

**The Highland Council  
No. 9 2018/2019**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 7 March 2019 at 10.35am.

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

**Present:**

Mr G Adam	Mr R MacDonald
Mr R Balfour	Mr A MacInnes
Mrs J Barclay	Mrs D Mackay
Mr A Baxter	Mr D Mackay
Mr B Boyd	Mr W MacKay (v/c)
Mr R Bremner (v/c)	Mr G MacKenzie
Mr I Brown	Mrs I MacKenzie
Mr J Bruce	Mr S Mackie
Mrs C Caddick	Mr A Mackinnon
Mrs I Campbell	Mr C MacLeod
Miss J Campbell	Mr D MacLeod
Mrs G Campbell-Sinclair	Mr D Macpherson
Mrs H Carmichael	Mr R MacWilliam
Mr A Christie	Mrs B McAllister
Dr I Cockburn	Mr J McGillivray (v/c am only)
Mr G Cruickshank	Mr H Morrison
Ms K Currie	Ms L Munro
Mrs M Davidson	Mrs M Paterson
Mr J Finlayson	Mr I Ramon
Mr M Finlayson	Mr M Reiss (v/c)
Mr R Gale	Mr A Rhind
Mr J Gordon	Mr D Rixson
Mr K Gowans	Mrs F Robertson
Mr A Graham	Mrs T Robertson
Mr J Gray	Mr K Rosie
Mrs P Hadley	Mr G Ross
Mr T Heggie	Mr P Saggars
Mr A Henderson	Mr A Sinclair
Mr A Jarvie	Ms N Sinclair
Ms E Knox	Mr C Smith
Mr R Laird	Ms M Smith
Mr B Lobban	Mr B Thompson
Mr D Louden	Mrs C Wilson
Mrs L MacDonald	

**In Attendance:**

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

**Mr B Lobban in the Chair**

Apologies for absence were intimated on behalf of Mr B Allan, Mrs M Cockburn, Mr C Fraser, Mr L Fraser, Mrs A MacLean, Mr N McLean and Mrs P Munro.

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

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

Item 8 (iii) – Mr A Sinclair, Mr D MacKay, Mr S Mackie, Mr H Morrison and Mr M Reiss (all non- financial)

Item 8 (iv) – Mr A Christie (non-financial)

Item 10 – Mr P Saggars, Mr A Jarvie, Mr R Gale, Mrs D MacKay, Mr D Louden (all non-financial) and Mr A Christie (financial)

Item 11 – Mr A Christie (financial)

Item 12 – Mr A Christie (financial) and Mr K Gowans (non-financial)

Item 17 – Mr W MacKay and Mr K Rosie (both non-financial)

Item 20 – Mr A Jarvie, Ms L Munro, Mr T Heggie, Mr D Macpherson and Mr K Gowans (all non-financial)

## 3. **Presentation – Drug & Alcohol Issues** **Taisbeanadh – Cùisean Dhrugaichean & Deoch-làidir**

A Presentation was undertaken at the meeting by Ms D Stewart and Mr R MacAuslen on drug and alcohol issues which included reference to the Alcohol Framework for 2018 and the World Health Organisation Safer Initiative in this regard.

In relation to the themes of Affordability, Availability and Attractiveness, it was highlighted that key actions included reducing consumption, positive attitudes and choices and supporting families and communities. Also, in relation to the Scottish Government document entitled 'Rights, Respect and Recovery 2018', the four themes were emphasised from within that document, namely Public Health, Human Rights, Integrated Services and Equality and discussed alongside national and local priorities, future service developments, challenges and reviews of recovery (which included the emphasising of positive outcomes associated with mutual aid and peer support).

During discussion, and in conveying the thanks of the Council for the extremely effective presentations which had been made by both speakers, Members raised the following issues:-

- this was an extremely important and as such considerable work had been undertaken in the Caithness area with very positive results which it was hoped could be shared with Community Partnerships in other areas;
- there was a need to identify different and braver approaches to addressing this problem with a particular focus on harm reduction and eliminating stigmatisation;
- it would be beneficial to compare how such issues were being addressed in other parts of the country and more widely;
- it would be helpful if a further Seminar could be arranged for Members in order to discuss this issue more fully;
- it was hoped that more local treatment facilities could be provided in order to break the cycle of drug abuse across the Highlands;
- it was clear that there was a need for 'joined up' services to deal with this issue and to enable early interventions where needed;
- issues related to drug and alcohol abuse should be treated in the same way as other illnesses;
- it was regrettable that there was often much secrecy around substance misuse and also the subsequent effect on children;

- it had to be highlighted that there was often a 'class issue' related to this problem and this was supported by statistics which showed that people with these addictions could be treated very differently;
- there was also a need to understand the underlying issues associated with drug and alcohol mis-use and the effect on families as it had been highlighted that often this was a direct result of everyday living conditions which could have a severe effect on mental health;
- it was imperative that the help of local communities was sought in finding local solutions wherever possible; and
- there had been encouraging results from work being undertaken in the Caithness area, particularly in terms of the perception of this issue, and it was hoped that this could be replicated elsewhere.

### **Decision**

The Council **NOTED** the terms of the presentations and that a Seminar would be arranged for Members in due course as detailed.

#### **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 13 December 2018 and the Special Meetings held on 16 January and 14 February 2019 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:-

Lochaber Area Committee, 23 January  
 Care, Learning and Housing Committee, 24 January  
 Ross and Cromarty Committee, 30 January  
 Environment, Development and Infrastructure Committee, 31 January  
 Badenoch and Strathspey Area Committee, 11 February  
 Caithness Committee, 20 February  
 City of Inverness Area Committee, 21 February  
 Sutherland County Committee, 26 February  
 Corporate Resources Committee, 27 February  
 Pensions Committee, 28 February  
 Isle of Skye and Raasay Committee, 4 March

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

#### **Environment, Development and Infrastructure Committee**

It was **AGREED** that a correction should be made to the Minutes of this Meeting as follows:- Item 15 – Community Services Performance Report – reference had been made to the 'A82 road' and this should have been the 'B862 road'.

**\*Starred Item: Item 6: PP. 484: Capital Expenditure Monitoring to 31 December 2018**

The Council **AGREED** the membership of a cross-party Options Selection Group to consider the recommendation of the preferred long term solution for a bypass at Stromeferry.

**Badenoch and Strathspey Area Committee**

**\*Starred Item: Item 5: PP. 497-498: Cairngorm National Park Authority Proposed Local Development Plan**

The Council **AGREED** that arrangements be made for Local Members and Mrs C Caddick to meet with appropriate Officers to consider and respond to the consultation in tandem with the Highland Council's response as the Local Authority.

**Isle of Skye and Raasay Committee**

**\*Starred Item: Item 7: PP. 5-6: Skye Aerodrome Update**

The Council **AGREED** that the recommendation from the Local Committee should go forward to the Environment, Development & Infrastructure Committee in respect of approval of the Rules for Users and the Fees and also (a) approval of £170k of additional funds to undertake further engagement with statutory bodies and preparation work and (b) to request that the Chair of the Environment, Development & Infrastructure Committee write to the Transport Secretary on behalf of the Council, HiTRANS and HIE to seek financial and technical support to progress the potential of trial air services between Skye and Glasgow.

**6. Highland and Western Isles Valuation Joint Board  
Co-Bhòrd Luachaidh na Gàidhealtachd is nan Eilean Siar**

There had been circulated for information Minutes of Meeting of the Valuation Joint Board held on 20 November 2018 (approved by the Board on 25 January 2018) which were **NOTED**.

**7. Question Time  
Am Ceiste**

The following Questions had been received in accordance with Standing Order 11 -

**(i) Mr A Baxter**

**To the Leader of the Council**

Will you publish the intended timetable of area consultations for the roll out of car parking charges across the Highland Council area, as stated in your press statement issued on 22nd November 2018, and what is the intended date for full implementation?

The response had been circulated.

In terms of a supplementary question, and with reference to the previous year's budget decision, it was queried as to why a definitive end date for implementation

had still not been provided and what would happen if the planned consultation led to significant local opposition – would there be further delay?

In response, it was confirmed that the Council was bringing someone in to oversee this programme and it was anticipated that they would set a timetable and they might also set an end date although it was envisaged that the latter would be more difficult.

**(ii) Mr A Baxter**

**To the Leader of the Council**

Will you confirm how the £1.407m income target agreed in the 2018/19 Council budget (Item 4, Booklet B, Budget Template CS/5) is to be allocated to individual areas in future financial years?

The response had been circulated.

In terms of a supplementary question, it was queried as to what reassurance could be given to communities already affected by car parking charges that there would be no further attempt to increase income or vary charges until the full policy was implemented.

In response, it was confirmed that assurances in this regard could not be given. The Council was looking at restarting under redesign with a new Officer in place who would oversee this and at that stage Members would be able to put forward any further views on issues in relation to car parking charges if they so wished.

**(iii) Mr A Jarvie**

**To the Chair of the Care, Learning & Housing Committee**

What is your timetable for assessing what staff training is required to support pupils with Additional Support Needs in schools and when would you anticipate for this to be in place?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether confirmation could be given that this training would be in place before children returned at the start of the Summer term.

In response, it was confirmed that in schools there was ongoing evaluation from staff about what CPD was needed to support all young people but particularly young people with additional support needs. As such, there was confidence that work was already happening at school level. In terms of the wider training agenda that the Council was looking to implement in terms of the transformation of education, it was not possible at this time to state start and end dates but assurance could be given that between March and the start of the new session in August there would be substantial training and CPD available. It had to be highlighted that what was important was that ongoing CPD, training and support for all levels of staff needed to continue at all times.

**8. Notices of Motion  
Brathan Glusaid**

**Declarations of Interest** – Mr A Sinclair, Mr D MacKay, Mr S Mackie, Mr A Christie, Mr H Morrison and Mr M Reiss declared non-financial interests in this item as detailed below but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that their interests did not preclude them from taking part in the discussion.

**(iii)Mr A Sinclair - Board Member of Caithness & North Sutherland Regional Partnership Advisory Board and Committee Member of Caithness International Science Festival**

**(iii)Mr A Sinclair and Mr H Morrison – Directors of Caithness & North Sutherland Fund**

**(iii)Mr D MacKay – Director of Caithness & North Sutherland Regeneration Board**

**(iii)Mr S Mackie and Mr M Reiss – Members of Dounreay Stakeholders Group**

**(iv)Mr A Christie – General Manager of Inverness, Nairn, Badenoch & Strathspey Citizens Advice Bureaux**

The following Notices of Motion had been received in accordance with Standing Order 12 –

**(i)** “We, the undersigned Members for Ward 5 (Wester Ross, Lochalsh & Strathpeffer), no longer wish to remain part of the Ross & Cromarty Area Committee.

As the largest Council Ward by area, which is also larger than 92% of Parliamentary constituencies in the UK and in Europe, Ward 5 has many diverse needs which largely differ from the other Wards which make up the Ross & Cromarty Area Committee.

We, as elected Members, wish to establish a separate Area Committee serving Ward 5 which will be able, in line with the Scheme of Delegation, to determine the budget and service priorities for the unique area which we have been elected to serve.

Several examples of precedents exist for a similar arrangement elsewhere in the Council and we therefore seek Council’s support and request that Officers investigate the steps necessary to facilitate this change and bring a full report back to the June meeting of the full Council with details of any resource, staffing and other implications for deliberation and approval.”

**Signed:** Mr D MacLeod Mrs I Campbell Dr I Cockburn Mr A MacInnes

During discussion, Members raised the following issues:-

- the signatories to the Notice had agreed to accept the following additional wording to the final paragraph – ‘Several examples of precedents exist for a similar arrangement elsewhere in the Council and we therefore seek Council’s support and request that Officers investigate the steps necessary to facilitate *and evaluate* this change, *together with exploring other options as part of the ongoing governance review*, and bring a full report back to the June meeting of the full Council with details of any resource, staffing and other implications for deliberation and approval’; and

- it had to be highlighted that this Ward covered the largest geographical area in Europe with widely dispersed communities and differing issues which represented a huge workload for the Local Members.

### **Decision**

Members **AGREED** the terms of the Notice of Motion as detailed – together with the *amendment* in respect of the *final paragraph as follows* – ‘Several examples of precedents exist for a similar arrangement elsewhere in the Council and we therefore seek Council’s support and request that Officers investigate the steps necessary to facilitate *and evaluate* this change, *together with exploring other options as part of the ongoing governance review*, and bring a full report back to the June meeting of the full Council with details of any resource, staffing and other implications for deliberation and approval’.

(ii) “The Council expresses concern over the proposals set out in the UK Government’s White Paper on immigration, particularly that there will be no regional variation and that the salary threshold for skilled workers will remain at £30,000. This will have a significant detrimental impact on the Highlands.

To address the demographic challenges facing the area and to meet the employment and skills needs of businesses, we need to be able to attract people to live and work in the Highlands.

We therefore call on the UK Government to develop an effective and responsive migration policy that recognises and responds to regional disparity which would enable the region to achieve its potential and make a full contribution towards Scottish and UK economic growth.

In particular, such a migration policy needs to recognise that migration can benefit communities, particularly those in remote areas, by retaining community capacity and resilience as well as ensuring continued provision of vital local services, such as health and education”.

Signed: Mrs M Davidson Mr D Macpherson

During discussion, Members raised the following issues:-

- it was imperative that attention was drawn to this White Paper and the potential effect on the Highlands in future;
- the Highland economy had been well served by immigration for many years and if this was to be reduced in any way there could be crippling consequences for many industries, including fisheries, construction and public services;
- the commitments which had been given by the Deputy First Minister of Scotland at a recent meeting of the Convention of the Highlands & Islands were welcomed, particularly in relation to representations to be made in response to the White Paper from across the area;
- it had to be highlighted that there would be serious implications for other parts of the United Kingdom and as such it was essential that a ‘common voice’ was used in the weeks and months ahead;
- along with discussion on the key issues for the area post-Brexit, there had to be a strong emphasis on the allocation of the Shared Prosperity Fund and again thanks were conveyed to the Deputy First Minister for his assurance that representations would be included within a wider Scottish response;

- there was particular concern in relation to the proposals that there would be no regional variation and that the salary threshold for skilled workers would be set at £30,000 which would have a significant detrimental impact on the Highlands;
- overall, the White Paper, in its composition, was unwelcoming and this was in direct contradiction to the current situation within the Highlands where people had always been and would always be warmly welcomed in terms of living and working in the area;
- it was clear that a response from the Council was now needed, not least in terms of shaping the Final Bill before its submission to Parliament;
- there had however been positive recommendations within the White Paper which included the cap on the number of skilled workers being reduced from 20,000 to no cap at all, the reduction in the skill threshold needed to apply for a visa and the potential removal of the stipulation that some jobs had to be advertised for local workers in advance of migrant workers;
- it was acknowledged that the £30,000 salary threshold for skilled workers might be acceptable in some parts of the country but this was most definitely not the case in the Highlands;
- it was agreed that the following additional wording should be added to the third paragraph of the Notice of Motion – *‘Furthermore, the Council will lobby the UK Government to achieve this’*;
- the recommendations within the White Paper conveyed a very poor message to people considering relocating to the Highlands and this was regrettable;
- there was already a shortage of care workers in particular in the Highlands and this would not help that situation; and
- it was essential that people who had already relocated to the Highlands were reminded at every opportunity that they were welcomed and appreciated.

### **Decision**

Members **AGREED** the terms of the Notice of Motion as detailed – together with the *amendment* in respect of the *third paragraph as follows* – ‘We therefore call on the UK Government to develop an effective and responsive migration policy that recognises and responds to regional disparity which would enable the region to achieve its potential and make a full contribution towards Scottish and UK economic growth. *Furthermore, the Council will lobby the UK Government to achieve this*’.

**(iii) “Nuclear-free Highlands** - Highland Council notes that both civil and military nuclear programmes have burdened future generations with a legacy of toxic nuclear waste; opposes the development of new nuclear programmes for civil electric power, military submarine propulsion and submarine-launched ballistic missiles; recognises the ongoing threat to our environment and human health by the existence of nuclear waste; notes that current decommissioning work at Dounreay will continue until 2036 and necessitates the transportation of nuclear waste on Highland roads, sea and airspace followed by ongoing low-level waste management on site; believes that with investment and support the Highland Council area has the potential to generate significant renewable energy for both industry and export, and could lead the world in developing technologies for carbon-free energy solutions; considers that there will never be a business case that is either financially or environmentally competent for new nuclear energy plants in the Highlands and proposes that Highland Council joins the 40 other local authorities across the UK and Republic of Ireland as a member of the group Nuclear-free Local Authorities (NFLA)”.

**Signed:** Mr R MacWilliam Mrs L MacDonald



In this regard, and prior to discussion, there had been tabled the following amendment from Mr S Mackie, seconded by Mr M Reiss –

‘The Highland Council notes the significant economic and social legacy of civil and naval nuclear to Caithness and North Sutherland. As the single largest catalyst to the repopulation of Highland region, the nuclear industry has provided six decades of highly paid and highly skilled work across the Far North and commercial opportunities for local businesses.

This Council rejects membership of the Nuclear-free Local Authorities Group (NFLA) which would be contrary to this council’s long standing commitments to support the nuclear industry, such as membership of the Caithness and North Sutherland Regeneration Partnership (CNSRP) and the Dounreay Stakeholders Group (DSG).

Population decline in Caithness is projected to exceed 20% between 2019 and 2041. These de-population estimates fall in-line with the Dounreay interim end state in 2032 and the Royal Navy Vulcan contract in 2022. Currently employing 2500 locals, retaining and attracting this talent in the County is a priority for this Council.

As industry experts look to replace energy capacity from coal, gas and legacy nuclear stations coming off-line, Small Modular Reactors (SMRs) provide an alternative low-carbon solution to the energy deficit predicted in the 2030’s.

With the SMR industry still in its infancy, the Expert Finance Working Group findings are clear that Government must support projects whilst global supply chains are yet to be established. There are significant economic and employment opportunities in both running SMRs on existing licensed sites, as well as the fabrication, maintenance and export opportunities which are worth in excess of £250bn.

The Council calls on Scottish Government to withdraw the outright rejection of new nuclear plants in Scotland and send a message to the nuclear industry that Highland has the skill, public support and pro-active partnership working to embrace the next generation of energy production such as SMRs and that this Local Authority will continue to support that aim’.

During discussion, and in support of the Notice of Motion, Members raised the following issues:-

- whilst recognising and acknowledging the significance of the skilled workforce and the positive impact which the Dounreay facility had made to the area in previous years, it was felt that there was still benefit in joining the Nuclear-free Local Authorities (NFLA) group, not least in terms of the continuing news in regard to climate change which was becoming more alarming with every month;
- joining the NFLA would also enable specialist advice to be obtained across a range of issues in future;
- it was important to recognise the uniqueness of the Highlands and the real possibilities which existed for future research and development in the renewable energy sector/tidal technology;
- supporting this Notice of Motion would help to build upon the Council’s green credentials by joining with the other Local Authorities to work towards a nuclear safe and responsible future;
- it had to be acknowledged that the Highlands had been used to massive and single sources of employment in previous years which had been economically highly beneficial but this was now no longer the case; and
- there were many local people in the area who wished to see diversification in

future and it could not be assumed that they would not support the terms of the Notice of Motion.

In contrast, the following issues were also raised during discussion:-

- there was very strong feeling amongst the nuclear community and beyond that the terms of this Notice of Motion detracted from the extremely positive benefits which the Dounreay facility, which had been the lifeblood of the area for over six decades, had brought to the Highlands;
- it had to be highlighted that the facility had been the single biggest catalyst for the repopulation of the area and had delivered both prosperity and opportunity on a very large scale;
- there was a need to emphasise the well paid and highly skilled workforce, the companies in Caithness which were exporting globally, the unprecedented house building programmes and the millions of pounds of rates which had been generated;
- the opportunities for young people, not least through apprenticeships, were also highlighted in regard to persuading them to stay and work in the Highlands;
- support for this Notice of Motion would take away any opportunity to remain part of the nuclear community in future;
- it was felt that there should have been consultation with Local Members prior to submission of this Notice;
- Caithness already generated more renewable energy than anywhere else in Scotland;
- there was a need to consult with and listen to the people living and working in the area on this issue;
- it was imperative that the issue of radioactive isotopes was included in any further discussion of this issue;
- decommissioning skills could be used all over the world and it was highly important that this was recognised;
- European funding had been significant in the past and as such it was crucial that this was raised in any future discussion around the Shared Prosperity Fund;
- along with the other opportunities and developments which had been highlighted, there was a need to recognise the road improvements which had been enabled as a result of the Dounreay facility;
- it was stressed that future investment should be encouraged and not discouraged for the area;
- this Notice conveyed an unfortunate message to the local population who had witnessed the positive aspects of the Dounreay facility in a number of aspects; and
- based on research from NASA, it had been confirmed that nuclear power had verifiably saved countless lives over the years.

Thereafter, Mr R MacWilliam, seconded by Mrs L MacDonald, **MOVED** the terms of the Notice of Motion as detailed.

Mr S Mackie, seconded by Mr M Reiss, moved the terms of the tabled **AMENDMENT** as detailed.

On a vote being taken, the **MOTION** received 15 votes and the **AMENDMENT** received 46 votes, with 4 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

B Boyd, R Laird, K Gowans, C MacLeod, P Hadley, I Brown, G Campbell-Sinclair, E Knox, A MacInnes, L MacDonald, R MacWilliam, K Currie, G MacKenzie, M Smith and I Cockburn.

