

AGENDA ITEM 16

The Highland Council

Minutes of Meeting of the **Lochaber Committee** held in the Duncansburgh Macintosh Church Hall, The Parade, Fort William on Wednesday, 11 April 2018 at 10.30 a.m.

Present:

Mr B Allan	Mr I Ramon
Mr A Baxter	Mr D Rixson
Mr A Henderson	Mr B Thompson
Mr N McLean	

In attendance:

Mrs D Ferguson, Senior Ward Manager (Ross, Skye and Lochaber)
Mr F Nixon, Group Manager, Scottish Fire and Rescue Service
Ms S MacLennan, Housing Manager (South), Community Services
Mr L MacDonald, Repairs Manager (South), Community Services
Mr T Stott, Principal Planner, Development & Infrastructure Service
Mr P Wheelan, Planner, Development & Infrastructure Service
Miss J MacLennan, Principal Administrator, Chief Executive's Service
Mrs C MacIver, Committee Administrator, Chief Executive's 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 A Baxter - Chairman

Business

Preliminaries

Prior to commencement of business, the Chairman, on behalf of the Local Committee, congratulated Mr A Rixson his recent election to Ward 11 (Caol and Mallaig).

1. Apologies for Absence Leisgeulan

There were no apologies for absence.

2. Declarations of Interest Foillseachaidhean Com-pàirt

The Committee **NOTED** the following declaration of interest:-

Item 4 – Mr D Rixson (non-financial)

Item 8 – Mr B Allan (financial)

Item 9 – Mr B Allan and Mr A Henderson (both financial) and Mr N Maclean and Mr D Rixson (both non-financial)

3. Scottish Fire and Rescue Service Local Committee Performance Report Aithisg Dèanadais Comataidh Ionadail Seirbheis Smàlaidh agus Teasairginn na h-Alba

There had been circulated Report No LA/6/18 by the Local Senior Officer for Highland.

The Group Manager, Scottish Fire and Rescue Service (SFRS) gave a presentation during which he summarised the report. He also took the opportunity to express the SFRS's appreciation to the crews who worked tirelessly to provide cover at stations and to local employers for releasing staff not only for incidents but also for training. In this regard he encouraged all present to raise the profile of recruitment activities to stations in Lochaber. Furthermore, following the Transformation presentation event earlier in the year, he thanked Members for their support. This was a positive investment for the Lochaber area and he was pleased to report that, in addition to the rescue boat which was to be launched later in the month, a Search and Rescue Team vehicle and equipment was now in place and crews were finalising their training on their use.

During discussion, Members made the following comments:-

- additional detail was sought, and provided, in regards to the partnership working taking place with other key agencies and the Safer Highland Anti-Social Behaviour Group to identify individuals who were consistent offenders of setting deliberate fires. There were known instances which had not only incurred costs to the Council but had endangered the lives of other tenants, necessitating their rehousing;
- station availability statistics were useful but to identify trends it would be useful if previous quarters could also be included, Furthermore, if there were significant changes, an explanation as to the reasons would be beneficial;
- while the Committee were supportive in principle of Service Transformation, some communities had concerns about the process and the SFRS were encouraged to engage with them to explain the proposed changes in more detail and to encourage their participation in the consultation process;
- following a recent fire in Ardgour, information was sought, and provided, as to the testing and inspection regime of fire hydrants. In this regard, a report of the incident concerned would be provided to Ward 21 (Fort William and Ardnamurchan) Members;
- the cause of road traffic collisions was questioned insofar as whether the design of the roads or the increase in the number of cars during the peak tourist season were contributory factors. In this connection, it would be useful to involve Transport Scotland in discussions on road safety;
- it was questioned if the Fort William fire station needed to be relocated to enable responders to reach the station quicker. In response, assurances were provided that this was not considered to be a significant risk;
- there was some confusion as to catchment areas for station recruitment and this needed to be addressed. Each applicant's circumstances were considered together with the station's profile with a view to gaps being filled as appropriate; and
- an outline of the SFRS's fire reduction strategy in relation to moorland burning was sought. In providing this, Members were also advised of joint working with agencies such as SNH and local groups and estates and the proactive approaches being considered such as counter burning.

