

**The Highland Council
No. 2 2019/2020**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 27 June 2019 at 10.35am.

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

Present:

Mr G Adam	Mrs L MacDonald
Mr R Balfour	Mr R MacDonald
Mrs J Barclay	Mr A MacInnes
Mr A Baxter (V/C)	Mrs D Mackay
Mr R Bremner	Mr D Mackay
Mr I Brown	Mr W MacKay (V/C)
Mr J Bruce	Mr G MacKenzie
Mrs C Caddick	Mrs I MacKenzie
Mrs I Campbell	Mr S Mackie
Miss J Campbell	Mr A Mackinnon
Mrs G Campbell-Sinclair	Ms A MacLean
Mrs H Carmichael	Mr D MacLeod
Mr A Christie	Mr D Macpherson
Mr I Cockburn	Mr R MacWilliam
Mrs M Cockburn	Mrs B McAllister
Mr G Cruickshank	Mr J McGillivray (V/C)
Ms K Currie	Mr N McLean
Mrs M Davidson	Mr H Morrison
Mr J Finlayson	Ms L Munro
Mr M Finlayson	Ms P Munro
Mr C Fraser	Mrs M Paterson
Mr L Fraser	Mr I Ramon
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
Mr T Heggie	Mr G Ross
Mr A Henderson (V/C)	Mr P Saggars
Mr A Jarvie	Mr A Sinclair
Ms E Knox	Ms N Sinclair
Mr R Laird	Mr C Smith
Mr B Lobban	Ms M Smith
Mr D Louden	Mr B Thompson

In Attendance:

Chief Executive

Mr B Lobban in the Chair

Apologies for absence were intimated on behalf of Mr B Allan, Mr B Boyd, Ms P Hadley, Mr C MacLeod, Mr M Reiss and Mrs C Wilson.

At the start of the meeting, the Convener welcomed Ms Cheryl Mechan and confirmed that she would be demonstrating the use of British Sign Language during the first four items of business.

The Council also extended their congratulations to Mr M Finlayson and his wife on the occasion of their Golden Wedding Anniversary.

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

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

Item 4 – Mr A Jarvie, Mr T Heggie, Ms L Munro, Mrs I MacKenzie, Mr D Macpherson and Mr K Gowans (all Non-Financial)

Item 6 – Mr A Christie (Financial)

Item 15 – Mr A Christie (Financial)

Item 18 – Mr A Christie (Financial)

Item 20 – Mr A Jarvie, Mr A Christie and Mr P Saggars (all Non-Financial)

3. **Comendation-Staff members** **Moladh – Buill luchd-obrach**

The Convener advised the meeting that it had been brought to his attention that two members of staff had recently performed life-saving CPR in two separate incidents.

In this regard, both members of staff had asked not to be named and had declined an invitation to attend the meeting as they felt that they had only done what anyone else in their positions would have done at the time.

It was however recognised that two members of the public were still alive thanks to their quick response on both occasions and as such it was requested that the thanks and gratitude of the whole Council should be conveyed to them.

4. **Duke of Edinburgh Award Scheme – Gold Award Presentation** **Sgeama Duais Diùc Dhùn Èideann – Toirt Seachad na Duais Òir**

Declarations of Interest - Mr A Jarvie (Board Member of High Life Highland and the Highland Award Project), Mr T Heggie (Board Member of High Life Highland), Ms L Munro (Board Member of High Life Highland), Mr D Macpherson (Board Member of High Life Highland), Mrs I MacKenzie (Board Member of the Highland Award Project) and Mr K Gowans (family member employed by High Life Highland) 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.

It was **NOTED** that, as part of the Duke of Edinburgh Award Scheme, sixty one young people from across the Highlands were due to receive the Gold Award in the current year.

In this regard, the Convener presented Gold Award badges to the following eighteen recipients who were present at the meeting:-

Alan Cruickshank (Culloden Academy)

Lauren Forbes (Dornoch Academy)

Roderick MacRae (Gairloch High School)

Eilidh Johnston (Gairloch High School)
 Joanna Crane (Grantown Grammar School)
 Katrina McGougan (Grantown Grammar School)
 Mackenzie Stewart Brown (Inverness Royal Academy)
 Sophie Douglas (Inverness Royal Academy)
 Gregor Jackson (Inverness Royal Academy)
 Gregor King (Inverness Royal Academy)
 Emma McBride (Inverness Royal Academy)
 Cameron McCheyne (Inverness Royal Academy)
 Finlay Sutherland (Inverness Royal Academy)
 Fergus Wilson (Inverness Royal Academy)
 Shona Beveridge (Milburn Academy)
 Lauren Cameron (Nairn Academy)
 Isabella Gordon (Nairn Academy)
 Harry Jack (Nairn Academy)
 Ainslie MacDonald (Culloden Academy)

5. Performance against the Highland Local Policing Plan 2017-20 Aithisg Choileanaidh Bhliadhna a' Phoileis

There had been circulated Report No. HC/20/19 dated 18 June 2019 by the Chief Superintendent for the Highlands & Islands.

During discussion, Members raised the following issues:-

- thanks should be conveyed to Officers for the excellent partnership working which had been undertaken across a range of issues, particularly at a local level, which was very appreciated;
- there was a need for further information to be provided in regard to drug deaths and in this respect it was noted that significant work was currently being undertaken within schools and through increased enforcement activity;
- increased community planning partnership involvement was needed in future, particularly in relation to addressing mental health issues;
- more action was also required in terms of identifying the opportunities available to eliminate hate crime wherever possible;
- recruitment of Officers in rural areas was still considered to be a problem although it was noted that there were currently secondment arrangements in place throughout the Highlands where and when needed;
- the actions being taken around the prevention of vandalism and common assault were welcomed;
- more information and activity was needed in regard to stop/searches if possible;
- Officers should be commended for the excellent work being undertaken in Inverness City Centre which had made a significant and positive difference in recent months; and
- there was a need for further information on incidents of drink/driving and differentiation between this and drug/driving in future reports.

Decision

The Council **NOTED** the Local Performance Report against the Highland Policing Plan Objectives April 2018 – March 2019 as circulated.

6. Suicide Prevention Bacadh air Fèin-mhurt

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 Joint Report No. HC/21/19 dated 12 June 2019 by the Chief Executive, Highland Council, and the Chief Superintendent for the Highlands & Islands on Suicide Prevention.

During discussion, Members raised the following issues:-

- there was a need to commend the content of the report, particularly in terms of the ‘grass roots’ approach to be followed in addressing the increasing number of suicides, both nationally and locally;
- it should be noted that the Shetland area did not reflect the national and local statistics and there was a need to examine and learn lessons from what was currently in place in that location;
- in terms of the complexity of the issues involved, it was vital to understand the circumstances which often led to suicide;
- there was particular concern in relation to the high number of male suicides in the Highlands;
- it would be important to study and learn from the research being undertaken by Glasgow University;
- it was important to note that this was not exclusively a health problem as there were often many other factors involved and prevention was key above all else;
- it should be highlighted that there were apps currently available which could provide help and support and these needed to be publicised more widely if possible;
- in relation to the proposed needs assessment focused on suicide prevention, it would be particularly important to review the proposal for data analyst time (which was to be made available by both Highland Council and Police Scotland with funding from the Change Fund) in terms of assessing whether the proposed £15k was sufficient to carry out this work;
- the recent Mental Health Seminars had been very helpful in understanding the issues involved and in informing the proposals to be taken forward;
- the increase in the number of suicides in the Black Isle area in particular in recent months was very concerning;
- as well as prioritising early detection, it was imperative to address the issues of stigma often associated with suicide;
- a recent initiative in setting up a ‘Conversation Café’ had been very successful and it was hoped that this could be replicated wherever possible;
- it would be especially important to take forward increased community partnership work on this issue in future;
- other areas across the world currently had a ‘zero suicide’ policy in place and it was very important that lessons were learned in this regard; and
- in addition to all the issues which had been raised, it was vital that there was a recognition that the Council had to address current policies and working practices to ensure that these were changed if necessary if they were inadvertently causing increased or additional hardship to vulnerable members

of society.

Decision

The Council **NOTED** the current national and local context for suicide prevention activity and **AGREED** the proposal to take forward a piece of research to better understand the current evidence base and experience of suicide in Highland.

7. Promoting Wellbeing

a) Mental Health & Wellbeing Action Plan

There had been circulated Report No. HC/22/19 dated 12 June 2019 by the Acting Head of Policy.

During discussion, it was highlighted that, as part of the proposed action in relation to stress and the promotion of wellbeing amongst staff, it was vital that the issue of bullying was taken seriously and addressed as a high priority.

Decision

Members **AGREED** the Mental Health and Wellbeing Action Plan and **NOTED** that ongoing monitoring of the plan would be through the Council's Poverty and Inequality Working Group and appropriate Strategic Committee as identified through the Governance Review.

b) Employee Assistance Programme

There had been circulated Report No. HC/23/19 by the Head of People & ICT.

During discussion, Members raised the following issues:-

- there was strong support for the introduction of this Programme which would benefit the Council and individuals whilst also representing value for money and the basis for preventing poor mental health;
- the provision of a 24 hour confidential helpline was particularly relevant and it was suggested that the issue of legal advice should also be investigated;
- it was important that Council Managers were well prepared to identify instances of inappropriate behaviour from the outset;
- it had to be recognised that there were many different management styles across the Council which could result in different outcomes;
- it was noted that Staff Forums had already been undertaken across the Council and that Training Courses were in place for staff if needed;
- it was vital to recognise that many treatment programmes could be very intensive and necessitate prolonged periods away from work for some employees. As such, this had to be managed properly, both for the individual concerned and for those employees required to cover an individual's work schedule whilst they were attending such programmes. Above all, it had to be highlighted that any individual should not be made to feel in any way or at any time that they had to put their Council responsibilities above their own mental health;
- it was especially important to note that a decreasing workforce with ever greater demands on workload represented the potential for stress within the workplace and Elected Members had to be aware of this when introducing new policies and making decisions which would have resource implications;

- the emphasis had always to be on supporting and retaining staff wherever possible;
- it was noted that a report would be submitted to the next meeting in September in relation to staff governance and this would also focus on wellbeing, review and development, peer reviews and support in rural areas; and
- it was imperative to bring about a culture change in relation to the current stigma and fear often associated with seeking counselling for mental health related conditions.

Decision

The Council **APPROVED** the proposal to undertake a procurement exercise for an Employee Assistance Programme (EAP) for use by staff and Members in the Highland Council which would offer telephone counselling support as well as Internet based support and information. The contract would be on a contract price base rather than pay as you go.

The Council also **AGREED**:-

- (i) that this be undertaken quickly by leveraging the procurement exercise recently undertaken by Aberdeen City and Aberdeenshire; and
- (ii) that once in place the use of other counselling services be inhibited to offset the cost of the EAP.

8. Confirmation of Minutes Daingneachadh a' Gheàrr-chunntais

There had been submitted for confirmation as a correct record the Minutes of Meeting of the Council held on 10 May 2019 as contained in the Volume which had been circulated separately - which were **APPROVED**.

9. 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 as contained in Volume which had been circulated separately as undernoted:-

Caithness Committee, 15 May
 Environment, Development and Infrastructure Committee, 16 May
 Badenoch and Strathspey Area Committee, 20 May
 Sutherland County Committee, 22 May
 Corporate Resources Committee, 23 May
 Care, Learning and Housing Committee, 29 May
 City of Inverness Area Committee, 30 May
 Caithness Committee (Special Meeting), 30 May
 Isle of Skye and Raasay Committee, 3 June
 Nairnshire Committee, 12 June
 Audit and Scrutiny Committee, 13 June

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

Corporate Resources Committee, 23 May

PP.142-145: Item 5: Corporate Revenue Near Final Monitoring Report for 2018/19

AGREED that clarification should be sought on the second bullet point within this item whereby it had been stated that 'only £680k of the total deficit would be met from reserves with the remaining amount funded from non-earmarked budgets'.

Care, Learning and Housing Committee, 29 May

*Starred Item: Item 15: PP 149-162: Closure of Altnaharra Primary School

AGREED that education at Altnaharra Primary School be discontinued and its catchment area divided between those of Tongue Primary School, Farr Primary School and Lairg Primary.

*Starred Item: Item 18: PP 149-162 Review of the Statutory Consultation Exercise to establish a Gaelic Medium catchment area for Ullapool Primary School

AGREED the creation of a Gaelic Medium catchment for Ullapool Primary School.

Community Planning Board - there had also been circulated Minutes of Meeting of the Community Planning Board held on 21 March 2019 (approved by the Board on 20 June 2019) which were **NOTED**.

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

There had been circulated Minutes of Meeting of the Valuation Joint Board held on 29 March 2019 (submitted to the Board on 21 June) which were **NOTED**.

11. Membership of Committees, etc Ballarachd Chomataidhean, msaa

The Council **AGREED** the following –

Environment, Development & Infrastructure Committee – Mrs H Carmichael to replace Mrs J Barclay as put forward by the Independent Group.

Care, Learning & Housing Committee – Mrs G Campbell-Sinclair to replace Ms K Currie as put forward by the SNP Group.

NHS Health & Social Care Committee – Ms L Munro to replace Mr R MacDonald.

It was also **NOTED** that Mr A MacKinnon was now the Depute Leader of the Independent Group within the Council.

ADDITIONAL URGENT ITEM

At this point in the meeting, and in line with Standing Order 8, it was advised that the Convener had agreed that the following should be considered as an urgent item of business:-

Air Passenger Duty

There had been circulated Report No. HC/34/19 dated 26 June 2019 by the Director of Development & Infrastructure which confirmed that the UK Government had recently undertaken a consultation into its Aviation 2050 Green Paper during which the Independent Consultative Committee which advised Aberdeen International Airport had suggested that there should be greater parity between that Airport and Inverness Airport through either extending the Air Passenger Duty Exemption to Aberdeen or abolishing it on flights from Inverness to destinations outside the Highlands and Islands area.

In this regard, it was noted that passengers flying from airports in the Highlands and Islands had been exempt from Air Passenger Duty since 2000 in recognition of the reliance on air transport in the only UK region at that time to have a population density of less than 12.5 people per square km. Also, independent research in 2018 had concluded that if this exemption was removed and a duty applied to outbound flights from Inverness, airlines would pass on the charge in full to their passengers or alternatively pass on some of the charge and treat the rest as a cost their business could bear.

In the context whereby airlines already faced a challenge in developing and sustaining certain types of route at Inverness due to the catchment area's small population and business base, it was considered that any impact would be significant.

Also, the Scottish Government, in committing to continuing to work with the UK Government and the Air Departure Tax Highlands and Islands Working Group to find a solution, had confirmed that air connectivity was critical for the Highlands and Islands and the existing exemption had to remain in place to protect remote and rural communities.

Decision

The Council **AGREED** to support the continuation of the exemption from UK Air Passenger Duty for flights departing from airports in the Highlands & Islands.

It was also **AGREED** to continue working with partners in HiTRANS to present the case of the need for and benefit arising from an exemption from the current UK Air Passenger Duty and any successor duty.

12. Question Time

Am Ceiste

The following Questions had been received by the Depute Chief Executive/Director of Corporate Development in terms of Standing Order 11 –

(i) Mr J McGillivray

To the Leader of the Council

“The Highland Council is a participant in a number of Limited Liability Partnerships (LLP). It would be informative to be reminded as to the purpose of each LLP and who the other partners are in each case, if any, and what financial stake does Highland Council have in each LLP?”

The response had been circulated.

In terms of a supplementary question, it was queried whether any information or report would come back to the Council to summarise the activities of the LLPs in which Highland Council was a participant.

In response, it was confirmed that this issue would be checked with Officers.

(ii) Mr J McGillivray

To the Chair of the Corporate Resources Committee

“What are the current best estimates for present total Highland Council debt and the annual financial commitment required to service this debt?”

The response had been circulated.

In terms of a supplementary question, it was queried whether an annual report which detailed capital spend in area would be forthcoming.

In response, it was confirmed that a report would be submitted to the September Council meeting regarding capital spend.

(iii) Mr J McGillivray

To the Leader of the Council

“The move to consultation on the closure of Stoer Primary School will mean that shortly Highland Council will have shut down 4 Sutherland schools in 3 years. This raises the spectre, if not yet the substance, of another era of Sutherland Clearances. What substantive plans does the Administration have to bring about a regeneration of the extremely fragile Sutherland economy?”

The response had been circulated.

In terms of a supplementary question, it was queried as to what the Administration would do to assist the Sutherland Partnership who had focus but no money.

In response, it was confirmed that discussions would take place to investigate ways in which to raise additional monies for Sutherland.

(iv) Mr S Mackie

To the Leader of the Council

“Given the Scottish Government’s announcement that the R100 programme to deliver complete access to 30Mbps internet to every home and business in Scotland’s most remote communities by the end of 2021 is set to be missed by at least one year, what communication has the Scottish Government had with the Highland Council prior to Mr Wheelhouse’s announcement in Parliament?”

The response had been circulated.

In terms of a supplementary question, it was queried what measures the Council was taking, given its seat on the Digital Highland Programme Board, in holding those responsible for the R100 programme to account and ensuring that the last of the

Council's constituents would be in receipt of fast reliable broadband.

In response, it was confirmed that the procurement had been delayed and this had led to the whole project being delayed. There was also a lack of communication in how far the programme would reach and the areas in which the Council could spend the City Region Deal money so that full coverage could be achieved.

(v) Mr S Mackie

To the Chair of the Environment, Development & Infrastructure Committee

“Official Highland Council guidance indicates that, unless extended, successful Community Asset Transfer requests should be completed by the Local Authority within a nine months’ timeframe.

The Thurso Heritage Society, whose asset transfer request of the former Pavilion building on Beach Road was agreed in 2018, have waited over a year and a half for their transfer to be conducted, with our service citing significant pressures on our legal staff.

Given that as a result of the delays the Thurso Heritage Society have been unable to apply for appropriate funding or begin work on making the pavilion their permanent home, what reassurances can the Administration give that the Highland Council has the commitment and the capacity required to process worthy requests in line with our own published guidance?”

The response had been circulated.