**For the Amendment:**

A Baxter, B Thompson, J Gordon, C Wilson, R Balfour, J Campbell, G Ross, T Heggie, B McAllister, D MacKay (Mrs), I MacKenzie, G Cruickshank, C Smith, D Macpherson, R MacDonald, J Finlayson, M Finlayson, T Robertson, R Gale, D Rixson, A Graham, J Bruce, S Mackie, D MacKay (Mr), A Sinclair, N Sinclair, H Morrison, A Rhind, F Robertson, I Campbell, J Barclay, C Caddick, G Adam, L Munro, A Jarvie, D MacLeod, I Ramon, P Saggars, B Lobban, H Carmichael, M Davidson, A MacKinnon, A Henderson, J Gray, W MacKay and M Reiss.

**Abstentions:**

D Louden, K Rosie, A Christie and R Bremner.

**Decision**

Members **AGREED** the following:

“The Highland Council notes the significant economic and social legacy of civil and naval nuclear to Caithness and North Sutherland. As the single largest catalyst to the repopulation of Highland region, the nuclear industry has provided six decades of highly paid and highly skilled work across the Far North and commercial opportunities for local businesses.

This Council rejects membership of the Nuclear-free Local Authorities Group (NFLA) which would be contrary to this council’s long standing commitments to support the nuclear industry, such as membership of the Caithness and North Sutherland Regeneration Partnership (CNSRP) and the Dounreay Stakeholders Group (DSG).

Population decline in Caithness is projected to exceed 20% between 2019 and 2041. These de-population estimates fall in-line with the Dounreay interim end state in 2032 and the Royal Navy Vulcan contract in 2022. Currently employing 2500 locals, retaining and attracting this talent in the County is a priority for this Council.

As industry experts look to replace energy capacity from coal, gas and legacy nuclear stations coming off-line, Small Modular Reactors (SMRs) provide an alternative low-carbon solution to the energy deficit predicted in the 2030’s.

With the SMR industry still in its infancy, the Expert Finance Working Group findings are clear that Government must support projects whilst global supply chains are yet to be established. There are significant economic and employment opportunities in both running SMRs on existing licensed sites, as well as the fabrication, maintenance and export opportunities which are worth in excess of £250bn.

The Council calls on Scottish Government to withdraw the outright rejection of new nuclear plants in Scotland and send a message to the nuclear industry that Highland has the skill, public support and pro-active partnership working to embrace the next generation of energy production such as SMRs and that this Local Authority will continue to support that aim”.

**(iv)** “Council recognises the struggles that Council tenants were having with the new form of benefit, the Universal Credit, which is always paid in arrears and often the

lead in time is significant, plunging tenants immediately into arrears. Currently, tenants can seek advice from a team of two in the Highland Council or go to other advisory organisations, such as the CAB. The Council gives significant amounts of money annually to the CAB to help advise its tenants. However, we do not feel this is sufficient to tackle the increasing housing debt within Highland Council. It needs a different approach.

As Councillors, we were often approached by Council house tenants who would rather deal with someone in-house as opposed to going to sit at an outside organisation where some have said they feel stigmatised and embarrassed. Several years ago the Council had a much larger in-house team that dealt with monetary advice and the staff were discreet and quick to attend to these matters. Often a satisfactory way forward was found for our tenants and the Council, allowing our constituents to reduce their debt. With an in house-team, as councillors we can contact them instantly and have an inside track to getting them help when they need it quickly and discreetly.

At the moment the housing management can also offer monetary advice but officers on that level have many other calls upon their time. We feel that there should be a specialised administration assistant team set up to assist our tenants in dire need, a team of 4 would cost around £100,000 with on costs. Given the increasing debt in the Housing Revenue Account, we contend that this would be a 'spend to save' model and that the Council and tenants would be greatly assisted with a bigger welfare team in-house within Highland Council.

We therefore ask the Council to agree to bring a report to the Corporate Resources Committee as soon as possible with recommendations on this matter".

Signed: Ms M Smith Mrs G Campbell-Sinclair Mrs P Munro

During discussion, Members raised the following issues:-

- it had to be recognised that Council tenants were struggling with the new Universal Credit system and that the Money Advice team had reduced over the years. For those reasons, it was imperative that this situation was now addressed in order to deal with the increasing housing debt within the Council;
- specifically, there was a need to examine the current arrangements with the Citizens Advice Bureaux and whether this could be helped by a new in-house team being set up;
- this situation was having a detrimental effect not just on other Council house tenants but also on the Housing Revenue Account;
- there had been lobbying activity with the UK Government in terms of requesting a reimbursement of the costs to the Council of piloting the Universal Credit scheme and it was hoped that this could be followed up as a matter of urgency;
- it was suggested that the following amendment should be made to the wording within the final paragraph of the Notice of Motion – 'We therefore ask the Council to agree to bring a report, *including the potential involvement of third sector bodies such as Citizens Advice Bureaux*, to the Corporate Resources Committee as soon as possible with recommendations on this matter';
- any future report to the Corporate Resources Committee had to be wide ranging with a clear list of the expected outcomes from any actions to be taken in this regard; and
- it was noted that a commitment had been given by the Leader of the Council

that a report would be submitted to the Poverty and Inequalities Working Group in the first instance on this issue which would help to inform a subsequent report to the Corporate Resources Committee.

### **Decision**

Members **AGREED** the terms of the Notice of Motion as detailed – together with the *amendment* to the *final paragraph as follows* – ‘We therefore ask the Council to agree to bring a report, *including the potential involvement of third sector bodies such as Citizens Advice Bureaux*, to the Corporate Resources Committee as soon as possible with recommendations on this matter’.

## **9. Redesign of Highland Council: Update from the Board and Outcomes from the Service Income Peer Review**

### **Ath-dhealbhadh Chomhairle na Gàidhealtachd: Cunntas às Ùr bhon Bhòrd agus toraidhean bho Cho-Mheasadh Teachd-a-steach Seirbheis**

There had been circulated Report No. HC/3/19 dated 25 February 2019 by the Chief Executive.

In this regard, there were also circulated Minutes of Meeting of the Redesign Board held on 12 February 2019 for approval.

During discussion, Members raised the following issues:-

- in respect of budget monitoring (income) and specifically pricing, it was suggested that hall hires should be treated in the same way as music tuition and school meals as part of the work currently underway on fees and income which was being led by the Commercial Efficiency Team;
- in relation to the Action Plan and recommendations for improvement, it would be helpful if future quarterly budget reporting to Service Committees and the Council could identify variances on individual subjective codes;
- consideration should be given to benchmarking and the identification of best practice in regard to capital project costs;
- in terms of work being undertaken in relation to credit facilities, it was important to recognise that the Harbours Board generated income in excess of £2m each year and as such different measures should be considered in this case;
- there was concern about the recommendation that statutory interest and late penalties should be applied to overdue commercial accounts and it was suggested that other alternatives, such as freezing accounts, should also be considered; and
- it was imperative that IT was working effectively across the Council network in order to be able to deliver the proposed savings measures within the report.

### **Decision**

Members **APPROVED** the Minutes of the Redesign Board meeting and **NOTED** progress on Council redesign work.

Members also **APPROVED** the recommendations of the Service Income Review, notably (i) that the de minimis for issuing an invoice be increased from £10 to £12.50, (ii) where alternative payment methods exist, an invoicing surcharge of £15 (including VAT) be implemented and (iii) statutory interest and late penalties be

applied to overdue commercial accounts.

**10. Local and National Statutory Performance Indicators 2017-18  
Comharran Coileanaidh agus Comharra-mheasadh Reachdail Ionadail agus  
Nàiseanta 2017/18**

**Declarations of Interest – Mr P Saggars, Mr A Jarvie, Mr R Gale, Mrs D MacKay and Mr D Louden declared non-financial interests in this item as detailed below but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that their interests did not preclude them from taking part in the discussion.**

**Mr P Saggars – Director of Nairn Citizens Advice Bureau**

**Mr A Jarvie – Director of Inverness, Nairn and Badenoch & Strathspey Citizens Advice Bureaux**

**Mr R Gale and Mrs D MacKay – Board Members of East and Central Sutherland Citizens Advice Bureau**

**Mr D Louden – Trustee of Tain & District Museum (part funded by High Life Highland)**

**Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS Highland but, having applied the test concluded that his interest did not preclude him from taking part in the discussion.**

There had been circulated Report No. HC/4/19 dated 27 February 2019 by the Chief Executive.

In terms of an introduction to Items 10, 11 and 12 on the agenda, the Chief Executive reinforced the themes of ‘ambitious’, ‘high performing’, ‘sustainable’ and ‘connected’ which had been incorporated within this and the following two reports on the agenda. As such, it was felt that this could be illustrated by the recent budget process which had resulted in a sustainable budget for the future year and it was hoped that this collaborative approach could be continued with communities and staff going forward.

In this regard, the latest research in terms of public sector reform had identified why public services needed radical change and had offered suggestions as to how this could be achieved. As such, there were five interlinked reports on the current agenda which proved that Highland Council was very much at the forefront of this approach. Specifically, in relation to the Change Programme, progress was being made across communities throughout the Highlands in terms of joint working and collaboration and Members and Officers across the Council were also engaged in finding solutions to complex situations.

In welcoming challenge from Members in relation to the proposals and targets set within the reports, it was confirmed that feedback on cultural change would be provided within future monthly briefings and through Strategic Committee and the full Council.

Thereafter, and during discussion, Members raised the following issues:-

- there was a need to thank the Chief Executive for this report (and the following two reports) and also the staff who continued to perform extraordinarily well across all Council services;
- it was a concern that some services had been classed in the lower quartiles of the report and it was imperative that measures were taken to improve

- performance as and where required;
- the detail of the benchmarking information which had been provided was welcomed;
- there was a need to focus on outcomes in future reports as opposed to just costs;
- it should be highlighted that one of the best artefact restoration services was located in the Highlands and in future there should be more content in reports in relation to what costs actually meant in regard to Museum visits;
- in terms of the education of young children, the statistics highlighted that more affluent communities in the Highlands performed significantly better than others and this was not acceptable;
- it was not good enough to just improve on the previous year's figures and this had to be addressed;
- in terms of the reduced funding to Citizens Advice Bureaux, it was clear that they were achieving 'more with less' but it was felt that much more could have been delivered had funding not been reduced;
- there was a need for much more detailed information on outcomes following reductions in expenditure on specific services;
- future reports should clearly set out the aims of policies and who was expected to benefit in each case;
- there was a need for more focus on specific educational outcomes and the linking of reports e.g. benchmarking, improvement planning framework;
- High Life Highland services continued to perform well and this was welcomed;
- there should be continued monitoring of whether additional staff were required to deal with issues such as planning applications as it was a concern that this was now included within the bottom quartile;
- there were issues which needed to be addressed concerning children excluded from schools and they required to be considered alongside additional training for Pupil Support Assistants if necessary; and
- it had to be recognised that this report was just a 'starting point' and that issues would be addressed and improved over time through further reports to the full Council and to Strategic Committees where increased input from Members would be required and welcomed.

### **Decision**

The Council **NOTED** the performance of Statutory Performance Indicators for 2017/18 and where relevant their national benchmark position.

It was also **NOTED** that Service Plans would be presented to Strategic Committee meetings early in the new financial year and that Members should expect the opportunity to scrutinise plans in response to the information contained in this report at that time

### **11. Corporate Plan 2019-22 Plana Corporra na Comhairle 2019-22**

**Declaration of Interest** – Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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.

There had been circulated Report No. HC/5/19 dated 18 February 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- in terms of the aspirations for the Council, the Corporate Plan was both strategic and operational and, as part of the improvement agenda, it would take forward localism and engagement and ensure the attainment of the Council's goals which were often interlinked;
- there was a need for Member input across the Council, not least in terms of managing expectations and delivering where possible in respect of aspiration levels;
- there were a number of detailed timescales within the Plan and these might need to be refined as necessary to ensure that they were fit for purpose;
- a number of meetings were being proposed and it was essential that as many Members as possible from across the Council were in attendance;
- it had been stated within the report that 'the draft Council Programme had been considered in December 2018 and it had been agreed that further proposals for inclusion would be welcomed. As there had been no further feedback, it was now proposed that the Plan be agreed'. However, this was not correct in that it had been agreed that the Plan would be submitted to the Members' Seminar in January 2019 to allow Members to comment further at that time and this had not happened;
- there was a feeling amongst some Members that this Plan was very similar to what had been produced previously and that what was now required was a list of outcomes and not a list of actions;
- a list of clear and more precise outcomes was needed and if possible a reduction in the number of documents produced in this regard;
- it would be important to review the content of the Plan if and when necessary;
- it was imperative that relationships were built with industry in the future with a view to taking projects forward differently than had been the case in the past and that this should also include a focus on addressing areas of systemic decline;
- there was a need for continuity in relation to the issues which had been included in the report, particularly in instances where the Scottish Government had already provided additional funding, such as for improved broadband connectivity;
- there was a need to recognise the current regeneration work being undertaken across the Highlands by a number of agencies which was greatly welcomed and provided huge benefit for local areas;
- collaborative working with partners across the area was imperative, particularly in terms of deriving benefit from the distribution of joint funding;
- whilst supporting the references to the Gaelic language and culture within the Plan, there was a need to also recognise other languages and cultures in the future;
- it was essential that young people were encouraged to stay in the Highlands to live and work and in this respect the significant contribution made by the Dounreay facility in previous years was highlighted;
- a stronger focus on improved public transport and broadband connectivity was imperative to any future success;
- there should also be a focus on not just those who were leaving the Highlands but also those who remained and the services which were required for them in the future months and years;
- continuing interaction with the Scottish Government was essential in terms of formulating future proposals;
- there had to be a clear focus on measuring outcomes from any future projects;



- a 'fit for purpose' service had to be provided in future which took account of the anticipated decrease in population in the area and this was especially relevant in relation to NHS services; and
- there was an important role for the Council in terms of economic restructuring and this had to be addressed as a matter of priority.

### **Decision**

The Council:-

- APPROVED** the Council Programme, Local Choices: Highland Voices;
- APPROVED** the Corporate Plan for 2019-22;
- NOTED** that the Corporate Plan would be updated to take account of the Council's Governance Review along with finalising the Change Programme and the Council's approach to performance management and any organisational restructure. Revisions would be submitted to the Council in May 2019 and any subsequent meetings as required;
- NOTED** that the Plan would support the delivery of the Highland Outcome Improvement Plan;
- NOTED** that the Corporate Plan would be the subject of an Annual Performance Report in September each year and the first report for this plan was due in September 2020; and
- NOTED** that the Plan was normally reviewed following the Annual Performance Report to Council and any changes would be submitted to the Council for approval.

12. **A Connected Highland: Striving to be an ambitious, high performing and sustainable Council**  
**Gàidhealtachd Cheangailte: A' strì airson Comhairle adhartach, àrd-dèanadach agus seasmhach**

### **Declarations of Interest**

**Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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.**

**Mr K Gowans declared a non-financial interest in this item on the basis that a family member was employed by 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.**

There had been circulated Report No. HC/6/19 dated 25 February 2019 by the Chief Executive.

### **Decision**

Members **AGREED**:-

- the strategic improvement priorities for the Council that required particular corporate attention and support, drawing on the 22 priorities proposed in Appendix 1;
- that targets for the agreed strategic improvement priorities would be developed in consultation with Members and finalised for the May meeting of the Council;

- iii. that a focus on improving performance consistently across the Council would be developed. This could be described as a Highland Improving Performance Programme (HIPP) for the Council and would reflect the key aspects of performance improvement listed in Paragraph 5.1, draw on the range of methods and tools as listed in Paragraph 5.2 and organise support as described in Paragraphs 5.4 to 5.6;
- iv. that the Chief Executive should initiate consultation to review senior management organisational structures to support and deliver the ambition to be a high performing Council, with formal proposals to be brought back to the Council in May 2019; and
- v. that a survey of Members' views would be carried out into their perspective on performance management in the Council at this time using the Audit Scotland checklist in Appendix 2. The outcomes from the feedback would be included in the report to Council in May which would detail the targets being set for ongoing review.

The Council **NOTED**:-

- i. additional Member scrutiny of progress with the improvement priorities would be introduced through an all Member monthly briefing;
- ii. a Resources and Improvement Implementation Board, led by the Chief Executive, would meet weekly and report to the all Member monthly briefing. It would have managerial oversight and would escalate matters and provide assurance to Members on delivery;
- iii. work was planned with the senior leadership team of staff to assess progress with performance management based on an Audit Scotland checklist. This, along with the Member feedback, would drive a new corporate approach to performance improvement with the ambition of becoming a whole system learning and improving organisation;
- iv. all staff had a role to play in performance improvement. Evidence from staff engagement sessions, feedback from high performing teams and staff participating in redesign and lean reviews had shown willingness across all staff groups and locations. A range of supports including a targeted training programme would build capability and capacity and accelerate progress; and
- v. Member involvement in the approach to driving improvement would be reflected in the Corporate Plan.

### **13. Governance Review – Feedback from Members' Seminar and Next Steps Ath-sgrùdadh Riaghlaidh – Fios Air Ais bho Sheiminear Bhall agus na h-Ath Cheumannan**

There had been circulated Report No. HC/7/19 dated 22 February 2019 by the Chief Executive.

In this regard, a correction to the report was highlighted in respect of Mrs M Davidson being added to the membership.

During discussion, Members raised the following issues:-

- single named substitutes should be allowed from each Group as required;
- in view of the proposed membership of the Group, the Opposition Spokespersons for the Strategic Committees from the SNP Group should also be included; and
- consideration should be given to the circulation of Committee reports at least two weeks before meetings (as opposed to the current arrangement for circulation one week before meetings).

Thereafter, Mr R MacWilliam, seconded by Ms K Currie, **MOVED** that the Opposition Spokespersons from the SNP Group should be added to the membership of the Group.

As an **AMENDMENT**, the Convener, seconded by Mrs M Davidson, moved the membership as proposed within the report (and with the correction previously highlighted).

On a vote being taken, the **MOTION** received 10 votes and the **AMENDMENT** received 44 votes, with 7 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

B Boyd, R Laird, K Gowans, C MacLeod, P Hadley, I Brown, E Knox, R MacWilliam, K Currie and R Bremner.

**For the Amendment:**

A Baxter, B Thompson, J Gordon, R Balfour, J Campbell, G Ross, T Heggie, B McAllister, D MacKay (Mrs), I MacKenzie, G Cruickshank, C Smith, D Macpherson, R MacDonald, J Finlayson, M Finlayson, T Robertson, R Gale, D Rixson, A Graham, J Bruce, S Mackie, D MacKay (Mr), A Sinclair, N Sinclair, H Morrison, F Robertson, I Campbell, J Barclay, C Caddick, G Adam, L Munro, A Jarvie, D MacLeod, I Ramon, P Saggars, B Lobban, H Carmichael, M Davidson, A MacKinnon, A Henderson, A Christie, J Gray and R Bremner.

**Abstentions:**

D Louden, A MacInnes, L MacDonald, K Rosie, G MacKenzie, M Smith and I Cockburn.

**Decision**

Members **AGREED**:-

- (i) the draft Terms of Reference for the Members' Governance Review Steering Group – subject to the following:- Mrs M Davidson to be added to the membership and single named substitutes to be allowed from each Group as required;
- (ii) the Draft Work Plan;
- (iii) that a Members' Seminar should take place in May 2019 to consider emerging findings from the Steering Group; and
- (iv) that draft proposals should be submitted to the Council in June 2019 for approval.

**14. Change Fund Approach and Priorities**  
**Dòigh-obrach agus Prìomhachasan Maoin Atharrachaidh**

There had been circulated Report No. HC/8/19 dated 22 February by the Chief Executive.

During discussion, Members raised the following issues:-

- thanks should be conveyed to the Officers concerned for the detailed report which had been produced and which had highlighted the six projects which were being recommended to come forward for Phase 1 funding through the Change Fund – Education Transformation, Care Placement Services

Programme, Trades Review, Transport and Grey Fleet, Waste Strategy and Income Generation;

- in respect of the Trades Review, it was noted that the indicative saving for this project was £1.5m over three years, with £500k to be delivered in Year 1. Also, and whilst the resources required would primarily be provided from within existing staffing, it was proposed that a dedicated Project Manager was required to bring together the range of measures across Community Services and the Development & Infrastructure Service to ensure that maximum benefit was obtained from the project;
- in regard to changes to governance and organisational structures, the approach taken would include two stages, namely a review of governance arrangements through the Governance Review Steering Group and a review of Service and management structures;
- in relation to the Care Placement Services Programme, it was essential that any additional training required was arranged and put in place as soon as possible;
- in terms of Income Generation, it was extremely important to provide a focus on both this but also cost reduction in future;
- in respect of the Trades Review, it was suggested that consideration should be given to exploring issues around the award of contracts below £50k and specifically whether there needed to be additional quotes received than at present in such instances;
- in regard to income generation, including the visitor levy, further clarification was needed in respect of exploring options for introducing car parking charges and agreeing an approach for the investment of the resultant income as it was noted that the indicative income to be derived was currently unquantified;
- in terms of the risks associated with the new proposals, including delivery of the priorities, it was noted that these would be addressed by the new managerial and Member governance arrangements which had been outlined in the report and through a review of the organisational structure of the Council.