Thereafter, the Committee:-

- i. **Scrutinised** and **NOTED** the Area Performance Report;
- ii. **AGREED** that information be provided to enable Members to gauge how station availability had changed over time; and
- iii. **AGREED** that Transport Scotland be invited to future Road Safety Initiative Multi Agency events.

4. **Lochaber Local Priorities** **Prìomhachasan Loch Abar**

Declaration of Interest: Mr D Rixson declared non-financial interests in this item as a Secretary/Trustee of Mallaig Heritage Centre and lifelong member of the West Highlands Museum but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in discussion.

There had been circulated Report No LA/7/18 by the Head of Policy and Reform.

During discussion, Members made the following comments:-

- it was questioned, given changing circumstances, if there was still as aspiration to establish a Lochaber Common Good Fund. However, it could be used as a lobbying tool with Scottish Ministers and Rio Tinto Alcan and almost every other town in Highland benefited from Common Good funding. Consequently Fort William was disadvantaged when being in a position to provide facilities, art etc and it should therefore remain as an aspiration. Developments surrounding Liberty British Aluminium also had the potential to generate funds;
- the provision of a Multi-use Indoor Centre was in question as it no longer had the current active backing of the local sports association. However, clarity was sought from the Planning Service of possible consequences of removing it on historic Section 75 Agreements;
- the importance of highlighting that the STAG appraisal on the A82 was now underway was emphasised and accordingly the reference to the Highland Council's commissioning of it should be deleted;
- referring to Priority D, Rural and Coastal Recognition, the Small Isles should be identified by name as well as emphasising the importance of them to Lochaber;
- referring to Priority E, Marine Infrastructure, consideration should be given to expanding the bodies involved in the Partners section. Amongst those suggested were community trusts, development companies, Mallaig Harbour Authority and representatives from the marinas at Arisaig and the Small Isles; and
- it was suggested that, when reviewing priorities, reference be made to the rich heritage, history, culture, geology and landscape of Lochaber.

The Committee **AGREED**:-

- i. the actions and timescales proposed subject to the following changes:-
 - a. in Priority A, A82 Realignment, the reference in the timeline to the Council's commissioning of a report be removed;
 - b. in Priority D, Rural and Coastal Recognition, the Small Isles be identified by name and to emphasise the importance of them to Lochaber;
 - c. in Priority E, Marine Infrastructure, consideration be given to including, in the Partners section, community trusts, development companies

such as Liberty Aluminium, Mallaig Harbour Authority and representatives from the marinas at Arisaig and the Small Isles;
and

- ii. that consideration be given at the next Lochaber Committee how the area's heritage, history, culture, geology and landscape could be promoted.

5. Housing Performance Report Aithisg Dèanadais Taigheadais

There had been circulated Report No LA/8/18 by the Director of Community Services.

There was circulated Report No LA/8/18 by the Director of Community Services which provided information on how the Housing Section performed in relation to Scottish Housing Charter and other performances indicators up to 31 December, 2017.

In discussion, the following main points were raised:-

- there was a 12 week delay for the first payments to residents for universal credit and this had contributed to the increase in rent arrears. The Chair asked that the Council should alert Local MSP's and MPs of the unacceptable impact that this had on the residents in Lochaber;
- some residents had concerns about their new and existing heating systems. It was recognised that the Council needed to have resources to address the level of expenses for new heating systems for tenants, had spare bio-mass equipment and that all repairs could be carried out. Problems had been encountered with a fuel shortage in the supply of bio-mass pellets but measures had since been put in place to ensure that they could obtain sustainable supplies. Further discussions were to take place with tenants on what type of heating would be installed in properties and the costs associated;
- clarification was sought, and received, on whether missed repairs appointments were council or tenant issues; and
- reassurance was sought, and provided, that policies were in place for repairs required to bring properties up to lettable standards to be recharged to the tenant. A further report would be brought back to Committee to indicate the costs and repairs associated with the individual 3 properties outlined in the report.