In terms of a supplementary question, it was queried whether the Chair could ensure that the Council reviewed the applications currently in process, that a revised and realistic service level for future applications was communicated to those who were going to apply and, to this effect, that Officers provide the Thurso Heritage Society with a reasonable deadline for their completion so that they could apply for funding.

In response, and in giving assurance in this regard, it was confirmed that the appointment of two new Solicitors would assist with this work and that the Thurso Heritage Society would be advised accordingly.

(vi) Mr A Jarvie

To the Chair of the Care, Learning & Housing Committee

“Can you provide a compilation of the percentage of children with level 3 and 4 ASN needs by each Local Committee area?”

The response had been circulated.

In terms of a supplementary question, it was queried as to why this was the first time that Members were being advised of the real figures in this respect and what reassurance could be offered that the multi-million pound cuts being made to this area would not affect these children.

In response, it was confirmed that, despite the reductions being made, there were still over 1000 Pupil Support Assistants working in schools (750FTE) and over 200 ASN teachers. In terms of supporting young people, and as had been previously advised as part of the Transformation Programme, the Council were looking at

training and how both Head Teachers and Class Teachers could be supported.

(vii) Mr A Jarvie

To the Chair of Care, Learning and Housing

“How many children in Highland, with either identified or suspected additional support needs, are currently unable to or do not attend school on less than a quarter timetable?”

The response had been circulated.

In terms of a supplementary question, it was queried as to how more accurate and in depth data could be collated on children attending school on less than a quarter timetable.

In response, it was confirmed that this would be investigated with a view to providing the data requested.

(viii) Mr R Gale

To the Chair of the Environment, Development & Infrastructure Committee

“From the information that we are often provided with it would be reasonable to conclude that there has been a significant underinvestment in maintaining our schools. That being the case, and in light of the limited capital programme to replace schools that are in poor condition, what measures are being put in place to ensure that repairs are being carried out across the School estate in order to make our schools a safe and healthy place for Highland pupils?”

The response had been circulated.

In terms of a supplementary question, it was queried as to what measures were being put in place to urgently remedy the failures in health and safety compliance, specifically in regard to electrical repairs in schools and the 71 properties which had been identified as having serious water safety contamination.

In response, it was confirmed that safety was always the highest priority and that works were currently being urgently undertaken in this regard.

(ix) Mr P Siggers

To the Chair of the Environment, Development & Infrastructure Committee

"The planning approval for the Longman Waste Plant is to be welcomed. Can you confirm whether or not the plant will be in operation to meet the January 1st 2021 deadline?"

The response had been circulated.

In terms of a supplementary question, it was queried as to whether an estimate could be provided of the additional costs, specifically in relation to categories of landfill tax, transport costs, and gate charges levied by other waste management facilities which would be incurred after 2021, together with the date when it was expected the Longman Waste Plant would be operational.

In response, it was confirmed that this information was not currently available but that further information had been contained in the report at Item 19 on the agenda - Update on the Council's long-term arrangements for managing its residual waste.

(x) Mr R Laird

To the Chair of the Corporate Resources Committee

"How many jobs has the Council advertised in the last six months at less than the National Minimum Wage?"

The response had been circulated.

In terms of a supplementary question, it was queried as to how, in light of the response which had been provided, the Council had in fact recently advertised a Primary School Support Worker post and a Cleaner's post at an hourly rate which was below the national minimum wage.

In response, it was confirmed that an immediate investigation would be instructed into this matter and a response provided for Members.

(xi) Ms E Knox

To the Chair of the Care, Learning & Housing Committee

"On 16 May, the Stagecoach school bus services to Nairn Academy, Dingwall Academy and Culloden Academy were all at least 20 minutes late. Stagecoach reported that these delays were due to "vehicle unavailability in the depot".

On 17 May, the Stagecoach school bus from Beaully to Charleston was 20 minutes late. On 22 May, the Beaully to Charleston bus was delayed by 20 minutes again. On 23 May, the Beaully to Charleston bus was delayed by 30 minutes.

There were crucial Higher and National 5 exams on these dates and the delays were highly disruptive and distressing to pupils.

What efforts are being made to enforce the terms of the Highland Council's School bus service contract with Stagecoach and ensure that our young people get to school on time and how is information about delays and timetable changes communicated to parents?"

The response had been circulated.

In terms of a supplementary question, it was queried as to whether, given recent concerns expressed about buses based at the Stagecoach depot in Inverness, the Council should conduct random inspections of school buses to ensure that children were being transported safely to school.

In response, it was confirmed that the Leader of the Council had contacted the Traffic Commissioner in this regard. There was also a need for closer scrutiny of Stagecoach school transport and the potential to introduce regular inspections of school buses would be considered.

(xii) Mrs G Campbell-Sinclair

To the Leader of the Council

"2019 is the focal year of the International Year of the Salmon with research and outreach continuing until 2022

Environmental change and human impacts across the Northern Hemisphere are placing Salmon at risk. The International Year of the Salmon aims to bring people together to share and develop knowledge more effectively, raise awareness and take action.

The Scottish component of IYS 19 was launched by the Scottish Government in October 2018, and the Scottish Government has committed to working with partners, to create a greater awareness of the ecological, social, cultural and economic value of salmon

Atlantic Salmon populations across their range are in a serious and consistent decline, yet this important and fascinating species has a relationship with humankind stretching back into prehistory.

The importance of Wild Atlantic Salmon to the Highlands is undisputed. However phenomena such as climate change, acid rain, predation at sea, disease and sea lice infestation as a result of commercial salmon farming have taken their toll.

Measures such as restocking and catch limits have been put in place locally, nationally and globally, but with little or no effect. In short the sustainability of Wild Atlantic Salmon is at a critical point.

The Wild Atlantic Salmon has a strong association with Scotland, and in particular with the Highlands. The species is embedded and vitally important to both our culture and fiscal economy, but time is running out fast.

Will you recognise that this is a very serious issue and agree for Highland Council to call for, and organise, a Highland Seminar to include stakeholders and partners from Governmental, Education, Conservation and Angling interests as a matter of urgency?"

The response had been circulated.

(There was no supplementary question).

(xiii) Mr A Baxter

To the Chair of the Environment, Development & Infrastructure Committee

"What is your assessment of the effectiveness of the routine use of weedkiller treatment on grassed areas instead of a cutting and strimming regime?"

The response had been circulated.

In terms of a supplementary question, it was queried as to why the Council was still pursuing a 'scorched earth' policy which was leaving many grassed areas with more dead grass than living and this was within a few feet from a 'jungle of weeds' covering roads and pavements.

In response, it was confirmed that, following the last debate on the use of herbicides, work had been undertaken early and at the correct time. However, If evidence was available in respect of work not correctly undertaken, this should be provided for the appropriate Officials.

(xiv) Mr A Baxter

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

"What is your assessment of the use of generic teacher interviews as a tool for workforce planning and its impact on staff morale in our schools?"

The response had been circulated.

In terms of a supplementary question, it was queried as to how the Council currently engaged with Primary School Teachers, particularly at the end of their probationary period, on the basis that the process should hear their views and reduce the stress and lack of morale within the current system when probationary teachers were sometimes left in limbo at the end of the school year.

In response, it was confirmed that this was a process which did need review, particularly with a view to recruiting staff, as in the current year over 100 people had gone through the process but only 30 had been appointed due to various staffing reasons.

13. Notices of Motion Brathan Glusaid

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

(i) That, from December 2019, Highland Council meetings include a 20 minute time allocation for questions from members of the public.

That the Chief Executive drafts the necessary changes to Standing Orders to accommodate the following intentions - each member of the public is permitted to ask one oral question per Council which must be notified in writing no later than noon on the Friday preceding the meeting. Each question must be delivered at the meeting exactly as submitted. One supplementary question will be allowed.

Below are the criteria for questions:

No question will exceed 1 minute;

The question must refer to an issue which affects the Highland Council area or falls within the Council's responsibilities;

The question must not be substantially the same as a question which has been put at a meeting of the Council in the past 6 months;

The question must not be defamatory, frivolous, vexatious or offensive;

The question must not require the disclosure of confidential or exempt information; and

The question must not refer to individual planning or licensing matters or any matter of a personal nature.

Signed: Mr A Christie Mrs A MacLean

During discussion, Members raised the following issues:-

- it was imperative that the business of Local Government was transparent, open to scrutiny and encouraged the engagement/involvement of members of the public wherever and whenever possible and this Motion would help in maintaining this for the Highland Council;
- public 'question time' was already extensively undertaken across the country and worked well;
- from a survey of members of the public, the previous Commission on Highland Democracy had found that the current arrangements were not considered to be working well in terms of the perception that Elected Members did not want to share power or subject themselves to additional scrutiny;
- the terms of this Motion would allow members of the public to also ask a

supplementary question at meetings and perhaps to make a connection with the Council in terms of sharing responsibilities where feasible;

- the proposal was for Officers to draft the necessary changes to Standing Orders which would allow the proposal to begin in December 2019;
- this Motion had to be supported if Members were serious about acting on localism and involving members of the public in the business of the Council wherever possible;
- there was a particular need to involve young people from across the area and to encourage them to attend future meetings;
- in addition to the terms of the Motion as drafted, it was suggested that it should also include reference to a review of current security and public seating arrangements to encourage attendance at meetings and to ensure a warm welcome for all citizens (including individuals and groups) wishing to engage with the Council;
- it was not considered that there would be an issue in terms of questions being defamatory, frivolous, vexatious or offensive;
- whilst being sympathetic to the aims of the Motion, it would have a cost implication and would take up time at future meetings and it was therefore suggested as an alternative that improvements should be made to online arrangements to include ways for the public to ask questions and have them answered more quickly;
- it was essential that the Council avoided becoming too rigid or disengaged over time and this Motion represented one way to improve current democracy;
- whilst being supportive of public questioning, this issue could be submitted to the Governance Review Group to investigate such ideas as public questioning at Area Committees and use of social media. A range of recommendations and detail could then be presented to the next Members' Seminar so that all Members could consider this carefully and then bring recommendations to the full Council;
- an open forum with public access in a formal setting was very important in terms of improving communication with the Council and other Local Authorities had already implemented something similar to what was being proposed;
- there was a need to closely study the detail in terms of the proposals within the Motion to avoid any unintended consequences and to clarify specifically how this could be undertaken at future meetings;
- there was concern about the potential for slander and/or personal abuse at meetings if this was commenced in December;
- consideration should also be given to other ways of engaging with the general public as it had to be recognised that day time meetings would not always be accessible for those who were working full time; and
- in respect of rural Wards in particular, consideration would have to be given to the use of Skype to allow 'attendance' by those in more remoter areas.

Thereafter, Mr A Christie, seconded by Mrs A MacLean, **MOVED** the terms of the Notice of Motion as detailed - with the addition that the Council would commit to a review of current security and public seating arrangements to encourage attendance at meetings and to ensure a warm welcome for all citizens wishing to engage with Highland Council.

As an **AMENDMENT**, Mrs M Davidson, seconded by Mr A MacKinnon, moved that, whilst being supportive of public questioning, the issue should be sent to the Governance Review Group to investigate such ideas as public questioning at Area Committees and use of social media. A range of recommendations would then be presented to the next Members' Seminar so that all Members could consider this

carefully and then bring recommendations to the full Council.

On a vote being taken, the Motion received 36 votes and the Amendment received 26 votes, with 2 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr G Adam, Mr A Baxter, Mr R Bremner, Mr I Brown, Mr J Bruce, Mrs C Caddick, Mrs G Campbell-Sinclair, Mr A Christie, Dr I Cockburn, Ms K Currie, Mr C Fraser, Mr R Gale, Mr K Gowans, Mr A Jarvie, Ms E Knox, Mr R Laird, Mr D Louden, Mr A MacInnes, Mr G MacKenzie, Mrs I MacKenzie, Mr S Mackie, Mrs A MacLean, Mr R MacWilliam, Mr N McLean, Ms L Munro, Ms P Munro, Mr I Ramon, Mr D Rixson, Mrs F Robertson, Mrs T Robertson, Mr K Rosie, Mr P Saggars, Mr A Sinclair, Ms N Sinclair, Mr C Smith and Ms M Smith.

For the Amendment:

Mr R Balfour, Miss J Campbell, Mrs B Campbell, Mrs H Carmichael, Mr G Cruickshank, Mrs M Davidson, Mr J Finlayson, Mr M Finlayson, Mr L Fraser, Mr J Gordon, Mr J Gray, Mr T Heggie, Mr A Henderson, Mr B Lobban, Mr R MacDonald, Mrs D Mackay, Mr W MacKay, Mr A Mackinnon, Mr D Macpherson, Mrs B McAllister, Mr J McGillivray, Mr H Morrison, Mrs M Paterson, Mr A Rhind, Mr G Ross and Mr B Thompson.

Abstentions:

Mr D Mackay and Mr D MacLeod.

Decision

The Council **AGREED** the terms of the Notice of Motion as detailed – subject to a further commitment to review current security and public seating arrangements to encourage attendance at meetings and to ensure a warm welcome for all citizens wishing to engage with Highland Council.

(ii) Highland Council calls on the Scottish Government to take action to improve Rail Services across Highland with an emphasis on Punctuality, Relief Drivers, Availability, Cycle Transport, Toilet Reliability and provision of snacks/coffee trolleys.

Improvements to these services are urgently required to encourage tourism, reduce carbon inefficient road transport and improve the Highland reputation as an excellent place to live, work and travel in.

Signed: Mr W MacKay Mr S Mackie

During discussion, Members raised the following issues:-

- in terms of the need for improvement of rail services across the Highland area, there was particular need for this to be undertaken on the Far North Line;
- there was a lack of continuity in relation to the facilities being offered and trains were often unreliable, with late arrivals and breakdowns occurring frequently;
- pre-booking systems also failed regularly and this had a resultant impact on passengers (including tourists) and passenger numbers were now decreasing as a result;

- the current 10 year contract with Abellio had been issued in 2015 and was worth in excess of £7bn across the decade. This had included details of rolling stock to be used, catering facilities, route specific improvements and a range of fare schemes to offered over the period and there was a need to highlight that some issues (such as seamless ticketing) were not being delivered as promised;
- there had been reference recently to the introduction of a new high speed train which would operate from Inverness but it had to be noted that this was the same train that had been offered in the 1970's;
- unfortunately, good performance appeared to be the exception rather than the rule;
- there were also ongoing frustrations with the delay to the Caledonian Sleeper and in this respect passengers were already paying fares for a service not yet in use;
- the constant delays and poor service in relation to rail travel had the effect of making the Highlands uncompetitive in terms of business travel;
- it was important that firm action was taken in respect of companies who were failing to deliver on the terms of previously agreed contracts in order to ensure the best possible rail service for the Highlands;
- there was a need to add 'ticketing' to the list of issues requiring improvement;
- connection between the West Highland Line and the Inverness/Perth line would make a huge difference to travel in the area;
- although recognising the intention behind the Motion, it was important to note that rail staff were very efficient and helpful in the Highlands and that the Scotrail website was currently highlighting a '9 month high' for trains running on time;
- it was felt that privatisation had failed rail operations in the UK in terms of producing a very fragmented service which was not efficient and dispersed responsibility amongst too many different companies;
- it was important to differentiate between strategy (which was the responsibility of the Scottish Government) and operational matters (which were the responsibility of individual companies);
- it would be helpful to include and consult with Caithness Transport Forum in relation to the issues which had been raised in the Motion;
- there had been a shortage of drivers from the start of the Abellio contract which had caused constant and major problems;
- it was very important to highlight the problems being faced by disabled users of the current rail service; and
- consideration should be given to the possibilities for future investment in the current infrastructure.

Decision

The Council **AGREED** the terms of the Notice of Motion as detailed – subject to the inclusion of 'ticketing' within the list of suggested improvements.

(iii) Highland Council recognises that enforceable 20mph speed limits on residential streets are widely supported in our communities. 20mph limits have a measurable impact on health and public safety through increasing the perception of safer streets and reduce the likelihood of serious accidents. The Council regrets that the existing legislation for rolling out 20mph zones is very costly, slow to implement and can lead to a patchwork of speed restrictions which is far from ideal.

The Council calls on the Scottish Government to urgently reconsider implementing a

system similar where 20mph is the default speed limit for built-up residential areas.

Signed: Mr B Thompson Mr A Henderson Mr B Lobban

During discussion, Members raised the following issues:-

- it had to be recognised that there were serious risks in increasing the speed of a car above 20mph and it was a proven fact that lower speed limits saved lives;
- there was an urgent need for consideration to be given by the Scottish Government to making 20mph the default speed limit in built-up residential areas;
- it could not be right to advocate 'local choices' if such choices could then not be implemented due to cost and legal restrictions;
- speed limits were a major issue for many Community Councils across the Highlands;
- action had to be taken on this issue, not least to ensure the future safety of children in residential areas;
- implementing a system where 20mph was the default speed limit could be done in a very affordable way if approval was granted by the Scottish Government;
- there was a need to recognise the work already being undertaken by the Scottish Government, CoSLA and Transport Officers on this issue, including consideration of a more streamlined process for Road Traffic Orders;
- there should also be a focus on use of mobile phones by drivers which was also a serious issue; and
- it was a concern that some roads had different speed limits in place for different sections of the road (including Fairfield Road in Inverness where there had already been two fatalities) and this had to be addressed as a matter of urgency.

Decision

The Council **AGREED** the terms of the Notice of Motion as detailed.

(iv) On 6 September 2018 The Council agreed to "fully review its policy on weed killing and to explore affordable and safe alternatives [to products containing glyphosate], with a view to introducing those as soon as possible".

The Council continues to use products containing glyphosate in public spaces including children's playparks, and little progress has been made on the undertaking to identify alternatives.

The Control of Substances Hazardous to Health Regulations 2002 (COSHH) requires employers to prevent exposure to hazardous chemicals totally wherever possible, and if that is not possible the employer must:

1. See if work can be redesigned to avoid using chemicals altogether; or
2. Look to replace the chemical with a less dangerous substitute

Later in September 2018, The GMB Union, which represents around 630000 UK workers, called for a UK-wide ban on products containing glyphosate.

It was reported in the January 2019 edition of the respected HR journal, "Personnel Today" that a 4 year study by the Institute of Occupational Medicine and the Health and Safety Executive found that workers were exposed to glyphosate despite wearing protective equipment.