### **Decision**

The Council **AGREED** the following revised recommendations as tabled at the meeting -

- £0.750m should be provided to support 6 priority projects for the 1st Phase of the Change Fund: Education Transformation; Care Placement Services Programme; Trades Review; Transport and Grey Fleet; Waste Strategy; and Income Generation;
- the funding would also ensure that all phases of the Change Programme would be underpinned by enhanced resources for HR; performance management; financial governance; and communications;
- additional facilities time would be provided to support engagement with Trade Unions;
- support for these projects would be provided through a combination of Change Fund and the re-prioritisation of existing in-house resources; and
- a monthly cross-Member Resources and Improvement Briefing would be established to provide Members with information on the use and effectiveness of the Change Fund and to provide Member oversight of the delivery of the Council's budget strategy "A Sustainable Highland" and the Capital Programme.

It was also **NOTED** that a Resources and Improvement Implementation Group led by the Budget Leader was already in place and the Change Strategy Programme Board had also been established to provide robust governance around the delivery of the Council's budget strategy. These would also provide information to the monthly Member briefing.

**15. Review of Polling Districts and Polling Places 2018-19**  
**Ath-sgrùdadh air Sgìrean Bhòtaidh agus Àiteachan Bhòtaidh**

There had been circulated Report No. HC/9/19 dated 22 February 2019 by the Chief Executive.

During discussion, and following the suggestion of alternative locations in respect of specific recommendations for Polling Places within the report, Members raised the following issues:-

- there was concern that some Polling Stations, particularly in rural locations, were not wheelchair accessible and this should be reviewed as access for all had to be a priority for the Council;
- further clarification was required in terms of the arrangements which would need to be made when elections were not held on in-service days and also whether a whole Campus would need to be closed on such days; and
- there needed to be clarification and specifically communication to the local area in terms of why Balloch Primary School had been removed from the list.

**Decision**

The Council **NOTED** the representations received as detailed in Appendix 1 and the suggestions to amend Polling Places as detailed in Appendix 2 of the report.

The Council **APPROVED** the final Scheme of Polling Districts and Polling Places for the period 2019-2023 – with the exception of the following where the undernoted alternatives had been suggested and would be the subject of further discussion with the Local Members concerned and thereafter a further report which would be submitted for consideration:-

I14A – Merkinch Community Centre – as before

I14B/I14H – Trinity Church Hall – as before

I14C – James Cameron Community Centre – as before

R05F – Gairloch Community Centre – as before

C01E – Unapool Former Primary School – as before and use saving for toilet provision

R05Q – change name of proposed location to Strathpeffer Community Centre

R12A – Phipps Hall, Beauly – as before

**16. Council Preparations for EU Exit**  
**Ullachaidhean na Comhairle airson an t-Aonadh Eòrpach fhàgail**

There had been circulated Report No. HC/10/19 dated 28 February 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- this was one of the most difficult situations ever to be faced by the Council, not least in terms of the unpredictability of the current position, and as such the detail of the report was welcomed in terms of providing some clarity on the

potential way forward and enabling an understanding of the issues involved, such as inward migration, access to EU markets, Regional Policy, etc;

- it was imperative that the UK and Scottish Governments, along with Local Authorities, worked together in finding a way forward and in this regard the Shared Prosperity Fund was a key issue;
- it was worrying that there was not a clear regional policy in place and the Council had to have input in this respect, together with the support of resources from the UK and Scottish Governments if possible;
- it had to be accepted that the Council was required to speak with 'one voice' on this crucial issue;
- there was a need for more cross-party working and it was regrettable that there had not been more progress made through the Brexit Working Group to date;
- it was perhaps more appropriate for future detailed reports in relation to this issue to be considered by the full Council;
- many significant and major developments and initiatives in the Highland area had benefited greatly from European funding in the past and this had to be continued wherever possible;
- there had to be close consideration of the potential impact on Council activities as a result of any reduced funding in future;
- lobbying priorities and opportunities should include community involvement wherever feasible and possible;
- thanks should be conveyed to the Officers concerned in the production of the report and the information which had been provided;
- European funding had been crucial for the area and as such it was essential that there was unanimity in relation to the Shared Prosperity Fund and specifically in terms of highlighting the unique nature of the Highlands;
- the offer of help from the Scottish Government was welcomed and appreciated;
- it was understood that a fund had been set up by the UK Government to help; to offset costs and further clarification would be necessary in terms of possible distribution;
- this was an unprecedented situation and it was vital to get through it in the best way possible for the people of the Highlands;
- it was acknowledged that it had been very difficult to make progress so far due to the continuing uncertainty of the situation;
- there had to be more dialogue across the Council on this crucial issue as a matter of urgency; and
- alternative funding streams should also be investigated in addition to the Shared Prosperity Fund.

### **Decision**

The Council **NOTED** that the four lobbying priorities identified in September 2018 had been supported through stakeholder engagement in November 2018 and remained pertinent. There were ongoing opportunities for engaging on the Shared Prosperity Fund and the UK Government's White Paper on immigration with further reports to be brought back to Members on these issues.

It was also **NOTED** that Council engagement continued through a range of networks and partnerships at local, regional, national and European levels including COHI, CoSLA and the H&I Leaders Group and that Council staff were participating in the planning for a No Deal EU exit. This was focused on mitigating against disruption and had been organised through the national framework for resilience planning. Some potential impacts were clearer than others and advice and guidance were

evolving at pace.

It was **AGREED** that the Council should quantify and seek Government support to meet any appropriate additional costs arising from EU withdrawal for the Council.

## 17. **Caithness Horizons** **Caithness Horizons**

**Declaration of Interest – Mr W MacKay and Mr K Rosie declared non-financial interests in this item as Directors of Caithness Horizons 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.**

There had been circulated Report No. HC/11/19 dated 27 February 2019 by Interim Director of Care and Learning.

During discussion, Members raised the following issues:-

- thanks should be conveyed to the Officers concerned for the compilation of this report which helped to provide clarity on the current situation;
- in terms of the current discussions as to what might be possible in the future, it would be especially important to manage expectations in this regard as it was clear that the previous model had been unsustainable;
- the commitments which had been given by the Council and Dounreay Site Restoration Limited in terms of future funding were welcomed;
- a commitment had also been given that the current process would be continued with the aim of getting the facility back open for members of the public and visitors to the area as soon as possible; and
- it would be imperative to ensure that the local community were fully involved in any future proposals for the facility.

### **Decision**

Members **NOTED** the circumstances relating to Caithness Horizons closure and in turn the actions being taken by the Council.

## 18. **Highland Council Common Good Funds – Asset Register and Community Empowerment Polices, Common Good Officer PP. 204-265 Maoinean Maitheas Coitcheann Chomhairle na Gàidhealtachd – Clàr So- mhaoin agus Poileasaidhean Cumhachdachadh Choimhearsnachdan, Oifigear Maitheas Coitcheann**

There had been circulated Report No. HC/12/19 dated 22 February 2019 by the Depute Chief Executive/Director of Corporate Resources.

During discussion, thanks were conveyed to the Officers concerned in the production of the report and for the consultation which had been undertaken with Community Councils in this regard.

### **Decision**

The Council:-

- (i) **NOTED** the contents of the list of property proposed to be included in the Highland Council Common Good Asset Register (Appendix 1) together

with the document for uploading on the Council Website entitled Common Good Property Asset Register – Process and Reviewing Common Good Property Asset Register – Process (Appendix 2);

- (ii) **AGREED** the commencement of the public consultation on the list of proposed property in accordance with the Community Empowerment (Scotland) Act 2015 and to delegate the decisions on the outcome of any representations to Inverness – the City of Inverness Area Committee and Outwith Inverness – the relevant Area Committee;
- (iii) **AGREED** the contents of the document entitled Disposal of or Change of Use of Common Good Property – Process (Appendix 3) uploaded to the Council Website on 20 December 2018 and to amend Paragraph 2.9 of the Scheme of Delegation (for City of Inverness Area Committee and Local Area Committees) to include ‘change the use of’ after the word ‘dispose’;
- (iv) **AGREED** the contents of the policies entitled Common Good Fund Policy (Appendix 4) and Policy for Disposal or Lease of Common Good Property for less than Market Value (Appendix 5); and
- (v) **AGREED** to the permanent establishment of the Common Good Fund Officer post as detailed in Section 7 of the report.

## 19. Convention of Scottish Local Authorities (CoSLA) - Membership Co-chruinneachadh Ùghdarrasan Ionadail na h-Alba

The Council **AGREED** the following as submitted by the SNP Group -

Dr I Cockburn to replace Mr R Laird

## 20. High Life Highland – Appointment of Independent Directors High Life na Gaidhealtachd – Comataidh Ainmeachaidh

**Declarations of Interest - Mr A Jarvie, Ms L Munro, Mr T Heggie, Mr D Macpherson and Mr K Gowans 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.**

Members were advised that recommendations had been received from the High Life Highland Nominations Committee in relation to the appointment of Independent Directors as follows –

Mr M Golding  
Mr J Murray

The Council **AGREED** both recommendations as detailed.

## 21. Timetable of Meetings Clàr-ama Choinneamhan

The Council **AGREED** the following changes to the timetable of meetings -

- North Planning Applications Committee – to be held on 31 July (instead of 1 August)
- North Planning Applications Committee – to be held on 8 October (instead of 15 October)
- Care, Learning & Housing Committee – to be held on 10 October (instead of 17 October)



- South Planning Applications Committee – to be held on 29 October (instead of 22 October)
- Highland Council – to be held on 31 October (instead of 24 October)
- Ross and Cromarty Committee - to be held on 6 November (instead of 31 October).

## **22. Member Attendance at Meetings** **Làthaireachd Bhall aig Coinneamhan**

In relation to the Local Government (Scotland) Act 1973, and further to the December meeting, the Council **APPROVED** Mr Blair Allan's ongoing absence as a result of illness on the basis that the position would continue to be reviewed and an update provided for the meeting on 5 September 2019.

## **23. 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 13 December 2018 was available in the Members' Library and on the Council's Website.

The meeting ended at 4.45pm.

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**The Highland Council**  
**No. 10 2018/2019**

Minutes of Special Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday, 20 March 2019 at 10.30am.

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

**Present:**

Mr G Adam	Mr D Louden
Mr R Balfour	Mrs L MacDonald
Mrs J Barclay	Mr A MacInnes
Mr A Baxter	Mrs D Mackay
Mr B Boyd	Mr D Mackay
Mr R Bremner (v/c)	Mr W MacKay (v/c)
Mr J Bruce	Mrs I MacKenzie
Mrs C Caddick	Mr C MacLeod
Mrs I Campbell	Mr D MacLeod
Miss J Campbell	Mr D Macpherson
Mr I Cockburn	Mr R MacWilliam
Mr G Cruickshank	Mrs B McAllister
Mr M Finlayson (am only)	Mr H Morrison
Mr C Fraser	Mrs M Paterson
Mr L Fraser	Mr M Reiss
Mr R Gale	Mr D Rixson
Mr A Graham	Mrs T Robertson
Mr J Gray	Mr P Saggars
Mrs P Hadley	Mr A Sinclair
Mr T Heggie (am only)	Ms N Sinclair (v/c) (am only)
Mr A Henderson	Mr C Smith
Mr A Jarvie	Ms M Smith
Mr B Lobban	Mr B Thompson

**In Attendance:**

Mr D Mudie, Area Planning Manager – South  
Mrs S Macmillan, Team Leader  
Mr M Clough, Senior Engineer, Transport Planning  
Mrs K Lyons, Principal Solicitor (Clerk)  
Mr S Taylor Administration Assistant, Committee Services

**Mr B Lobban in the Chair**

Apologies for absence were intimated on behalf of Mr B Allan, Mr I Brown, Mrs G Campbell-Sinclair, Mrs H Carmichael, Mr A Christie, Mrs M Cockburn, Ms K Currie, Mrs M Davidson, Mr J Finlayson, Mr J Gordon, Mr K Gowans, Mr R Laird, Ms E Knox, Mr R MacDonald, Mr G MacKenzie, Mr S Mackie, Mr A Mackinnon, Ms A MacLean, Mr J McGillivray, Mr N McLean, Ms L Munro, Ms P Munro, Mr I Ramon, Mr A Rhind, Mrs F Robertson, Mr K Rosie, Mr G Ross and Mrs C Wilson.

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

None

3. **Notice of Amendment (Planning) – Planning Applications (18/02739/FUL), (18/02742/FUL) and (18/05440/FUL)**  
**Brath Atharrachaidh (Dealbhadh) – Iarrtas Dealbhaidh (18/02739/FUL), (18/02742/FUL) and (18/05440/FUL)**

**Item 3.2**

**Applicant:** Dickins Hydro Resources Ltd (18/02739/FUL) (PLS/013/19)

**Location:** Land 155m south of Glen Ceitlein, Glenetive (Allt Ceitlein). (Ward 21)

**Nature of Development:** Installation of (810kW) run-of-river hydropower system, associated plant, buildings and access roads (Allt Ceitlein)

**Item 3.3**

**Applicant:** Dickins Hydro Resources Ltd (18/02742/FUL) (PLS/014/19)

**Location:** Land 1000M SW of Altachaorin, Glenetive (Allt Chaorainn). (Ward 21)

**Nature of Development:** Installation of (1,640kW) run-of-river hydropower system, including two intakes, buried pipeline, powerhouse building, outfall, and bridge (Allt Chaorainn)

**Item 3.7**

**Applicant:** Dickins Hydro Resources Ltd (18/05440/FUL) (PLS/018/19)

**Location:** Land 650m south west of Coiletir, Glenetive (Allt Mheuran). (Ward 21)

**Nature of Development:** Installation of (885kW) run-of-river hydropower system, including one intake structure, buried pipeline, powerhouse building, outfall, bridges, formation of borrow pits and access tracks (Allt Mheuran)

**Mr A Baxter advised that he was a Member of the John Muir Trust which had objected to the applications. He confirmed, however, that he did not consider this to be a declarable interest and that he would take part in the deliberation and determination of the applications.**

At its meeting on 20 February 2019, the South Planning Applications Committee granted planning permission for the above applications. The following Notice of Amendment was then received on 21 February 2019:

“We the undersigned, being Elected Members of the Highland Council, hereby declare our wish that the decisions of the South Planning Applications Committee at its meeting on 20 February 2019 on the above applications (Agenda Items 3.2, 3.3 and 3.7) be reviewed at the next scheduled meeting of the full Council.

Signed: Mr A Baxter, Mr B Lobban, Mr M Reiss, Mrs M Cockburn, Mr A Jarvie, Dr I Cockburn, Mr A Sinclair, Mr T Heggie, Mrs A MacLean, Ms P Hadley, Mr G Cruickshank, Mr C Smith, Mrs C Caddick, Mrs I MacKenzie, Mr D Macpherson, Mr D MacKay, Mr S Mackie, Mr C Fraser, Mrs M Davidson, Mr I Ramon and Mr K Rosie.”

In this context, there had been circulated the following:-

- a copy of the Minute from the special meeting of the South Planning Applications Committee held on 20 February 2019, which was approved by the Committee on 12 March 2019;
- Reports Nos PLS/013/19, PLS/014/19 and PLS/018/19 by the Area Planning Manger – South;
- supplementary Appendix 3 attached to Reports Nos PLS/013/19, PLS/014/19 and PLS/018/19 containing the decision of the South Planning Applications Committee at its meeting on 20 February in relation to each individual application; and

- a copy of Landscape and Visual Impact Assessment (LVIA) Viewpoint information for Glenetive Hydro Schemes.

In addition, copies of additional correspondence which had been received following the meeting of the South Planning Applications Committee on 20 February 2019 were distributed to Members.

The case officer's assessments of the planning applications were contained in the South Planning Applications Committee reports and the plans contained as an appendix.

The Chair reminded Members that, in order to take part in the decision, they required to be present for the whole of the item.

Mrs S Macmillan presented the reports and recommendations as follows:-

### **Item 3.2 – Planning Application Reference: 18/02739/FUL**

In response to questions, clarification was provided on the following:-

- It was proposed that the access track would be reinstated to a 1.5m all-terrain vehicle (ATV) track following construction as it was likely to see continued use by ATV-type vehicles and would help to prevent further erosion;
- Mitigation measures had been included within the recommendation to protect eagles from any potential disturbances arising from construction work;
- The buried penstock was located between the main intake and the powerhouse;
- Works to widen the access track route from the powerhouse to the bridge over the Ceitlein did not involve any pipework being buried beside the route;
- Whilst it was acknowledged that there had been previous examples of hydro schemes in Highland which had required enforcement action to be taken to address issues in relation to poor reinstatement works, there was now a better understanding of what was considered best practice and it was highlighted that an Ecological Clerk of Works and Landscape Clerk of Works were required to be onsite and to report any issues directly to the Council;
- The CAR Licence application had taken into account any restrictions to power generation arising from the requirement to regulate water flow levels and to protect the water environment;
- It was estimated that the majority of the existing access track was located within the Wild Land Area;
- The existing access track was not predominately engineered along the route of the proposed penstock from the intake to the powerhouse;
- The Ecological Clerk of Works and Landscape Clerk of Works would be funded by the developer; however, their role would be to report to the Council in the first instance;
- The intention of the drone footage was to provide Members with views of the intake and the access track in the context of the Wild Land Area;
- The highest position of the proposed development was located at the secondary intake at 117m AOD;
- The access track could be restored to its previous condition provided the right drainage was installed and the right materials were used;
- Whilst it was acknowledged that there had been varying levels of experience with contractors during the construction of hydro schemes in Lochaber, it was emphasised that the Clerks of Works were there to ensure that works would be done in accordance with the agreed standards;

- Whilst the Tree Planting Plan had not been submitted, it was confirmed that the Council was seeking compensatory planting on a one for one basis;
- The photos of examples of restoration shown during the presentation were within Lochaber and on similar ground to that of the proposed development; and
- It was proposed that the design of the powerhouse would follow the design principle of the example buildings shown during presentation of the report.

### **Item 3.3 – Planning Application Reference: 18/02742/FUL**

In response to questions, clarification was provided on the following:-

- There was currently no engineered access track along the proposed route of the penstock and the footpath next to river would not be affected by the proposed development;
- No assessment had been undertaken into the potential impact of the proposed development on visitors to the Glen as a result of the estimated two year period for construction works;
- Whilst the intakes would be permanently visible following construction, with appropriate reinstatement, there would be no permanent impact arising from the construction of the penstock and the temporary access track;
- Whilst the Landscape Visual Impact Assessment (LVIA) had not discounted the potential for hillwalkers in Wild Land Areas to use different routes, it was acknowledged that the views from known footpaths could be affected by construction work;
- As there was currently no access track, the terrain, particularly in the upland areas, could be considered rough;
- The route of the proposed development was on steady rise;
- Restoration of the land form could take place rapidly using the proposed restoration methods;
- Whilst the intakes would be built of concrete, the applicant had come forward with proposals to face the walls with stone and natural vegetation and high quality screening of the intakes would be sought by condition;
- Mitigation measures had been included within the recommendation to protect eagles from any potential disturbances arising from construction work; and
- The highest position of the proposed development was located at the main intake at 182m AOD.

### **Item 3.7 – Planning Application Reference: 18/05440/FUL**

In response to questions, clarification was provided on the following:-

- Whilst it was acknowledged that reinstatement could be affected by the weather, appropriate measures had been put in place to ensure quick and sensitive reinstatement of the penstock and construction access track;
- As the powerhouse would be located in an open and exposed landscape, it was proposed that it should read as a 'building' rather than attempt to hide it artificially;
- Due to the nature of the roads, larger vehicles such as lorries would not be able to use the access tracks and it was proposed that equipment in relation to the penstock would be taken in by tractor and trailer; and
- The highest position of the proposed development was located at the intake at 105m AOD.

In response to general questions, clarification was provided on the following:-

- Details had been provided of the bridges proposed to be used during construction;
- Whilst high levels of water from rainfall could affect the restoration of the access track due to potential issues with drainage on higher gradients, it could also have a positive effect as it could keep stored vegetation wet;
- The immediate sections of rock at the weir would require clearing to construct the intake;
- The life expectancy of penstocks in other developments was estimated at 25 years; although this could increase significantly with maintenance
- As most of the development works were on the floor of the Glen, the LVIA had focused on the “long and green” qualities of Glenetive;
- Conditions had been included within the recommendations to help integrate the intakes into their landscape setting as far as is practicable;
- The inclusion of a restoration bond could be included within the permissions to ensure the sites were reinstated to the satisfaction of the Planning Authority however these were usually used for restoration of a site at the end of its life, rather than as part of the construction process;
- The reports had focused on the Scottish Energy Strategy and not UK energy targets;
- Whilst Scottish Natural Heritage had not responded to the most recent LVIA, it was considered that this did not add more as the amended details were to test the originally submitted Zone of Theoretical Visibility;
- The upgrading of the existing overhead line would be determined under section 37 of the Electricity Act 1989 by Scottish Ministers and the Council would be a consultee on a section 37 application;
- Control measures were proposed to prevent water pollution, including a Construction Environmental Plan, the CAR Licence and a Construction Site Licence;
- Fisheries interests were covered within the CAR Licence;
- Input had been received by SEPA from the Argyll District Salmon Fisheries Board in its preparation of the draft CAR Licence; and
- The Royal Society for the Protection of Birds had not been consulted as Scottish Natural Heritage was the Council’s statutory consultee.

