

## **The Highland Council**

Minutes of Meeting of the **Nairnshire Committee** held in the Chamber, The Courthouse, High Street, Nairn on 21 September 2016 at 10.30 am

### **Present:**

Mr L Fraser  
Mr S Fuller

Mr M Green  
Mrs L MacDonald

### **Non Member also present:**

Mrs M Davidson

### **In attendance:**

Ms L Cowie, Ward Manager, Nairn and Badenoch and Strathspey  
Ms A Clark, Acting Head of Policy, Chief Executive's Office  
Mr R MacLeod, Principal Housing Officer, Community Services  
Mr R McNab, Performance & Inspection Co-ordinator, Community Services  
Ms R Cleland, Corporate Communications Manager, Chief Executive's Office  
Ms J Scotson, Business Change Manager, Chief Executive's Office  
Mr S Taylor, Administrative Assistant, Corporate Development Service

### **Also in attendance:**

Chief Inspector B Mackay, Police Scotland  
Inspector F Wemyss, Police Scotland

**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 M Green in the Chair**

### **Business**

Prior to commencement of the formal business, tribute was paid to the late Mr Graham Kerr. Mr Kerr gave selflessly of his time and expertise for Nairn and he was a leading figure in both Nairn Improvement Community Enterprise (NICE) and the West Community Council. Graham worked tirelessly for Nairn and his contribution had been recognised. The Chair, on behalf of the Committee, expressed his sympathies to Wilma, Larry and the rest of Mr Kerr's family.

The Chair, on behalf of the Committee, expressed his thanks to the Mackintosh family and their contribution to Nairn County Football Club over the last 20 years. Nairn County FC was now in a far better place than it was when they took it over 20 years ago and the Committee was very appreciative of those efforts. Going forward, he wished all the best to the new Chairman Donald Matheson and his team as they take the County forward.

Tribute was also paid to Mr Tony Dunbar who had volunteered with the Nairn Citizens Advice Bureau for over 20 years, during which he was a treasurer with full responsibility for the completion of accounts and payroll. Alongside this he trained as an adviser, another voluntary role which specialised in debt issues. The Nairn Citizens Advice Bureau was an invaluable asset to Nairn and relied heavily on its volunteers. Tony was a superb volunteer and his contribution was greatly appreciated.

The Chair welcomed Mrs Margaret Davidson, Leader of the Highland Council to the meeting.

**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 9 – Mr L Fraser (non-financial) and Mr S Fuller (financial)

**3. Recess Powers  
Cumhachdan Fosaidh**

The Committee **NOTED** that the recess powers granted by the Council at its meeting on 29 June 2016 had not required to be exercised in relation to the business of this Committee.

**4. Developing Local Priorities for Nairnshire  
A' Leasachadh Phrìomhachasan Ionadail airson Siorrachd Inbhir Narann**

There had been circulated Report No N/15/16 dated 9 September 2016 by the Depute Chief Executive/Director of Corporate Development providing an update on the local strategic priorities for Nairnshire.

The Leader of the Council was in attendance at the meeting and discussed with the Committee their key issues and how the Administration could help progress these issues.

In discussion it was reported that a workshop would be organised following the meeting to further develop and refine the draft local priorities and that a report would be taken to the next Committee meeting in December. Members then raised the following issues:-

- it was highlighted that the Nairn Community Town Centre Plan was in place and that work was currently underway to identify potential sources of funding to develop the Plan;
- a suggestion was made to extend the town centre brief beyond the King Street Buildings and to investigate the potential of a bigger footprint which could provide a gateway feature for the town centre;