The Committee **NOTED** the information provided on housing performance for the period 1 April 2017 to 31 December, 2017.

6. Maintenance of Council Housing Estate Cumail Suas Oighreachd Taigheadais na Comhairle

There had been circulated Report No. LA/9/18 by the Director of Community Services.

During discussion, Members made the following comments:-

- the difficulty residents had with engaging with the Council to maintain and improve housing estates was recognised. There were examples of good practice, however, where various partners had been brought together, namely, Claggan Residents' Association. Estate walks were regularly carried out to identify actions and each of the partners involved were responsible for addressing the actions highlighted. Apart from encouraging community involvement, this process had also seen a marked improvement in the environment. This highlighted the value of Estate Management Plans;

- the merits of increasing the supply of affordable housing, especially in Lochaber, were recognised. However, so not to do a disservice to existing residents, it was important to find extra investment, in addition to the Environmental Improvement Budget, to support existing tenants to address the long term neglect of estates;
- clarification was sought, and received, as to how an area was defined in terms of the “Rate you Estate” toolkit. In this regard, where there were only a few Council houses situated in a much wider estate, assurances were sought that they were not excluded from adopting the toolkit;
- some issues covered in the toolkit were the responsibility of tenants i.e. dog fouling, gutter clearing. In relation to dog fouling, in response to a question, it was confirmed a robust approach was taken to deter this, particularly by community wardens, and details of the number of fines issued would be provided to Councillor McLean;
- many estates were in multi-agency ownership and this complicated matters;
- there had been significant resistance from tenants associations for monies from Council rents to be used for environmental improvements. However, a 5% share had eventually been agreed and this had resulted in significant improvements;
- it was suggested that coal bunkers and garden gates should be included in the toolkit; and
- it was suggested that those paying Council house rents in substandard estates be asked to pay an additional ½% to meet the costs of improvements and that consideration be given, in the next round of consultations with Council tenants, that this be included as an option.

The Committee:-

- i. **APPROVED** the Rate your Estate toolkit being rolled out across Council housing estates in Lochaber; and
- ii. **AGREED** to further discussion with Lochaber Members to decide a timetable detailing priority estates.

7. Car Parking in Lochaber Parcadh Chàraichean ann an Loch Abar

There had been circulated Report No. LA/10/18 by the Director of Community Services.

During discussion, Members made the following comments:-

- reflecting discussions at Ward Business Meetings (WBM) and with Fort William High Street retailers, it was suggested that a £60 season parking ticket for Lochaber residents be introduced as an alternative to the £120 agreed by the Highland Council in February. The governance procedure required to amend this decision, relating solely to Lochaber, was outlined. However, the accuracy of the note of the WBM was questioned insofar as that this proposal had been accepted by all Members;
- further amendments to the schedule included 2 hours free parking in Viewforth Terrace and the Middle Street Car Parks from November-January, with effect from November 2018. Retailers had also requested 3 hour free parking in the town centre car parks from November-February but this would not be possible due to the amount of income that would be lost. However, it was hoped that 2 hours might be possible within the current revenue budget, allowing the position to be monitored and revisited in 2019/20;