**Lunch Break 12.45 – 1.30pm – Mr T Heggie, Mr M Finlayson and Ms N Sinclair did not return to the meeting.**

During discussion, Members’ comments included the following:-

- It emphasised that there had been considerable public interest in the applications and that whilst it was acknowledged that petitions were not a material consideration, it emphasised that there had been 13k signatories to two separate petitions against the proposed developments;
- Concern was expressed regarding the visual impact of the proposed developments on the surrounding landscape in what was a designated Wild Land Area;
- The restoration methods proposed would not mitigate the impact of the intakes and powerhouse structures on the small scale qualities of the landscape;
- Concern was expressed regarding Scottish Natural Heritage’s response as it did not address the potential impact of the proposed schemes on the Wild Land Area;
- The surrounding area was undeveloped and the introduction of man-made concrete structures would look artificial;
- There was uncertainty with the proposed restoration as the harsh climate could make the terrain difficult to restore;

- Whilst it was acknowledged that hydro schemes could make a significant contribution towards future energy production, the design of the proposed intakes and powerhouses would have a detrimental impact on the surrounding area and the retention of the engineered track in the Allt Ceitlein scheme would leave a substantial scar within a Wild Land Area;
- Concern was expressed that there was a lack of detail regarding the proposed design and finish of the intakes and powerhouses;
- Whilst the height of the Allt Chaorainn scheme could make it difficult for reinstatement works to successfully renew the surrounding terrain, the proposed monitoring measures were robust and the timescale for regeneration was feasible;
- It was emphasised that the continued use of fossil fuels was no longer a viable option due to the impact on health from air pollution and whilst the proposed developments could be considered small-scale, they could make a positive contribution towards energy production;
- The proposed developments could make a positive economic impact on Estates and therefore enable better management and conservation going forward;
- Whilst it was acknowledged that the proposed schemes could have a visual impact on Glenetive, there was an opportunity for regeneration of the area from the schemes;
- It was emphasised that the main issues surrounding the applications were around the potential visual impact and the impact on fisheries activities and tourism;
- The wild landscape was one of the main attractions for tourists to visit the area and it was important to protect the natural heritage;
- Whilst the community council had raised valid points, there was no guarantee of community benefit arising from the proposed development;
- It was highlighted that there was already existing infrastructure within the area such as commercial forestry and whilst there were a significant number of tourists to the area, there was currently a lack of provision to deal with waste and rubbish left behind by hillwalkers;
- The proposed CAR Licence would deal with any impact arising from the schemes on fisheries interest and other water users;
- The Ecological Clerk of Works and Landscape Clerk of Works would be in a position to report any issues arising from construction directly to the Council;
- None of the statutory consultees had objected to the proposed developments;
- In the context of localism, it would be inconsiderate to reject the view of the community council, who were supportive of the proposals;
- In highlighting that there was a variation in the perception of how wild land should be used for outdoor pursuits, it was emphasised that the creation of man-made structures in Lochaber had helped improve access in the area;
- Whilst it was likely that remediation work would take longer than anticipated, the use of the appropriate machinery would help to restore the land;
- The surrounding area was well used and therefore was not considered pristine as there were deer grazing on the lower side, powerlines running down the glen, commercial forestry and examples of man-made structures such as a road bridge and advisory signage on the A82;
- There were examples of natural scarring on the sides of the glen from avalanches, floods and windfall trees glens;
- It was emphasised that glens had previously been harvested and the proposed developments represented the modern way of achieving this;
- The LVIA had considered that the recreational enjoyment from the large majority of hill slopes and summits across the Wild Land Area would be unaffected by the proposed developments;

- It was highlighted that Scottish Natural Heritage considered that the proposals would have a localised effect but would not affect the experience or result in significant effects on the wider appreciation of the WLA or qualities of the area;
- Whilst it was acknowledged that the surrounding environmental area had spectacular views and was appreciated by residents and tourists, it was Council position and policy to promote the use of renewable in energy production;
- The scale of energy production from the proposed hydro schemes was not considered significant enough to mitigate for the likely visual impact on the surrounding Wild Land Area;
- The views of the local community should be given greater weight than tourists and visitors who would only be in the area for a short period and it was suggested that it was invariably local people who had to deal with cleaning up waste left behind;
- The scale of the proposed development would be lost in the context of the surrounding landscape;
- It was highlighted that with good landscaping the proposed powerhouses and intakes could blend in with the surrounding environment; and
- Whilst Glenetive was a stunning mountainous area, it was considered that with the appropriate mitigation measures as recommended in the report, the proposals meet the requirements of Policy 67 of the Highland-wide Local Development Plan.

## **Decisions**

### 3.2

**Applicant:** Dickins Hydro Resources Ltd (18/02739/FUL) (PLS/013/19)

**Location:** Land 155m south of Glen Ceitlein, Glenetive (Allt Ceitlein). (Ward 21)

**Nature of Development:** Installation of (810kW) run-of-river hydropower system, associated plant, buildings and access roads (Allt Ceitlein)

No consensus having been reached by the Members, Mr A Baxter, seconded by Mr A Jarvie, then moved that the application be refused on the grounds that:-

- the proposed development was contrary to Paragraph 200 of the Scottish Planning policy National Planning Framework 3 and Policy 57 of the Highland Wide Local Development Plan as it would have an unacceptable impact on the wild land characteristics displayed in wild land area 9 which was an area very sensitive to any form of intrusive human activity and had no capacity to accept this development, in particular, it would erode the sense of remoteness within the wild land area by extending built development and other man-made features beyond the glen floor thereby challenging the integrity of wild land qualities.

Mr J Gray, seconded by Mrs T Robertson, moved as an amendment that the application be granted subject to the conditions recommended in the report and to the following amendments, as per the decision of the South Planning Applications Committee at its meeting on 20 February 2019:-

- Condition 3(b) to read as “weekly” rather than “monthly”;
- Condition 3 to include an additional sub condition: “Provision made for a point of contact with the contractor within Glen Etive for members of the public for the duration of the construction works.”;
- The inclusion of the following sentence at the end of Condition 5: “Thereafter the passing place improvements shall be fully undertaken in accordance with the approved details prior to the commencement of any other part of the development.”; and



- The inclusion of the following sentence at the end of Condition 20: “For the avoidance of doubt the Access Management Plan shall include provision for temporary signage close to the junction with the A82 advertising the temporary bridge closure.”

On a vote being taken, 14 votes were cast in favour of the motion and 28 votes in favour of the amendment, with one abstention as follows:-

**For the Motion:**

Mr A Baxter, Miss J Campbell, Mr I Cockburn, Mr C Fraser, Mrs P Hadley, Mr A Jarvie, Mr B Lobban, Mr D Mackay, Mr C MacLeod, Mrs M Paterson, Mr M Reiss, Mr D Rixson, Mr P Sagers and Mr C Smith

**For the Amendment:**

Mr G Adam, Mr R Balfour, Mrs J Barclay, Mr B Boyd, Mr R Bremner, Mr J Bruce, Mrs C Caddick, Mrs I Campbell, Mr G Cruickshank, Mr L Fraser, Mr R Gale, Mr A Graham, Mr J Gray, Mr A Henderson, Mr D Louden, Mrs L MacDonald, Mr A MacInnes, Mrs D Mackay, Mr W MacKay, Mr D MacLeod, Mr D Macpherson, Mr R MacWilliam, Mrs B McAllister, Mr H Morrison, Mrs T Robertson, Mr A Sinclair, Ms M Smith and Mr B Thompson

**Abstention:**

Mrs I MacKenzie

**Decision**

The Council **AGREED** to **GRANT** planning permission in accordance with the recommendation set out in section 11 of the 20 February 2019 South Planning Applications Committee report, subject to the inclusion of the previously agreed amendments to the recommendation contained in supplementary Appendix 3 to the report and subject to Plans 27 - 42 contained within the report.

3.3

**Applicant:** Dickins Hydro Resources Ltd (18/02742/FUL) (PLS/014/19)

**Location:** Land 1000M SW of Altachaorin, Glenetive (Allt Chaorainn). (Ward 21)

**Nature of Development:** Installation of (1,640kW) run-of-river hydropower system, including two intakes, buried pipeline, powerhouse building, outfall, and bridge (Allt Chaorainn)

No consensus having been reached by the Members, Mr A Baxter, seconded by Mr A Jarvie, then moved that the application be refused on the grounds that:-

- the proposed development was contrary to Paragraph 200 of the Scottish Planning policy National Planning Framework 3 and Policy 57 of the Highland Wide Local Development Plan as it would have an unacceptable impact on the wild land characteristics displayed in wild land area 9 which was an area very sensitive to any form of intrusive human activity and had no capacity to accept this development, in particular, it would erode the sense of remoteness within the wild land area by extending built development and other man-made features beyond the glen floor thereby challenging the integrity of wild land qualities.

Mr J Gray, seconded by Mr B Boyd, moved as an amendment that the application be granted subject to the conditions recommended in the report and to the following amendments, as per the decision of the South Planning Applications Committee at its meeting on 20 February 2019:-

- Condition 3(b) to read as “weekly” rather than “monthly”;
- Condition 3 to include an additional sub condition: “Provision made for a point of contact with the contractor within Glen Etive for members of the public for the duration of the construction works.”;
- The inclusion of the following sentence at the end of Condition 6: “Thereafter the passing place improvements shall be fully undertaken in accordance with the approved details prior to the commencement of any other part of the development.”; and
- The inclusion of the following sentence at the end of Condition 18: “For the avoidance of doubt the Access Management Plan shall include provision for temporary signage close to the junction with the A82 advertising the temporary bridge closure.”

On a vote being taken, 15\* votes were cast in favour of the motion and 27 votes in favour of the amendment, with one abstention as follows:-

#### **For the Motion:**

Mr A Baxter, Miss J Campbell, Mr I Cockburn\*, Mr C Fraser, Mrs P Hadley, Mr A Jarvie, Mr B Lobban, Mr D Mackay, Mr C MacLeod, Mrs M Paterson, Mr M Reiss, Mr D Rixson, Mr P Saggars, Mr A Sinclair and Mr C Smith

#### **For the Amendment:**

Mr G Adam, Mr R Balfour, Mrs J Barclay, Mr B Boyd, Mr R Bremner, Mr J Bruce, Mrs C Caddick, Mrs I Campbell, Mr G Cruickshank, Mr L Fraser, Mr R Gale, Mr A Graham, Mr J Gray, Mr A Henderson, Mr D Louden, Mrs L MacDonald, Mr A MacInnes, Mrs D Mackay, Mr W MacKay, Mr D MacLeod, Mr D Macpherson, Mr R MacWilliam, Mrs B McAllister, Mr H Morrison, Mrs T Robertson, Ms M Smith and Mr B Thompson

#### **Abstention:**

Mrs I MacKenzie

\* Mr I Cockburn was not present for the presentation of item 3.3 and therefore not eligible to participate in the determination of the application; therefore, the result of the vote was 14 votes cast in favour of the motion and 27 votes in favour of the amendment, with one abstention.

### **Decision**

The Council **AGREED** to **GRANT** planning permission in accordance with the recommendation set out in section 11 of the 20 February 2019 South Planning Applications Committee report, subject to the inclusion of the previously agreed amendments to the recommendation contained in supplementary Appendix 3 to the report and subject to Plans 43 – 55 contained within the report.

3.7

**Applicant:** Dickins Hydro Resources Ltd (18/05440/FUL) (PLS/018/19)

**Location:** Land 650m south west of Coiletir, Glenetive (Allt Mheuran). (Ward 21)

**Nature of Development:** Installation of (885kW) run-of-river hydropower system, including one intake structure, buried pipeline, powerhouse building, outfall, bridges, formation of borrow pits and access tracks (Allt Mheuran)

No consensus having been reached by the Members, Mr A Baxter, seconded by Mr A Jarvie, then moved that the application be refused on the grounds that:-

- the proposed development was contrary to Paragraph 200 of the Scottish Planning policy National Planning Framework 3 and Policy 57 of the Highland Wide Local Development Plan as it would have an unacceptable impact on the wild land characteristics displayed in wild land area 9 which was an area very sensitive to any form of intrusive human activity and had no capacity to accept this development, in particular, it would erode the sense of remoteness within the wild land area by extending built development and other man-made features beyond the glen floor thereby challenging the integrity of wild land qualities.

Mr J Gray, seconded by Mrs T Robertson, moved as an amendment that the application be granted subject to the conditions recommended in the report and to the following amendments, as per the decision of the South Planning Applications Committee at its meeting on 20 February 2019:-

- Condition 3(b) to read as “weekly” rather than “monthly”;
- Condition 3 to include an additional sub condition: “Provision made for a point of contact with the contractor within Glen Etive for members of the public for the duration of the construction works.”;
- The inclusion of the following sentence at the end of Condition 5: “Thereafter the passing place improvements shall be fully undertaken in accordance with the approved details prior to the commencement of any other part of the development.”; and
- The inclusion of the following sentence at the end of Condition 18: “For the avoidance of doubt the Access Management Plan shall include provision for temporary signage close to the junction with the A82 advertising the temporary bridge closure.”

On a vote being taken, 17 votes were cast in favour of the motion and 25 votes in favour of the amendment, with one abstention as follows:-

**For the Motion:**

Mr G Adam, Mr A Baxter, Miss J Campbell, Mr I Cockburn, Mr C Fraser, Mrs P Hadley, Mr A Jarvie, Mr B Lobban, Mr D Mackay, Mr C MacLeod, Mrs M Paterson, Mr M Reiss, Mr D Rixson, Mr P Saggars, Mr A Sinclair, Mr C Smith and Mr B Thompson

**For the Amendment:**

Mr R Balfour, Mrs J Barclay, Mr B Boyd, Mr R Bremner, Mr J Bruce, Mrs C Caddick, Mrs I Campbell, Mr G Cruickshank, Mr L Fraser, Mr R Gale, Mr A Graham, Mr J Gray, Mr A Henderson, Mr D Louden, Mrs L MacDonald, Mr A MacInnes, Mrs D Mackay, Mr W MacKay, Mr D MacLeod, Mr D Macpherson, Mr R MacWilliam, Mrs B McAllister, Mr H Morrison, Mrs T Robertson and Ms M Smith

**Abstention:**

Mrs I MacKenzie

**Decision**

The Council **AGREED** to **GRANT** planning permission in accordance with the recommendation set out in section 11 of the 20 February 2019 South Planning Applications Committee report, subject to the inclusion of the previously agreed amendments to the recommendation contained in supplementary Appendix 3 to the report and subject to Plans 56 – 73 contained within the report.

The meeting ended at 2.55pm.

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**The Highland Council**  
**No 11 2018/2019**

Minutes of Special Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Monday, 25 March 2019 at 2.00 pm.

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

**Present:**

Mr G Adam	Mr A Henderson
Mr R Balfour	Mr A Jarvie
Mrs J Barclay	Mr B Lobban
Mr B Boyd	Mr D Louden
Mr R Bremner (v/c)	Mrs L MacDonald
Mrs C Caddick	Mr W MacKay (v/c)
Mrs I Campbell	Ms A MacLean
Miss J Campbell	Mr C MacLeod
Mr A Christie	Mr D MacLeod
Mr G Cruickshank	Mr D Macpherson
Mr M Finlayson	Mr R MacWilliam
Mr C Fraser	Mrs B McAllister
Mr R Gale (v/c)	Mr I Ramon (excluding item 3)
Mr A Graham	Mr D Rixson
Mr J Gray	Mr A Sinclair (v/c)
Mrs P Hadley	Mr C Smith
Mr T Heggie	Mr B Thompson

**In Attendance:**

Area Planning Manager – South  
Team Leader  
Principal Solicitor (Clerk)  
Administrative Assistant, Committee Services

**Mr B Lobban in the Chair**

Apologies for absence were intimated on behalf of Mr A Baxter, Mr J Bruce, Mrs M Cockburn, Mrs M Davidson, Mr J Finlayson, Mr K Gowans, Ms E Knox, Mr A MacInnes, Mrs D Mackay, Mr G MacKenzie, Mr A Mackinnon, Mr J McGillivray, Mr H Morrison, Ms L Munro, Mrs M Paterson, Mr M Reiss, Mrs F Robertson, Mrs T Robertson, Mr G Ross, Ms N Sinclair and Ms M Smith.

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

There were no declarations of interest.

The Chair reminded Members that, in order to take part in item 3, they required to be present for the whole of the item.

**3. Notice of Amendment (Planning) – Planning Application (18/03110/FUL)  
Brath Atharrachaidh (Dealbhadh) – Iartas Dealbhaidh (18/03110/FUL)**

**Application for Construction of a 950 kW run of river hydro scheme, including intake, buried pipeline, turbine house, outfall, grid connection and access tracks on land 2400 M NW of Ardechive Cottage, Achnacarry, Spean Bridge (Allt Mhuic) (18/03110/FUL)**

At its meeting on 12 March 2019, the South Planning Applications Committee (SPAC) refused planning permission for the above application. The following Notice of Amendment was then received on 14 March 2019:

“We the undersigned, being Elected Members of the Highland Council, hereby declare our wish that the decision of the South Planning Applications Committee at its meeting on 12 March 2019 on the above application (Agenda Item 6.2) be reviewed at the next available meeting of the full Council.

Signed: Mr B Thompson, Mrs C Caddick, Mr D MacLeod, Mrs T Robertson, Mr B Boyd, Mr A Henderson, Mr R MacWilliam, Mr L Fraser, Ms A MacLean, Mr G Adam, Mr R MacDonald, Mr J Gray, Mrs D Mackay, Mrs B McAllister, Mr T Heggie, Mr G Cruickshank, Ms E Knox and Mr D Louden.”

In this context, there had been circulated Report No PLS/023/19 by the Area Planning Manger – South containing the case officer’s assessment of the planning application. A further document relating to the Impact on Wild Land, a summary of the interactions during the design and scheme changes, was circulated and Members were given time to read the document.

During presentation of the report and recommendation, it was stated that condition 2 of the recommendation had been amended to further reduce the width of the access track to a 1.5 m all-terrain vehicle track post-construction.

In response to questions, clarification was provided on the following:-

- The Forestry Officer had withdrawn his objections following a further report which had ingathered the tree information, similarly the reduction in the width of the track would necessitate the removal of fewer trees.
- In relation to the 15 m construction corridor, the width required for the excavator was 3 m and as far as possible the trees would be avoided within the 15 m corridor.
- Following discussion between the Forestry Officer and the developers Forestry Consultant a tree lopped by 50% was likely to survive and was considered preferable to removal of the entire tree.
- The tree survey had given the worst case scenario in terms of tree losses. There was a strict condition and an arboriculturalist would be on site at all times to mitigate the loss of trees.
- The application had to be assessed on what had been presented and a careful balance had to be sought whereby applications met the policies for support of green and renewable energy and the policies for seeking to protect trees. The developer had looked at various other routes, however it was found that these would have further undesirable impacts.
- Health and Safety requirements were for the developer to meet.
- Geotex material would be used to assist with the revegetation process.

- The overall extent of the Kinlochhourn – Knoydart – Morar wild land area is over 1,000 sq km.
- The site supervision on this site would be similar to the site supervision for the Glen Etive schemes, with a further layer of supervision likely by the Forestry Commission who owned part of the site.
- The head height would be approximately 200 m.
- The Cia-Aig micro hydro scheme had been consented in 2004/5, this was one of the earlier schemes that had taken a while to implement and was therefore a newer construction with some weathering and tree planting to come into effect. The Planning Service had an agreement with the applicant for the Allt Dubh scheme to look at further track reduction in that area and improved areas of drainage so the Allt Dubh scheme was still ongoing.

During discussion, Members' comments included the following:-

- Finding a balance between protecting wild land and encouraging renewable development is difficult. The proposed Corie Glas hydro scheme is a massive development and is in close proximity to this much smaller development. Recent studies suggest that fossil fuel pollution is as deadly as smoking, and renewables have therefore to be encouraged. It is vital that the burning of fossil fuels is discouraged. For every megawatt of hydro electricity produced the impact on climate change through the burning of fossil fuels would be reduced.
- The Community was divided on this development. The habitat survey had been undertaken in November, there would be few species to survey at that time of year. There had also been no survey on the key species of butterfly. There was therefore no confidence in the impact appraisals undertaken. As part of the restoration work, areas were to have compensatory tree planting, this would not be in the butterflies favour, as the cattle grazing would not be allowed and this specifically helped the butterflies. The Report stated no features of historic interest in the construction area, this was unlikely as the land was on the boundary of two farms likely dating back to medieval times. There had been creel huts and these were likely to be in this area by the loch. This development would also encroach on the wild land area.
- This development would leave a permanent mark on the landscape. The area is served with a fragile road infrastructure that would be unlikely to receive any investment. The objectors are due a greater weighting as they are local and with great knowledge of vegetation habitats. This scheme would be more closely regulated than the previous two schemes.
- Scottish Natural Heritage is responsible for the wild land designation and has not objected as the proposed development is would have no significant impact on the wild land area.
- More advantageous grant schemes would come for renewable energy.

No consensus having been reached by the Members, Mr D Rixson, seconded by Mr A Jarvie, then moved that the application be refused on the grounds that:

- The proposed development is contrary to paragraph 200 of Scottish Planning Policy and Policy 57 of the Highland-wide Local Development Plan as it will have an unacceptable impact on the wild land characteristics displayed in wild land area 18, which is an area very sensitive to any form of intrusive human activity and has no capacity to accept this development; in particular, it would erode the sense of remoteness within the wild land area by extending built development and thereby affecting the sense of prospect towards distant, rugged mountains and sanctuary within the glen thereby challenging the integrity of wild land qualities.

- It is also contrary to paragraph 215 of Scottish Planning Policy as the applicant has not demonstrated that any significant effects on the qualities of the area can be overcome by siting, design or other mitigation.
- Refusal on the basis that the proposed development is contrary to HWLDP policies 51, 52, 57 and SPP policy 215. By means of irreversible damage to the ancient woodland area by loss of trees which cannot be adequately mitigated.
- The proposed development will have a significant impact to the butterfly habitat contrary to policy 60 of the HWLDP.