- concern was expressed regarding the overnight parking of campervans at the harbour and the possibility of enforcing a restriction on parking between 1:00 and 6:00 am was raised. It was later highlighted that the harbour area could be a suitable location for camper vans given its proximity to shops restaurants and that an arrangement could be made that took into concerns raised locally;
- with regard to the potential for affordable housing in Sandown, it was highlighted that a bid had been put forward by the Council for Scottish Government Infrastructure Funding;
- it was highlighted the Business Improvement District (BID) for Nairn would focus on tourism and that efforts were being made to secure funding for this. A business plan would be drawn up and taken forward in liaison with local businesses;
- there were already a number of other structures in Nairn including common goods, NICE and social enterprise which had demonstrated partnership working between the private and public sector and the importance of retaining these capacities and mechanisms so as to avoid missing out on any potential funding was emphasised;
- in response to a question regarding the redirection of money from the Shop Front Scheme to help support the BID, the Ward Manager advised that all shops in the high street had recently been canvassed and a number had come forward seeking funding. Therefore it would be premature to look at the residual use of the Shop Front Scheme monies until all businesses in the high street had been given the opportunity to take advantage of the scheme. A report would be presented to the Ward business meeting and in due course to the Committee;
- with reference to Fort William and Aviemore as the mountain bike capital and outdoor capital of the Highlands respectively, the opportunity to make Nairn the water sports capital of Highlands was emphasised. The harbour area was a vital component in the town centre regeneration and could be used to help attract the increasing number of visitors to the Highlands, in particular through the cruise ship market;
- consideration should be made with regard to the installation of a coach park or bus stop on the east side of the A96;
- concern was expressed regarding the suggestion of a toilet and shower block facility for campervans due to the cost this would have on the common good and the lack of a business case;
- in emphasising the importance of broadband and connectivity, it was highlighted that a number of businesses in Nairn did not have access to superfast broadband and that suppliers should be lobbied to provide 4G coverage across the whole ward;
- broadband and connectivity was a high priority for both the Committee and for the community partnership and efforts should be made to deliver this;
- it was suggested that Mr Brendan Dick, Director, BT Scotland be invited to a future meeting of the Committee. The Leader of the Council advised that that she could provide contact details for Mr Dick to members;
- the upgrading of existing mobile masts for public use through service providers was highlighted;
- partnership working between the mobile operators to put more masts along the road infrastructure in Highland was welcomed;
- disappointment was expressed regarding the hold-up in the Scottish Government's roll out of 100% high-speed broadband coverage;

- concern was expressed regarding the quality of bathing water in Nairn and it was highlighted that the Nairn Bathing Water Stakeholder Group had been set up to establish the nature of the problem and to try to resolve it. There had been a serious lack of infrastructure investment and it would not be possible for Nairn to continue to push forward as a tourism town if the bathing water quality was not commensurate with its beaches;
- it was suggested that Senior Planning Officers from Scottish Water be invited to attend a future meeting of the Committee to discuss concerns regarding water quality and lack of infrastructure investment in Nairn;
- the significant investment in transport and infrastructure by the Scottish Government in the Highlands, in particular regarding the A9 and the Nairn bypass, was recognised;
- further to a suggestion by Cllr MacDonald that she put forward a resolution to the SNP conference in March around bathing water quality, the Chair highlighted that it was an issue for all political parties given the antiquated infrastructure that was currently in place;
- in highlighting the success of the participatory local budgeting initiatives, it was emphasised that the Nairn partnership should reflect the needs and aspirations, of communities and that there should be wide community involvement, in particular with community councils; and
- concern was expressed that there would only be three meetings of the Committee in 2017; however, the introduction of the Community Partnership could provide an opportunity to deal with local issues throughout the year.

The Leader provided information on the Inverness City Region Deal, during which she advised that housing was an aspect of the deal from which Nairn could benefit from and highlighted the growing use of technology to enable people requiring care to stay in assisted houses for longer rather than looking to put them into care homes at an earlier stage. She highlighted the opportunities that were available to young people through science, technology, engineering and mathematics (STEM) subjects, in particular at the University of the Highlands and Islands (UHI) and emphasised the importance of schools in Nairn making connections with UHI. She also highlighted the innovations fund available to small and medium sized businesses and expressed optimism that the Deal would be the catalyst for more business investment in the Highlands. In concluding, she commended the Committee for its list of local priorities and highlighted that discussions would take place regarding Highland First and the priorities which had been identified for Nairn.

The Chair thanked the Leader for her contribution to the meeting and highlighted the need for schools in Nairn to link up with UHI to take advantage of the resources that were available.

Thereafter, the Committee:-

- i. **AGREED** the draft local priorities for Nairnshire, as detailed in appendix 1 to the report, and **AGREED** that they be further refined following discussion at a future meeting;
- ii. **AGREED** that the draft local priorities would be further refined following discussion with the appropriate officers at a future workshop;
- iii. **NOTED** that a report would be submitted to a future meeting of the Committee on the Shop Front Scheme;

- iv. **AGREED** that Mr Brendan Dick, Director, BT Scotland be invited to a future meeting of the Committee and that contact details for Mr Dick be provided to Committee members; and
- v. **AGREED** that Senior Planning Officers from Scottish Water be invited to attend a future meeting of the Committee to discuss concerns regarding water quality and lack of infrastructure investment in Nairn.