There are now 3 successful lawsuits against Bayer/Monsanto involving the commercial and domestic use of Roundup where the court has held that glyphosate causes non-Hodgkin lymphoma. There are more than 13,000 similar lawsuits against Bayer/Monsanto ongoing.

In light of the growing evidence of the harm caused by glyphosate, this motion now calls for an immediate ban on the use of weed killing products that contain glyphosate, except for invasive species control and at dangerous road junctions where its use will be risk assessed on a case by case basis.

Wildflower planting provides a natural alternative weed control method and it is safer, attractive to residents and visitors, benefits the environment and attracts pollinating insects. This weed control method would realise considerable savings in the cost of product and the safety training and equipment associated with chemical weed killers. Where wildflower planting is not viable, organic weed killers and steam or hot water weed killing methods are available and these should be used except where chemical weed killer is required to eradicate invasive species such as Japanese Knotweed.

Signed: Mr N McLean Ms E Knox

During discussion, it was noted that the Notice of Motion had now been amended following discussion with the Administration whereby the penultimate paragraph beginning 'In light of the growing evidence....' was to be deleted and an additional paragraph to be included as follows – 'The Council agrees to the immediate ban on the use of weed killing products containing glyphosate in all sports recreation facilities/play grounds and schools and that a business case be prepared for consideration at the next Council meeting on options for a complete ban on the use of such products, except for invasive species control and at dangerous road junctions where its use would be risk assessed on a case by case basis'.

It was also suggested that a link should be provided on the Council Website to information on the current Highland Pollinator Strategy.

Decision

The Council **AGREED** the terms of the Notice of Motion – on the basis of the deletion of the penultimate paragraph in the current version – and inclusion of the following final paragraph – 'The Council agrees to the immediate ban on the use of weed killing products containing glyphosate in all sports recreation facilities/play grounds and schools and that a business case be prepared for consideration at the next Council meeting on options for a complete ban on the use of such products, except for invasive species control and at dangerous road junctions where its use would be risk assessed on a case by case basis.

(v) Highland Council welcomes the aims and impact of Clean Air Day held on June 20th 2019 which inspires people to take action over air quality and protect their health.

Highland Council notes the UK Government statement that poor air quality is the largest environmental risk to public health. The Council notes in particular that air pollution from vehicles and other sources has a very detrimental impact on health, especially for children or those with existing health problems.

Air pollution is estimated to be responsible for over 2,500 deaths every year in

Scotland and costs the Scottish economy over £1.1 billion each year. The Council recognises that these impacts are also felt in the Highlands and further recognises that air pollution has been clearly linked with heart attacks, strokes, asthma, diabetes, cancers, restricting children's lung development, and is associated with dementia, low birth weight and premature birth.

The Council notes that there are several ways that people can improve air quality in their homes and in their neighbourhoods, some of which include:

Open your window when cooking or using cleaning products
 Choose paints and varnishes that are labelled low volatile organic compounds
 Think about how you do your cleaning
 Regularly service your boiler
 Consume less energy
 Recycle your compostables
 Use your car less and/or switch driving a car to walking, cycling or using public transport
 Discover the side streets
 Avoid strenuous activity when pollution is high
 Switch your engine off when stationary

The Council agrees to support Clean Air Day 2020, with a report being submitted to the Environment, Development and Infrastructure Committee on what the individuals, communities and organisations can do to improve air quality and protect their health with the Council undertaking subsequent awareness raising through the its media channels.

Signed: Mr B Thompson Mrs M Davidson

During discussion, Members raised the following issues:-

- air pollution was a real concern and it had to be highlighted that death rates connected to this issue had increased significantly in recent years;
- there was an urgent need for more awareness raising on the issues which contributed to ill health and inequalities;
- as a result of advances in research, it was now clear that there were alarming links to chronic diseases and as such support for Clean Air Day was imperative;
- more consideration should be given to any related issues which might impact on house building in particular in future;
- if possible, action should be taken to encourage drivers not to have cars parked at schools (with engines still running) at particular times of the day, such as when children were dropped off or picked up from school; and
- consideration should be given to the Council taking the lead in encouraging other organisations and businesses in the area to take part in a 'Clean Air Day' in the following year whereby specific streets could be 'pedestrian only' for the day and public transport used as an alternative when visiting the City.

Decision

The Council **AGREED** the terms of the Notice of Motion as detailed.

14. Capital Programme Refresh Ùrachadh a' Phrògram Chalpa

(a) Corporate Capital Programme and the Current Financial Context Co-theacsa Ionmhasail

There had been circulated Report No. HC/24/19 dated 12 June 2019 by the Head of Corporate Finance and Commercialism.

During discussion, Members raised the following issues:-

- it had to be noted that, given the huge challenges facing the Council in terms of the revenue budget over the next few years, the Capital Programme at its current level had to be seen to be at the maximum level of affordability;
- the Council would need to keenly balance competing demands for revenue and capital spend over the coming years to ensure its long term financial sustainability;
- affordability was critical as this was tied into the Revenue Budget and there was a need to be realistic in terms of timescales;
- a further report would be submitted to the next meeting in September on new governance proposals and in the meantime all Members were encouraged to attend the monthly Briefings in order to be fully informed as to the current position;
- it was suggested that, in terms of future projects, one of the main factors over the next 5 years could be the Council's ability to provide match funding;
- in relation to cost pressures, it had been stated that one factor had been the requirement to accommodate investment in affordable housing due to the Council deciding to balance the revenue budget by using the income from second homes Council tax and further detail was sought in this regard;
- there was a need for further information on the timescale which had been assumed within the capital plan for around £5m of funding from developer contributions;
- it had been stated that net property costs increased after capital investment as any savings from having newer, more energy efficient buildings were outweighed by increased rates costs. In this regard, and to mitigate against any extra costs, it was hoped that initiatives such as the installation of solar panels would be used on all future projects wherever possible;
- it would be helpful if a further report could be submitted to a future meeting on the potential to set up a Capital Scrutiny Sub Committee/Working Group with a view to ensuring that the Council was maximising spend on the key priorities of roads and schools by accounting for every pound/penny and as such only agreeing the funding for essential aspects of future projects; and
- it was hoped that consideration of new and simpler designs for school buildings, including modular designs, would be undertaken at an early date.

Decision

The Council **NOTED** the challenges around the funding of capital investment and **APPROVED** the proposed timescale for refresh of the Capital Programme

**(b)Care & Learning Capital - Early Learning & Childcare Programme and School Estate Improvement Programme
Prògram Calpa Sgoiltean**

There had been circulated Joint Report No. HC/25/19 dated 21 June 2019 by the Director of Development & Infrastructure and the Head of Resources, Care & Learning.

During discussion, Members raised the following issues:-

- the proposed distribution of capital funding for the projects required for the delivery of the Early Learning and Childcare expansion programme and other essential school building improvements was welcomed. In this regard, it was essential that there were sufficient staff in place to implement the proposals;
- this was a very positive report and as such thanks should be conveyed to the Officers concerned and to the Scottish Government;
- the investment of £37m of Scottish Government funding, supported by £22m of capital funding from the Council, would have a extremely positive impact on over 100 schools across the Highlands (including 95 Primary Schools and 6 Secondary Schools). As such, it was essential that the necessary actions for expenditure were progressed in as short a timescale as possible in order to enable completion by August 2020 as stated in the report;
- improved procurement and programming approaches were being developed to ensure that best value was achieved and this was welcomed;
- there had been 83 school settings where capital investment had been required to support the delivery of the Early Learning and Childcare provision and it was encouraging to note that to date work had been completed in 11 of these schools with a further 13 to be completed by August 2019;
- the proposal to allocate funding to the projects at Beaully, Dunvegan and Kiltarn Primary Schools was necessary to ensure the significant upgrade required in each case and should be supported;
- it had to be noted that there were a number of schools in Tain which currently had modular units;
- in relation to Tain, it was highlighted that schools in this area had previously been identified as the worst in the Highland area and this had not changed. As such, it was imperative that these extremely challenging conditions were recognised and addressed as a priority;
- Local Members should be involved in all future proposals and correspondence from the Council in relation to local schools and in particular St Clements School which was in a very poor condition. In this regard, it was confirmed that the Chief Executive would be contacting all Parent Councils to set out the position; and
- whilst supporting the proposals as listed in the report, it had to be acknowledged that there were other schools throughout the Highlands which were also in a poor condition and which required the scheduling of improvement works as soon as was possible in future.

Decision

The Council:-

(i) **AGREED** the distribution of capital funding for the projects required for the delivery of the ELC expansion programme and other essential school building improvements, all in line with the approach outlined in the report and as listed in Appendix 1;

- (ii) **HOMOLOGATED** the decision to award the contract at Ullapool Primary School as detailed in Paragraph 5.15;
- (iii) **AGREED** to allocate the funding to the projects at Beauly, Dunvegan and Kiltarn Primary Schools as detailed in Paragraphs 6.3 to 6.5 and 6.8 and Appendix 1; and
- (iv) **NOTED** that a report would be taken to a future meeting of the Care, Learning & Housing Committee to conclude the Statutory Consultation for the Tain 3-18 Campus as detailed in Paragraph 6.9 of the report.

15. Change Strategy and Change Fund Phase 3 Cunntas às Ùr mun Phrògram Atharrachaidh & Tagraidhean Maoin Atharrachaidh Ìre 3

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/26/19 dated 18 June 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- in relation to the savings identified within Category 3, and specifically the proposed Energy saving of £0.500m, clarification was obtained that recognition had been given to the fact that costs were currently increasing but that urgent action would be taken to address this in conjunction with other measures, such as reducing energy consumption through compliance and behaviour change, rationalisation of Council property, effective management of energy supply contracts and generation of income through the implementation of viable renewable schemes;
- in regard to Asset and Energy Management, it was confirmed that one of the most important asset rationalisation projects for the 2019/20 period related to office moves and changes in Inverness, with a particular focus on the Headquarters building and a new approach to Mobile and Flexible Working;
- in terms of future proposals in relation to renewable energy, it was confirmed that this would focus largely on a solar/hydro approach; and
- it had to be a priority that any new arrangements would enable more informed decisions to be made by the Council in a much quicker timescale than had previously been the case.

Decision

The Council **NOTED** positive progress being made to implement the Change Programme.

The Council also **AGREED**:-

- i. The 4 priority areas for expenditure from the third phase of the Change Fund would be:
 - 3 packages of external research and advice relating to:-
 - (i) the current Community Services revenue budget: £75,000;
 - (ii) investigation, analysis and options for improvement to the Council's

financial and performance systems: £70,000; and
 (iii) an analysis of suicide data to inform new partnership strategy for prevention: £15,000.

- Asset and Energy Management – Project Management, specialist expertise, EPC compliance and legal conveyancing: £172,000.

- ii. A total sum of £332,000 for expenditure from the Change Fund in 2019/20 against the 4 areas as detailed in Section 10 of the report.

16. Governance Review: Progress update, initial recommendations and next steps Ath-sgrùdadh Riaghlachais

There had been circulated Report No. HC/27/19 dated 20 June 2019 by the Chief Executive.

Decision

The Council **NOTED** the progress made by the review to date as detailed in the report.

Members also **AGREED**:-

- (i) changes to the Audit and Scrutiny Committee, including a reduction in the membership and introduction of a mandatory training programme;
- (ii) the development of an enhanced Training, Development and Wellbeing Programme for all Elected Members for the September Council meeting;
- (iii) changes to report formats; and
- (iv) a revised schedule and reporting framework for the Governance Review.

17. Transitional Management Arrangements Ath-structaradh Eagrachail – Ullachaidhean Stiùiridh Eadar-amail

There had been circulated Report No. HC/28/19 dated 18 June 2019 by the Chief Executive.

Decision

The Council **AGREED** the temporary arrangements in place to cover statutory functions in Education, Social Work and Financial Governance.

The Council also **NOTED** progress to date on recruitment to the newly established Chief Operating Officer and Executive Chief Officer posts.

18. Annual Accounts for the Year to 31 March 2019 Aithris air Cunntasan Neo-sgrùdaichte

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/29/19 dated 18 June 2019 by the Head of Corporate Finance and Commercialism.

During discussion, Members raised the following issues:-

- congratulations should be conveyed to the Officers, and also to the Budget Team, in respect of the transparency of the report;
- whilst recognising the significant progress which had been made with proper governance, it had to be acknowledged that there would be considerable challenges to be faced by the Council in future;
- thanks should also be conveyed to staff across the Council who had embraced the need for change over recent months;
- it was important to note that significant change had already taken place without the need for any compulsory redundancies;
- in respect of the Highland Council Year End position, it was noted that the Council's accounts had shown that, as at 31 March 2019, the general fund non-earmarked reserve stood at £7.925m which was a decrease of £0.637m over the year. In total, usable reserves had decreased by £5.519m to £66.470m which was partly due to developer contributions being lower than in the previous year but also because there had been a transfer between specific and general reserves. In addition, part of the general reserves had been used to reduce the deficit and it was felt that, whilst it was important to recognise the positive work which had been undertaken, there should perhaps have been more transparency on this particular aspect in the report for Members;
- in terms of the Commentary on the Year End position, and specifically Other Budget Headings, it was highlighted that whilst the budget had been £2.8m, actual spend had been £5.5m and it was considered that care would need to be taken to ensure that this was not repeated in future, specifically in relation to this budget being monitored more closely;
- in relation to projects with the largest capital spend in 2018/19, and specifically investment in school buildings, it was important to recognise that the figure quoted of £24.9m was also the figure for the next 5 year period which represented a reduction in real terms. As such, it would be essential that work was undertaken to produce capital within the Council to match with the Scottish Futures Trust funding in order to enhance the funding available wherever possible;
- in regard to Local and National Statutory Performance Indicators 2017/18, reference was made to Care & Learning (Education) whereby children from deprived backgrounds receiving 5+ awards at SCQF Level 6 had decreased from 11% to 9%. In this regard, there was a need for a focus on this area in future in order to ensure improvement as this statistic compared negatively with the situation elsewhere in Scotland;
- also in relation to Statutory Performance Indicators, reference was made to Development & Infrastructure (Planning) and specifically the cost per planning application which had decreased from £3,684 to £2,672. In this regard, there was disappointment with this situation as it had previously been suggested that there should be increased investment in the Planning Service to enable more planning applications to be dealt with thereby increasing income for the Council and it was hoped that this suggestion could now be taken forward;
- it was hoped that the overspend in the Care & Learning budget from previous years would not be repeated and that there would not be a shortfall in any other budgets in the coming year;
- the issue of car parking charges had to be addressed as soon as possible; and
- although it was acknowledged that it was a complex issue, there was now an urgent need to reassess the way in which the Council paid foster carers in order to be able to keep children in the Highlands as opposed to having to

send them outside the area.

Decision

The Council **AGREED** the unaudited Annual Accounts for the Highland Council, Highland Charities Trust, Highland Charitable Trust and the Highland Council Pension Fund for the year ended 31 March 2019.

It was also **NOTED** that these would be presented to the appointed Auditor by the prescribed date of 30 June 2019.

19. Update on the Council's long term arrangements for managing its Residual waste

Pròiseact Sgudail Iarmadaich

There had been circulated Report No. HC/30/19 dated 20 June 2019 by the Head of Environmental and Amenity Services.

During discussion, Members raised the following issues:-

- the update and recommendations on the long term arrangements for managing residual waste had been brought to the full Council to provide reassurance for all Members on the action being taken, including the examination of all future options;
- there was dismay at what had not been included in the report, such as the fact that the ban on putting biodegradable waste to landfill had been highlighted in the Waste (Scotland) Regulations in 2012 and the Council was only now being asked to approve Invitation to Tender documents;
- it was a matter of concern that no decisions had been taken over the previous seven year period and it was now too late to have a facility in place by 2021;
- sixteen Local Authorities had already taken action in this respect and it was regrettable that the costs for the Council would now be significantly higher than if decisions had been made earlier;
- further clarification was required in relation to the various categories of mixed municipal waste;
- there had been too many delays by the Council in relation to proposals as to how to deal with waste which currently went to landfill and as such the Implications section of the report was very concerning;
- it was disappointing that Members now had effectively no choice but to agree the recommendations in view of the limited timescale;
- it had been stated in the report that 'the contractor, as the designer and operator of the facility, was best placed to manage this risk' but it had been understood that designs had already gone through the planning process and been agreed and as such clarification was required in this regard;
- it had also been stated that 'the selection of the former landfill site at Longman does present construction challenges' and it was questioned as to why this issue had not been raised previously;
- it had been stated in the report that 'the available capital allocation and the anticipated costs of the project have not been included in this report so as not to affect our ability to reliably test the market' but in this respect it was suggested that this financial information had already been produced in public as part of the Capital Plan;
- there was a need to be clear and transparent with the residents of Inverness as to the future location of the facility;
- whilst confirming that there had always been openness and transparency on

this issue, it was highlighted that if this project had been brought forward sooner, it would have meant that available funding would not have been able to have met the costs of other initiatives, such as school projects;

- in relation to the production of financial information, it was suggested that it would have been preferable if this had accompanied the report, perhaps as a confidential appendix; and
- there was a wider debate on waste strategy continuing across Scotland at the present time, including the Scottish Government, and all Members of the Council were encouraged to attend meetings on this subject as much as possible in the months ahead.

Decision

Members **NOTED** the contents of the report and **AGREED** that:-

(a) the Council would continue to develop invitation to tender documentation for a waste management facility and publish the opportunity in the market during late Summer 2019; and

(b) Officers would continue to work with the Scottish Government to develop transition arrangements towards the ban on landfilling its waste.

20. Suspension of European Social Fund Payments

Declarations of Interest – Mr A Jarvie and Mr P Saggars (Board Members of Inverness, Nairn & Badenoch & Strathspey Citizens Advice Bureau) and Mr A Christie (General Manager of INBS Citizens Advice Bureau) 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. HC/31/19 dated 18 June 2018 by the Director of Development & Infrastructure.