Mr B Thompson, seconded by Mr A Henderson, moved as an amendment that the application be granted subject to the conditions recommended in the report with the amendment to condition 2 to further reduce the width of the access track to a 1.5 m all-terrain vehicle track post-construction.

On a vote being taken, 12 votes were cast in favour of the motion and 20 votes in favour of the amendment, with no abstentions as follows:-

**For the Motion:**

Miss J Campbell, Mr M Finlayson, Mr C Fraser, Mr R Gale, Ms P Hadley, Mr A Jarvie, Mr B Lobban, Mr D Louden, Mr W MacKay, Mr C MacLeod, Mr D Rixson and Mr C Smith.

**For the Amendment:**

Mr G Adam, Mr R Balfour, Mrs J Barclay, Mr B Boyd, Mr R Bremner, Mrs C Caddick, Mrs I Campbell, Mr A Christie, Mr G Cruickshank, Mr A Graham, Mr J Gray, Mr T Heggie, Mr A Henderson, Mrs A MacLean, Mr D MacLeod, Mr D Macpherson, Mr R MacWilliam, Mrs B McAllister, Mr A Sinclair and Mr B Thompson.

**Decision**

The Council **AGREED** to **GRANT** planning permission in accordance with the recommendation set out in section 11 of the 12 March 2019 South Planning Applications Committee report with the amendment to condition 2 to further reduce the width of the access track to a 1.5 m all-terrain vehicle track post-construction.

**4. Recruitment Process for Depute Chief Executive**

There had been circulated Report No HC/13/19 dated 21 March 2019 by the Chief Executive.

**Decision**

Following discussion, the Council **AGREED**:-

- the Appointments Panel and Recruitment Process as detailed in Section 1 of the report;
- that administrative issues related to the recruitment should be approved by the Appointments Panel;

- that External Advisers should be used in accordance with Section 4.1 and the extent of involvement should be approved by the Appointments Panel and not exceed £15k; and
- that the salary should be a single point of £119k.

The meeting ended at 4.10 pm.



**The Highland Council**

Minutes of Meeting of the **Nairnshire Committee** held in the Chamber, The Court House, High Street, Nairn on Wednesday 13 March 2019 at 10.30 am.

**Present:**

Mr L Fraser  
Mr T Heggie

Mrs L MacDonald  
Mr P Saggars

**In attendance:**

Mr D Haas, Inverness City Area Manager, Chief Executive's Office  
Mr R Porteous, Road Operations Manager, Community Services  
Mr S Duncan, Property Manager, Development and Infrastructure Service  
Ms L Burns, Project Manager, Development and Infrastructure Service  
Mr R MacLeod, Principal Housing Officer, Community Services  
Mr K Murray, Area Education Officer (South), Care and Learning Service  
Ms L Taylor, Quality Improvement Officer, Care and Learning Services  
Mr S Eastaugh, Access Officer, Development and Infrastructure Service  
Mr S Taylor, Administrative Assistant, Chief Executive's Office

**Also in attendance:**

Inspector V Tough, Police Scotland (Item 4)

**An asterisk in the margin denotes a recommendation to the Council. All decisions with no marking in the margin are delegated to the Committee.**

**Mr T Heggie in the Chair****Preliminaries**

Prior to the commencement of the formal business, the Chair advised that the press would be allowed to record the meeting since it was a committee meeting held in public and was not webcast.

**Business****1. Apologies for Absence  
Leisgeulan**

There were no apologies for absence.

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

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

Item 3 – Mr P Saggars (non-financial)

Item 7 – Mr L Fraser and Mr P Saggars (both non-financial)

### 3. Nairn Courthouse Update Cunntas às Ùr mu Thaigh-cùirte Inbhir Narann

**Mr P Siggers declared a non-financial interest in this item as a Director of Highland Opportunity Investments Limited 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.**

A presentation was made by Mr Stuart Duncan, Property Manager and Ms Laura Burns, Project Manager which provided an overview and update on the major works now underway at the Nairn Courthouse. It was confirmed that following a structural condition inspection by engineers, substantial structural work was urgently required in order to stabilise the Courthouse steeple tower and repair water damage to the building. It was anticipated that the length of time required for the project would be 48 weeks and that repairs would cost £809k. An overview was provided of the proposed programme of works, during which it was confirmed that the removal of the steeple for repairs was currently scheduled to take place in July over a period of 3-4 weeks. It was also confirmed that information boards providing details of the programme of works would be made available to the public.

In discussion, the following points were raised:-

- Confirmation was sought, and received, that the scaffolding surrounding the Courthouse would be removed as work progressed downwards from the steeple tower at the top of the Courthouse;
- It was incumbent on the Council to ensure that the information boards containing the proposed programme of works would be available to the public to view and it was suggested that these should be displayed either within the Service Point or outside the Courthouse;
- Whilst disappointment was expressed that the owner and occupants of the adjacent building had only been given short notice of the proposal to erect scaffolding around the Courthouse, it was acknowledged that the urgency required to undertake the works had prevented this from being done sooner and it was unfortunate that an unintended consequence of proceeding with the works immediately was that neighbouring properties had not been informed sooner;
- Confirmation was sought, and received that the clock would be removed for protection during the works and put into storage prior to being reinstalled and that the potential to install alternative replacement flag poles would be investigated as part of the project; and
- It was suggested that once works were completed, there could be an opportunity to identify ways of making best use of the building.

Having thanked Mr Duncan and Ms Burns for their presentation, the Committee **NOTED** the presentation and **AGREED** that arrangements be made for the Project Programme information boards to be displayed to the public.

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

There had been circulated Report No. N/01/19 dated 22 February 2019 by the South Highland Area Commander providing a local summary update on progress with reference to the local priorities within the Highland 2014-2017 Policing Plan.

In discussion, the following points were raised:-

- Confirmation was sought, and received, that a review of officer attendance at community councils was currently underway to ensure closer police liaison with communities;
- Further information was sought regarding a breakdown of the numbers of sexual crimes reported which were historic and during the year to date, during which, it was explained that each crime committed over a separate date would be recorded and could account for a number of crimes being recorded over a number of years;
- In welcoming the report and the pro-active approach taken by the force, further information was sought, and received, regarding an increase in the number of stop and searches conducted and how the force undertook these; and
- Further information was sought, and received, regarding third party reporting of crimes, during which it was emphasised that the force held regular dialogue with support agencies and was thankful for the help they provided.

Having thanked Inspector Tough for his report, the Committee **NOTED** and scrutinised the progress report against the objectives set within the Highland and Islands Local Policing Plan 2017-20 Year 2, attached as Annex A to the report, for the period covering 1 April 2018 - 31 January 2019.

## 5. **Inverness and Nairn Local Access Forum Appointments** **Cur an Dreuchd gu Fòram Inntrigidh Ionadail Inbhir Nis agus Inbhir Narann**

There had been circulated Report No. N/02/19 dated 7 February 2019 by the Director of Development and Infrastructure.

In discussion, the following points were raised:-

- It was confirmed that Eve MacDonald had withdrawn her application due to a change of circumstances;
- In highlighting that there were currently a number of vacancies on the Local Access Forum, it was suggested that Nairn Access Panel be approached to discuss whether there would be any interest in members filling these vacancies; and
- Following a request for further information, it was confirmed that mechanisms were in place to address non-attendance at local access forums and that a report on attendance would be submitted to a future meeting of the Inverness and Nairn Local Access Forum.

The Committee, having considered the applications submitted to fill the Access Taker vacancy on the Local Access Forum, **APPROVED** the appointment of Mr Peter Evans.

### **Urgent Item of Business**

In terms of Standing Orders 8 and 9, the Committee **AGREED** to take the following urgent item of business at this point in the meeting due to the requirement for local Community Councils and/or Community Groups where communities wished to deliver Christmas lighting and decorations to begin the process of raising funding.

## 12. Christmas Lighting and Decorations

There had been circulated Report No. N/08/19 dated 19 February 2019 by the Director of Community Services.

In discussion, the following points were raised:-

- It was acknowledged that Nairn had been in a fortunate position previously in having its Christmas lights installed by the Council;
- It was suggested that there was potential to use money from the community discretionary budget for the installation of Christmas lights this year and that going forward there was potential for this to be delivered by Nairn BID;
- In acknowledging the work and funding which would be required to deliver Christmas lighting and decorations, it was emphasised that further liaison was required with the community to ensure this could be achieved;
- It was highlighted that the previous diversion of 50% of the Council's Lighting service's resources between November and January for the installation and removal Christmas lighting and decorations had reduced potential energy savings by £15k per annum;
- Further information was sought, and received, regarding the process for installing cross-street lighting on a public road, during which, it was explained that this type of request would require consent from the Council and that issues in relation to health and safety and the operation of cherry-pickers could be addressed as part of this process.

The Committee:-

- i. **NOTED** that the Council had previously removed the £35,000 budget for the delivery of Christmas Lighting;
- ii. **AGREED** to Liaise with local Community Councils and/or Community Groups where communities wished to deliver Christmas lighting and decorations; and
- iii. **NOTED** that Health & Safety and general guidance would be published for communities to enable the safe erection of Christmas Lighting and Decorations in the future.

## 6. Nairn Common Good Fund – Budget Setting for 2019/20 and Quarter 3 2018/19 Monitoring Report

### Maoin Maitheas Coitcheann Inbhir Narann – Suidheachadh Buidseit airson 2019/20 agus Aithisg Sgrùdaidh Cairteil 3 2018/19

There had been circulated joint Report No. N/03/19 dated 1 March 2019 by the Director of Corporate Resources and the Inverness City Manager.

In discussion, the following points were raised:-

- The work undertaken by Nick Wright in relation to the Nairn Links Development Plan was commended and it was highlighted that a number of local organisations and groups had been brought together during the consultation process;
- Attention was drawn to the recently published list of assets held by the Nairn Common Good Fund, during which it was emphasised that it was important for interested members of the community to look at the list of assets and highlight to the Council any irregularities within the 12 week consultation timeframe;
- In welcoming the predicted outturn for the Nairn Common Good Fund for 2018/19 to be higher than the original budget, it was highlighted that work continued towards building up an investment fund;

- It was highlighted that positive discussions had been held between the Council, Team Hamish, NICE and Nairn BID, on progressing delivery of projects for the Nairn Links and that a project team was being formed which it was anticipated would work closely with interested parties to carry forward projects which had been identified within the Development Links Plan; and
- In highlighting that the draft budget for 2019/20 reflected both the investment plan and the Nairn Links Development Plan, it was emphasised that any decisions taken at this stage would need to be sustainable going forward and considered reasonable.

The Committee:-

- APPROVED** the Nairn Common Good Fund budget for 2019/20 detailed within the report; and
- NOTED** the position of the Nairn Common Good Fund as shown in the Quarter 3 Revenue Monitoring Statement against Budget.

## 7. **Housing Performance Report – 1 April to 31 December 2018** **Aithisg Coileanaidh Taigheadais – 1 Giblean gu 31 Dùbhlachd 2018**

**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 P Sagers declared a non-financial interest in this item as a Director of Nairn Citizens Advice Bureau Limited 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.**

There had been circulated Report No. N/4/19 dated 28 February 2019 by the Director of Community Services.

During discussion, the following points were raised:-

- Tribute was paid to Mr John Cowie, Maintenance Officer on his forthcoming retirement;
- It was highlighted that an increase in rent arrears compared to Quarter 3 2017/18 was due to a delay in Universal Credit payments;
- A request was made that further information be provided on the level of debt currently being written-off in relation to rent arrears; and
- A further request was made information be provided to Members at a Ward Business Meeting on any potential local implications arising from a proposal to allocate additional funding for people in arrears.

The Committee **NOTED** and scrutinised the information provided on housing performance for the period 1 April to 31 December 2018.

## 8. **Nairn Housing Demand** **Iarrtas Taigheadais Inbhir Narann**

There had been circulated Report No. N/5/19 dated 28 February 2019 by the Director of Community Services.

During discussion, the following points were raised:-

- In welcoming the report, it was emphasised that public reaction to proposals for affordable housing was not always positive and therefore, it was important to use the analysis contained within the report as evidence of the demand for affordable housing in Nairn;
- In welcoming the Council's affordable housing supply programme, it was highlighted that 378 applicants had requested to be housed in the Nairn area as their first choice;
- It was emphasised that many young families could not afford to live in Nairn;
- The availability of suitable land in Nairn for affordable housing would be an important issue going forward;
- A request was made that the report be submitted to the Committee on an annual basis; and
- The potential for the Council to release additional funding by taking a different financial approach as a way to address a lack of affordable housing was suggested.

The Committee, having thanked the housing team for their work, **NOTED** the information provided on housing demand in the Nairn area and **AGREED** that the report be submitted on an annual basis.

#### **9. Nairn Roads Maintenance Programme 2019/20 Prògraman Càradh Rathaidean Inbhir Narann 2019/20**

There had been circulated Report No. N/6/19 dated 27 February 2019 by the Director of Community Services.

During discussion, the following points were raised:-

- The inclusion of Queenspark Gardens within the maintenance programme was welcomed;
- Further was sought, and received, regarding the potential to seek funding from the Safety Barriers allocation to repair a number of damaged barriers including near Logie Bridge, the B9007 towards the boundary with Moray and on the approach to Drynachan Lodge; and
- Confirmation was sought, and received, that it was the intention of the roads department to seek dialogue with agricultural businesses regarding damage caused by heavy agricultural vehicles using minor roads.

The Committee, having thanked the roads operations team for their work, **APPROVED** the 2019/20 Roads Maintenance Programme for the Nairn area.

#### **10. Nairn Associated School Group (ASG) Education Report Session 2017/18**

There had been circulated Report No. N/7/19 dated 1 March 2019 by the Area Care & Learning Manager.

During discussion, the following points were raised:-

- The Chairman highlighted that all four ward members had recently attended a meeting of the Nairn Academy Parent Council to discuss the future of education;

- Concern was expressed regarding the current lack of detailed information available on the model to be used to provide an appropriate level of ASN cover in Nairn schools;
- Further information was sought, and received, regarding the proposed extension of the Early Years programme at Auldearn Primary, during which it was confirmed that discussion would take place with the Council's estates department;
- Tribute was paid to Nairn Academy for being the first school in Highland to achieve an LGBT Bronze Charter award and Jo Fitzpatrick for her written work on equality which was used in a Scottish Government Working Group paper on equality education;
- In response to a question regarding the Early Years programme, it was confirmed that an update from the next meeting of the Nairn Early Learning and Childcare and Expansion Board could be provided to Members at a Ward Business Meeting;
- In response to a question, it was confirmed that whilst there were currently no plans to look at the high school catchments areas between Nairn Academy and Culloden Academy, this could take place as part of the review into ASGs taking place as part of the Sustainable Education Highland Communities process;
- It was confirmed that, following the circulation of the agenda and reports for the meeting, Appendix 1 to the report containing a performance summary for 2017-18 had been updated with the most recent information available, copies of which were circulated to Members;
- Whilst the external condition of the Nairn Academy building might give the public a negative impression, it was emphasised that the provision of education was of good quality in Nairn and that the information contained within the performance summary compared favourably with the virtual comparator;
- In highlighting a recent presentation made to the Committee by the head teacher of Nairn Academy, the Chair commended the high percentage of pupils leaving Nairn and moving into positive destinations such as higher education, further education and employment; and
- It was highlighted that teacher interaction with pupils in Nairn Academy had been positive and that their commitment to extra-curricular activities had shown that they were willing to go above and beyond their duty to assist pupils in their education.

Having thanked the education officers for their report, the Committee **NOTED** the report.

#### **11. Minutes of Previous Meeting Geàrr-chunntas**

There had been circulated and were **NOTED** Minutes of Meeting of the Nairnshire Committee held on 28 November 2018, which had been approved by the Council on 13 December 2018.

#### **13. A.O.B.**

In concluding the meeting, the Chair reminded Members that the Committee had previously been informed that any proposals for projects in relation to the Nairn Links Development Plan would require approval by the Committee and that a special meeting of the Committee could be called in order to avoid any delay to commencement of projects.

The meeting concluded at 12.30 pm.

## The Highland Council

Minutes of Meeting of the **Care, Learning and Housing Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday 14 March 2019 at 10.05 am.

### Present:

Mrs J Barclay	Mr W MacKay (video conferencing)
Mr B Boyd	Mr G MacKenzie
Mr R Bremner (video conferencing)	Mrs I MacKenzie
Mrs I Campbell	Mr D Macpherson
Mr A Christie	Mr R MacWilliam
Mr J Finlayson (Chair)	Ms L Munro (Vice Chair)
Mr A Graham	Mrs M Paterson
Mr T Heggie	Mrs F Robertson
Mr A Jarvie	Mr G Ross
Ms E Knox	Ms N Sinclair
Mr D Louden (Substitute)	Mr C Smith
Mr D Mackay	

### NHS Highland:

Prof H van Woerden

### Religious Representatives:

Ms S Lamont  
Mr W Skene

### Youth Convener:

Ms E Leitch

### Non-Members also present:

Mr B Lobban	Mr J McGillivray
Mrs D MacKay	

### In attendance:

Ms S Campbell, Interim Director of Care and Learning  
Mrs B Cairns, Head of Additional Support Services, Care and Learning Service  
Mr B Porter, Head of Resources, Care and Learning Service  
Ms K Ralston, Interim Head of Children's Services, Care and Learning Service  
Dr J Vance, Interim Head of Education, Care and Learning Service  
Ms S Harrington, Senior Manager Early Years, Care and Learning Service  
Mr R Campbell, Estate Strategy Manager, Care and Learning Service  
Mr M Mitchell, Finance Manager, Finance Service  
Ms R MacKinnon, Principal Policy Officer – Equalities, Chief Executive's Office  
Ms J Douglas, Care and Learning Alliance (Third Sector)  
Ms G Newman, Highland Children's Forum (Third Sector)



Ms C Nichols, Youth Highland (Third Sector)  
 Ms S Blyth, Highland Parent Council Partnership  
 Miss J MacLennan, Principal Administrator, Chief Executive's Office  
 Miss M Murray, Committee Administrator, Chief Executive's Office

**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 J Finlayson in the Chair**

**Business**

**1. Apologies for Absence  
 Leisgeulan**

Apologies for absence were intimated on behalf of Mrs M Cockburn, Ms K Currie, Mrs B McAllister and The Very Rev S Murray.

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

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

Item 5 – Mr A Jarvie, Ms E Knox, Mr D Louden, Mr G MacKenzie, Mr D Macpherson, Mrs M Paterson, Mr C Smith (all non-financial) and Mr G Ross (financial and non-financial)

Item 6 – Mr A Christie (financial)

Item 7 – Mr A Christie (financial)

Item 8 – Mr A Christie (financial) and Mr G Ross (non-financial)

Item 12 – Mr A Christie (financial)

Item 13 – Mr A Christie (financial)

Item 14 – Mr G Ross (non-financial)

**3. Good News/Outstanding Achievements  
 Naidheachdan Matha/Coileanaidhean Air Leth**

There had been tabled a list of outstanding achievements by people and groups.

In addition, the Chair highlighted that Highland schools had won several awards at the recent FilmG Awards, as follows:

- Bun-Sgoil Stafainn - The People's Choice Award and Best Youth Group Film
- Millburn Academy: S4 pupils - FilmG Award for Gaelic – Learners; and Elissa Hunter-Dorans - Best Mobile Short in the Youth category
- Lochaber High School - Best Film in the Youth category

The winning films would be shown in the foyer during the course of the day.

The Committee:-

- i. **NOTED** the outstanding achievements; and

- ii. **AGREED** that the Interim Director of Care and Learning write to all those involved in recognition of their success.

**4. Equality Outcomes and Mainstreaming - Progress Report 2017-2019  
Toraidhean Co-ionannachd agus Toirt don Phrìomh Shruth – Aithisg Adhartais  
2017–2019**

There had been circulated Report No CLH/14/19 dated 5 March 2019 by the Acting Head of Policy, Chief Executive's Office.

During discussion, the following issues were raised:-

- information was sought, and provided, on the steps being taken to encourage more males into childcare and nurturing roles; how to facilitate a more natural conversation with Third Sector partners to enable them to have their voices heard; and whether children and young people were consulted when preparing reports such as the progress report that was the subject of discussion; and
- the Council was now placed eighth in the Stonewall Education Equality Index, and the substantial improvement was commended. Reference was made to the support and training that had been provided for officers and it was requested that training be provided for Members in the near future. The Principal Policy Officer – Equalities explained that equality and diversity training for Members had been carried out previously and could be provided in the future. In addition, she undertook to explore whether proposed training for staff in conjunction with Waverley Care, specifically on LGBT+ issues, could be extended to Members.

Thereafter, the Committee **AGREED** the Equality Outcomes and Mainstreaming Progress Report for the Highland Council (and incorporating the Education Authority and Licensing Board) as detailed in Appendix 1 of the report.

**5. External and Third Sector Sports, Culture and Leisure Funding  
Maoineachadh Spòrs, Cultair is Cur-seachad bhon Taobh A-Muigh is bhon  
Treas Roinn**

**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 their involvement in the discussion:-

**Mr A Jarvie – Board Member of Highland Disability Sport  
Ms E Knox – Board Member of Highland Disability Sport  
Mr D Louden – Board Member of the Duthac Centre  
Mr G MacKenzie – Director of the Puffin Pool, Dingwall  
Mr D Macpherson – Member of Inverness Area Sports Council  
Mrs M Paterson – Director of the Puffin Pool, Dingwall  
Mr G Ross – Council representative on Inverness Area Sports Council  
Mr C Smith – Board Member of Highland Disability Sport**

**Mr G Ross also declared a financial interest as Treasurer of Highland Disability Sport and confirmed that he would leave the Chamber if there was any specific discussion on grant aid.**

There had been circulated Report No CLH/15/19 dated 28 February 2019 by the Interim Director of Care and Learning.