## 5. Taking Forward Community Partnerships Com-pàirteachasan Coimhearsnachd

There had been circulated Report No N/16/16 dated 8 September 2016 by the Acting Head of Policy providing Members with an update on the next steps for establishing a community partnership for Nairnshire area.

During discussion, the Committee raised the following issues:-

- whilst there had previously been difficulty in attracting public agency buy-in for the former district partnerships, it was anticipated that the new community partnerships arrangements would present a more positive experience;
- the proposal for Police Scotland to undertake the chairing and administration of the Nairnshire Community Partnership was welcomed;
- following a request for further background information on the model used by Perth and Kinross Council in their approach to community partnerships, it was highlighted that each local authority in Scotland had developed their own structure and that Perth and Kinross Council were using a similar structure to that implemented by the Highland Council;
- confirmation was sought and received that each local partnership would be responsible for setting meeting dates within their area and that arrangements would be made by the lead agency within each local partnership. It was confirmed that for Nairnshire, Police Scotland would set the dates for meetings going forward;
- with regard to community representation on the Partnerships, it was proposed that community councillors should be invited to join the Partnership Board given the significant role they had in the community. It was confirmed that the opportunity for discussion around representation could be made at the first meeting of the Partnership;
- concern was expressed regarding the absence of planning for development from community partnerships. In response, it was confirmed that planning itself was incorporated within the overall community partnership structure and that the decision had been taken to remove the term “planning” from the name to better reflect the joint partnership working between public bodies and organisations;
- the success or otherwise of the community partnership would depend on its membership and community representation through the presence of community councils as an equal partner on the partnership was emphasised;
- Community Councils had a great number of expertise in local community planning and it was important for councils to identify a form of representation that would enable meaningful contributions from the councils following representations from individuals; and
- the Committee’s link-up with the new partnerships was emphasised and a request was made for regular scrutiny reports to be included on future Committee agendas.

The Leader of the Council emphasised the importance of developing local action plans that would be specific to the needs of Nairnshire and highlighted the work that had already taken place in Nairn towards developing a town centre plan and a tourism plan. She also emphasised that it was for the Community Partnerships to identify other named partners to sit on the partnerships in addition to the 5 statutory partners. Following comment earlier in the meeting regarding the model for partnerships used by Perth and Kinross Council, she highlighted the work which had been undertaken there around devolving local budgets for health and social care and that it was important to ensure there would be a local element to this.

The Committee **NOTED** the next steps to taking forward local community partnerships within the Nairnshire area.

## **6. Police Scotland – Area Performance Summary Poileas Alba – Geàrr-chunntas Dèanadais Sgìreil**

There had been circulated Report No N/17/16 by the South Highland Area Commander for Police providing a local summary update on progress with reference to the local priorities within the Highland 2014-2017 Policing Plan.

In speaking to the report, T/Chief Inspector Brian Mackay highlighted that the number of thefts by housebreaking for the year to date 2016/17 had been reported as being 4. He advised that this figure had been reduced to 3 following the reclassification of one of the thefts following publication of the report.

During discussion, the Committee raised the following issues:-

- confirmation was sought, and received, that the 5-year average performance would be included in future reports;
- it was highlighted that members of the public were invited to consider joining Rural Watch;
- concern was expressed that whilst the production and supply of new psychoactive substances (NPS) was now illegal following the introduction of new legislation, the mere possession of it did not constitute an offence. Clarification was sought on how the status of NPS was interpreted by the police and how the new legislation sought to address the issue;
- the impact of recent legislation in relation to the alcohol limit for drivers in reducing the number of drink/drug driving detections was emphasised;
- partnership working between Police Scotland and Trading Standards to remove NPS from sale in Nairn was welcomed; however, concern was expressed regarding the online selling of NPS and it was queried as to whether further work was required with Trading Standards to target this;
- concern was expressed regarding the public being targeted by online scams through E-mail correspondence;
- the new Antisocial Behaviour Action Plan was welcomed; and
- the force was commended for the reduction in crime levels.

Following discussion, the Chair, on behalf of the Committee, thanked T/Chief Inspector Mackay for his report and wished Inspector Wemyss a happy and well-deserved retirement.

Thereafter, the Committee **NOTED** and scrutinised the progress report in relation to the four priorities – Road Safety, Drug Dealing and Misuse, Antisocial Behaviour and Dishonesty.