During discussion, Members raised the following issues:-

- this was extremely disappointing as the European Social Fund was one of the largest funders for revenue and allocated tens of thousands to projects across the area;
- it was extremely concerning that £22m of funding was being withheld with no timescale as to when it would be released and as such there was an urgent need for the Scottish Government to resolve this matter to ensure that money was provided for vital projects;
- as well as delaying grants, this situation was now also holding up the payment for new bids which were time limited (including bids submitted by the Council in relation to poverty alleviation);
- with reference to the correspondence which had been received from the Scottish Government, it would have been more helpful if a potential solution could have been identified;
- Citizens Advice Bureaux across the Council area were also being severely affected and in one instance a redundancy notice had had to be issued;
- It had to be recognised that this issue was affecting not just the Scottish Government but also other Governments across Europe, with the main problems associated with the accounting system;
- this was actually 'an interruption' as opposed to 'a suspension' and the

Scottish Government was currently engaged in trying to resolve the issue;

- in noting that any decision was unlikely to come forward before the end of the year, it was suggested that the Highlands & Islands Territorial Committee should also be consulted/included in future discussions; and
- it was imperative that all Members of the Council worked together on this issue and presented a clear united approach in order to identify a solution and provide as much reassurance as possible for projects across the Highlands in the interim.

Decision

Members **NOTED** the suspension of European Social Fund payments and **AGREED** to endorse actions already underway seeking urgent information from the Scottish Government to enable the Council to determine whether Council supported activity was directly affected and thus whether there was a need to take mitigating action or not.

21. Review of the Highland Scheme of Establishment for Community Councils 2018-19 – Phase 1 feedback

Ath-sgrùdadh Comhairle Coimhearsnachd – Molaidhean Co-chomhairle Dàrna Ìre

There had been circulated Report No. HC/32/19 dated 15 June 2019 by the Acting Head of Policy.

During discussion, Members raised the following issues:-

- it would be important to try and encourage Community Councils wherever possible to include this as an item on future agendas for their meetings in order to encourage as many representations/responses as possible;
- in relation to the financial formula in particular, it had to be noted that there had only been two responses in this respect to date;
- reference to Kilmorack Community Council should be removed from the boundary changes section of any future reports;
- in order to provide an appropriate level of detail to encourage responses, it would be helpful if the Scheme of Establishment Document for Review could be circulated to all Community Councils;
- it had been suggested that the National Trust should be updated on proposed changes to boundaries with particular reference to the area surrounding Culloden Moor; and
- in order to encourage future membership, there was a need for increased promotion of Community Councils, including through the Council Website, Local Press and Social Media.

Decision

The Council **NOTED** the feedback received during the Phase 1 consultation as part of the review of the Community Council Scheme

The Council also **AGREED** the following to proceed to Phase 2 consultation:-

- revised Phase 1 boundary proposals set out at Paragraph 5.3;
- new boundary proposals received as part of Phase 1 at Paragraph 5.5;
- recommendations for amending the existing Scheme proposals set out at Paragraphs 5.9 - 5.12; and

- new proposals to amend the Scheme set out at Paragraph 5.13.

22. Climate Change Update **Cunntas às Ùr mu Atharrachadh Gnàth-shìde**

There had been circulated Report No. HC/33/19 dated 12 June 2019 by the Director of Development & Infrastructure.

In this regard, it was confirmed that a Climate Change Seminar had recently been held during which an overview had been provided of the work undertaken to date which could be circulated to all Members if they so wished.

Also, it was intended to set up a cross-Party Climate Change Panel over the Summer and further consultation with Group Leaders would be undertaken in this respect prior to more formal consideration as part of the Governance Review and thereafter the full Council.

Decision

Members **NOTED** the contents of the report and that an update report would be brought back to the Council in September 2019 once the Climate Change Members Panel had met and agreed an action plan.

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 9 May 2019 was available in the Members' Library and on the Council's Website.

24. Recess Powers **Cumhachdan Fosaidh**

It was **AGREED** that, during the recess period, powers should be granted to the Chief Executive, Director of Development & Infrastructure, the Interim Chief Officer (Resources for the Care and Learning Service) and the Interim Chief Officer (Resources for Community Services) in consultation with the Convener, Leader of the Council, Depute Leader of the Council, relevant Committee Chair and the Leader of the Opposition, to deal with issues arising during that time and that a report should be prepared for the first meeting of the Council or relevant Committee following the period where these powers had been exercised.

The meeting ended at 5.30pm.

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The Highland Council
No. 3 2019/2020

Minutes of Special Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 22 August 2019 at 2.00pm.

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

Present:

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

In Attendance:

Chief Executive
Director of Development and Infrastructure

Mr B Lobban in the Chair

Apologies for absence were intimated on behalf of Mr B Allan, Mr A Baxter, Mrs M Cockburn, Ms K Currie, Mr L Fraser, Mr K Gowans, Mr A Graham, Mrs P Hadley, Ms E Knox, Mrs D Mackay, Mr N McLean, Mr J McGillivray, Mr H Morrison, Ms L Munro, Mrs P Munro, Mrs M Paterson, Mr I Ramon and Mrs C Wilson.

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

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

Mr A Jarvie and Mr D Macpherson – both Non-Financial.

3. **Scottish Government New School Investment Programme**

Declarations of Interest – Mr A Jarvie and Mr D Macpherson 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 and voting.

There had been circulated Report No. HC/35/19 dated 20 August 2019 by the Chief Executive.

During a summary of the report, the Chief Executive confirmed that, following discussions with Scottish Government Officials, it had become clear that there was a requirement to identify one specific project for inclusion in the initial phase of projects to be supported by the New Schools Investment Programme and that this needed to be submitted to the Deputy First Minister by 23 August 2019.

As such, and based upon the criteria and guidance set out in the Scottish Government's Learning Estate Strategy, the project which had been identified as having the greatest chance of success was the Tain 3-18 Campus and Members were now asked to unanimously approve this project for consideration in the first phase of funding in order that the opportunity for investment was not lost for the area.

In addition, the Chief Executive highlighted the steps which would be taken to address the remaining school estate priority projects, manage capacity pressures in Inverness, refresh the overall Capital Programme and review governance arrangements to enhance Member scrutiny and decision making as detailed in the report.

The Chair of the Care, Learning & Housing Committee, in confirming that he would move the recommendations in the report at the appropriate time, stressed that it was crucial that this opportunity was taken in relation to the overall vision for the school estate. Above all, the Council had to be decisive in moving forward and working with the Scottish Government to ensure that the best possible results were achieved for the Highlands and in this regard the Tain 3-18 Campus project represented the best opportunity to meet the required criteria.

It was also important to scrutinise and agree the other recommendations in the report in order to ensure that other schools moved up the priority list and addressed the current issues which had been detailed.

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

- whilst accepting the recommendation in the report in relation to the Tain 3-18 Campus, there was disappointment in regard to Nairn Academy. As such, and in addition to the recommendation that the Council would seek to secure funding to provide a replacement school, it was suggested that further information should be sought on work which had already been completed at the location but which had not been contained as part of the Learning Estate Strategy document at Appendix 3 to the report;
- in response to information being sought on whether additional interim measures could be undertaken in terms of further improvement works to Nairn Academy in the meantime, it was noted that work had been ongoing with Scottish Futures Trust and a further report would be submitted to the Council in October in this regard;
- assurances were also sought that Fortrose Academy, which had a very positive record in terms of wider community involvement, would remain a high priority for the Council in light of the very poor condition of the building;
- with reference to Nairn Academy, it was also noted that the economic impact on communities had also been included as part of overall assessment, along with innovation and learning issues;
- in regard to the Tain 3-18 Campus, thanks were conveyed by the Local Members to all those concerned (including Highland Councillors, MSPs, Officers, the current and previous Chief Executives, staff, pupils, Parent Councils and Community Councils), specifically for the work undertaken in relation to the recommendation within the report and in light of the many social and educational benefits which would follow should the bid for funding be successful;
- thanks were also conveyed to the Scottish Government for the opportunity which had been presented to bid for this funding, particularly in the current circumstances;
- there was a need for a full and comprehensive list of schools to be presented by the end of the year as some schools (which had previously been listed) now no longer appeared as part of the programme for future investment;
- in terms of recognising that there were very many schools across the Highlands in bad condition and which badly needed investment/improvement, it was stressed that it would be important to ensure that all Parent Councils and local communities were kept fully informed of any developments and any potential funding opportunities;
- it would be important to also contact all MSPs to ensure that they were fully aware of all issues in relation to schools across the Highlands;
- it had been stated that some parents were choosing to send their children to Inverness schools due to the condition of Nairn Academy and this was regrettable ;
- as had been stated earlier, there could be a case made for every school in the Highlands in terms of investment and as such there was an urgent need for a dynamic list of schools to be drawn up in terms of future priority (taking account of capacity and condition issues) and refreshed over time as necessary;
- it was also imperative that consideration was given to current and future house and school building programmes to ensure that the timescales for each was appropriate for local areas;
- in relation to the recommendation within the report in respect of St. Clement's School, whereby agreement was sought for engagement with the Parent Council to include a review of the potential locations for a new school

prior to initiating a formal Statutory Consultation process later in the year, it was stressed that communication in this respect was of vital importance and lessons had to be learned from previous years and promises kept in future. In this respect, it was noted that discussion about a possible site would be undertaken before the end of the year and this would include the broader community;

- in regard to the Council's second priority to secure funding to provide a new campus at Broadford, it was suggested that thanks should be conveyed to all staff, pupils, Parent Councils and campaigners who had made representations for improvements over a considerable number of years;
- it would be important to recognise that not only current but especially future population statistics presented considerable challenges;
- the potential for economic benefit and the availability of additional land for housing from the sale of current buildings in the Tain area (should this bid be successful) was welcomed;
- there was a need for a review into the need for more schools in Inverness (and in Inverness South in particular) and it was hoped that a report on the review process initially could be submitted to a future Council meeting;
- it was noted that St. Duthus school would be included as part of the new Tain 3-18 Campus and this was welcomed;
- in thanking the Scottish Government for the opportunity to bid into this funding, it was important to also highlight that there were currently 204 schools in the Highland area and as such it was vital that more money was raised in terms of revenue for future years; and
- it had to be recognised that good schools would help to attract more people to come to live and work in the Highlands.

Decision

Members **AGREED**:-

- i. that the proposed Tain 3-18 Campus project should be nominated as the Highland Council's priority for consideration by the Scottish Government for inclusion in the initial phase of the New Schools Investment Programme and adhered to all criteria and guidance, as set out in the Scottish Government's Learning Estate Strategy;
- ii. that the second priority was to secure funding to provide a new campus at Broadford as the Highland Council recognised Broadford as a high priority in the next phase of school infrastructure investment and this would be reported to Council as part of the Council Capital Programme Refresh in October 2019;
- iii. that the Council would seek to secure funding to provide a replacement school for Nairn Academy through a bid to the further, larger, phase of investment from the Schools Investment Programme in conjunction with the planned refresh of the Council's Capital Programme;
- iv. that the engagement with the Parent Council of St. Clement's School would include a review of the potential locations for a new school prior to initiating a formal Statutory Consultation process later in the year on the location and nature of a replacement facility for St Clement's and that the formal consultation would begin in 2019;
- v. that capacity issues in Inverness would be assessed as part of a review of provision across the City and that a report would be brought to a future

meeting, prior to being considered as part of the refresh of the Capital Programme;

- vi. that further engagement would be carried out with Parent Councils in relation to the remaining agreed school investment priorities; and
- vii. the approach to capital governance and refreshing the Capital Programme which would assist in the prioritisation of the remaining school sites as set out in Section 8 of the report.

The meeting ended at 3.40pm.

The Highland Council

Pensions Committee and Pension Board

Minutes of Meeting of the Pensions Committee and Pension Board held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 8 August 2019 at 10.30am.

Present:

Pensions Committee

Mr R Gale
 Mr R Bremner (By Video-Conference)
 Mrs H Carmichael
 Mr C Fraser
 Mr A Jarvie
 Mr B Lobban
 Mr D Louden
 Mr P Siggers

Pension Board

Mr G Cruickshank, Highland Council
 Mr R Fea, Representative for other Employers
 Mr E Macniven, GMB
 Ms L MacKay, Unison

Officials in attendance:

Mr E Foster, Head of Corporate Finance and Commercialism, Corporate Resources Service
 Mr J Gibson, Joint Secretary (Trade Unions' Side)
 Mr C MacCallum, Payroll & Pensions Manager, Corporate Resources Service
 Mr S Lorimer, Assistant Payroll & Pensions Manager, Corporate Resources Service
 Mrs M Grigor, Finance Manager (Corporate Budgeting, Treasury and Taxation)
 Ms D Sutherland, Corporate Audit Manager, Corporate Resources
 Miss J MacLennan, Democratic Services Manager, Chief Executive's Service
 Mr A MacInnes, Administrative Assistant, Chief Executive's Service

Also in attendance:-

Mr J Boyd, External Auditor, Grant Thornton (By Video-Conference)

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 R Gale in the Chair

BUSINESS

1. Apologies for Absence Leisgeulan

Apologies for absence were intimated on behalf of Mr B Thompson, Mrs C Caddick, Mr C Nicolson, Mr D MacDonald and Mr D Main.

2. Declarations of Interest Foillseachaidhean Com-pàirt

Item 8 – Mr A Jarvie (Non-Financial)

3. **Recess Powers Cumhachdan Fosaidh**

It was **NOTED** that the Recess Powers granted by the Council at its meeting on 27 June 2019 had not been used in respect of this Committee.

4. **Internal Audit In-Sgrùdadh**

4.a **Highland Council Pension Fund Internal Audit Annual Report 2018/19 Aithisg In-Sgrùdaidh Maoin Peinnein Chomhairle na Gàidhealtachd 2018/19**

There had been circulated Report No. PC/5/19 by the Corporate Audit Manager.

In this regard, the report included an assessment of the Pension Fund's framework of governance, risk management and control and the associated opinion which provided information for the Fund's Annual Governance Statement.

The Committee **NOTED** the content of the report and the audit opinion provided as circulated.

4.b **Highland Council Pension Fund Internal Audit Annual Plan 2019/20 Plana In-Sgrùdaidh Bliadhnail Maoin Peinnein Chomhairle na Gàidhealtachd 2019/20**

There had been circulated Report No. PC/6/19 by the Corporate Audit Manager.

In this regard, it was confirmed that a three year plan was in place for the Pension Fund which ensured that the main activities, which comprised Pension Fund Investments, Contributions and Payments, were reviewed once every three years. Also, the following work was also being undertaken as part of the Pension Fund's 2019/20 Audit Plan – Review of Pension Fund Contributions and Review of the Systems of Internal Control which was necessary to inform the Fund's Annual Governance Statement and the Internal Audit Annual Report 2018/19.

The Committee **APPROVED** the 2019/20 Audit Plan as circulated.

4.c **Internal Audit Report – Pension Fund Investments Aithisg In-Sgrùdaidh – Tasgaidhean Maoin Peinnein**

There had been circulated Report No. PC/7/19 by the Corporate Audit Manager.

In this regard, it was confirmed that Full Assurance had been given and that the main findings of the report had concluded that the Fund's investments were made in accordance with its statutory requirements and relevant policies, all Fund investments, acquisitions and disposals were properly controlled and recorded, all Pension Fund income was received in full and on time and was accurately recorded and there were appropriate arrangements in place for the monitoring and appraisal for the performance of the Fund's investments.

During discussion, thanks were conveyed to the Officers concerned for an excellent report which had highlighted all aspects of what was a very well managed Fund.

Thereafter, the Committee otherwise **NOTED** the content of the report and the audit opinion which had been provided.

**5. Governance Policy Statement 2019/20
Poileasaidh Riaghlaidh 2019/20**

There had been circulated Report No. PC/8/19 by the Head of Corporate Finance & Commercialism.

In this regard, it was noted that the Statement set out the governance policy statement that applied to the Highland Council Pension Fund and was one of a number of key strategies, policies and procedures which the Fund was required to hold.

During discussion, a correction was made to Paragraph 8 (Role of Trustee) and specifically the reference which had been made to membership of the Pensions Committee and the Investment Sub Committee which included 2 non-voting members representing other employers. In this respect, it had been stated that there was currently a vacancy and this was not in fact the case.

Thereafter, the Committee otherwise **APPROVED** the Highland Council Pension Fund Governance Policy Statement as circulated.

**6. Pension Fund Contributions and Administration
Tabhartasan agus Rianachd Maoin Peinnsein**

There had been circulated Report No. PC/9/19 by the Head of Corporate Finance & Commercialism.

In this regard, and with specific reference to the Guaranteed Minimum Pension (GMP) Comparison Exercise, it was advised that pension schemes were required to undertake a data reconciliation exercise with HMRC to ensure that both details of guaranteed minimum pensions and periods of contracted out service were up to date and robust. As such, the comparison exercise for the Highland Council was ongoing and the match rate had risen from an initial 52% to 91% as at the end of May 2019 and it was anticipated that this would rise to around 93% when the latest matching queries had been received from HMRC. The final stage of the exercise would be to analyse the remaining unmatched cases on an individual basis, understand and report the impact of the exercise on the fund and scheme members and agree a policy to deal with cases where GMP had been overpaid.

During discussion, it was suggested that a further breakdown of Pensions Administration Costs and also Fund Manager Fees would be helpful in future.

Thereafter, the Committee otherwise **NOTED** the details of the report and **APPROVED** the 2019/20 Pension Fund budget as circulated.

**7. Highland Council Pension Fund: Monitoring of Retirements
Maoin Peinnsein Chomhairle na Gàidhealtachd: Sgrùdadh Cluaineis**

There had been circulated Report No. PC/10/19 by the Head of Corporate Finance & Commercialism.

In this regard, it was noted that the Appendix to the report provided a summary of retirements, Highland Council retirements, non-Highland Council retirements and comparisons with previous years.

It was also confirmed that changes to the pension regulations meant that 'employer consent' at age 55 was now no longer required and this retirement type would no longer be reported in future years.

Thereafter, the Committee otherwise **NOTED** the terms of the report as circulated.

8. Risk Management Update Fios às Ùr mu Rianachd Chunnairt

Declaration of Interest – Mr A Jarvie declared a non-financial interest in this item as a Director of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

There had been circulated Report No. PC/11/19 by the Head of Corporate Finance & Commercialism.

In this regard, the report provided an update on the Fund's Risk Register and compliance with the Pension Fund Regulator requirements on internal controls.