In introducing the report, the Head of Resources referred to the proposed short-life subgroup and recommended a membership of nine, the political balance of which would be 3 Independent/3 SNP/2 Conservative/1 Liberal Democrat. Nominations would be sought from Group Leaders following the Committee, the intention being that the group would meet as soon as possible to consider the methodology and the information required to develop recommendations. A further consideration would be the extent to and manner in which Members felt that recipient organisations ought to participate in the review process.

During discussion, the following issues were raised:-

- it was necessary to help organisations to help themselves, and to look at the culture and leisure budget as a whole before reducing funding to individual organisations. Many of the facilities in Appendix 1 of the report were leisure facilities and it was suggested that the possibility of using solar thermal or solar PV systems to generate income or lower costs be explored. However, it was recognised that this would not be possible in listed buildings/conservations areas;
- the proposed cross-party working group was welcomed and the need to ensure, from the outset, that it had access to high quality specialist financial advice was emphasised;
- it was necessary to re-prioritise finances in the year ahead, concentrating on value for money. In that regard, some Members expressed the view that allocating £180k per year to Aviemore Highland Resort did not represent value for money for the Council, and the need to look at how a publicly owned swimming pool in Aviemore could be financed was emphasised. If a long-term financial plan emphasising what the major costs were, energy probably being the largest, could be put together quite quickly the Committee would have a good basis on which to reach a conclusion;
- an update having been sought on negotiations with the Special Needs Action Project, the Chair explained that it was not funded from the culture and leisure budget;
- the organisations in question provided very different services and evaluating them to ensure that funding was allocated in a way that added the greatest value would be challenging;
- the proposed 12 month notice period was welcomed; and
- it was necessary to give time and support to Members and ensure they had access to expertise and information. In addition, it was suggested that it might be necessary to undertake site visits to talk to service users.

Thereafter, the Committee:-

- i. **AGREED** to funding for 2019/20 being confirmed at 2018/19 levels for all current recipients, while the review to achieve the 2020/21 saving progressed;
- ii. **NOTED** the current position regarding Caithness Horizons;

- iii. **AGREED** to the proposed notice periods, as set out within the report;
- iv. **NOTED** the standard form of communication that would be issued to all current funding recipients, as set out in Appendix 2 of the report;
- v. **NOTED** the process for review, with recommendations to come back to this Committee for decision, and notification, in August 2019; and
- vi. **AGREED** a short-life nine-Member sub group to assist with developing recommendations to come back to this Committee regarding review outcomes.

## 6. Performance Report – Children’s Services Aithisg Choileanaidh – Seirbheisean Chloinne

**Declaration of Interest: Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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 his involvement in the discussion.**

There had been circulated Report No CLH/16/19 dated 28 February 2019 by the Interim Director of Care and Learning.

During discussion the following issues were considered:-

- it was disappointing the author of the report or a substitute was not at the meeting;
- concern was expressed that the data presented in the performance report did not properly facilitate the scrutiny required, with various aspects of this highlighted including the charts being open to interpretation and some of the data being too historic to be of sufficient value. Reference was made to the governance review from which it was intended more meaningful reports and agendas would be developed and for which Members’ comments were welcomed. It was intended that work would be undertaken to more closely align the Children’s Services Plan with statutory indicators and it was pointed out that For Highland’s Children 5 was in development;
- the reported percentages for achieving expected literacy were disappointing and reference was made to previous reports where the three elements that comprised these figures had been reported separately;
- it was welcomed that 96.5% of pupils were moving on to ‘positive destinations’ although the definition of ‘positive destination’ was subjective;
- it was important to also report on areas in which positive outcomes were being achieved to provide a balanced, measured view;
- the review of the partnership agreement with NHS Highland, due in 2020, was welcomed;
- information was sought and provided on the rising cost of preschool education, the rise in the exclusion rate, and the increasing amount of time being taken to match Looked After children into permanent homes;
- it was important to consider not only costs but values and outcomes, and to consider performance trajectories, not only historical data. It was suggested that consideration be given to only a small number of indicators being scrutinised in detail at each committee, or that exception reporting be adopted; and
- the Chair suggested the reporting format would be reconsidered to increase its relevancy and to consider including local benchmarking and positive local work.

The Committee:-

- i. scrutinised and **NOTED** the performance information; and
- ii. **NOTED** the information provided on quality improvement.

## 7. NHS Highland Assurance Report Aithisg Bharantais NHS na Gàidhealtachd

**Declaration of Interest: Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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 his involvement in the discussion.**

There had been circulated Report No CLH/17/19 dated 13 February 2019 by the Interim Director of Care and Learning.

During discussion the following issues were considered:-

- in relation to Health Visitors and School Nurses, the training being undertaken to address vacancies was welcomed but the level of vacancies remained of concern. A report on the roles and responsibilities of both posts was requested for a future meeting, to include reference to recent national reviews and the increasing focus on vulnerable children. It would be helpful if officers leading on this work could be invited to attend the Committee meeting;
- it was suggested that Indicator 31, waiting times for AHP service, with a baseline of 85%, a target of 95% and current performance being 66%, should be ragged in red rather than neutral;
- the numbers shown in Figure 13 did not add up to 100% and this was a clerical error that would be rectified; and
- ongoing IT challenges were frustrating and officers were encouraged to make explicit in reports any problems being faced as a result of IT inadequacies.

The Committee:-

- i. scrutinised and **NOTED** the data and issues raised in the report; and
- ii. **AGREED** that a report on the role and recruitment of Health Visitors and School Nurses be presented to a future meeting of the Committee.

## 8. Adult Social Care Update Cunntas às Ùr mu Chùram Shòisealta Inbheach

**Declarations of Interest:**

**Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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 his involvement in the discussion.**

**Mr G Ross declared a non-financial interest as his mother and mother-in-law were care home residents 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.**

There had been circulated Report No CLH/18/19 dated 13 February 2019 by the Interim Director of Care and Learning.

The Committee **NOTED** the update in relation to Adult Social Care.

## 9. 1+2 Languages Update Cunntas às Ùr mu Chànanan 1+2

There had been circulated Report No CLH/19/19 dated 13 February 2019 by the Interim Director of Care and Learning.

During discussion the following issues were considered:-

- concern was expressed that the reduced number of subjects chosen for study at S3 and S4 levels, from typically eight to only six, would lead to fewer pupils choosing to study languages;
- teacher recruitment challenges, especially in smaller rural schools, could result in difficulties providing language options;
- the wide variation in language provision at primary level, especially between small and large primary schools could result in significant differences in pupil ability entering secondary school;
- given the various challenges outlined, concern was expressed about the ability to meet the Scottish Government targets by 2021 and the relatively low level of funding. The Chair offered to circulate the Scottish Government's evaluation report on the implementation of the 1+2 Languages policy;
- consideration was given to the cultural issues around learning languages and the lessons that could be learnt from other European nations;
- it would be useful to see progressive trend information on the programme as it rolled out to ensure actions were being monitored and achieved. Future reports on the subject should include statistics on uptake and attainment, information on the impact of and barriers to training, and details of the implications in relation to Gaelic;
- concern was expressed about the amount of time away from the classroom that was required for teachers to undertake training in language delivery and it was queried whether bespoke trips abroad were the best use of resources, noting that an alternative was shared practice within Scotland; and
- Gaelic implications should be detailed in the relevant section of the report.

The Committee:-

- i. **NOTED** the progress made to date on the 1+2 Languages agenda;
- ii. **AGREED** that the Scottish Government's evaluation report on the implementation of the 1+2 Languages policy be circulated to Members of the Committee; and
- iii. **AGREED** that future Committee reports on 1+2 Languages should include statistics on uptake and attainment, information on the impact of training, and details of the implications in relation to Gaelic.

## 10. Highland Virtual Academy and e-Sgoil Update Cunntas às Ùr mu Acadamaidh Bhiortail na Gàidhealtachd agus e-Sgoil

There had been circulated Report No CLH/20/19 dated 12 February 2019 by the Interim Director of Care and Learning.

During discussion it was suggested that a cost benefit analysis in respect of e-Sgoil should include information on the delivery of language learning in the classroom by teachers.

The Committee:-

- i. **NOTED** the levels of engagement with both the Highland Virtual Academy and e-Sgoil Highland schools;
- ii. **NOTED** the plans to develop this further for session 2019-20; and
- iii. **AGREED** that, to provide the whole picture, any cost benefit analysis in respect of e-Sgoil should include information on the delivery of language learning in the classroom by teachers.

## 11. Early Learning and Childcare (ELC) Update Cunntas às Ùr mu Thràth-ionnsachadh agus Cùram-chloinne

There had been circulated Report No CLH/21/19 dated 28 February 2019 by the Interim Director of Care and Learning.

The Chair stated that it was necessary to recognise the enormity of the task. There were ELC Boards in each area and the Estate Strategy Manager was involved in discussions in each area in terms of the capital and building challenges. There were also challenges in terms of recruitment of new early years practitioners and work was ongoing in that regard.

During discussion, the following issues were raised:-

- in relation to the proposed settings for delivering 1140 hours in phases 2 and 3, given the report stated that the focus was on areas of deprivation, information was sought, and provided, on why particular areas had been chosen over others. For example, Tain, which had pockets of deprivation, had not been chosen, and there was only one setting in Alness, which was an area of deprivation. However, Dornoch, which was not an area of deprivation, had been selected;
- information was sought, and provided, on how it was intended to progress the settings marked Amber and Red, and what the challenges were;
- Members commended the actions of the Boat of Garten community in relation to the Deshar Primary School project. Pioneering communities proactively sought opportunities and drove forward initiatives and information was sought on what could be done to promote that idea to other communities and share the good practice happening elsewhere. The Convener and Local Member added that the Deshar Primary School project had not been without challenges but once a process had been defined it had begun to fall into place and he paid tribute both to the community and Council officers for making it happen. The end result was the community doing something for itself which also benefited the Council and the children in its care;

- it was important, in expanding ELC provision, not to lose sight of the children transitioning from nursery to primary school. In that regard, reference was made to deferred entry to primary school, whereby children with winter birthdays were given the opportunity to start school at age 5½ rather than 4½ at the discretion of head teachers, teachers, nursery practitioners and parents. Concern was expressed that that discretion was not being applied consistently, with some schools offering deferred entry and others adhering rigidly to entitlement dates. Parents had reported being told their child could stay at nursery for an extra year but they would have to pay as they had used their free entitlement, and concern was expressed that this created a two-tier system with families who could not afford to pay being disadvantaged. It was emphasised that children were unique and there were many different measures of a child's ability and readiness to start school. No one knew a child as well as their parents, and it was important that parents were listened to and that there was flexibility in the system. There was no evidence across Europe that there was any benefit to starting school earlier and indeed children in the better performing Scandinavian countries started school later. Whilst it was recognised that there were resource implications in extending nursery entitlement it was argued that starting children at school when they were not ready might lead to later resource implications in terms of Additional Support Needs. It had been requested that a report be presented to the next meeting of the Committee clarifying the Council's policy on deferred entry to give Members the opportunity to discuss whether they wanted to revisit it and how children were being provided for as they moved into primary school. The Chair confirmed that a report would be presented to the next meeting, and that COSLA would be discussing the issue of deferred entry to primary school later in the week, information on which would be forwarded to Councillor N Sinclair;
- it was requested that further information on the Care and Learning Alliance provision at the Northern Meeting Park be provided to Ward Members;
- concern was expressed that Central and Dalneigh Primary Schools, both of which were in Inverness High School Associated School Group, were marked Amber;
- the complexity of the expansion exercise was recognised, and Members paid tribute to the work that had been carried out;
- it was queried whether Realising Change funding could be used to mitigate the issues in respect of the settings marked Red and Amber. Elaboration having been sought on the Realising Change Fund, the Chair explained that it was Scottish Government funding to be spent specifically on ELC, and the Council was keen to obtain additional resources to support the Senior Manager Early Years and her team in delivering the continued expansion. It was necessary to report back to the Scottish Government by the end of March on how any funding was being spent;
- on the point being raised, it was confirmed that phase 1, which consisted of six settings, had taken place in 2018;
- although there was a proposed setting in Dingwall, there was nothing in the wider ward area and it was suggested that the concerns of parents in the areas not included in the current proposals could be allayed if a report was presented to the next meeting of the Committee outlining phase 4;
- in relation to the risk of providers being decommissioned if they were unable to achieve the necessary standard, it was important to be aware of the sensitivities of some partner providers. The Chair added that local authorities throughout Scotland were concerned that the introduction of the National Standard might



lead to some individual childminders and small nurseries reviewing whether it was viable to continue;

- clarification was sought in relation to Dingwall being prioritised over Alness or Tain in terms of deprivation; and
- it was important to use capital spend and ELC funding in the most sensible way possible to maximise the benefits.

The Chair thanked the Senior Manager Early Years, the Estate Strategy Manager and their teams for their efforts and suggested that a further update be presented to the next meeting.

Thereafter, the Committee:-

- i. **NOTED** the key updates and progress towards delivery of the programme across Highland;
- ii. **NOTED** the risks around the capital expansion programme;
- iii. **AGREED** the recommendations in relation to progress and funding for the project at Deshar Primary School, as set out in section 8.3 of the report; and
- iv. **AGREED** that a further update on Early Learning and Childcare and a report on the Council's policy on deferred entry to Primary School be presented to the next meeting of the Committee.

## 12. Corporate Parenting Pàrantachd Chorporra

**Declaration of Interest: Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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 his involvement in the discussion.**

There had been circulated Report No CLH/22/19 dated 13 February 2019 by the Interim Director of Care and Learning.

The Chair of the Corporate Parenting Board welcomed her appointment to the role and the opportunities it presented, particularly the opportunity to develop ideas with and through young people. A lot of work had taken place in recent years and the Council was a long way from where it used to be but it was not yet where it needed to be and better engagement with young people was required. It was necessary to change the conversation and discuss Looked After Children as real children and young people – for example, how much pocket money did they get, how much was spent on them at Christmas, and how were their interests and hobbies encouraged, developed and supported. It was emphasised that all Members were corporate parents and that it was necessary to work locally and effectively. Ambassadors would be sought from throughout Highland. However, training came first as Looked After Children were vulnerable and fragile. It was highlighted that, at present, 30 young people were awaiting a permanent home in Highland and help was sought to help them.

The Chair added that it was necessary to embrace the Corporate Parenting agenda and move forward. He referred to the Corporate Parenting seminar that had taken place previously and suggested that there was scope for a different kind of Members' Seminar to evaluate what was going to be done, how it would be done and who was

going to be involved, and, importantly, involving young people. Progress had been made in respect of the fostering and adoption website and the Council's aspirations and plans in that area, which were interlinked with Corporate Parenting.

During discussion, it was highlighted that there had previously been three Children's Champions, and it was suggested that there might be merit in reinstating the positions. In response, the Chair suggested that all Members should become children's champions.

Thereafter, the Committee **NOTED**:-

- i. Highland's data around Looked After and Accommodated children and young people;
- ii. Corporate Parenting duties and responsibilities of Elected Members; and
- iii. ongoing work to engage with Care Experienced Young People and their voices to shape how they are supported.

### **13. Care and Learning Improvement Planning Framework Frèam Leasachadh Dealbhadh Cùraim agus Ionnsachaidh**

**Declaration of Interest: Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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 his involvement in the discussion.**

There had been circulated Report No CLH/23/19 dated 5 March 2019 by the Interim Director of Care and Learning.

During discussion, the following issues were raised:-

- introducing the report, the Chairman emphasised the need to be more focused on the key performance indicators which Highland Council measured itself against and, as agreed at the Full Council meeting the previous week, a different approach had to be taken to benchmarking with a need to take cognisance of national benchmarking as well as local. Proper evaluation was needed, not just of the reporting what had happened but in terms of the difference and the impact that had taken place;
- Elected Members should be more involved in scrutiny and, as a starting point, Members were invited to participate in meetings of the thirteen themed improvement groups;
- further information was sought about the articulation of the relationship which had been developed across the leadership and improvement groups and the self-evaluative approach the groups used to identify priorities for improvement;
- a new method of considering Education Scotland Inspection reports was necessary with greater scrutiny taking place at both community and Member level so good practice could be shared, points of concern addressed and proactive action plans compiled. In response, the Chairman confirmed that steps were in place to look closer at preparing for inspections and learning lessons from them. As well as parents receiving a report, the school and Council now received a Summary of Inspection Findings which clearly articulated the strengths and areas for development, providing another evaluation tool;

- detailed improvement plans for each Improvement group were maintained on the For Highland's Children website but it was suggested that there was merit of having a rolling programme to bring these to Committee to allow Member scrutiny and participation; and
- transformation towards inclusion was to be welcomed although the timescale in which to provide training was challenging.

The Committee **NOTED** the information provided in the report.

## **15. Transformational Change in Highland Education Cruth-Atharrachadh ann am Foghlam na Gàidhealtachd**

There had been circulated Report No CLH/25/19 dated 21 February 2019 by the Interim Director of Care and Learning.

During discussion, the following issues were raised:-

- concern was expressed at the condition of schools in Tain. With yet more housing proposed, the schools already had capacity issues and the situation had deteriorated to such a degree that pupils had prepared a video which had been emailed to Elected Members. The schools were not suitable for wheelchair users so there were serious equality issues to take into account. Staff were also demoralised and calls were made for the Council and the Scottish Government to work together to find a solution. It was important that new schools reached the "shovel ready" stage and that site selection was confirmed. Parents had been promised new schools in Tain and St Clements and the lack of progress was disappointing. In response the Chair acknowledged the concerns and confirmed that discussions were taking place regarding the whole school estate and how the capital required could be raised. It was vital to remain actively involved so that the Council were in a position to act when funding was made available;
- Members were frustrated with the speed of change and development of the school estate. The situation had deteriorated so much that, if issues were to be addressed, cooperative working, community involvement and innovative solutions would need to be considered;
- a realistic grading of school buildings was needed and consideration taken of capacity issues. Although new schools had been built this was not keeping pace with housing development. The recent Council budget had seen competing demands and had significantly hit the Education budget so it was necessary to look at different approaches whilst not impacting on pupils' outcomes. An united approach would help to deliver the budget;
- as there was only one more meeting of the Committee before it was implemented, Members needed much more detail on how it was proposed to deliver the radical transformation of Additional Support Needs (ASN), how adverse impacts would be mitigated and what the new proposals would actually look like in schools. The whole-school nurturing approach was a huge cultural change and clarity was essential if the timescales were to be met. In response the Chairman pointed out that the proposed ethos and practice was already taking place in some schools and it was a matter of making it more consistent;
- it was important to inform schools as soon as possible what impact the review of ASN would have given that subject selection and timetables were already being drawn up; and

- the Change Fund and the concentration on the self-improving school system was welcomed.

The Committee **NOTED**:-

- i. the need to respond to the issues raised in the Local Government Benchmarking Framework data; and
- ii. the plan for the formation of a Change Team to support the implementation of an 'empowered and collaborative system'.

#### **14. Community Learning and Development Inspection – Update Report Sgrùdadh Ionnsachadh agus Leasachadh Coimhearsnachd – Aithisg as Ùr**

**Declaration of Interest: Mr G Ross declared a non-financial interest in this item as Chair of Inverness Community Partnership 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.**

There had been circulated Report No CLH/24/19 dated 13 February 2019 by the Interim Director of Care and Learning.

During discussion, the following issues were raised:-

- Community Learning and Development (CLD) impacted positively on people's lives and the contribution made by the voluntary sector was acknowledged. CLD also played an important part in developing Community Partnerships and without the support of the voluntary sector Community Partnerships would otherwise struggle. Consequently, it was essential that the voluntary sector had a more prominent role in Partnership development;
- Community Engagement Officers had been recently recruited to each of the nine Community Partnerships and were already making a positive contribution. However, disappointment was expressed that funding was limited to one year. For this to have a lasting difference and for real progress to be achieved, these posts should be made permanent and calls were made to the Community Planning Board's main partners to jointly fund posts of Community Development Workers;
- an approach to the Change Fund for the Community Development Worker posts was suggested as it was undoubtedly a resource that would pay for itself repeatedly; and
- the Third and Voluntary Sector were keen to engage at all levels and it was highlighted that they had capacity to draw in funding from elsewhere.

The Committee **AGREED** the action plan set out in Appendix 1 of the report, which was based on the improvement priorities identified by Education Scotland and would be delivered through the Community Planning Board and local Community Partnerships.

#### **16. Early Years Funding Maoineachadh Thràth-bhliadhnaichean**

There had been circulated Report No CLH/26/19 dated 27 February 2019 by the Interim Director of Care and Learning.

During discussion, the following issues were raised:-

- unlike the External and Third Sector Sports, Culture and Leisure service providers, the Early Years organisations had not been given notice regarding the change to their funding. Many of these organisations relied on Council funding and, while there was support that applications be sought from these groups, it was suggested that the decision should be the responsibility of Members and the remit of the Working Group set up at Item 5 be expanded to include this;
- applications should be looked at on a case by case basis and the needs of service users taken into account;
- it was important to recognise that there was a reduced amount of funding available to allocate;
- there were some applications which might require an urgent decision. However, it was argued that in such cases the Chief Officer could seek Members views by email; and
- clarification was sought, and provided, on the proposal received from the Highland Third Sector Interface.

Thereafter, Mr J Finlayson, seconded by Ms L Munro, **MOVED** a **MOTION** that the proposed new process to determine the allocation of funding for financial year 2019/20 onwards be approved.