## **7. Digital Inclusion Com-pàirteachadh Didseatach**

A presentation was given on Digital First and Digital Inclusion at the meeting by Ms Jenny Scotson, Business Change Manager from Corporate Improvement during which she explained that the Councils target of 40% uptake in the service by April 2017 was on track and currently stood at 31% digital uptake. In particular, she highlighted the benefits which allowed customers access to Council Services anytime, anywhere on any device. To date, over 17.5k customers had signed up to “myaccount” to use this facility and this generated savings not only in staff time but also improvements to process times. 91 forms were now available online and the range of activities these covered were detailed. To help customers to use the system a variety of training and courses were available, the details of those taking place in Nairnshire being provided to Members, as well as Digital Champions.

During discussion, the Committee made the following comments:-

- the presence of students from Nairn Academy and their interaction with attendees at the digital drop-in sessions was welcomed;
- the training of libraries staff to become digital champions was welcomed, particularly given the potential increase in use of libraries by the public to access online forms;
- the use of smart phones provided an opportunity for people to report issues in and around town at their own convenience. It was later suggested that an online “app” specifically designed for Nairnshire could enable the public to contact the Council regarding particular issues within the area;
- establishing link-ups between digital champions and individuals requiring assistance with using online forms was emphasised. The opportunities available to people to attend drop-in sessions and also community groups to ask for assistance with digital services was also highlighted; and
- concern was expressed that developments in the use of digital services could have an impact on the usage of Service Points. In response, reassurance was provided that there would always be a need from the public to access face to face support and that by directing the public to use online forms, capacity could be freed up within Service Points for customers requiring direct support.

Thereafter, the Committee thanked Ms Scotson and **NOTED** the presentation.

## **8. Nairn Common Good Fund – Quarter 1 Monitoring Report Maoin Math Coitcheann Inbhir Narann**

There had been circulated joint report No N/18/16 dated 9 September 2016 by the Director of Finance and Inverness City Manager updating Members on the Nairn Common Good Fund (NCGF) for the financial year 2016 / 17.

In speaking to the report, the Ward Manager advised that the review of the NCGF Asset Register was currently ongoing and that following the appointment of a Common Good Officer, it was anticipated that a draft Asset Register would come before the Committee before the end of the financial year. Members were also advised that, following a delay in the development of an Investment Strategy for the NCGF, the new Head of Corporate Finance was now in post and it was recommended that a report be brought to the next meeting of the Committee in December to look at the Investment Strategy in detail.

During discussion the Committee welcomed that progress being made with the NCGF Asset Register and acknowledged the amount of resource required to deal with what had been a complicated process of identifying old title deeds and records. It was anticipated that the Asset Register would provide clarity regarding the ownership of various assets within the town and the staff responsible for drafting the register were thanked.

The Chair highlighted the income received from the Nairn Highland Games and that it was indicative of the support the Council provided to the games both financially and through the provision of infrastructure.

Thereafter, the Committee:

- i. **NOTED** the position of the Nairn Common Good Fund as shown in the Quarter 1 Monitoring Statement against budget;
- ii. **AGREED** that a Draft Nairn Common Good Fund Asset Register be brought before the Nairnshire Committee by the end of the financial year; and
- iii. **AGREED** that proposals for an investment strategy for the Nairn Common Good Fund come to the next meeting of the Committee in December.

**9. Housing Performance Report – 1 January 2016 to 30 June 2016  
Aithisg Dèanadais Taigheadais – 1 Faoilleach 2016 gu 30 Ògmhios 2016**

**Declarations of Interest:-**

**Mr L Fraser declared a non-financial interest in this item as a Sub-Contractor for the Housing Service in Nairn 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.**

**Mr S Fuller declared a financial interest in this item as a Council House Tennant but, in terms of the dispensation granted by the Standards Commission, remained to participate in the discussion.**

There had been circulated Report No N/19/16 dated 1 September 2016 by the Director of Community Services providing information on how the Housing Section performed in relation to Scottish Social Housing Charter and other performance indicators up to 30 June 2016.



