MacLean, Mrs B McAllister, Mr B Murphy, Mr F Parr, Mr T Prag, Mr J Rosie, Mr R Saxon, Mrs K Stephen and Mr H Wood

**Abstentions:-**

Mr A Duffy, Mr G Farlow, Mr C Fraser, Mr S Fuller, Mr K Gowans, Mr R Laird, Mrs L MacDonald, Mr G Phillips, Mr I Renwick, Mrs J Slater, Mrs G Sinclair and Ms M Smith

## **Decision**

The Council **AGREED** to nominate Ms J Douglas as the Council's representative on the Board of NHS Highland as detailed.

### **16. Common Good Funds Officer Math Coitcheann**

There had been circulated Report No. HC/23/16 dated 2 May 2016 by the Head of Corporate Governance which provided further details on the proposed funding arrangements for the temporary post to support the management of the various Common Good Funds and prepare for the coming into force of the new Community Empowerment duties.

During discussion, reference was made to the duties of the new post holder and it was stressed that if any investigations were required on historical issues, that these should be undertaken by Highland Council staff (and not the Common Good Funds Officer) with any associated costs being met by the Council.

Reference was also made to previous concerns expressed by Community Councils in relation to the current administration of Common Good Funds and as such it was welcomed that a key task of the new post holder would be to address such concerns through the compilation of registers whilst actively engaging with communities in anticipation of the enactment of new legislation as a result of the Community Empowerment (Scotland) Act.

Thereafter, Mrs L MacDonald, seconded by Mr S Fuller, moved the suspension of Standing Order 20 to allow further discussion to be undertaken on the proposed new post and specifically to seek agreement for the post to be reviewed after a period of one year (as opposed to a period of two years as had been agreed at the last meeting).

As an amendment, the Leader, seconded by the Convener, moved that Standing Order 20 should not be suspended.

On a vote being taken, the **MOTION** received 17 votes and the **AMENDMENT** received 42 votes, with 2 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:-** Mr B Clark, Mr D Fallows, Mr T MacLennan, Mr I Brown, Mr C Fraser, Mr G Phillips, Mr S Fuller, Ms L MacDonald, Ms J Slater, Mr G Farlow, Mrs G Sinclair, Mr K Gowans, Mr I Renwick, Mr B Lobban, Mr A Duffy, Ms M Smith and Mr R Laird.

**For the Amendment:-** Mr R Balfour, Mrs M Paterson, Miss J Campbell, Mr G Ross, Mr M Green, Mrs B McAllister, Mrs D MacKay, Mr J Ford, Mr F Parr, Mr B Murphy, Mr G Rimell, Mr J Stone, Dr J Davis, Mr N Donald, Mr D Millar, Mr L Fraser, Mr J McGillivray, Mr M Finlayson, Mr R Saxon, Ms C Caddick, Ms A MacLean, Ms K Stephen, Mr H Wood, Mr J Rosie, Mr H Fraser, Mrs I Campbell, Mrs J Barclay, Mr H Morrison, Mr R Greene, Ms J Douglas, Mr A Christie, Mr T Prag, Dr D Alston, Mr A Graham, Mrs I McCallum, Dr A Sinclair, Mrs H Carmichael, Mrs M Davidson, Mr A Rhind, Mr B Fernie, Mr A MacKinnon and Mr M Reiss.

**Abstentions:-** Mr D MacKay, Ms L Munro

### **Decision**

The Council **AGREED** that the temporary post of Common Good Funds Officer should be funded on a pro rata basis in respect of the work undertaken in developing a corporate approach to Community Empowerment legislation and on a fees basis in respect of work undertaken in connection with individual funds.

#### **17. Scheme of Delegation – Amendments Sgeama Tiomnaidh – Atharrachaidhean**

There had been circulated Report No. HC/24/16 dated 3 May 2016 by the Depute Chief Executive/Director of Corporate Development which outlined proposals for amendment to the Council's Scheme of Delegation and Administration to Committees and Sub Committees and to Officers following changes in management structures and to accord with the outcome of the Surveillance Commissioner's last inspection.

There had been also circulated Joint Report No. HC/25/16 dated 3 May 2016 by the Depute Chief Executive/Director of Corporate Development and the Director of Development and Infrastructure which outlined proposed amendments to sections relating to the Planning, Development and Infrastructure Committee in Part II of the Scheme and the City of Inverness Area Committee and Local Committees in Part III of the Scheme.

### **Decision**

The Council **AGREED** the proposed amendments to the Scheme of Delegation as detailed on the basis that an updated copy would be circulated to all Members following the meeting.

#### **18. Clerk and Depute Clerk of Highland Licensing Board Clàrc agus Iar-Chlàrc Bòrd Ceadachd na Gàidhealtachd**

It was confirmed that the Licensing (Scotland) Act 2005 required the Council to appoint and employ an Officer to be Clerk of every Licensing Board with jurisdiction within its area.

### **Decision**

The Council **AGREED** that Ms Susan Blease, Principal Solicitor (Regulatory Services) should be appointed Clerk of Highland Licensing Board and that Ms Claire McArthur, Solicitor (Regulatory Services) should be appointed Depute Clerk with immediate effect.

#### **19. Timetable of Meetings Clàr-ama Choinneamhan**

The Council **AGREED** the following changes to the Timetable of Meetings in the current year –

Education, Children and Adult Services Committee – meeting to be re-scheduled from Wednesday, 9 November to Wednesday, 26 October

Lochaber Area Committee – meeting to be re-scheduled from Thursday, 19 May to Friday, 10 June.

**20. 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 10 March 2015 was available in the Members' Library and on the Council's Website.

The meeting ended at 2.30 pm.