As an **AMENDMENT**, Mr A Christie, seconded by Mr R MacWilliam, moved that the decision be made by Councillors either in consultation with Chief Officers or at a Working Group meeting.

On a vote being taken, the **MOTION** received 6 votes and the **AMENDMENT** received 14 votes, with no abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mrs J Barclay, Mr J Finlayson, Mr T Heggie, Mr W MacKay, Mr D Macpherson and Ms L Munro.

**For the Amendment:**

Mr B Boyd, Mr R Bremner, Mrs I Campbell, Mr A Christie, Mr D Loudon, Mr A Jarvie, Mrs E Knox, Mr D Mackay, Mr G MacKenzie, Mr R MacWilliam, Mrs F Robertson, Mr G Ross, Ms N Sinclair and Mr C Smith.

**Decision**

The Committee **AGREED** that the decision be made by Councillors either in consultation with Chief Officers or at a Working Group meeting.

**17. Minutes**  
**Geàrr-chunntas**

The Committee:-

- i. **NOTED** the Minutes of the Highland Violence Against Women Partnership Group – 21 November 2018; and
- ii. **APPROVED** the Minutes of the Adult Services Development and Scrutiny Sub-Committee – 8 February 2019.

The meeting concluded at 1.25 pm.

## The Highland Council

Minutes of Meeting of the **Audit and Scrutiny Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 27 March 2019 at 10.30am.

### Present:

Mr G MacKenzie	Mr C Fraser
Mr P Sagers	Mr L Fraser
Mr G Adam	Mr T Heggie
Mr R Balfour	Mr D Louden
Mr B Boyd	Mr S Mackie
Mr R Bremner (by VC)	Mr A Mackinnon (substitute)
Mr J Bruce	Mrs A MacLean
Miss J Campbell	Mr D Macpherson
Mrs H Carmichael	Mrs B McAllister
Mr A Christie	Mr H Morrison
Mr G Cruickshank	Ms M Smith
Mrs M Davidson	

### Non-Members also present:

Mr A Henderson (by VC)  
 Mrs G Campbell-Sinclair  
 Mr R MacWilliam  
 Mrs T Robertson  
 Mr A Sinclair

### Officials in Attendance:

Mrs D Manson, Chief Executive  
 Mr S Black, Director of Development & Infrastructure  
 Ms E Johnston, Corporate Audit & Performance Manager  
 Miss D Sutherland, Corporate Audit Manager  
 Mr E Foster, Head of Corporate Finance & Commercialism  
 Mr S Fraser, Head of Corporate Governance  
 Ms T Urry, Head of Roads and Transport  
 Mr F Macdonald, Head of Property Services  
 Mr J Robertson, Programme Manager City Region Deal  
 Ms M Grigor, Finance Manager  
 Mr S Carr, Corporate Performance Manager  
 Mr A Webster, Regeneration and Employment Team Leader  
 Mr J Campbell, Senior Auditor  
 Mrs L Dunn, Principal Administrator  
 Ms A Macrae, Committee Administrator

### Also in attendance:

Ms J Boyd, Senior Manager, Audit, Grant Thornton

**An asterisk in the margin denotes a recommendation to the Council.  
 All decisions with no marking in the margin are delegated to Committee.**

**Mr G Mackenzie in the Chair**

**1. Apologies for Absence  
Leisgeulan**

Apologies for absence were intimated on behalf of Mrs J Barclay, Mr R Laird and Mrs M Paterson.

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

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

Item 3: Miss J Campbell, Mr A Christie, Mrs A Maclean, Mr R MacWilliam and Ms M Smith (non-financial)

**3. Internal Audit Reviews and Progress Report  
Ath-bhreithneachaidhean In-sgrùdaidh agus Aithisg Adhartais**

**Declarations of Interest – Ms J Campbell, as a member of the Inverness Townscape Heritage Project, Mr A Christie as General Manager of Inverness, Badenoch and Strathspey Citizen’s Advice Bureau, Mrs A Maclean as a Director of Ross-shire Women’s Aid, Ms M Smith as Company Secretary and Board Member of Albyn Housing Society and Mr R MacWilliam as a member of the Inverness Townscape Heritage Project Grants Sub-Committee 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.**

There had been circulated Report No. AS/1/19 dated 18 March 2019 by the Corporate Audit Manager which summarised the final reports issued since the date of the last meeting, together with details of work in progress and other information relevant to the operation of the Internal Audit Section.

**The Committee RESOLVED that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting during discussion of the following final report: Item 3(a): Compliance with the Carbon Reduction Commitment Energy Efficiency Scheme (CRCEES) 2017-18, on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act**

- (a) Development & Infrastructure – Compliance with the Carbon Reduction Commitment Energy Efficiency Scheme (CRCEES) 2017-18 (Limited Assurance)

The Committee **NOTED** that a review of scrutiny processes was being undertaken by the Chief Executive and a report would be submitted to a future meeting of the Committee.

Following detailed discussions, the Committee **AGREED** that a follow up report be submitted to the Committee at the appropriate time.



Thereafter, the Corporate Audit Manager presented the main Internal Audit Reviews and Progress Report during which she advised that it was anticipated a systems weaknesses report on the theft of petty cash would be presented to the Committee in June 2019.

In discussion, concern was expressed at the vacancies which existed in the Internal Audit Team and the impact on progress against the 2018/19 audit plan. The Chair provided an assurance that following discussions with the Budget leader he was confident that the recruitment process would move forward timeously.

In response to a question, it was confirmed that the position around the requirement for additional staff resources for Corporate fraud activity and investigations was being monitored and the Chair had also discussed the matter with the Budget Leader.

The final reports were then presented as follows:-

(b) Corporate Resources - Review of VAT Arrangements (Reasonable Assurance)

In discussion, Members raised the following main issues:-

- an assurance was sought and provided that all staff were regularly reminded of the importance of treating VAT correctly and that the VAT manual was kept up to date;
- confirmation was provided that the mileages of all Members and staff was being closely monitored by the Executive Leadership Team;
- a point in regard to the timescales for undertaking the wider sample of claims and for procedures to be reviewed if required; and
- confirmation was sought and provided that instructions had been issued to managers that only expense claims which had the relevant receipts attached should be approved. It was confirmed this message would be reinforced to all budget holders.

(c) Community Services – Winter Maintenance (Reasonable Assurance)

In discussion, Members raised the following key issues:-

- the Council's winter maintenance drivers be commended on operating lifeline services during unsociable hours in severe weather conditions and continue to be encouraged to use their initiative for the safety of the public;
- the need to reduce driver error across the organisation in relation to the width of salt spread through tool box talks;
- concern that salt usage in Skye was 18% higher than the expected usage, and in terms of this being a high priority action an assurance was provided this would be monitored on a weekly basis during the 2019/20 winter season;
- conditions could be extremely localised and so it was inevitable there would be some areas where more salt was used than anticipated;

- the fact three areas had not responded to audit queries was a matter of concern and the need for this to be addressed by the Service going forward;
- an assurance was sought and provided that ongoing improvements to the Council's salt storage facilities were being progressed as a priority to maximise supplies and reduce costs;
- the need for the actions set out in the report to be reviewed periodically through the Service's internal management structure. The Head of Roads provided an assurance that the audit recommendations would be considered at her monthly management team meetings;
- it should be recognised that operating procedures could be placed under pressure in severe weather conditions;
- a caveat that staff were also sometimes under pressure to respond positively to requests from Members to treat routes not included in winter maintenance plans; and
- in general this was an excellent report taking into account the winter maintenance service had been significantly over budget due to the severity of the winter season which had been the subject of the audit.

(d) Community Services – Review of the arrangements for the procurement and payment of Homeless Services – Follow Up (Limited Assurance)

In response to a question, the Head of Housing explained the audit had related to the fact the Service was on the point of not complying with the procurement regulations rather than around the principles and rationale for Supported Specialist Accommodation.

Thereafter, Members raised the following main issues:-

- an explanation was sought and provided on the changing policy field which had led to the decision to continue with the existing arrangements for Supported Specialist Accommodation and to include it as an extension to the existing Framework Agreement for Housing Support;
- the potential for Supported Specialist Accommodation to be tendered in smaller lots on the basis the potential bidders in Highland tended to be geographically based;
- the importance of Members being involved in any policy review around homeless services. The Head of Housing provided an assurance that a Policy Development Group was being arranged on housing issues and that reports on this specific issue would be brought to the Care, Learning and Housing Committee; and
- confidence that the findings and recommendations of the audit had been accepted and measures put in place by the Service to ensure they were resolved.

(e) Development & Infrastructure - Inverness and Highland City Region Deal (Limited Assurance)

The Director of Development & Infrastructure advised that a report would be submitted to the Environment, Development and Infrastructure (EDI) Committee in May 2019 recommending a number of changes in respect of Member

scrutiny. In future, reports to the EDI Committee would be on the main agenda rather than on the bulletin, and the Member Scrutiny Group would be formally organised and minuted by Committee Services, and also include an option for Audit and Scrutiny Committee Members to attend the Group. It should be noted that no additional administrative resource had been made available to the Programme Manager in relation to the City Region Deal and this had been reflected in the findings of the audit. It should be recognised the City Region Deal was delivering a range of successful projects across the Highlands. He had been notified by the UK and Scottish Governments of a best practice event for City Region Deals to be held in August 2019, as they evolved across Scotland.

The Chair indicated that he welcomed the involvement of the Audit and Scrutiny Committee in the Member Scrutiny Group on the basis that attendance should be restricted to a small number of Members who could then be regular contributors to the process. It was also his intention to request that a follow up report on this item be presented to the Committee at the appropriate time.

In discussion, it was highlighted that good progress was being made with the delivery of a range of successful major projects within the City Region Deal which represented a major capital boost to the Highlands. However, this was the highest profile project in the Highlands involving significant levels of public expenditure and it was important therefore for the Council as the accountable body to improve the background workings and processes immediately and for Members and the public to have confidence in those processes. It was proposed therefore that an early meeting be arranged involving the Leader, Group Leaders, Chair and Vice Chair of the Committee, to discuss the governance of the City Region Deal going forward.

During further discussion, Members raised the following main points:-

- the fact a number of the actions set out in the audit report had already been completed was encouraging and that the target dates in March 2019 had or would be achieved on time;
- further information was sought and provided in regard to how the proposed revised governance arrangements would provide for more effective scrutiny going forward. This would include the sharing of more detailed information in relation to projects with the scrutiny groups;
- the proposed Members Scrutiny Group should have a broader membership for example Members with an expertise in finance and allow for substitutes;
- an explanation was sought and provided in relation to the relatively small percentage of the funding allocated for 2017/18 by the Scottish Government which had been drawn down/spent. It was explained the estimate of spend at the start of the project had been too optimistic and this was in common with other City Deal projects. The rate of spend and forecasting had been improved and quarterly dashboard reports were submitted to the Programme Board;
- recognition there were challenges with profiling spend given the length of time it could take to get some of the projects started;

- if it could be demonstrated to the Scottish and UK Governments that effective scrutiny could be achieved at this stage then this would place the Council in a good position to secure a second phase of the Deal;
- confirmation was sought and provided that for Council projects a full business case would be provided to the EDI Committee, and summaries for those approved by partners due to the volume of material involved;
- confirmation was sought and provided that all documentation in relation to the City Region Deal was now up to date;
- the potential for budget monitoring summaries in respect of the City Region Deal to be submitted to Local Committees, reference being made to the challenges given that many of the projects were not geographically based;
- It was essential that the reporting and governance requirements set out by the Scottish Government were adhered with specific reference to the submission of returns and grant claims. An assurance was provide that all reporting of information was being done in accordance with the timings set out in the schedule received from the Scottish Government;
- there should be legal agreements in place for projects with all partner organisations including High Life Highland; and
- additional resources should have been put in place at the outset to deliver the project given this was a significant and complex piece of work, the number of other bodies and partners involved, and the legislative requirements.

The Chair advised that from the debate Members could take assurance that matters had and would continue to move forward since the audit had been undertaken.

The Committee **AGREED** that: (i) an early meeting be arranged involving the Leader, Group Leaders, Chair and Vice Chair of the Committee, to discuss the governance of the City Region Deal going forward, and (ii) a follow up report be submitted to the Committee at the appropriate time.

(f) Development & Infrastructure - Inverness Townscape Heritage Project  
(Reasonable Assurance)

During discussion, confirmation was sought and provided that the anticipated level of private sector investment would be attracted by the end of the Project, and that details of the specific figures to date could be circulated to Members if required. Further comments related to the importance of having the relevant paperwork and evidence in place in respect of the Project, as highlighted in the audit recommendations.

In conclusion of this item, the Chair thanked the Internal Audit Team for their hard work in relation to each of the final reports.

Thereafter, the Committee:-

- i. **NOTED** the Final Reports referred to in Section 3.1 of the report;
- ii. **NOTED** the current work of the Internal Audit Section; and
- iii. **APPROVED** the amendments to the 2018/19 plan.

**4. Internal Audit Plan 2019/20  
Plana In-Sgrùdaidh 2019/20**

There had been circulated Report No. AS/2/19 dated 19 March 2019 by the Corporate Audit Manager.

The Committee **APPROVED** the Internal Audit Plan for 2019/20.

**5. Review of Audit & Scrutiny Committee Governance  
Ath-sgrùdadh Riaghlaidh na Comataidh Sgrùdaidh – Fios air ais mu Shuirbhidh nam Ball**

There had been circulated Report No. AS/3/19 dated 18 February 2019 by the Depute Chief Executive/Director of Corporate Resources.

The Chair highlighted a number of issues arising from the consultation undertaken with Members to date and the approach set out at Appendix 4 to the report. The feedback received from Members was that a Committee of up to 16 members would provide for more focus and improved scrutiny. There had been support for the appointment of lay members, however he suggested this should be on a consultative basis and without voting rights. He expressed the view that where reports advised there was no or limited assurance that should be the trigger point for the Committee to consider forming a sub group to assess in more depth progress and outcomes. He recognised that a key focus was on Member training and improving uptake, and one of the principal aims going forward was to develop online and other types of training and to review the appropriate time and location of training sessions to better suit Members' needs.

During discussion, Members raised the following main points:-

- support for the Committee to become more focused on outcomes and to comprise a membership of up to 16 and for sub groups to be established with Members taking a particular interest in certain aspects of the work;
- the establishment of sub groups early in the audit process would provide the opportunity for any issues including overspends to be considered in more depth and addressed more proactively;
- the need to avoid duplication and to set clear parameters in terms of the work of the Strategic Committees/Re-design Board/Budget Monitoring Group and the role and remit of the Audit and Scrutiny Committee;
- the potential for the review of governance to be a standing item on the agenda going forward with a view to achieving continual improvement;
- concern that Members did not currently have the level of training to be fully confident in their ability to scrutinise outcomes;
- while supporting the move towards the Committee being more outcome focused, the consideration of processes and procedures should also continue to be a priority;

- the need to consider and review the level and type of information the Committee required to achieve effective governance, for example project plans;
- the potential for the Committee to be divided into two groups whereby one group would continue to scrutinise the processes through the work of the Internal Audit Team with the other focusing on considering the outcomes of Council policies;
- it was essential that officers when formulating new policies set out the anticipated outcomes and timescales, to enable the Committee to consider whether these outcomes had been achieved;
- a smaller more focused Committee would enable Members to increase the of level understanding of the role of auditors which it was suggested would improve the quality of its scrutiny and the ability to channel improvement within Services and across the Council to deliver the best outcomes and value for the public purse;
- there should be an awareness that so much time might be spent on monitoring processes, this might impinge on the ability of staff to deliver projects and outcomes;
- a greater awareness of scrutiny and good governance and a higher profile for the work of the Committee could act as a spur for staff in terms of improving service delivery across the organisation;
- senior Members of the Council should be encouraged to attend the Committee so that they were aware of the issues being identified within Services; and
- the potential to share audit and scrutiny services and resources and deliver shared outcomes with partner organisations in future.

In conclusion, the Chair advised that the governance proposals would continue to be developed taking into account Members comments and considerations. Wider discussions would also be held with Group Leaders, Strategic Chairs, and other appropriate parties. Thereafter, a further report on the review of the Committee's governance would be brought to a future meeting setting out more concrete proposals.

The Committee **NOTED** the feedback from the Member Consultation exercise and **AGREED** that a further report on the review of the Committee's governance be brought to a future meeting taking into account the points raised by Members in discussion.

## **6. The National Fraud Initiative in Scotland 2016/17 Iomairt Nàiseanta Foille ann an Alba 2016/17**

There had been circulated Report No. AS/4/19 dated 15 March 2019 by the Corporate Audit Manager.

The Committee **NOTED** the Audit Scotland report, the results for the Highland Council and the associated commentary.

## 7. Six-Monthly Review of Corporate Risks Ath-sgrùdadh Sia-Mìosail de Chunnartan Corporra

There had been circulated Report No. AS/5/19 dated 18 March 2019 by the Depute Chief Executive/Director of Corporate Resources.

During discussion, Members raised the following issues:-

- the Highland Partnership Agreement for the delivery of Adult Services which was in the process of being re-negotiated and should be included on the Corporate Risk Register. It was confirmed the Executive Leadership Team would be asked to consider the inclusion of this item on the Corporate Risk Register;
- an explanation was sought and provided in relation to the RAG status assigned to CR1.2 and CR1.4 under the heading of Financial Sustainability; and
- a request that a specific target date be set for CR9.7: Fire Safety with a view to the remaining actions being completed as soon as possible.

The Committee **NOTED**:-

- i. **NOTED** the Corporate Risk Register provided at Appendix 1 to the report;
- ii. **NOTED** the risk profile at Appendix 2 to the report;
- iii. **NOTED** that six monthly reviews of the Corporate Risk Register would continue to be reported each March and September to the Audit and Scrutiny Committee;
- iv. **NOTED** that the annual review of the Council's Risk Management Strategy and associated guidance had been completed with only minor grammatical changes required;
- v. **AGREED** that the Executive Leadership Team be asked to consider the inclusion of the re-negotiation of the Highland Partnership Agreement for Adult Services on the Corporate Risk Register; and
- vi. **AGREED** to request that a specific target date be set for CR9.7: Fire Safety with a view to the remaining actions being completed as soon as possible.

## 8. External Audit Reports Aithisgean Sgrùdaidh bhon Taobh A-muigh

There had been circulated external audit report prepared by the Council's External Auditors (Grant Thornton) issued since the last Audit and Scrutiny Committee as follows:-

- a) Highland Council – External Audit Plan for the financial year ending 31 March 2019.

During a summary of the report, the overarching principles of the audit, the audit approach and materiality, the risk based methodology and the wider scope audit were highlighted, along with information on the key audit deliverables and the audit team, and independence, fraud, respective responsibilities and communication of audit matters to those charged with governance. In addition, following discussions with management on audit fees it had been agreed that base fee would apply.

In discussion, a point was raised in regard to the potential for establishing a sub-group of the Committee to consider the audited accounts to improve scrutiny going forward.

The Committee:-

- i. **NOTED** the Highland Council – External Audit Plan for the financial year ending 31 March 2019; and
- ii. **AGREED** to consider the potential for establishing a sub-group of the Committee to scrutinise the audited accounts in advance of submission to the full Committee.

The meeting ended at 3.10 pm.

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## The Highland Council

Minutes of Special Meeting of the **City of Inverness Area Committee** held in the Council Chamber, Town House, Inverness on Thursday 28 March 2019 at 11.30 am.

### Present:

Mr R Balfour	Mr J Gray
Mr B Boyd	Mr A Jarvie
Mr I Brown	Mrs I MacKenzie
Mrs C Caddick	Mr D MacPherson
Miss J Campbell	Mr R MacWilliam
Mrs H Carmichael	Mrs E McAllister
Mr G Cruickshank	Mrs T Robertson
Mrs M Davidson	Mr G Ross
Mr A Graham	Mr C Smith

### Officials in Attendance:

Mr D Haas, Inverness City Area Manager, Chief Executive's Office  
 Ms T Urry, Head of Roads and Transport, Community Services  
 Mr J Taylor, Roads Operations Manager (Inverness), Community Services  
 Mrs A MacArthur, Administrative Assistant, Chief Executive's Office

**An asterisk in the margin denotes a recommendation to the Council. All decisions with no marking in the margin are delegated to Committee.**

### Mrs H Carmichael in the Chair

### Business

#### 1. Apologies for Absence Leisgeulan

Apologies for absence were intimated on behalf of Mr A Christie and Mr K Gowans.

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

There were no declarations of interest.

#### 3. Roads Maintenance Programme 2019/2020 Prògram Càradh Rathaidean 2019/2020

There had been circulated Report No. CIA/17/19 dated 26 March 2019 by Director of Community Services.

During discussion, Members raised the following issues:-

- Noting the assessed Roads Maintenance Programme budget for Landward wards, the Redesign Board could be asked to identify funds and work towards a redrawing of the formula. Further thought should be given to

identifying other ways of utilising funds to allow for a more effective approach to improving roads infrastructure. Members also expressed the need for clarification on the cost to do the required repairs on the arterial routes in the City to enable a better understanding of the funding gap. Academy Street had to be accelerated, a three year wait for repairs was too long, the Inverness City Area Manager advised that he was meeting with the Director of Development and Infrastructure to progress a co-ordinated programme for the improvement of Academy Street.

- Mrs M Davidson advised that issues to be checked through full Council would include: the reallocation of spare capital, through underspends, to roads; redesign to investigate the link between labour, workforce and the capital programme to ensure the right balance; the possibility of a Highland Seminar to progress allocation through usage and persuade landward councillors that they also make use of roads in Inverness; the drawing up of a co-ordinated work programme to target Academy Street; and insurance that the subsidy from the Timber Transport Fund was used in the best way.