- to meet the costs of these proposals charges could be increased in the long stay car parks and for business contracts;
- the season ticket price of £120 was set too high too soon;
- a Highland-wide £60 season ticket would result in income equitably but would take time to achieve;
- the revenue generated from a Highland-wide season ticket should be ring fenced for transport infrastructure, transport initiatives and to address the catalogue of road repairs. For example, recent reports indicated that half of Highland's young people struggled to get to work as a result of poor public transport;
- Council staff in Lochaber had relocated offices with the understanding that free car parking would be available and the introduction of these proposals was a material change and one which would now detrimentally affect them, unlike colleagues elsewhere. Some staff needed a car to undertake their duties and if the season ticket proposal came into force it was suggested that they be given a week-day pass;
- car parking at Council Headquarters, Inverness was currently free and it was argued that charges should be introduced and that Councillors should not be able to reclaim this as part of their expenses;
- the model used in some Scottish cities where firms took on responsibility of providing reduced car parking for their employees was highlighted;
- Fort William was one of five areas in Highland which had car parking charges. Although car parking was proposed elsewhere there was no guarantee that this would be achieved and there was a danger therefore that Fort William would subsidise other parts of Highland. However, other Members pointed out that, at present, Fort William generated the second highest amount of income from charges and, if charging was introduced elsewhere, not only would it generate additional revenue but the income expected from Fort William could be reduced and charges revisited and refined over time;
- whilst the increase/introduction of car parking charges might not be popular, the decision had been taken in light of the budget pressures facing the Highland Council. In some areas car parking charges would be welcomed as a means of traffic management but, it was emphasised, the consultation process was still to take place. It would take time to deliver the introduction of charges and this had been recognised when the 5 year programme had been devised. Nevertheless, it was a process which needed to be achieved, otherwise other areas of the roads budget would be affected;
- the introduction of car parking charges might be beneficial for retailers in Fort William as the first 30 mins would be free, unlike at present. However, it was also argued that shoppers might also opt to shop in out-of-town retail parks so the effect of charges would require careful monitoring;
- the Redesign Board was currently looking at car parks and parking charges and how additional income might be generated. This process would be completed by the end of April with a view to an amended Policy being considered by the Environment, Development and Infrastructure Committee in May and, over the term of the 5 year programme, the aim was to achieve equity across Highland;
- it was argued that there was an imbalance between the charges tourists were being to pay compared to local people and the latter should not be disadvantaged. In summary, it was suggested that this had been designed to raise money from the residents of Fort William and it's businesses;
- modelling outputs demonstrating the yields the various charging options would generate were to have been provided to Members but this had not been forthcoming. Consequently some Members felt that the advice provided had been inconsistent and they had not been given sufficient information to arrive at a balanced and equitable conclusion;

- while also trying to develop the town centre, the introduction of charges would cause confusion. Some Members argued that there had been insufficient consultation with businesses and that the charges would put pressure on peripheral areas where there were currently no parking restrictions in place;
- the season ticket proposal had a detrimental effect on part-time workers who would only perhaps need to use it once or twice a week. In addition, medical staff and carers, those looking after the most vulnerable, were also to be charged £50 for an essential user permit and it was argued that the proposed income this would generate should be found elsewhere. It was also pointed out that in many instances the costs of this permit would go back to NHS Highland or the Council itself, this resulting in money simply being circulated within the system; and
- while many of the arguments made against car parking charges were admirable it was suggested that the time for these to have been made was at the Council Budget meeting on 9 February. However, it was pointed out that there had been limited time for Members to look at the detail of the budget.

At this point the meeting adjourned at 12.45 p.m. and resumed at 1.05 p.m.

Thereafter, Mr A Baxter, seconded by Mr B Thompson, **MOVED:-**

- to recommend to the Council that the agreed £120 Lochaber Season Parking ticket was reduced to £60. The Lochaber Committee also expressed a wish to see Council address the inequity of Council staff receiving the benefit of free parking at Inverness Council HQ when Fort William based staff receive no such benefit;
- the Schedule of parking fees for Lochaber were varied to introduce a two hour free parking period for the Viewforth Terrace and Middle Street Car Parks for November, December and January; and
- both these should be achieved through increases to charges in long stay car parks and business contract parking.

Mr B Allan, seconded by Mr N McLean, moved as an **AMENDMENT:-**

- to eliminate the £50 annual charge to carers;
- to eliminate the £120 annual charge to residents of Fort William;
- and that this will be paid for, subject to modelling evidence, by the decisions already taken since the Council budget was approved which were:-
 - increase of £1 across each banding charge to visitors; and
 - the elimination of the seasonal relief on long stay car parks.