It was also confirmed that two new risks had been added to the Risk Register in relation to (i) increasing demands and complexity around pensions which created additional pressures for the Pension Administration team and (ii) the risk associated with the recent McCloud judgement although the quantitative impact on the Fund would not be known until a remedy to compensate the claimants had been decided.

Thereafter, the Committee **NOTED** the updated Risk Register extract and compliance with the Pension Fund Regulator requirements as detailed in the report.

9. Training Policy and Training Plan 2019/20 Poileasaidh Trèanaidh agus Plana Trèanaidh 2019/20

There had been circulated Report No. PC/12/19 by the Head of Corporate Finance & Commercialism.

In this regard, details of the training policy for the Highland Council Pension Fund, which applied to Officers responsible for supporting the Fund and members of the Pension Board, Committee and Investment Sub Committee, had been highlighted. The requirement for all recently appointed Board and Committee members to complete induction training was also noted.

During discussion, and in noting that a review of the current training policy would be considered if necessary, it was suggested that this should include an emphasis on the need for regular and ongoing training on pension matters, the identification of the location of training sources, the advantages of online training materials and feedback from members following the completion of training.

Thereafter, the Committee:-

- i. **NOTED** the assessment and training resources provided by the Pensions Regulator and the requirement for newly appointed Board and Committee members to complete induction training;
- ii. **NOTED** the adoption of the CIPFA Local Pensions Boards Technical Knowledge and Skills framework, including the self-assessment matrix and the guide for local Pension Boards issued by CIPFA;
- iii. **NOTED** the training delivered to date on Pension Fund matters;
- iv. **AGREED** the training policy and programme for 2019/20 set out within the report; and
- v. **NOTED** that details of individual attendance at Pensions Committee, Investment Committee and training would be reported in the Pension Fund Annual Report and Annual Accounts for 2019/20.

**10. Investment Sub Committee: Minutes of Meetings
Fo-chomataidh Tasgaidh: Geàrr-chunntas na Coinneimh**

The Minutes of Meetings of the Investment Sub-Committee held on 15 March and 14 June 2019 had been circulated for confirmation and were **APPROVED**.

**11. External Annual Audit
Sgrùdadh Bliadhnaidh on Taobh A-muigh**

**11.a External Annual Audit Report to Members of the Pensions Committee and the Controller of Audit
Aithisg In-sgrùdaidh Bhliadhnaidh on Taobh A-muigh do Bhuill de Chomataidh nam Peinnsean agus Rianadair an Sgrùdaidh**

There had been circulated Report No. PC/13/19 by the External Auditor, Grant Thornton.

During a summary of the report, the findings from the external audit work for the financial year ended 31 March 2019 were highlighted and it was confirmed that it was planned to issue an unqualified audit opinion. As such, the report was being presented as a draft to the Committee following which it would be signed by the Chief Finance Officer on behalf of the Highland Council Pension Fund.

Detail was also provided on the identified audit risks and associated conclusions as follows – risk of fraud in revenue, management override of controls and valuation of investments being incorrect.

During discussion, reference was made to the following:-

Pension Scheme Legal Cases – noted that, during 2018/19, there had been two ongoing developments which impacted on the Pension Fund's liabilities, namely the McCloud/Sargeant case and the potential impact of the Guaranteed Minimum Pension (GMP) comparison exercise. In this regard, the Pension Fund's actuary had undertaken an initial assessment of the former on the scheme liabilities and had estimated the impact to be approximately £15m. Further provision was likely for the GMP impact but was considered unlikely to be material.

Follow up of 2017/18 recommendations – Fund Valuation - noted that the valuation in the financial statements for one of the fund's investment managers had been understated by £2.903m as the actual 31 March 2017 valuations had not been used due to these being unavailable at the time of preparing the year end accounts. However, the issue had now been closed as Officers had completed a full reconciliation.

Follow up of 2017/18 recommendations – Meeting Frequency – noted that the only area where the Fund had not complied with the best practice arrangements set out in the Governance Compliance Statement had been in relation to meeting frequency. However, the issue had now been closed as it was considered that two Pension Committee meetings per year adequately covered business, with responsibility for monitoring investment performance and delivering the Fund's investment objectives, strategies and policies being delegated to the Investment Sub Committee which met quarterly.

Audit Adjustments – in regard to the uncorrected misstatement in relation to investment valuations as at 31 March where there had been an estimation difference of £4.73m in the carrying value of investment, it was agreed that further clarification should be provided on whether this had been an under or over estimation.

Accounting Estimates and Judgements – noted that, as at 31 March 2019, the Present Value of Promised Retirements Benefits had been estimated to be £2.501bn and it was agreed that further clarification should be provided in this regard, specifically in terms of whether this represented a change from 100% funding in the previous year to 80% in the current year.

Thereafter, the Committee otherwise **NOTED** the terms of the report as circulated.

11.b Letter of Representation 2018/19 Litir Riochdachaidh 2018/19

There had been circulated Report No. PC/14/19 which contained a copy of the annual audit Letter of Representation for 2018/19.

The Committee **AGREED** that the letter as circulated be signed on behalf of the Highland Council.

11.c Audited Accounts 2018/19 Cunntasan Sgrùdaichte 2018/19

It was noted that the Audited Statement of Accounts for the financial year 2018/19 were available for viewing at the following weblink:-

https://www.highland.gov.uk/downloads/download/714/pension_fund_accounts

In this regard, information in respect of the year end assets, management statistics (including the increase in the number of members to 31,500), overall surplus for the year (approx. £115m), fund performance (overall return of 6.4%), key performance indicators (including administration of the fund which was positive) and a breakdown of management expenses was provided.

During discussion, and in response to a query as to why administration costs had increased, it was confirmed that this was due to a number of factors, including the Guaranteed Minimum Pension (GMP) comparison exercise (which was a one-off issue in the current year) and also the staff pay award for current and future years.

Thereafter, the Committee otherwise **APPROVED** the Annual Accounts for 2018/19 as detailed.

The meeting ended at 11.35am.

The Highland Council

Minutes of Meeting of the **Ross and Cromarty Committee** held in the Chamber, Council Offices, Dingwall on Wednesday, 14 August 2019 at 10.30 am.

Present:

Mr G Adam	Mrs A MacLean
Mrs J Barclay	Mr D MacLeod
Dr I Cockburn	Ms P Munro
Mr C Fraser	Mrs M Paterson
Mr D Louden	Mr A Rhind
Mr A MacInnes	Mrs F Robertson
Mr G MacKenzie	Ms M Smith

Officials in Attendance:

Mrs C McDiarmid, Interim Chief Officer (Community Services)
 Mr C Howell, Head of Infrastructure (by tele-conference)
 Ms B Couston, Additional Supports Needs Manager (Mid Area)
 Mr J Holden, Housing Manager (North)
 Mr B Cameron, Housing Policy & Investment Manager
 Mr J Henderson, Housing Investment Officer
 Ms H Ross, Senior Ward Manager, Chief Executive's Office
 Mr R Bain, Ward Manager, Chief Executive's Office
 Ms D Agnew, Ward Manager, Chief Executive's Office
 Mr S Taylor, Administrative Assistant, Chief Executive's Office

Also in Attendance:

Inspector Kevin MacLeod, 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.

Mrs F Robertson in the Chair

Preliminaries

The Chair welcomed Mrs Joanie Whiteford, Lord-Lieutenant of Ross and Cromarty to the meeting as an observer.

Business

1. Apologies for Absence Leisgeulan

Apologies for absence were intimated on behalf of Mr M Finlayson and Mrs C Wilson.

2. Declarations of Interest
Foillseachaidhean Com-pàirt

None.

3. Minutes
Geàrr-chunntas

There had been circulated and were **NOTED** Minutes of Meeting of the Ross and Cromarty Committee held on 1 May 2019, which had been approved by the Council on 9 May 2019.

In terms of Standing Order 9, the Committee **AGREED** to take items 5 and 8 on the agenda at this point in the meeting.

5. Annual Area Capital Report
Aithisg Chalpa Sgìreil Bhliadhna

There had been circulated Report No RC/024/19 dated 6 August 2019 by the Head of Corporate Finance and Commercialism.

Arising from discussion, updates were provided in relation to the following:-

- progress with the ongoing improvement works at Crask Junction;
- the release of the housing moratorium in Dingwall following identification of traffic remodelling, during which it was suggested that a ward briefing be provided to members on the preparation of a coordinated plan and the requirements for mitigation associated with specific developments;
- a request was made for further information regarding current year spend in relation to site investigation works at Tain 3 – 18 School Campus;
- issues in relation to damaged bridges and how money was allocated for repairs could be raised directly with the Head of Infrastructure;
- it was confirmed that a report had been submitted to EDI Committee proposing a risk-based approach to assessing bridge conditions and structures inspections;
- in relation to Vacant and Derelict Land Fund (VDLF), a request was made for further information regarding Evanton Industrial Estate and why Seabank Tank Farm, Invergordon had not been included in the VDLF;
- the contractor's obligations regarding landscaping at Muir of Ord Railway Bridge; and
- Sustrans funding of green and active travel.

The Committee **NOTED**:-

- i. the expenditure on each project in this Council area in 2018/19;
- ii. the budget for each project in this Council area in 2019/20; and
- iii. the cumulative spend for each project in this Council area for 2018/19 and 2019/20 to end of June.

8. Dingwall Flooding Incident Tuil Inbhir Pheofharain

There had been circulated Joint Report No RC/027/19 dated 9 August 2019 by Corporate Communications and Resilience Manager, Interim Chief Officer (Resources for Community Services) and the Head of Infrastructure.

In discussion, the following points were raised:-

- Members welcomed the organisation of a further drop-in session to be held on 16 September and commended the quick response and efforts by the Highland Council and partner agency staff;
- Reassurance was sought that local knowledge would be captured in relation to future housing developments and that people who were unable to attend the drop-in session on 16 September would be given the opportunity to contact the Council to raise any matters;
- Concern had been expressed locally that flooding had occurred in areas which had never previously experienced this and there had been a suggestion that flooding had arisen due to new housing developments in Dingwall;
- Reassurance was sought that appropriate flood mitigation measures would be included in applications for future housing developments;
- It was important to reassure residents that new housing developments were not necessarily the reason for flooding;
- It had been a distressing time for those affected by the flooding and the public response to the incident was commended;
- In highlighting that other towns and areas within Ross and Cromarty were also severely affected by the heavy rainfall, the impact of climate change was emphasised;
- Within the capital programme concern regarding flood risk developments was raised regularly, and it was suggested that the way in which the Council dealt with flood risk developments should be explored in co-operation with the Scottish Government and other partner agencies;
- A request was made that a meeting be organised between Strathpeffer Community Council and the Flood Risk Management Team to identify housing within the town which could potentially be affected by flooding in the future;
- Whilst the Council had a duty to respond to flood incidents, it was emphasised that ultimately every householder was responsible for flood protection of their own properties; and
- In highlighting the differing car parking surfaces at Tain Health Centre, it was suggested that mitigation measures were required to address the problem of water running off tarred surfaces at high levels and subsequently flooding areas at a lower level.

The Committee:-

- i. **NOTED** the exceptional weather conditions which resulted in this flood event;
- ii. **AGREED** to commend the quick response and efforts by the Highland Council and partner agency staff who worked throughout the night to minimise and contain threat to life and property;
- iii. **NOTED** the work done following a previous flooding incident and the response to the recent incident noting that further technical information would be made available to a future Committee by the Flood Risk Management Team; and

- iv. **NOTED** that, following a Multi-Agency Drop in Session for the public, the Highland Council was committed to respond to the questions raised and provide further information opportunities, including site visits. Updates would be brought to a future Committee.

4. **Police – Area Performance Summary** **Poilis – Geàrr-chunntas Dèanadais Sgìreil**

There had been circulated Report No RC/023/19 dated 7 August 2019 by the Area Commander (North).

In discussion, the following points were raised:-

- Further information was provided in relation to Operation CEDAR (Challenge, Educate, Detect and Reduce);
- The close working relationship with police officers in the area was commended;
- Concern was expressed regarding the high number of drinking and drug driving related offences and that it was important that everyone took responsibility to report any offences to the police as soon as possible;
- A request was made for Inspector MacLeod's Email address to be provided to Councillor Smith for her concerns regarding repeat anti-social behaviour at the same location in Tain to be addressed at the earliest opportunity;
- A request was made for a breakdown on the age profile of vulnerable people;
- In relation to an increase in victims of telephone scams, it was emphasised that it was not just the elderly who were vulnerable to these types of scams;
- Planning was ongoing in relation to tailoring Operation CEDAR to address specific issues within Tain, Alness and Dingwall;
- Information was provided on the pro-active steps being taken by the force in relation to road safety on the North Coast 500 which included an increased visible police presence on the route; and
- It was suggested that increased media promotion of the 1572 call blocking number would make it easier for the public to block nuisance or scam phone calls.

The Committee **NOTED** progress made against the objectives set within the Highland and Islands Local Policing Plan 2017-2020 Year 2 and first quarter of Year 3, attached as Annex A to this report, for the period covering 1 April 2018- 30 June 2019.

6. **Housing Performance Report** **Aithisg Dèanadais a thaobh Taigheadais**

There had been circulated Report No RC/025/19 dated 14 August 2019 by the Interim Chief Officer Resources (Community Services).

In discussion, the following points were raised:-

- In highlighting the significant increase in re-let times within Ward 5 (Wester Ross, Strathpeffer and Lochalsh), a request was made for further information on which Ward 5 properties contributed most significantly to the increased void times;

- Whilst welcoming the wall repairs undertaken at Brown Square, Dingwall, it was highlighted that work on roofing at Fingal Road and Mill Street in Dingwall had been delayed;
- Staff were commended in their efforts to help a young homelessness individual find accommodation at short notice;
- A request was made for information to be provided as to the reasons for people going into arrears, including whether a delay in the start date for universal credit had been a factor;
- In welcoming the opportunity for Members to participate in the Rate Your Estate walkabouts, a request was made that invitations to attend these be sent to all Ward members; it was confirmed that the issue of tenant communication was being considered as part of the Trades Review;
- In response to concern regarding instances of council housing being re-let by tenants as Airbnbs and whether this was considered an appropriate use of a council house, it was confirmed that the Council had provided a response to a Scottish Government Short Term Lets consultation and that this would be reported to the Environment, Development and Infrastructure Committee;
- Some tenants had not received enough information regarding timescales for reported repairs to be undertaken or when staff/contractors would call to carry out repairs;
- The Committee had previously agreed that a pilot study on housing inspections be undertaken and a request was made that a formal report be brought back on the outcome of the study;
- Further information was provided on the installation of new heating systems and the circumstances as to why some tenants did not want to have new systems installed;
- A request was made for further information on how homelessness figures/presentations were managed and that this be brought to a future Ward 8 Business Meeting;
- A request was made for information on the differing circumstances between ward re-let times and the higher percentage increase in comparison with other wards;
- A request was made that dialogue take place with appropriate parties regarding the cost of capital works in listed buildings and the duty of care expected of tenants in listed buildings and that feedback be provided to a Ward 9 Business Meeting;
- Renovation works undertaken by the Community payback scheme at Balintore Estate and Mansfield Estate were highlighted as a good example of partnership working that could be rolled out into other areas; and
- The consultation which had been undertaken by the Council with tenants at Mansfield Estate regarding the proposed installation of a new heating system was commended.

The Committee **NOTED** the information provided on housing performance in the period from 1 April 2019 to 30 June 2019.

7. Dingwall Business Improvement District Sgìre Leasachadh Gnothachais Inbhir Pheofharain

There had been circulated Report No RC/026/19 dated 5 August 2019 by the Acting Head of Policy.

In speaking to the report, the Ward Manager confirmed that the ballot would take place on 28 November 2019, subject to Scottish Government approval.

In discussion, Members commended the work undertaken by Dingwall BID staff and emphasised the importance of ensuring public aspirations would be observed. Members also emphasised the importance of marketing and promotion of Dingwall BID.

The Committee **NOTED**:-

- i. the proposals for the establishment of a Dingwall Business Improvement District;
- ii. that, as per agreement of the EDI Committee in May 2019, the Director of Development and Infrastructure, in consultation with the Chair of EDI, had determined that there was no reason for the Council to exercise its power of veto on the proposals; and
- iii. the next steps for the establishment of the Dingwall Business Improvement District.

9. Street Naming – New Housing Developments Ainmeachadh Sràide - Leasachaidhean Ùra Taigheadais

There had been circulated Report No RC/028/19 dated 5 August 2019 by the Acting Head of Policy.

The Committee **AGREED** to **HOMOLGATE** the name of Fowlers Croft for a new housing development within Culbokie.

10. Educational Trusts Urrasan Foghlaim

There had been circulated Report No RC/029/19 dated 24 July 2019 by the Interim Director of Care and Learning.

The Committee **NOTED** the report.

11. Education Scotland Reports Sgrùdaidhean le Foghlam Alba

There had been circulated Report No RC/30/19 dated 19 July 2019 by the Interim Director of Care and Learning.

The Committee **NOTED** the detail provided within the report regarding Education Scotland's inspection in Coulhill Primary School during the period March 2019.

12. Common Good Funds Maoin Maith Choitchinn

There had been circulated Reports Nos RC/031/19 – RC/035/19 dated 23 and 25 July, and 2 and 5 August 2019 by the Acting Head of Policy and the Head of Corporate and Commercialism which provide information on the following Common Good Funds:-

- a. Cromarty Common Good Fund RC/031/19;
- b. Dingwall Common Good Fund RC/032/19;
- c. Fortrose and Rosemarkie Common Good Fund RC/033/19;
- d. Invergordon Common Good Fund RC/034/19; and
- e. Tain Common Good Fund RC/035/19.

Following a suggestion that the reports should include the balance remaining on each fund, it was confirmed that the accounts were currently being audited and that this could be reflected within the report.

In relation to Invergordon Common Good Fund, it was confirmed that the Invergordon Development Trust had been successful in its bid for Stage 1 funding from the Scotland Land Fund. The Chair congratulated the Trust on their successful application.

The Committee:-

- i. **NOTED** the updated information provided in relation to each Fund; and
- ii. **AGREED** that, in relation to Dingwall Common Good Fund, a contribution of £15,000 towards the costs of a wheelchair accessible toilet, which would be available to all users of the Dingwall Town Hall, in addition to children and young people visiting the Newton Room.