Members thanked officers for the time and effort undertaken to research the revised report.

### ***Decision***

The Committee **APPROVED** the revised Roads Capital Maintenance Programme for the City of Inverness Area, noting the changes detailed in 4.1.

The meeting ended at 12.30 pm.

**The Highland Council**

Minutes of Meeting of the **Lochaber Committee** held in The Sunart Centre, Strontian on **Wednesday, 10 April 2019 at 10.30 a.m.**

**Present:**

Mr A Baxter  
Mr A Henderson  
Mr N McLean

Mr I Ramon  
Mr D Rixson

**In attendance:**

Mrs D Ferguson, Senior Ward Manager (Ross, Skye and Lochaber)  
Ms T Urry, Head of Roads and Transport, Community Services  
Mr R Porteous, Roads Operations Manager, Community Services  
Mr D Goldie, Head of Housing and Building Maintenance, Community Services (by Skype conference)  
Ms M Cameron, Principal Housing Officer, Community Services  
Mr L MacDonald, Repairs Manager (South), Community Services  
Mr T Usher, Harbours Manager, Community Services  
Mr J Allan, Lighting and Communications Manager, Community Services  
Mr A MacInnes, Administrative Assistant, Chief Executive's Service

**Also in attendance:-**

Mr R Dibble, Group Manager, Scottish Fire and Rescue Services  
Ms J Matheson, Acharacle Community Council  
Ms G Calver, West Ardnamurchan Community Council  
Mr J Jones, Sunart, Community Council

**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****1. Apologies for Absence  
Leisgeulan**

Apologies for absence were intimated on behalf of Mr B Allan and Mr B Thompson.

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

Item 6 – Mr D Rixson (non financial)

### 3. Community Council Feedback on Corran Ferry Issues Fios air ais bho Chomhairle Choimhearsnachd mu Chùisean Aiseag a' Chorrain

The Chairman advised that the role of Local Committees was being reviewed, and it was intended that two of the Lochaber Local Committee meetings each year would be held in locations outside Fort William. It was also the intention that if there were items on the agenda linked to a specific geographical area within Lochaber, that relevant Community Councils, or if a school issue, Parent Councils, would be invited to attend the Committee meeting to put their case on specific issues to be discussed at meeting.

Thereafter, the Chairman welcomed representatives of the local Community Councils on the Ardnamurchan peninsula to the meeting who were in attendance to give a presentation on issues relating to the Corran Ferry.

The Community Council representatives explained that those living in rural areas were well aware that the costs of living in a rural environment far outweigh the costs of living in an urban one. The benefits of a rural lifestyle were overwhelmingly intangible and for those benefits, rural communities pay heavily in terms of income and isolation. The Highland Council were adding to these additional burdens by effectively taxing their lifeline ferry service to their only urban hub. The representatives identified some of the social, safety, economic and inequality detrimental impacts that this additional tax had on their communities. In conclusion, Corran Ferry price rises only applied to communities living west of Corran Ferry and it was therefore not equitable across the Highland Council area. The Council should reconsider price rises and seek to tax other communities to close the budget gap. The representatives felt that their community already paid higher taxes to the Council than any other in their area. The Community Councils wanted to be involved in and work with the Council in addressing the issues raised, given the impact these issues had on their communities.

The Chairman thanked the representatives for their presentation and noted in particular their desire to work with the Council in addressing the issues raised and he expressed the need for the Council to also work with the Community Councils to progress solutions.

A view was expressed that at some stage the local community should have the option of taking charge of running the Corran Ferry service.

There was a need for accurate figures from both Community Councils and the Council when providing information on detrimental impacts that the ferry fares were having on the community and in terms of ferry usage.

Thereafter, the Committee **NOTED** the presentation by representatives of Community Councils on Corran Ferry issues and that local Members would work with Community Councils and the local community on the approach to address the various issues with the Corran Ferry service.

#### 4. Corran Ferry Service Update Cunntas às Ùr mu Aiseag a' Chorrain

There was circulated Report No. LA/7/19 by the Director of Community Services which provided an update regarding ongoing issues with the Corran Ferry service.

In presenting their report, the Head of Roads and Transport and Roads Operations Manager looked forward to further meetings with Community Council representatives in relation to the ongoing work to address various issues with the Corran Ferry service. This work would involve consultation with stakeholders. The breakdown of the Ferry in 2017 highlighted the vulnerability of the ferry service and the need for future investment. As a result the Council had undertaken a 1<sup>st</sup> Stage Options Appraisal and in taking this work forward there was an absolute commitment to consult with local Members and Community Councils to develop the preferred option going forward.

In discussion, the following main points were raised by Members:-

- The report referred to the Corran Ferry service being recognised by Transport Scotland as a lifeline service. The report did not state it was recognised as a lifeline service by The Highland Council. There was a view by some that it was not a lifeline service as people could use the road instead. It was confirmed by Officers that it was their view and the corporate view of the Council that the Corran Ferry was a lifeline service.
- It was queried if there was an indicative timescale by Hitrans for the commencement and conclusion of the Corran Narrows Fixed Link STAG appraisal. It was advised that the STAG appraisal would commence as soon as possible with a report on it being available within approximately 18 months.
- The Scottish Government's second Strategic Transport Projects Review would take place in the next three years to identify potential transport investment in Scotland over the next 20 years. The aim was to work on the Corran Ferry project so that it could be considered to be on this priority list for investment. The Fixed Link was a long term project and in the meantime there was a need for considerable investment in the current Ferry service.
- A view was expressed that the Project Manager post for Corran Ferry should be based in Lochaber and that the Lochaber Committee should be the priority for reporting to rather than the Harbours Management Board or Environment, Development and Infrastructure (EDI) Committee. It was explained that the report to EDI Committee did propose that the project governance arrangements would be through the Harbours Management Board. However there would be local reporting on the project to the Lochaber Committee.
- It was queried why there had been no progress on smart ticketing. It was explained that it was a Government aspiration to have smart ticketing to link all modes of transport. However, the current ticketing system did not have the capacity for taking payment by Smart-card, or web-based sales or mobile phone pre-payment apps. Therefore Officers were currently looking at ticketing providers, including speaking to suppliers with a view to upgrading the current ticketing system.
- Meetings had been held with Transport Scotland on the Options Appraisal for the Corran Ferry and they were fully aware of progress in this respect. Future discussions with Transport Scotland would require Elected Member involvement.
- Once a Project Officer was appointed a copy of the Corran Ferry Socio-Economic Study commissioned by the Council should be provided to the Officer, as this outlined the views of the community, the changes the community

support, including the introduction of charging for pedestrians and pedal cycle and smart ticketing.

- A new integrated ticketing system should not be rushed as it was important to get the right system that could meet all our requirements. Failure to do this could cost the Council money if the system did not work as expected.
- There may be an opportunity for the Corran Ferry Project Officer post being involved in the work on establishing a proposed Loch Linnhe Harbour Authority and thereby providing value for money.
- It was noted that passengers were not charged primarily because the short crossing time does not allow sufficient time to collect that number of fares with the current ticketing system. It was queried if there was an option to have a foot passenger ticket machine on the Ferry forecourt. It was advised that this was possible and discussions on this and other ticketing options had been held with the Council's Principal Traffic Officer.
- It was confirmed that the Ferry income went into the Council's general fund. Also, there was a need for accurate information on ferry usage for future planning and strategy.

Thereafter, the Committee:-

- i **Supported** the proposal of the Corran Ferry staffing review;
- ii **NOTED** the developments in card reader and ticketing solutions;
- iii **NOTED** the progress to appoint a Corran Ferry Project Manager;
- iv **NOTED** the progress of Hitrans' Corran Narrows Fixed Link STAG;
- v **Supported** the introduction of foot passenger and pedal cycle charging and requests that suitable ticketing arrangements are implemented in financial year 2019/20; and
- vi **Requested** a full review of Ferry usage figures to check for their accuracy and to consider new ways of monitoring usage in future years.

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

There was circulated Report No LA/8/19 by the Local Senior Officer for Highland which provided an update on progress against the priorities outlined in the Scottish Fire and Rescue Service Area Committee Plan for Lochaber 2016-2018.

In discussion, the following main points were raised by Members:-

- the station availability in Lochaber was relatively stable and slightly improving for many of the stations, despite the reduction in staffing.
- The proactive work of Group Manager Pat McElhinney was commended in meeting with local Members at Fire Stations and discussing recruitment efforts. Mr McElhinney's work and commitment in the Community Planning Partnership in relation to the preparation of the local plan for Caol was also acknowledged as this had been very successful.
- it was queried if the Fire Service were actively involved in working with car hire companies to ensure that information was in the car to ensure drivers were aware to drive on the left side of the road in the UK.
- The Fire Service's work in connection with extinguishing out of control Muirburn was commended.

The Committee having scrutinised the Area Performance Report, **NOTED** that the Fire Service would welcome the opportunity to be involved in initiatives to reduce the

number of road traffic accidents caused by drivers driving on the wrong side of the road.

## 6. **Housing Performance Report and HRA Capital Programme Update** **Aithisg Dèanadais Taigheadais**

**Declaration of Interest: Mr D Rixson declared a non-financial interest in this item as the Council's representative to Lochaber Housing Association 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 discussion.**

There was circulated Report No LA/9/19 by the Director of Community Services which provided information on how the Housing section performed in relation to Scottish Social Housing Charter and other performance indicators up to 31 December 2018 and also provided an update on the Lochaber HRA Capital Programme.

Having heard the Chairman commend the work of the Housing section, particularly in Lochaber, the Committee **NOTED** the information provided on housing performance for the period 1 April 2018 to 31 December 2018 and the position on the HRA Capital Programme.

## 7. **Roads Maintenance Programme 2019/20** **Prògram Càradh Rathaidean 2019/20**

There was circulated Report No. LA/10/19 by the Director of Community Services which detailed the proposed 2019/20 Roads Maintenance Programme for Lochaber. In discussion, the following main points were raised by Members:-

- There had been complaints regarding the new bridge at Pier Road in that the approach to it was unsafe;
- Reference was made to the following roads that should be on the list for roads repairs:- the retaining wall to the sea at the road end of Rhu, Arisaig; Mallaig East Bay; Ormsaigbeg; Caol Shopping Centre car park and the Loch Morar road needed to be a higher priority on the list.
- As roads maintenance budgets had reduced over the years and costs of road maintenance had increased, there was little revenue expenditure left to spend on roads other than for general maintenance. This situation was the same in all other areas of the Council. It was advised that it cost at least £40,000 for a basic overlay for one kilometre of signal track road.
- There was an additional £1.5m for roads maintenance in the Council's 2019/20 Revenue budget which was essential, as in previous year's, some capital resources had been diverted to support revenue expenditure on roads.
- There was a long list of road repairs, many longstanding, that had not made the priority list. In order to underline the challenge facing the Council, it was highlighted that the backlog of repairs on the priority list was estimated to cost in the region of £5m for the Lochaber area. It was requested that Members be provided with the list of non priority road repairs for the Lochaber area at a future meeting. Also, information on the Scottish Road Condition Maintenance Survey, which informed the requirement for maintenance on our roads, would be provided at a future meeting.
- The Highland Council currently spent £7m per year on road maintenance. To keep the roads in a good state would require the Council to spend £21m on road maintenance each year. It would cost £176m to get the roads up to their

previous standard, which highlighted the huge scale of the challenge facing the Council.

- In relation to discussions on the allocation of the roads budget for future years, there had been a strong case put forward, that the City of Inverness area should receive a large allocation given the significant road network requiring to be covered., However, it was felt this should be resisted as the Inverness road network was far more modern than in Lochaber and did not have to contend with the same climate. Skye, Lochaber and Badenoch had the greatest proportion of roads in the worst category and so there was a strong argument that the roads budget allocation should go towards roads that were most in need of repairing and not based simply on road length.
- It was queried how many road repairs were required as a result of utility works. It was advised that the Roads Inspector for Lochaber had a tremendous relationship with utility companies and ensured that reinstatement works following utility works were carried out to a satisfactory standard. Sometimes utility companies did not provide the Council with sufficient notice of carrying out works on our roads. This was important as the Council needed to know in advance the location of the works, so inspections could be carried out and various works could be co-ordinated. Further, the Scottish Government launched a consultation paper last year on this issue, with a view to strengthening the powers of local authorities so that they could carry out the reinstatement activities themselves and recharge the utility companies for this work. There may also be penalties imposed on utility companies if Local Authorities were not properly notified of works in advance. The Council supported this consultation paper.

Thereafter, the Committee:-

- i **APPROVED** the proposed 2019/20 Roads Maintenance Programme for Lochaber Area; and
- ii **NOTED** that information would be provided to a future meeting on the non priority road repairs list for the Lochaber area and information on the Scottish Road Condition Maintenance Survey.



## 8. Loch Linnhe – Marine Traffic Management An Linne Dubh – Rianachd Traftaig Mara

There was circulated Report No. LA/11/19 by the Director of Community Services.

In discussion, the following main points were raised by Members:-

- If the community were motivated to progress a Harbour Authority for Loch Linnhe, there may be an opportunity to have the Corran Ferry Project Officer provide support with this, thereby reducing costs;
- Establishing a Harbour Authority could take a number of years and would require stakeholders to progress this;
- There was a need to construct a viable business model to introduce a Harbour Authority and given the costs this could involve, there was a dilemma, as no one wishes to incur significant costs on something that may not happen.
- It would be preferable for the Council to lead on the project, at least in the initial stages, and consideration should be given to setting up a Steering Group with key stakeholders, to look at the various options for a Harbour Authority.

The Committee:-

- i **NOTED** the previous work carried out in respect to establishing a Harbour Authority;
- ii **AGREED** the further consultation with users of the Loch with a view to the establishment of a Harbour Authority; and
- iii **AGREED** to seek the set up of a Steering Group to discuss the possibility of the establishment of a Loch Linnhe Harbour Authority and to contact all appropriate stakeholders about this.

## 9. Christmas Lighting and Decorations Solais agus Sgeadachaidhean Nollaige

There was circulated Report No. LA/12/19 by the Director of Community Services.

In discussion, the following main points were raised by Members:-

- In relation to the removal of £35,000 from the budget for the delivery of Christmas Lighting, there was concern that this saving would mean that potentially Fort William town centre and other town centres in the Highlands will lose out on their Christmas Lighting, but Inverness could mitigate this saving by subsidising it through their common good fund. Other areas did not have the benefit of this.
- The Fort William Town Team did not feel they had the capacity to deal with a Christmas lighting scheme, but further discussions on this with them would be held. There were also people in the community with skills and equipment that perhaps could assist.
- It was requested that the detailed estimated cost breakdown of erecting Christmas Lighting in Fort William would be provided for the Committee.

The Committee:-

- i. **NOTED** that the Council had previously removed the £35,000 budget for the delivery of Christmas Lighting;

- ii. **AGREED** that the engagement with Fort William community groups would be arranged to discuss the changes and to explore options for the future delivery of Christmas lighting and decorations;
- iii. **NOTED** that Health & Safety and general guidance would be published in the future for communities to enable the safe erection of Christmas Lighting and Decorations; and
- iv. **NOTED** that the detailed estimated cost breakdown of erecting Christmas Lighting in Fort William would be provided for the Committee.

**10. Minutes**  
**Geàrr-chunntas**

There had been circulated and were **NOTED**, Minutes of Meeting of the Lochaber Committee held on 23 January, 2019 which were approved by the Council on 7 March, 2019.

The meeting ended at 12.55 p.m.

## **The Highland Council**

Minutes of Special Meeting of the **City of Inverness Area Committee** held in the Council Chamber, Town House, Inverness on Thursday 25 April 2019 at 10.00 am.

### **Present:**

Mr B Boyd	Ms E Knox
Mrs C Caddick	Mrs I MacKenzie
Mrs H Carmichael	Mr D Macpherson
Mr A Christie	Mr R MacWilliam
Mr G Cruickshank	Mrs E McAllister
Mrs M Davidson	Mrs T Robertson
Mr J Gray	Mr G Ross
Mr A Jarvie	Mr C Smith

### **Officials in Attendance:**

Mr D Haas, Inverness City Area Manager, Chief Executive's Office  
 Mr S Black, Director of Development and Infrastructure  
 Ms F McNally, ICATN Programme Manager  
 Ms N Wallace, Environment Manager  
 Mr N Young, Transport Planning Officer  
 Ms F MacBain, Committee Administrator, Chief Executive's Office  
 Mr N MacRae, Managing Director, Hitrans

**An asterisk in the margin denotes a recommendation to the Council. All decisions with no marking in the margin are delegated to Committee.**

### **Mrs H Carmichael in the Chair**

#### **Business**

#### **1. Apologies for Absence Leisgeulan**

Apologies for absence were intimated on behalf of Mr R Balfour, Miss J Campbell, Mrs G Campbell-Sinclair, Mr K Gowans, and Mr A Graham.

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

Item 3 – Mr A Christie (non-financial)

#### **3. Accessing Inverness Project Inntrigeadh Inbhir Nis**

**Mr A Christie declared a non-financial interest in this item as a Director of the Highland and Islands Society for Blind People 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.**

There had been circulated Report No. CIA/18/19 dated 10 April 2019 from the Programme Manager, Inverness City Active Travel Network/HiTRANS/Highland Council.

A presentation was provided giving further detail, as requested by the Committee on 21 February 2019, on the opportunity through Sustrans to develop Academy Street, with the West Link Phase 2 and the Scottish Stations Fund providing an opportunity to unlock a further potential £4.8m of investment if an appropriate application was made by the deadline of 1 May 2019.

Particular reference was made to the 'You said, We Did' consultation and the Equalities Impact Assessment (EQIA), which was at an early stage and would be expanded as the project developed. It was emphasised the entire project was at an early stage and final designs would be brought back to the Committee in due course. Schemes in other cities were in competition for the funds.

In the interim, £75k of Developer Contributions had been obtained to create a fund for Community Services to address issues at the worst part of Academy Street (approximately from the Station to the crossing at Falcon Square).

Details of early design issues were provided, including the objectives of the scheme, wider pavements, narrowing of the road, kerb heights, planned consultation and engagement, and the proposed next steps.

During discussion the following issues were considered:

- it was important to have a good quality design that improved lives and traffic flow and did not create a barrier to driving in town;
- it would be helpful to facilitate third sector organisations meeting as a group;
- specific suggestions included the retention of a right turn onto Struther's Lane, and the inclusion of an indicative number of signalled crossings;
- officers were thanked for the additional detail and presentation;
- the two absent Members of Central Ward should be contacted about the good news of £75k of developer contributions to make shorter term improvements to Academy Street;
- several Members made reference to concerns about the numbers of crossings that would be included in the scheme, with some being content to see final numbers and proposed locations at the next design stage, and others preferring to seek a commitment to retaining the same number of controlled crossings on Academy Street. Traffic modelling for this was suggested and officers explained that normally traffic modelling to determine the detail of crossing points was more useful and cost efficient at a later stage in the design process;
- regular updates on the project were requested, either to the Committee or as briefings to Ward Business Meetings, ensuring Central Ward Members were kept fully up to date. It was pointed out that other Inverness Wards were equally affected by city centre issues;
- the inclusion of businesses in the EQIA was welcomed;
- it was important that street furniture, such as advertising placards, were controlled for safety and appearance;

- the importance of getting the design right was emphasised, as was the need for inclusive communication and engagement with all stakeholders before and during the process;
- the need to improve Academy Street not only for locals but for tourists was emphasised;
- concerns raised included the number of cyclists on pavements creating a safety hazard for the disabled, the infirm, the elderly and for young children;
- clarification was sought and received on a concern raised during the consultation on the design of wide pavements to assist people walking or cycling alone at night;
- disabled parking was a key issue in any design;
- the proposed consultation group was welcomed;
- while this was a long term improvement project, Mr B Boyd offered to discuss outwith the meeting his suggestions for some shorter term improvements that could be made, including to the road condition;
- a key challenge in designing this type of project was balancing the needs of often competing interest groups;
- the importance of reliable and regular transport links in and out of the city was emphasised;
- assurance was provided that technical issues such as bus turning requirements would be taken into account; and
- a brief explanation was provided on the reasons why the Council had not bid to purchase a particular building in the city centre.

Following further discussion, the Committee adjourned from 11.25am until 11.35am to consider the wording of a potential amendment.

Mrs C Caddick, seconded by Mr G Ross, **moved** the recommendations as detailed in the report. Mr R McWilliam, seconded by Mr A Jarvie, **moved as an amendment** the recommendations as detailed in the report with the additional recommendation as follows:

‘Agree that the design will maintain the current number of controlled crossings on Academy Street, and commits the council to otherwise engage closely with all appropriate interest groups to maximise inclusivity in the design process.’

The City Manager advised the Committee that while they were able to vote on the amendment, it was against the advice of officers as the specification of a set number of controlled crossings in the final design could jeopardise the application for funding from going forward. An amended wording was suggested, however Mr McWilliam indicated that he wished to retain the wording of his amendment and, on a vote being taken, the **MOTION** received 12 votes and the **AMENDMENT** received 4 votes, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mrs C Caddick, Mrs H Carmichael, Mr A Christie, Mr G Cruickshank, Mrs M Davidson, Mr J Gray, Mrs I MacKenzie, Mr D MacPherson, Mrs E McAllister, Mrs T Robertson, Mr G Ross, Mr C Smith

**For the Amendment:**

Mr B Boyd, Mr A Jarvie, Ms E Knox, Mr R McWilliam

The meeting ended at 11.50am