On a vote being taken, the **MOTION** received 5 votes and the **AMENDMENT** received 2 votes, with no abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr A Baxter, Mr A Henderson, Mr I Ramon, Mr D Rixson and Mr B Thompson

For the Amendment:

Mr B Allan and Mr N McLean

Decision

The Committee **AGREED:-**

- * i. **TO RECOMMEND** to the Council that the agreed £120 Lochaber Season Parking ticket was reduced to £60. The Lochaber Committee also expressed a wish to see Council address the inequity of Council staff receiving the benefit of free parking at Inverness Council HQ when Fort William based staff received no such benefit;
- ii. the Schedule of parking fees for Lochaber were varied to introduce a two hour free parking period for the Viewforth Terrace and Middle Street Car Parks for November, December and January; and
- iii. both these should be achieved through increases to charges in long stay car parks and business contract parking.

8. Street Naming Ainmeachadh Sràide

Declaration of Interest - Mr B Allan declared a financial interest in this item as he was employed by Lochaber Housing Association who was proposing to develop housing at the former Lochyside Primary School and advised that if there was any specific discussion regarding this he would leave the room.

There had been circulated Report No. LA/11/18 by the Head of Policy and Reform.

The Committee **HOMOLOGATED** the naming of two new streets as follows:-

- commercial site in Camaghael as Old Baling Plant; and
- residential development on the former Roman Catholic School site, Lochyside, Caol as Old School Court.

9. West Highland and Islands Local Development Plan Plana Leasachaidh Ionadail na Gàidhealtachd an Iar agus nan Eilean

Declarations of Interest

For this item, the following Members declared:-

financial interests and advised that, if there was any specific discussion regarding their interest, they would leave the room:-

Mr B Allan - as an employee by Lochaber Housing Association who owned or had an interest in a number of sites for affordable housing

Mr A Henderson - as he had connections with individuals building on the Green Neutral Zone in Mallaig

and non-financial interests but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion:-

Mr D Rixson – as a homeowner in close proximity to some sites referred to

Mr N McLean – as a land owner in Ballachulish.

There had been circulated Report No. LA/12/18 by the Director of Development and Infrastructure and which was augmented at the meeting by a presentation.

Members were reminded that the Plan had been issued for public consultation and over 300 comments have been received from over 100 respondents, around a third of these comments relating to Lochaber. It was now necessary to agree the finalised Council position to allow the Plan to be submitted to Scottish Government for

Examination. A number of adjustments to the Plan were suggested, and detailed, together with boundary changes.

At this point, 2 p.m., the meeting adjourned for lunch and resumed at 2.30 p.m.

During discussion, Members made the following comments:-

- at Corpach Port, the caravan owner was looking to make better use of the land in his ownership. In particular, further encroachment of industrial uses was undesirable and the buffer zone should be maintained;
- housing might be a better use of the industrial zone and would act as a better buffer;
- in relation to the major developments proposed at Blar Mhor, it was confirmed a pre-application consultation would take place;
- confirmation was sought, and received, that all comments lodged during the consultation process would be forwarded to the Reporter. Additional comments could be made during the consultation on Fort William 2040 Vision which, when approved, would be submitted to the Reporter. This would avoid any delay with the Plan;
- while accepting minor extensions to the site's boundary, the rejection of the increase of housing capacity at Lundavra Road was welcomed. There was a major burn running through the site and there had been issues with excess flood water and, where possible, mitigating measures should be taken to alleviate this;
- in relation to development north and west of the reservoir at Mallaig and access concerns, it was pointed out that the proposed solution involving the creation of a new access road next to the existing private access should read Fank Brae and not "Annie's" as detailed in the report;
- referring to the South Ballachulish Site, BH02, Members were reminded of discussions which had taken place prior to the Local Government Elections in May 2017. There had been a significant change in the membership of the Local Committee since then and the view was that it was important to recognise the strong local opinion for this site not to be included within the Plan. However, the Committee did not want to see the Plan delayed so, rather than promote a formal Plan amendment, a note should be added to Appendix 1 to clarify for the Reporter's consideration that local Members no longer support the allocation;
- it was argued that the communities of Glenachulish and North Ballachulish should not be linked together as the natural boundary was the loch and the bridge. Glenachulish had more community links with South Ballachulish;
- it was hoped the views expressed by Nether Lochaber communities in relation to settlement areas around Onich, Inchree and Corran would be taken into account. Developments in these areas, in relation to preserving views from the A82, were covered by a Highland wide policy referring to "Views Over Open Water", the relevant extract of which would be circulated to the Committee and the Nether Lochaber Community Council. In this regard, recognising the proactive approach taken by the Nether Lochaber Community Council to planning applications, it was suggested that they could, when the new Planning Act was implemented, have an opportunity to develop a Local Place Plan (a community led land use plan) for their area;
- the Association of South Lochaber Community Councils had concerns that Scottish Water's North Ballachulish Waste Water Treatment Works was reaching capacity. Furthermore, there were inconsistencies between the figures obtained by the Highland Council and those obtained through a Freedom of Information request regarding residual spare capacity and it was suggested a note should be added to Appendix 1 to request that the Reporter seek further information from