13. Fortrose and Rosemarkie Common Good - Lease Extension Math Coitcheann na Cananaich agus Ros Maircnidh – Leudachadh Aonta Màil

There had been circulated Report No RC/036/19 dated 5 August 2019 by the Acting Head of Policy.

The Committee:-

- i. **NOTED** the background to the proposal for the disposal by way of new lease of Fortrose Caravan Park to the existing tenants;
- ii. **NOTED** the steps that would be necessary for the public consultation under section 104 Community Empowerment (Scotland) Act 2015;
- iii. **NOTED** the requirement to seek Sheriff Court approval in the event of a question arising as to the inalienability of the land upon which the caravan park was located; and
- iv. **AGREED** to open the public consultation on the proposal disposal.

The meeting concluded at 12.30 pm.

The Highland Council

Minutes of Meeting of the **Environment, Development and Infrastructure Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 15 August 2019 at 10.30am.

Present:

Mr R Balfour	Mr W MacKay (by video conference, am only)
Mr B Boyd	Ms A MacLean
Miss J Campbell	Mr D MacLeod
Mrs H Carmichael	Mr D Macpherson
Dr I Cockburn	Mr I Ramon (am only)
Mr M Finlayson (am only)	Mr D Rixson
Mr C Fraser	Mrs T Robertson
Mr J Gordon (am only)	Mr K Rosie
Mr J Gray	Mr A Sinclair
Mr A Henderson	Mr C Smith
Mrs L MacDonald	

Non-Members also present:

Mr B Allan (pm only)	Mr D Louden
Mrs J Barclay	Mr D Mackay (am only)
Mr R Bremner (by video conference, am only)	Mr G MacKenzie (pm only)
Mrs M Davidson (am only)	Mr P Saggars (am only)
Mr A Jarvie (am only)	Ms M Smith (pm only)
Mr B Lobban	Mr B Thompson (by video conference)

In attendance:

Mr S Black, Director of Development and Infrastructure
 Ms C McDiarmid, Interim Chief Officer Resources (Community Services)
 Ms C Campbell, Head of Performance and Resources, Community Services
 Mr D Goldie, Head of Housing and Building Maintenance, Community Services
 Mr C Howell, Head of Infrastructure, Development and Infrastructure Service
 Mr D Jones, Acting Head of Development Management, Development and Infrastructure Service
 Mr A Maguire, Head of Development and Regeneration, Development and Infrastructure Service
 Mr A Summers, Head of Environmental and Amenity Services, Community Services
 Ms N Wallace, Acting Head of Planning and Environment, Development and Infrastructure Service
 Mr S Dalgarno, Development Plans Manager, Development and Infrastructure Service
 Mr R Campbell, Estate Strategy Manager, Care, Learning and Housing Manager
 Mr R Gerring, Transport Planning Manager, Development and Infrastructure Service
 Ms K Lackie, Business Manager, Chief Executive's Service
 Mr D Mudie, Area Planning Manager (South), Development and Infrastructure Service
 Mr A McCann, Economy and Regeneration Manager, Development and Infrastructure Service
 Mr J McHardy, Housing Development Manager, Development & Infrastructure Service
 Mr M Mitchell, Finance Manager (Community Services/Development and

Infrastructure), Corporate Resources

Mr P Mascarenhas, Community and Democratic Engagement Manager, Chief Executive's Service

Mr J Robertson, Programme Manager – City Region Deal, Chief Executive's Office

Mr M Atkinson, Research Officer, Development and Infrastructure Service

Mr D Summers, Principal Transport Officer, Community Services

Miss J MacLennan, Principal Administrator, Chief Executive's Office

Mr A MacInnes, Administrative Assistant, Chief Executive's Office

Also in attendance:

Ms S Lakin, Contract Manager, MacRebur (Item 5)

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

Mr A Henderson in the Chair

Business

Preliminaries

The Chairman informed Members that John Beaton, Lighting Engineer had recently passed away at home in Inverness. John left behind a legacy that had transformed the appearance of major iconic landmarks in the region as he was Engineer on the team responsible for installation of lighting on Inverness Castle, Ness Bridge in Inverness, Ruthven Barracks and Urquhart Castle. Starting his employment with Inverness Burgh Council in October 1968, John was highly dedicated to his work and demonstrated a lifelong commitment to local government as he worked for Highland Regional Council and then The Highland Council. John would be sorely missed by his colleagues in Inverness and across the region and sympathy was extended to John's family and many friends in the Inverness footballing community who knew him well for this voluntary service to football coaching.

**1. Apologies for Absence
Leisgeulan**

Apologies for absence were intimated on behalf of Ms K Currie, Mr R Laird, Mr H Morrison and Mr A Rhind.

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

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

Item 6 – Miss J Campbell (non-financial)

Item 12 – Mrs L MacDonald (non-financial)

Item 13 – Mr D Louden (non-financial)

Item 14 – Miss J Campbell, Dr I Cockburn, Mr J Gordon, Mr A Henderson, Mr D Louden (all financial)

Item 16 – Mr D Rixson (non-financial)

3. Good News Naidheachdan Matha

The Chair highlighted a list of good news and outstanding achievements, a list which was amplified by fellow Members. In particular, the work undertaken by staff, over and above the call of duty, during recent flooding events was referred to and it was important that Members reflected on all that had been achieved under difficult circumstances.

The Committee **NOTED** the items of Good News.

4. Recess Powers Cumhachdan Fosaidh

The Committee **NOTED** that the recess powers granted by the Council at its meeting on 27 June 2019 had not been exercised in relation to the business of the Committee.

5. Use of Recycled Plastic on Roads – Presentation Cleachdadh Plastaig Ath-chuairtiche air Rathaidean – Taisbeanadh

A presentation was given by Sara Lakin, Contact Manager, Macrebur on the use of recycled plastics on roads during which she gave a background to the company and its products. She explained that they used waste plastics to enhance road surfaces and this had the added benefit of reducing landfill, carbon emissions, avoided the unnecessary transport of this waste product and gave the waste a value. Users of the product were supermarkets, the construction industry and a number of utility companies, some of which were located in Highland.

With an opportunity to discuss the presentation in more detail directly with Ms Lakin, Members raised the following points:-

- an increase in the amount of plastics used on roads would be welcomed but it was recognised that this would have to take into consideration industry standards;
- information on the durability of the product and technical reports would be welcomed;
- more information from local users would also be welcomed;
- the integrity of the product when statutory undertakers carried out work on roads was sought;
- the products seemed to be particularly suited to pavements and cycle paths; and
- the cost compared to materials currently used was provided. However, it was important to also consider the savings which would be made on maintenance.

Thereafter, the Committee **NOTED** the position.

6. Development and Infrastructure Service Revenue Budget 2019/2020 Buidseat Teachd-a-steach Seirbheis an Leasachaidh agus a' Bhun-structair

Declaration of Interest: Miss J Campbell declared a non-financial interest in this item as a Board Member of Eden Court Theatre but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that her interest did not preclude her involvement in the discussion.

There had been circulated Report No EDI/41/19 dated 5 August 2019 by the Director of Development and Infrastructure Services.

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

- in relation to the request for £30k towards the continuation of feasibility works at Eden Court, as the Council had subsidised Eden Court in the past, it was queried why the money sought could not come Eden Court itself or from the Inverness Common Good Fund or the City of Inverness Arts budget. It was generally felt that this was a great opportunity for the City of Inverness and wider Highland area, for businesses involved in tourism, to ensure that Eden Court was financially stable for the future and for these reasons the Council should be supporting the feasibility study;
- the Project Design Unit was supposed to be income generating, but the budget was showing a deficit. Further, technical design and projects was also supposed to be income generating, but was also showing a deficit. It was noted that this was due to a lack of staff and it was queried how these deficits would be addressed over the remainder of the financial year, given the current recruitment freeze;
- it was queried if there had been an increase in Environment Advice & Consultancy Team income as many projects in Highland had an environmental impact and whether project applicants took advantage of this service; and
- the underspend in the revenue budget all seemed to come from extra income e.g. planning fee income, housing grants etc, but when the budget was split into its subjective headings, the underspend was all in staff costs which seemed to be an anomaly. Clarification on this would be provided to the Committee.

Thereafter, the Committee **APPROVED**:-

- i. the revenue monitoring position for the period 1 April 2019 to 30 June 2019 and the actions which have been put in place to manage the budget over the remainder of the financial year; and
- ii. the allocation of £30k from the Development & Infrastructure Service feasibility budget towards the continuation of feasibility works at Eden Court.

7. Capital Expenditure Monitoring Report Aithisg Sgrùdaidh Caiteachais Chalpa

There had been circulated Report No EDI/42/19 dated 6 August 2019 by the Director of Development and Infrastructure Services.

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

- the Service was doing extremely well in terms of delivering its capital programme, but concern was expressed about capacity and ability to deliver projects for example on schools, bridges and roads in future and there were limited options open to the Council to address this;
- it was welcomed that work was underway on the Portree Primary School project and support was expressed to funding for a Dance Studio at the school;
- in relation to the Inverness Crematorium replacement cremators, it was confirmed that this project had been completed and the cremators were fully functioning. It had been reported that the Crematorium had the highest charges in Scotland, and an explanation for this would be provided to Councillor I Ramon;
- in relation to the residual waste management facility project budget of circa £5.2m, it was advised that in early 2021 there would be a change in legislation with a landfill ban and the latest figures provided by Consultants for a residual waste bulking facility was £7.6m; an RDF Exporting Model of £11.7m and a Energy from Waste facility of £179m. It was therefore suggested that the estimate for this project needed to be revised;
- a solution to the landfill ban was to seek a derogation from the Scottish Government, but if this not successful, it was queried what other solution was available;
- there were numerous road schemes in the West Coast and Caithness requiring to be carried out, but limited funding for these. It was explained that a lack of funding was an issue for all local areas and while more funding was needed, it was for Local Committee's to determine their roads maintenance plan priorities each year within their respective budgets. A view was expressed that the Council did receive sufficient funding from the Scottish Government for the maintenance of its roads, but the Council chose to spend the money on other priorities;
- clarification had been sought in relation to the budgets on Inverness High School refurbishment and Alness Academy; and
- the Investment in housing was making a big difference to the people in Highland and local businesses were also benefiting from the building of new homes. Also, proposed flood defence schemes would provide more opportunities for new homes to be built.

The Committee **NOTED**:-

- i. the capital expenditure position for the period 1 April 2019 to 30 June 2019; and
- ii. a budget allocation from the School Estate Investment Programme of up to £70,000, as match funding, to create a Dance Studio at Portree Primary School.

8. Planning Performance Framework and Quarter 1 Performance Review Frèam Coileanaidh Dealbhaidh agus Ath-sgrùdadh Coileanaidh Cairteal 1

There had been circulated Report No. EDI/43/19 dated 29 July 2019 by the Director of Development and Infrastructure, accompanied by a demonstration of the Planning Performance Framework.

During discussion, Members raised the following issues:-

- information was sought, and provided, as to what action was being taken to address the number of outstanding cases relating to enforcement action;
- whilst the re-introduction of a new service for the satisfaction and discharge of conditions within a reduced timescale for those willing to pay for the service was welcomed, it was important that it was clear what was being provided at each level;
- it was hoped that a proportion of the money generated by planning applications was retained in the service to ensure the process was developed and enforcement action taken when required; and
- given the excellent work undertaken to produce the Planning Performance Framework, it should be promoted through social media.

The Committee:-

- i. **APPROVED** the Planning Performance Framework (PPF) for submission to Scottish Government;
- ii. **AGREED** that the PPF be tweeted to maximise awareness; and
- iii. **NOTED** the performance updates for the Planning and Environment Service.

9. Planning Bill – Update and Resources Implications Bile Dealbhadh – Cunntas às Ùr agus Buaidh air Stòrasan

There had been circulated Report No EDI/44/19 dated 24 July 2019 by the Director of Development and Infrastructure.

During discussion, Members raised the following issues:-

- whilst the objectives of the new Planning Bill were desirable, these also brought resource implications to the Council;
- as both the Scottish Government and the Highland Council had declared a Climate Change Emergency, it was suggested that the Climate Change assessment undertaken by the Scottish Government needed to be revisited;
- more information was sought, and provided, on the proposed Infrastructure Levy and the policy to reverse depopulation;
- costs which would be incurred as many representations related to Planning Enforcement, it would be useful if the Charter could be sent to all Members;
- it was hoped cognisance would be taken of community participation with the Planning process through exercises such as Planning for Real;
- it was questioned what reassurance the Planning Bill would give in terms of standards of build; and
- assurance was sought, and provided, that the reference to the “use” of green spaces was in terms of recreation use.

The Committee **NOTED**:-

- i. the content of the finalised Planning Bill; and

- ii. and consider the future resource and other implications of the additional statutory duties that will be brought in by the Act and its related secondary legislation.

10. Planning Enforcement Charter Cairt Co-èigneachadh Dealbhaidh

There had been circulated Report No EDI/45/19 dated 29 July 2019 by the Director of Development and Infrastructure.

During discussion, Members raised the following issues:-

- as many representations related to Planning Enforcement, it would be useful if the Charter could be sent to all Members;
- an explanation was sought, and provided, as to instances where direct enforcement action might not be dealt with by the Planning Service;
- whilst there was a duty to protect the identity of complainants, there might be instances where the substance of the complaint needed to be disclosed. However, if the complaint escalated to court proceedings, this protection could not be guaranteed.

The Committee **AGREED**:-

- i. to adopt the Charter as set out in Appendix 1 of the report as the Council's statement of planning enforcement policy and procedure; and
- ii. the Charter be sent to all Members.

11. Regeneration and Economy Ath-ùrachadh agus Eaconamaidh

There had been circulated Report No EDI/46/19 dated 31 July 2019 by the Director of Development and Infrastructure.

During discussion, Members raised the following issues:-

- in terms of the way ahead, it was vital to ensure that sufficient skills and localised skills plans were in place in the Highlands in future to manage new initiatives and to maximise benefit, particularly in relation to the construction industry and in the renewable energy sector;
- in light of the above, attracting and maintaining a skills base and identifying the needs of local businesses was vital for the area, with particular reference being made to the need for auto electricians in future;
- the current situation surrounding Brexit could worsen the outlook for the Highlands, not least in regard to a potential skills shortage in the construction industry, and it was therefore suggested that a Seminar should be arranged in this respect and should include representation from local bodies/companies as necessary;
- in welcoming the organisation of a Seminar, it had to be highlighted that the issue of construction skills was key, along with changing skills across a number of sectors and also off-site fabrication in the Highlands;
- in noting that the Council, in partnership with Highlands & Islands Enterprise and Skills Development Scotland, were currently working together to progress a Talent Attraction Strategy, reference was made to

a recent event held locally in the Merkinch area which had showcased the considerable number of talented young people in that area and had been very inspiring; and

- in regard to inward investment activities, it was noted that the formal resourced initiative to develop economic links with Augsburg and Bavaria had now come to an end and it was hoped that the opportunity would be taken to further nurture and develop the links which had been established.

Thereafter, the Committee **NOTED**:-

- i. the key developments highlighted during Quarter 1 and emerging activity; and
- ii. the delegated decision taken by the Director of Development and Infrastructure, in consultation with the Chair of the Environment, Development and Infrastructure Committee, that there were no grounds for the Council, in accordance with the Planning etc (Scotland) Act 2006 and associated Business Improvement Districts (Scotland) Regulations 2007, to exercise its veto to stop the Dingwall Business Improvement District proposal progressing to ballot.

It was also **AGREED** that a Seminar should be arranged as soon as possible and should include representation from local bodies/companies as necessary.

12. Inverness and Highland City Region Deal Update **Cunntas às Ùr mu Chùmhnant Baile is Roinne Inbhir Nis agus na Gàidhealtachd**

Declaration of Interest: Ms L MacDonald declared a non-financial interest in this item given Albyn Housing's involvement with one of the Inverness and Highland City Region Deal's projects but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that her interest did not preclude her involvement in the discussion.

There had been circulated Report No EDI/47/19 dated 29 July 2019 by the Director of Development and Infrastructure.

In this regard, it was noted that the Minutes of the City Region Deal Monitoring Group meeting held on 1 August 2019 had also been circulated at Item 28 on the agenda.

During discussion, and in welcoming the additional governance measures which had now been put in place, it was also noted that progress against projects was reported to the Committee quarterly and as such it was hoped that this regular reporting in a consistent format would facilitate transparency in terms of where progress was positive and where any remedial action was necessary. In this regard, the individual projects had been listed in Appendix 1 to the report, along with a description and update on current status.

In relation to Programme Level Risks, and specifically the Full Business Cases not agreed in relation to the main CRD Digital project, it was confirmed that current delays were due to awaiting confirmation from the Scottish Government

as to chosen suppliers and as such were outwith the control of the Council at present.

It was also confirmed that further and more detailed information in regard to the Programme Management Activities could be provided for Members as and when required.

Thereafter, the Committee otherwise **NOTED** the progress and increase in pace being made with the City-Region Deal Programme as detailed in the report.

13. Community Asset Transfer Requests Gluasadan So-mhaoin Choimhearsnachd

Declaration of Interest: Mr D Loudon declared a non-financial interest as a member of a museum which was, in turn, a member of the Highland Museum Forum 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 EDI/48/19 dated 1 August 2019 by the Acting Head of Policy.

In this regard, and during a summary of the report, it was highlighted that in relation to the 'lease of land' at Whitedykes Industrial Estate, Cromarty to the Cromarty Community Development Trust, this had now been amended to a 'transfer of ownership' with the approximate value of the land being in the sum of £5k.

With specific reference to the request in respect of the Dingwall Men's Shed, it was confirmed that only the location was the problem in what was otherwise an excellent application. As such, an alternative proposal was currently being drafted.

During discussion, reference was made to the length of time generally taken in regard to the agreement of leases which was causing some delay to applications and it was hoped that timescales could be improved in future.

Thereafter, the Committee **AGREED** the following community asset transfer requests – subject to the terms of transfers as detailed in the report and the amendment to the proposal in respect of land at Whitedykes Industrial Estate:-

- Sale of land at Clachan Graveyard Extension, Bettyhill to Strathnaver Museum for £1;
- Transfer of Ownership of land at Whitedykes Industrial Estate, Cromarty to Cromarty Community Development Trust in the sum of £5k;
- Lease of Ormlie Community Centre to Ormlie Community Association Ltd for £1 per annum; and
- Sale of the land that Spean Bidget Community Centre was built on to Spean Bridge Community Centre SCIO for £1.