During discussion, the following issues were raised:-

- the delay in re-letting of properties due to the requirement for major structural work to be undertaken was highlighted. In response to concern that some of this work could have resulted due to lack of up-keep by the tenant, it was confirmed that policy was in place to recharge tenants for damage they had caused to Council stock;
- concern was expressed that the number of anti-social behaviour cases reported and resolved had been flagged within the report as red. The Principal Housing Officer advised that due to the system of recording such cases, the data did not capture open cases until they were closed;
- it was highlighted that the data used in the table at Appendix 1 was in percentages. It was confirmed that percentage symbols should have been included within the table and that this would be amended in the update report to be submitted to the next meeting of the Committee in December;
- the work being undertaken to collect rent when due was welcomed and the use of direct debit by tenants to pay for rent was encouraged. The Principal Housing Officer advised that he could provide further information on the number of individuals paying their rent by direct debit;
- the allocation of two properties which were subsequently declined by prospective tenants was highlighted. An explanation was provided on the potential circumstances surrounding refusal of Council properties in general and the sanctions which could be imposed if deemed necessary;
- a request was made for historical data to be provided on the number of outstanding rent arrears. In response, The Principal Housing Officer advised that the Council actively pursued the collection of outstanding rent arrears in instances where the tenancy had finished; however, this was managed separately to current rent arrears; and
- a request was made for rent arrears recommended to be written-off to be brought to Local Committees prior to their submission to Resources Committee. In response, in the Committee was advised that the Head of Housing would be contacted regarding this suggestion.

The Committee **NOTED** and scrutinised the information provided on housing performance in the period 1 January 2016 to 30 June 2016.

#### **10. Grounds Maintenance Performance Monitoring Interim Report Aithisg Sgrùdaidh Eadar-amail mu Dhèanadas Cumail Suas Raoin**

There had been circulated Report No N/20/16 dated 9 September 2016 by the Director of Community Services providing details performance management information of the Grounds Maintenance Service covering the period of 1 April to 9 September 2016.

During discussion, it was suggested that, following the decision taken by the Community Service Committee on 18 August 2016 to bring back a report updating proposals for delivery of grass cutting services, consideration should be given towards grass-cutting services being delivered in-house within the Nairnshire area and that the Committee actively promotes the area to be delivered in-house from 2017/18. In response, the Committee was advised that work on the options appraisal was currently underway and it was intended for Nairn to be delivered in-house in 2017/18. This was welcomed by the Committee. It was highlighted that a cost model

was currently being investigated and would incorporate other related issues including weed killing.

Whilst acknowledging the challenges faced by the Performance and Inspection Co-ordinator following a reduction in staff, the Chair highlighted the significant budget attached to grounds maintenance and emphasised the importance of providing better quality information on performance monitoring to the Committee for scrutiny.

Thereafter, the Committee:-

- i. **NOTED** and scrutinised the performance management and remedial action information provided on the grounds maintenance service set out in the report;
- ii. **NOTED** the management actions taken to address the performance issues identified;
- iii. **AGREED** to review required service standards at future Ward Business Meetings; and
- iv. **AGREED** to actively promote the area to be delivered in-house from 2017/18.

#### **11. The Courthouse, High Street, Nairn – Condition Survey An Taigh-Cùrtach, An Àrd-Shràid, Inbhir Narann – Suirbhìdh Staid**

There had been circulated Report No N/21/16 dated 9 September 2016 by the Director of Development and Infrastructure advising of a condition survey to be undertaken to identify repairs/works required to The Courthouse clock tower as a result of water ingress.

During discussion, a request was for the survey team to investigate the possibility of seagull-proofing the roof of The Courthouse during the condition survey. The Chairman suggested that, in addition to The Courthouse, the town centre as a whole should be looked at and that this could be taken forward by the Nairn Business Improvement District (BID).

Thereafter, the Committee:-

- i. **NOTED** the actions taken to determine the repair issues associated with The Courthouse, High Street, Nairn;
- ii. **NOTED** that the project team would report back to the Committee on a regular basis; and
- iii. **AGREED** that the possibility of seagull-proofing the Courthouse building be investigated.

#### **12. Minutes Geàrr-chunntas**

There had been circulated and were **NOTED** Minutes of Meeting of the Nairnshire Committee held on 20 April 2016, which were approved by the Council on 12 May 2016.

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

The Committee **RESOLVED** that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public 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 Paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act.

**14. Nairn Common Good Ground, Parkdean Holiday Parks Limited – Lease Variation**  
**Fearann Math Coitcheann Inbhir Narann, Pàircean Shaor-làithean Parkdean Eta – Caochladh Aonta-màil**

There had been circulated to Members only Report No N/22/16 dated 18 August 2016 by the Director of Development and Infrastructure in relation to a proposal to vary the lease in respect of Parkdean Holiday Park, Nairn.

The Committee considered and **AGREED** the recommendations as set out in the report.

The meeting concluded at 1.05 p.m.