Scottish Water to demonstrate actual capacity to determine its ability to service proposed Plan allocations;

- clarification was sought, and provided, as to how development boundaries were arrived at and what criteria was used to determine “growing” settlements;
- Transport Scotland had requested removal of references to any specific transport intervention for Fort William but Members were of the opinion that this should remain;

and in relation to the Fort William 2040 Vision:-

- before the consultation was launched, details of the process be discussed with Members at a Ward Business Meeting;
- to encourage participation, Community Councils should be notified of the forthcoming consultation and a written response should be sent to the Partnership of Fort William and Area Community Councils providing an update on the Plan process. It was anticipated that the consultation process would be carried out over the summer with the outcome, subject to the length of consultation and number of comments received, being reported back to the Committee at its next meeting in August;
- there was an assumption that this document related solely to Fort William but the proposals were relevant to all Lochaber Community Councils and it was important therefore to actively engage with them;
- the status of the Fort William 2040 Vision was explained;
- the port had been earmarked as a deep-water port and LNG terminal but there were some community concerns about this. Assurances were given that the Committee could, if it so wished, remove reference to this prior to its approval;
- there should be reference to electrical charging infrastructure as part of a wider network servicing the central belt, Inverness and Fort William creating a west coast circuit; and
- to highlight the importance and potential of the rail network, the document should contain more visual and textual references.

The Committee:-

- NOTED** the issues raised in representations received on the Proposed Plan as they related to the Lochaber Committee area and **AGREED** the recommended Council response to these issues as set out in Appendix 1 of the report, subject to the factual amendments made during discussion and to the inclusion of notes:-
 - a) to clarify for the Reporter’s consideration that local Members no longer support the allocation of South Ballachulish site BH02;
 - b) to request that the Reporter seek further information from Scottish Water to demonstrate the actual capacity of the North Ballachulish Waste water Treatment Works to determine its ability to service the Plan’s allocations
- AGREED** to authorise officers to undertake the statutory procedures required to progress the Plan to Examination including the submission of Appendix 1 to Scottish Ministers;
- AGREED** to authorise the Director of Development and Infrastructure, in consultation with the Chair of the Local Committee, to make non-material changes to Appendix 1 prior to its submission to the Scottish Government;
- AGREED** the work carried out on the emerging Fort William 2040 vision enclosed at Appendix 2 of the report; and

- v. **AGREED** that consultation on the Fort William 2040 vision at Appendix 2 takes place with the outcomes being brought back to this Committee, ideally in August, for final approval
- vi. **AGREED** to write to the Partnership of Fort William & Area Community Councils to respond to the issues raised in its email of 10 April 2018 and to contact all Lochaber Community Councils advising them of the details of the Fort William 2040 consultation; and
- vii. **AGREED** that the approved 2040 Vision be submitted to the Reporter during the Examination process; and
- viii. **AGREED** that the Highland wide Local Development Plan policy referring to “Views Over Open Water” be circulated to the Committee and the Nether Lochaber Community Council.

10. Minutes Geàrr-chunntas

There had been circulated and was **NOTED** the Minutes of Meeting of the Lochaber Committee held on 17 January 2018 which were approved by the Council on 8 March 2018.

The meeting ended at 3.25 p.m.