The Committee **REFUSED** the community asset transfer request in relation to the lease of Unit 4b, Docharty Road, Dingwall to Dingwall Men's Shed.

14. Scottish Government Short Term Lets Consultation
Co-chomhairle Aontaidhean Màil Geàrr-ùine Riaghaltas na h-Alba

Declarations of Interest: Miss J Campbell, Dr I Cockburn, Mr J Gray, Mr A Henderson and Mr D Louden declared financial interests in this item as providers of short term lets and left the room.

Mrs T Robertson took the Chair.

There had been circulated Report No EDI/49/19 dated 5 August 2019 by the Acting Head of Policy.

During discussion, Members raised the following issues in relation to the Consultation Response which had been provided in Appendix 1 to the report:-

Item 2 – ‘Should a regulatory framework distinguish between sharing, swapping and secondary letting?’ – suggested that the response should include reference to the fact that providing Airbnb from rented properties was a breach of tenancy conditions;

Item 7 – ‘Do you have any comments about the impact of short-term lets on the housing market?’ – suggested that the response should also include reference to the effect on local rental provision; and

Item 14 – ‘Do you have any comments on the eligibility of self-catering accommodation for the Small Business Bonus Scheme?’ – suggested that the response should also include reference to the need to highlight more strongly the fact that this Scheme was very generous in so far as it offered 100% relief from non-domestic rates and it was important that this section of taxpayers were fully aware that they had a rating liability from which they were receiving full relief.

Thereafter, the Committee otherwise **HOMOLOGATED** the response to the consultation as provided in Appendix 1 to the report – subject to inclusion of the issues which had been raised at the meeting as detailed.

15. Drumnadrochit Flood Protection Scheme 2019
Sgeama Dion Thuiltean Dhruim na Drochaid 2019

There had been circulated Report No EDI/50/19 dated 19 July 2019 by the Director of Development and Infrastructure.

The Committee:-

- i. **AGREED** the Drumnadrochit Flood Protection Scheme 2019 (on the basis that the Council would now notify Scottish Ministers to obtain deemed planning consent); and
- ii. **AGREED** the draft planning conditions in Appendix 1 of the report (on the basis that they would now be issued in draft to Scottish Ministers for consideration of the conditions of the scheme).

16. Caol and Lochyside Flood Protection Scheme 2018
Sgeama Dion Thuiltean a' Chaoil agus Thaobh Lòchaidh 2018

Declaration of Interest: Mr D Rixson declared a non-financial interest in this item as he was indirectly referred to in the Scottish Government report 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 EDI/51/19 dated 19 July 2019 by the Director of Development and Infrastructure.

The Committee **AGREED** the Caol and Lochyside Flood Protection Scheme 2018 without modification and the draft planning conditions as detailed in Appendix 2 of the report.

17. Energy Efficient Scotland Programmes
Alba Lùth Èifeachdach

There had been circulated Report No EDI/52/19 dated 5 August 2019 by the Director of Development and Infrastructure.

The Committee:-

- i. **APPROVED** a closer alignment between Council energy efficiency programmes with targeted measures offered to householders and businesses within the Highlands to ensure the energy programmes achieved maximum benefits; and
- ii. **NOTED** the progress and proposed plans for the current Energy Efficiency Programme as detailed in the report.

18. Species Champions - Update
Curaidh Ghnèithean – Cunntas às Ùr

There had been circulated Report No EDI/53/19 dated 27 June 2019 by the Director of Development and Infrastructure.

During discussion, Members welcomed the terms of the report, specifically on the basis that the Species Champion initiative would raise the profile and boost public awareness of species found across the Highlands.

Thereafter, the Committee **NOTED** the terms of the report and confirmed the Species Champions as listed, on the basis that they would promote their chosen species and develop links with relevant bodies.

19. National Transport Strategy – Consultation Update
Ro-innleachd Còmhdhail Nàiseanta – Cunntas às Ùr mu Cho-chomhairleachadh

There had been circulated Report No EDI/54/19 dated 11 July 2019 by the Director of Development and Infrastructure.

During discussion, and with specific reference to the 14 draft policies which had been listed in the report, Members raised the following issues:-

- in regard to the need to provide a transport system which was equally accessible for all, there should be reference to any possible links which could be made with the Licensing Committee in relation to taxis and specifically any support which might be available to upgrade vehicles;
- the needs of the Stromeferry By-Pass should be aligned with these policies whenever and wherever possible;
- there was a need for criteria which would highlight which buses were not currently accessible for all at present, with specific reference to rural transport which had to be improved in order to meet the aim of re-populating rural areas wherever possible;
- skilled labour, including auto electricians, would be vital in future and as such training courses/facilities in this regard were vital; and
- it had to be recognised that there was a need for real change in terms of strategy, including from Transport Scotland, to reduce speed limits, particularly in rural areas, as a priority in future and encouraging biking and walking as alternatives wherever possible.

Thereafter, Members **NOTED**:-

- i. the timeline for consultation for the National Transport Strategy 2;
- ii. the initial comments on the 14 draft policies – subject to inclusion of the issues which had been raised at the meeting as detailed; and
- iii. that a further report would be brought back to the Committee in this regard.

20. National Islands Plan and Island Communities Impact Assessments – Draft Consultation Response

Plana Nàiseanta nan Eilean agus Measaidhean Buaidh air Coimhearsnachdan nan Eilean – Dreachd Fhreagairt Cho-chomhairle

There had been circulated Report No EDI/55/19 dated 5 August 2019 by the Chief Executive.

During discussion, and with specific reference to Paragraph 8 whereby it had been highlighted 'that underinvestment in Skye's infrastructure had to be addressed if the tourist industry was to be sustainable whilst at the same time ensuring that local people were able to go about their daily business', it was suggested that this same situation also applied to the Wester Ross area.

Thereafter, the otherwise Committee **APPROVED** the draft response to the National Islands Plan and Island Communities Impact Assessments Consultation as detailed in Appendix 1 to the report.

21. Community Services Revenue Budget Monitoring Report

Aithisg Sgrùdaidh Buidseat Teachd-a-steach nan Seirbheisean Coimhearsnachd

There had been circulated Report No EDI/56/19 dated 7 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, Members raised the following issues:-

- in regard to the saving proposal to dim street lighting by 20% on all new LED lights between 12 and 6 am, assurances were provided that it would have no detrimental impact on the operation of CCTV in the city centre;
- clarification was sought as to what appeared to be anomalies with the reported figures in relation to the lighting, refuse and waste disposal budgets. In response it was explained that this related to income received at the start of the financial year;
- if there was a loss of European fishing vessels at Lochinver following Brexit, it was essential that the budget target was revisited, bearing in mind that this was a significant part of the service's income; and
- clarification was provided as to why there might be a reduction in ferry dues by Calmac for the use of Uig pier.

The Committee **APPROVED** the revenue monitoring position for the period 1 April to 30 June 2019.

22. Community Services Performance Report - 1 April to 30 June 2019
Aithisg Coileanaidh nan Seirbheisean Coimhearsnachd – 1 Giblean gu 30 Ògmhios 2019

There had been circulated Report No EDI/57/19 dated 7 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, Members raised the following issues:-

- the Council no longer used weed killers containing glyphosate in high profile areas given the harmful effects of the chemical on the environment and to those using it. Alternatives, together with costings, would be reported to the Highland Council at its meeting on 5 September. However, it was important that the Council's stance on the use of glyphosate was communicated to the public to avoid any negative impact to the Council's reputation; and
- the way complaints were received by the service was confirmed.

The Committee **NOTED** the information provided on Community Services performance from 1 April to 30 June 2019.

23. Scottish Road Maintenance Condition Survey and Backlog Calculations 2018-19
Suirbhidh Staid Cumail Suas Rathaidean na h-Alba agus Àireamhachadh Càrn-obrach 2018-19

There had been circulated Report No EDI/58/19 dated 22 July 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, it was suggested that future reports trend data should be incorporated to help reinforce the argument for additional resources to negate the progressive degradation of the area's roads.

The Committee **NOTED**:-

- i. the results of the Scottish Road Maintenance Condition Survey for 2018 and that our relative ranking had fallen from 24 to 25 position amongst Scottish Councils;
- ii. the increase in costs in relation to the road maintenance backlog; and
- iii. the report as a useful source of evidence for capital programming.

24. Strategic Timber Transport Fund 2019/20 Projects Pròiseactan Maoin Còmhdhail Fiodha Ro-innleachdail 2019/20

There had been circulated Report No EDI/59/19 dated 6 August 2019 by the Interim Chief Officer Resources (Community Services).

Officers were thanked for the work undertaken in relation to the forestry project on Eigg. Not only had this generated income benefit but had provided additional fuel for islanders.

The Committee:-

- i. **NOTED** the award to date of £601.1k of grant funding for and delivery of the 2019/20 schemes and that due to further scheme developments, the Council anticipated securing further grant funding later in 2019;
- ii. **NOTED** the preparatory work for potential bids to be made to the 2020/21 Strategic Timber Transport Scheme Fund;
- iii. **AGREED** that, should STTS match funding bids be unsuccessful any residual match funding would be reallocated across the Areas using the Road Condition Survey parameters; and
- iv. **AGREED** that subject to the availability of funds as decided at the annual budget setting stage and the continuation of the national STTS programme that up to £0.5M be allocated under the road structural (capital) funding as match funding for 2020/21 and future years.

25. Community Transport: Grant Funding and Change Programme Còmhdhail Choimhearsnachd: Maoineachadh Tabhartais agus Prògram Atharrachaidh

There had been circulated Report No EDI/60/19 dated 29 July 2019 by the Interim Chief Officer Resources (Community Services).

The Committee:-

- i. **NOTED** that current Community Transport Grants ran to March 2020 and were currently awarded as set out in Appendix 1 of the report;
- ii. **APPROVED** the process for reviewing grant awards including the eligibility and award criteria as outlined in Appendix 2 of the report;
- iii. **NOTED** that a further report was intended for the EDI Committee in November 2019 on the progress made and grant awards recommended; and
- iv. **NOTED** that further work was taking place to strengthen the capacity of the Community Transport sector and to develop alternatives to high-cost contracts. This was supported by a Change Project and separate funding streams. It had savings targets to meet and community transport initiatives could be supportive. The project included developing new initiatives and a home to school pilot was planned for Poolewe this year.

26. Risk Based Approach to Structures Inspections Dòigh-obrach Stèidhichte air Cunnart a thaobh Sgrùdaidhean Structaran

There had been circulated Report No EDI/61/19 dated 2 July 2019 by the Interim Chief Officer Resources (Community Services).

Given that many bridges were lifelines for rural communities, the condition survey was warmly welcomed.

The Committee:-

- i. **APPROVED** adoption of the Structures Inspections policy in Appendix 1 of the report for the proposed Risk Based Approach in Highland; and
- ii. **NOTED** the current position in Highland in relation to the resources available for inspections.

27. Changes to Council Policy on Categories of Waste Received at Household Waste Recycling Centres Atharrachaidhean do Phoileasaidh na Comhairle mu Sheòrsaichean Sgudail a Thathar a' Gabhail aig Ionadan Ath-chuartachaidh Sgudail Thaighean

There had been circulated Report No EDI/62/19 dated 17 July 2019 by the Director of Development and Infrastructure.

Further consultation had taken place since the last EDI Committee meeting in May and this was reflected in the proposals contained in the report.

During discussion, Members made the following comments:-

- confirmation was sought, and provided, that the “trailers” referred to in paragraph 5.2.2 was a duplication and would be removed from the list of vehicles not permitted entry to a Recycling Centre with any type of waste;
- clarification was sought, and received, as to why tyres could be collected by the Bulky Uplift service but were not accepted at recycling centres; and
- it was important to monitor the disposal of construction waste. In this regard, there was merit in investigating if there was profit generating potential by collecting it and that this could be incorporated into the review of commercial waste.

To implement the Council decision, the Committee **AGREED** the policy changes set out in the report to expand the bulky uplift service and to limit the type and quantity of waste that could be accepted at WHRCs from 1 November 2019.

28. Minutes Geàrr-chunntas

The Committee **NOTED** the Minutes of the Planning Applications Committees (PAC) for:-

- i. North PAC – 9 April 2019;
- ii. North PAC – 18 April 2019;
- iii. South PAC – 30 April 2019;

- iv. North PAC – 4 June 2019; and
- v. South PAC – 11 June 2019.

and, **APPROVED**:-

- vi. Harbours Management Board Minutes of 24 May 2019;
- vii. Waste Strategy Working Group Minutes of 6 June 2019; and
- viii. City Region Deal Monitoring Group of 1 August 2019.

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

The Committee **APPROVED** that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 7A of the Act, the relevant paragraphs being shown.

30. Land and Property **Fearann agus Cuid-seilbhe**

Paragraphs 6 and 9

There had been circulated to Members only Report No. EDI/63/19 dated 15 July 2019 by the Director of Development and Infrastructure.

The Committee **APPROVED** the recommendations contained within the report.

31. Property Transactions Monitoring Report **Aithisg Sgrùdaidh Ghnothachasan Seilbhe**

Paragraphs 6 and 9

There had been circulated to Members only Report No. EDI/64/19 dated 15 July 2019 by the Director of Development and Infrastructure.

The Committee **NOTED** the monitoring statements for General Fund and Property Account transactions as approved by the Head of Development and Regeneration under delegated authority as well the Budgeted Sales for 2018/19 and beyond.

32. Housing Development Initiatives **Iomairtean Leasachaidh Taigheadais** **Paragraphs 6 and 9**

There had been circulated to Members only Report No. EDI/65/19 dated 1 August 2019 by the Director of Development and Infrastructure.

Members having expressed their appreciation of the hard work and skill of officers, the Committee otherwise **APPROVED** the recommendations contained within the report.

The meeting ended at 3.15 pm.

The Highland Council

Minutes of Meeting of the **Badenoch and Strathspey Area Committee** held in the Courtroom, Grantown Courthouse, Grantown-on-Spey on 19 August 2019 at 10.30 am.

Present:

Mr J Bruce
Mrs M Cockburn (VC)

Ms P Hadley
Mr B Lobban

In attendance:

Ms L Cowie, Ward Manager (Nairn, Badenoch and Strathspey), Chief Executive's Office
Chief Inspector B MacKay, Police Scotland
Inspector V Tough, Police Scotland
Mr A McCann, Economy & Regeneration Manager, Development & Infrastructure
Mr B Cameron, Housing Policy & Investment Manager, Community Services
Mr R Porteous, Roads Operations Manager - LNBS, Community Services
Mr E Boyd, Energy & Sustainability Manager, Development & Infrastructure
Ms I MacMillan, Project Manager, Development & Infrastructure
Mr R MacLeod, Principal Housing Officer, Community Services
Mrs L Dunn, Principal Administrator, Chief Executive's Office

Also in attendance:

Mr G Miles, Head of Planning and Communities, Cairngorms National Park Authority (Item 3)

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 B Lobban in the Chair

Business

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

There were no apologies for absence.

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

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

Item 3 – Ms P Hadley (financial)
Item 9 – Ms P Hadley (financial)

**3. Cairngorms National Park (CNP) Action Plan 2019-2022
Plana Gnìomha Pàirc Nàiseanta a' Mhonaidh Ruaidh 2019–2022**

Ms P Hadley declared a financial interest in this item as a member of the Cairngorm National Park Authority Board but, in terms of the dispensation granted by the Standards Commission, remained to take part in the discussion.

There had been circulated Report No BSAC/10/19 dated 31 July 2019 by the Director of Development and Infrastructure. The report was supported by a presentation from Mr Gavin Miles, Head of Planning at the Cairngorms National Park Authority during which he advised that five key themes had been set with the aim of achieving a sustainable economy to support thriving businesses and communities. The five key themes were Building on economic strengths of the Park; Supporting and attracting businesses; Education, training and skills development; Infrastructure and capital investment; and Community and enterprise. Further information was provided on the planned actions pertaining to each theme.

During discussion, the following main points were raised:-

- Assurance was sought and provided that steps had been taken in preparation of mitigating the potential impacts of BREXIT, particularly in regard to land management and the impact of subsidies on the local rural economy;
- There was a need to address the lack of affordable housing in the park area particularly for key workers who were critical to servicing the local businesses that were paramount to the economic vision of park. Although the need for short term housing lets was recognised, the level of demand for visitor beds was so high that there were circumstances whereby local hotels were considering converting staff accommodation for this purpose which would further exacerbate this shortage. The level of homelessness, even amongst affluent people, was increasing therefore further information was sought how the Action Plan could assist with these key local issues;
- It was queried whether the CNP had given any consideration to developing and implementing innovative methods of electric transport;
- Concern was expressed and assurance sought as to whether sufficient emphasis was being placed on economic development and it was suggested that there should be greater focus on this within the finalised Plan; and
- There had been a strong drive to create business in the park and further information was requested on the number of new business start-ups directed into the park area by Business Gateway.

The Committee:-

- i. **APPROVED** the:-
 - a. draft responses to the questions as detailed in section 5 of the report;
 - b. Badenoch and Strathspey Area submission to the Cairngorm National Park Economic Action Plan 2019 - 2022; and

- ii. **AGREED** that further information be provided to Councillor J Bruce on the number of new business start-ups directed into the CNP area by Business Gateway.

In accordance with Standing Order 9, with the consent of the meeting, Item 5 on the agenda was taken at this point.

5. Annual Area Capital Report Aithisg Bhliadhnaì Chalpa Sgìre

There had been circulated Report No BSAC/12/19 dated 6 August 2019 by the Head of Corporate Finance and Commercialism.

During discussion, the following main points were raised:-

- disappointment was expressed that a representative from the Corporate Resources Service was not in attendance at the meeting. The Chair indicated that submission of reports to Committee was futile if a representative from the Service did not attend the meeting to directly respond to questions from Members;
- it was recommended that relevant local communities, particularly with regard to schools, affected by the capital projects that would not be progressed within the first six months of the financial year be notified;
- further information was sought on the reason for the delays with the new housing building development in Kingussie; and
- it was indicated that a progress update on the Castle Road East project would be provided to the next Ward Business meeting.

The Committee:-

- i. **NOTED** the:-
 - a. expenditure on each project in this Council area in 2018/19;
 - b. budget for each project in this Council area in 2019/20;
 - c. cumulative spend for each project in this Council area for 2018/19 and 2019/20 to 30 June 2019; and
- ii. **AGREED** that:-
 - a. the relevant communities affected by the capital projects that would not be progressed within the first six months of the financial year be notified; and
 - b. further information be provided to Councillor P Hadley on the reason for the delays with the new housing building development in Kingussie.

4. Police – Area Performance Summary Poileas – Geàrr-chunntas air Coileanadh Sgìreil

There had been circulated Report No BSAC/11/19 dated 31 July 2019 by the Area Commander.

During discussion, the following main points were raised:-

- It was queried when the new driver drug testing kits would be in practice and the date for this would be reported back to Committee;
- The Committee was advised that the Rural Police Officer had made a presentation to the Board of the Cairngorms National Park Authority explaining how rural crimes were often interlinked to more serious organised crime. It was explained that this had been most informative and having this additional knowledge enabled better scrutiny and understanding of the local performance report and in view of this it was recommended that the presentation should be extended to all Members;
- Although the reduction in speeding offences was welcome, further information was sought and provided on reasons for this as it was indicated that the majority of community complaints related to speeding within 20 and 30 mile per hour zones;
- It was queried whether Police Scotland liaised with the agricultural industry with regard to slow moving vehicles and ensuring best practice to reduce frustration and dangerous driving and also whether an education programme was available for these drivers on how to reduce tailbacks. Similarly, it was highlighted that long tailbacks also occurred as the result of caravans and campervans travelling in convoy and preventing other vehicles with the opportunity to overtake safely and it was queried how this was addressed/prevented;
- Further information was sought and provided on the reason for the reduction on checks of licensed premises; and
- The Committee expressed their appreciation for the increased level of local Police presence which had been helpful with crime prevention and welcomed the technological advancements which had enabled this.

The Committee

- i. **NOTED** progress made against the objectives set within the Highland and Islands Local Policing Plan 2017-2020 Year 2 and first quarter of Year 3, attached as Annex A to the report, for the period covering 1 April 2018- 30 June 2019; and
- ii. **AGREED** to report back on:-
 - a. the date driver drug testing kits would be implemented;
 - b. the feasibility of extending the presentation by the Rural Police Officer made to the Board of the Cairngorms National Park Authority to all Members to help better understand how crimes were interlinked; and
 - c. whether an education programme was available for drivers of slow-moving vehicles on how to reduce tailbacks.

**6. Area Roads & Bridges Progress Report 2018/19
Aithisg Adhartais Rathaidean & Dhrochaidean Sgìreil 2018/19**

There had been circulated Report No BSAC/**13**/19 dated 23 July 2019 by the Interim Chief Officer Resources (Community Services)

During discussion, the following main points were raised:-

- In response to a question, it was highlighted that the Broomhill bridge, which was an old timber structure, at Nethybridge was of most concern. The Committee supported these concerns, particularly in regard to the poor quality signage which was resulting in vehicles which exceeded the weight limit frequently using the bridge. The Committee urged that the signage be replaced as a matter of urgency; and
- Although improvement works to electrical transmission lines were welcome it was requested that local communities and Councillors be informed of road closures taking place to facilitate these works.

The Committee **NOTED** the contents of the report.

**7. Winter Maintenance Plan 2019/20
Obair-glèidhidh Geamhraidh 2019/20**

There had been circulated Report No BSAC/**14**/19 dated 29 July 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, the following main points were raised:-

- Further information was sought and provided in regard to how the budget allocation was determined and how any shortfall in budget projections would be covered in the event of an extreme winter. It was emphasised that it was the responsibility of Members to ensure that Community Services had an adequately resourced budget to provide the services required to meet local needs;
- Further information was sought and provided on the flood prevention arrangements that were in place and confirmation was also provided that the flood risks areas had been identified and allocated a RAG status. It was highlighted that it was recommended that Community Councils have a Resilience Plan which should include a section on flooding and it was suggested that the Council should work collaboratively with them and other community groups to maximise community resilience; and
- It was confirmed that a pre-wet salt would be utilised as this was more effective and also environmentally friendly.

The Committee **APPROVED** the Winter Maintenance Plan for the Badenoch & Strathspey Area, which was in accordance with report EDI/57/18, and included the priority road map presented in Appendix B to the report.

**8. Energy Efficient Scotland: Area Based Scheme
Alba Lùth Èifeachdach: Sgeama Stèidhichte air Sgìre**

There was a presentation on the Energy Efficient Scotland Programme by the Energy and Sustainability Manager which included details on the Scottish Government programme Energy Efficient Scotland to encourage and support property owners to improve their buildings. The Highland Council had been awarded funding to deliver area based energy efficiency programmes in the Highlands and further information was provided on the scheme eligibility criteria and implementation. The Committee was advised that the Badenoch and Strathspey Ward had been assessed and met the requirements for the critical aspects of the programme in terms of fuel poverty and house type and it was therefore proposed that the scheme be rolled out across the Ward.

During discussion, the following main points were raised:-

- The Committee enthusiastically welcomed the roll out of the scheme across Badenoch and Strathspey and recognised the significant improvements that this could make to property owners;
- There were many people living in fuel poverty in properties which were Council Tax Band D and above and assurance was provided that, although they would not be eligible for the Area Based Scheme, alternative methods of support were available for these property owners and it was recommended that this information should be promoted as part of the roll out of the scheme;
- Assurance was provided that all materials used had passed the appropriate health and safety and Building Control checks;
- Further information was sought and provided on the types of monetary savings that could be achieved;
- With regard to ascertaining local contacts to promote awareness and ensure maximum access to the scheme, it was suggested that further information could be sought from the third sector and major energy companies on home owners living in fuel poverty and it was also recommended that contact should be made with Voluntary Action Badenoch and Strathspey and Community Councils; and
- In terms of rented properties, it was clarified that referrals had to be made by the property owner and not the tenant.

The Committee **NOTED** the presentation on the Energy Efficient Scotland Programme by the Energy and Sustainability Manager and **APPROVED** the roll out the scheme to the Badenoch and Strathspey Ward, which had been assessed and met the critical aspects of fuel poverty and house type requirements of the programme.

**9. Housing Performance Report – 1 April 2019 to 30 June 2019
Coileanadh Taigheadais: 1 Giblean 2019 gu 30 Ògmhios 2019**

Declaration of Interest – Ms P Hadley declared a financial interest in this item as a Council house tenant but, in terms of the dispensation granted by the Standards Commission, remained in the room to participate in the discussion.

There had been circulated Report No BSAC/15/19 by the Interim Chief Officer Resources (Community Services).

During discussion, the following main points were raised:-

- Staff were commended for their work and the excellent work which had resulted in improved performance;
- Concern was expressed at the impact of Universal Credit and the increasing level of homelessness particularly amongst affluent people. Although the local area was supported by a tourist economy, there was a need to balance this to ensure there was affordable housing to meet local needs;
- Further advice was sought and provided in regard to providing additional support for homelessness such as Housing of Multiple Occupation as well as developing new innovative solutions;
- It was indicated that the level of private rental properties on the market was reducing and it was queried whether this had been an unintended consequence of the implementation of the new Private Tenancy Agreement; and
- It was requested that work be undertaken to progress the two amber HRA Capital programme projects contained within Appendix 2 of the report to a green RAG status by the end of the year.

The Committee **NOTED** the housing performance for the period 1 April to 30 June 2019 and **AGREED** to endeavour to progress the two amber HRA Capital programme projects contained within Appendix 2 of the report to a green RAG status by the end of the year.

10. Minutes Geàrr-chunntas

There had been circulated and **NOTED** Minutes of Meeting of the Badenoch and Strathspey Area Committee held on 20 May 2019 which had been approved by the Council on 27 June 2019.

The meeting was closed at 12.22 pm.

The Highland Council

Minutes of Special Meeting of the **City of Inverness Area Committee** held in the Council Chamber, Headquarters, Glenurquhart Road, Inverness on Tuesday, 20 August 2019 at 2.00pm.

Present:

Mr R Balfour	Mr A Graham
Mr B Boyd	Mr A Jarvie
Mr I Brown	Ms E Knox
Mrs C Caddick	Mr R Laird
Miss J Campbell	Mrs B McAllister
Mrs G Campbell-Sinclair	Mrs I MacKenzie
Mrs H Carmichael	Mr D Macpherson
Mr A Christie	Mr R MacWilliam
Mr G Cruickshank	Mrs T Robertson
Mrs M Davidson	Mr G Ross
Mr K Gowans	Mr C Smith
Mr J Gray	

Non-Members in attendance:

Ms M Smith	Mr A Baxter
Mrs A MacLean	

Officials in Attendance:

Mrs D Manson, Chief Executive
 Mr S Fraser, Head of Corporate Governance
 Mr M MacLeod, Head of Planning & Environment
 Ms A Clark, Acting Head of Policy & Reform
 Mr D Haas, Inverness City Area Manager
 Mr J Kelman, Principal Project Manager
 Ms R Cleland, Corporate Communications Manager
 Miss J MacLennan, Democratic Services Manager

Also in attendance:

Professor J Mooney, River Ness Arts Programme Evaluation Panel (Lead)

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

There were no apologies for absence.

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

The Committee **NOTED** the following declarations of interest for Item 3:-

Mr G Ross – Non-Financial
Mr D Macpherson – Non-Financial
Mr A Jarvie – Non-Financial
Mr K Gowans – Non-Financial

**3. Inverness City Arts – River Ness Flood Alleviation Scheme
Public Art Project – Progress Report
Pròiseact Ealain Abhainn Inbhir Nis**

Declarations of Interest –

The following Members 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 and voting -

**Mr G Ross – connection with one of the local artists
Mr D Macpherson – Director of High Life Highland
Mr K Gowans – employee of UHI (Inverness College)**

Mr A Jarvie declared a non-financial interest as a Director High Life Highland and on the basis of a relationship with one of the funding partners and in this latter regard confirmed that he would not take part in the discussion or voting.

There had been circulated Report No. CIA/34/19 dated 14 August 2019 by the Chief Executive.

In this regard, the report confirmed that the enhanced governance arrangements which had been agreed by the City of Inverness Area Committee for the delivery of the arts programme had been adhered to throughout and an update on the Inverness City Arts projects and the next steps for the Working Group was also provided.

Further, the report highlighted the considerable financial and reputational implications of any decision not to progress with the remaining arts programme and that any such decision would require to be remitted to a meeting of the full Council to determine how any additional costs would be met.

Following a welcome to all those present and a summary of the procedure to be followed for the meeting, the Chair confirmed that, at the appropriate time, she would move the recommendations within the report to support the current arrangements and to re-affirm the previously agreed commitment to the project.

At this point, the Chief Executive expressed her strong support for the staff involved with the project and thanked them for the hard work which had been undertaken in the preparation of the report for the meeting. In particular, and in emphasising that the foundations of the Council were based on integrity and

trust at all times, she highlighted their outstanding conduct throughout the process.

In regard to the terms of the report, she highlighted the total project budget (£758,350), the total spend to date (£526,406) and the potential additional costs to the Council in relation to cancellation - (£125,860 – whole programme) or (£190,273 – My Ness).

As such, and in stressing that any decision taken had to be the right decision for the City, she re-affirmed that governance had been and continued to be critical as part of the project and the model which had been followed, whereby the Working Group regularly reported to the City Committee, was standard throughout Scotland in similar initiatives. In addition, the comprehensive level of detail which had been requested and which had been provided in the report had been available to all Members throughout the process on request and this would continue to be the case until completion.

In a short presentation, Professor Mooney advised that public art was often the subject of debate and at times controversial but it was his opinion that debate on such issues was an important part of the culture of modern society. However, and whilst defending the rights of individuals to not be interested in a specific piece of art, it was important that the rights of others to enjoy the same piece of art were not denied.

In terms of the My Ness project, it was his personal opinion that this was an extremely elegant and eloquent piece of art which was respectful to the location in which it was to be sited. He had been dismayed at the level of opposition but was reassured that due diligence had been undertaken throughout the process by all Officers, specifically in relation to the selection process by the Evaluation Panel which had been open and transparent throughout.

Whilst it was a matter of regret that there would be disappointment for some after this meeting, it was important to take account of the potential reputational damage for the Council in the long term if the project was to be cancelled and also, and not least, the needs and rights of the citizens of the future to enjoy public art in the City.

The Chair of the ICArts Working Group summarised the history and aims of the scheme from the outset, including the public consultation/community engagement process which had been undertaken. Specifically, she stressed that democracy was fundamental to the Working Group and she had ensured (when she had taken up the position of Chair) that the Group had closely followed its remit throughout and this had been confirmed by an Internal Audit which had been previously completed

In highlighting that it was her firm view that public art mattered for local people, she advised that it was her intention to put forward two additional recommendations at the appropriate time, namely that there should be no further commitment of public funds and that the project should be completed in the following 12-18 month period.

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

- this was an extremely important issue for the City and the very strong concerns which had been expressed by some residents, particularly in the local area, had to be highlighted. In this regard, it was not considered acceptable that opposing or disliking this particular piece of public art was being equated to not liking art in its entirety as it was in essence a very subjective issue;
- it was very disappointing that to date not all of the projects had been completed as had originally been envisaged at the outset;
- it was felt that there had not been enough consideration given to the importance of local knowledge or environmental concerns and this was extremely concerning;
- following information being sought on future maintenance costs and specifically how they would be met, it was confirmed that such costs were to be kept to a minimum and this had been contained within the Artist's Brief and would be the subject of future scrutiny and monitoring;
- further information was required in relation to the potential future use of the Inverness Common Good Fund in this regard;
- in relation to information being sought on whether an environmental impact assessment had been undertaken for the My Ness project, it was confirmed that this had not been required but that there had been consultation with relevant bodies and no objections had been raised;
- further information was required in respect of consultation with SEPA on the My Ness project and there had been concerns raised by the public about the use of delegated powers in terms of planning permission;
- the continued conservation of the riverside had to be paramount;
- it was disappointing that there seemed to be a lack of confidence in the capacity of the art work to preserve the riverside;
- whilst strong objections had been raised, these objections had to be balanced against the 'silent majority' and it was important that a decision, once taken, was followed through;
- thanks should be conveyed to the Officers concerned who had followed instructions closely throughout the process;
- it had to be highlighted that all Members of the City Committee had had the opportunity to raise concerns throughout the duration of all projects;
- the issue of 'accessibility for all' was extremely important and at present the plans did not provide full access arrangements for wheelchair users or parents with young children in prams and this had to be addressed. As such, it was suggested that members of the Local Access Panel in particular should be consulted to allow them to express their views and it was agreed that the Chief Executive should take this forward as a matter of priority;
- it had to be highlighted that there was concern among local people in relation to potential harm to the environment and also to local wildlife;
- it was regrettable that local residents had not been satisfied with the local consultation which had been undertaken; and
- it was felt that there was a need for additional seating along the River and this project would deliver on that requirement.

At this point, and to allow fuller and more detailed debate on this very important issue, Mr R MacWilliam, seconded by Mr R Laird, **MOVED** the suspension of

Standing Order 19 which would have the effect of allowing Members to speak for in excess of 5 minutes at the meeting.

As an **AMENDMENT**, Mrs M Davidson, seconded by Mr G Cruickshank, moved that no such suspension of this Standing Order should be granted.

On a vote being taken, the **MOTION** received 7 votes and the **AMENDMENT** received 15 votes, with no abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr B Boyd, Mr I Brown, Mrs G Campbell-Sinclair, Mr K Gowans, Ms E Knox, Mr R Laird and Mr R MacWilliam.

For the Amendment:

Mr R Balfour, Mrs C Caddick, Miss J Campbell, Mrs H Carmichael, Mr A Christie, Mr G Cruickshank, Mrs M Davidson, Mr A Graham, Mr J Gray, Mrs I MacKenzie, Mr D Macpherson, Mrs B McAllister, Mrs T Robertson, Mr G Ross and Mr C Smith.

In continuing discussion, the following issues were raised:-

- there was a need to closely consider the longer term value for the City, not least in terms of the revenue costs for ongoing maintenance of the art work;
- it was felt that there had been a shift from the original intentions of the art works programme which had been set up in 2012 and it was disappointing that so few projects had been completed to date;
- further clarification was needed in respect of management fees and how they, and any related overspend, would be met in future;
- there was a strong feeling amongst those who had objected to the My Ness project that public art had to be appropriate for the area and not foisted upon communities;
- whilst being sympathetic to those people who did not agree with the project, the overall reputational damage for the Council in cancelling the project at this stage had to be recognised;
- it was considered that there would be no major damage caused to the River through the siting of this art work which it was felt would be beneficial not just for visitors to the area but also the local community;
- in order to further address concerns which had been raised, it was suggested that a meeting should be arranged with the local community to hear their views in order to find a solution which might be acceptable for all, particularly in relation to biodiversity;
- local democracy was in place and had been from the outset in regard to the proposals taken forward by the ICArts Working Group and every opportunity had been given to all Members of the City Committee to become involved or to raise concerns in this respect;
- it had to be recognised that the River Arts projects had changed over time and this had caused problems for local communities. As such, it was disappointing that arts projects with more local support had not come forward;

- in regard to any changes to the River Arts Programme, it was highlighted that, should a decision be taken not to progress any or all of the remaining projects, there would be implications for the spend to date, any funds already committed and the potential of being able to utilise funding to support any alternative project. As such, the respective funders had provided confirmation of their position and this had been detailed in the report; and
- above all, it was imperative that lessons were learned from this project and the issues raised by the local community fully addressed wherever possible.

Thereafter, the Chair, seconded by Mr G Ross, **MOVED** the recommendations within the report to support the current arrangements and re-affirm the previously agreed commitment to the project – with the addition of the two proposals put forward by the Chair of the ICArts Working Group that there should be no further commitment of public funds and the project should be completed within the following 12-18 month period.

As an **AMENDMENT**, Mr R MacWilliam, seconded by Mrs G Campbell-Sinclair, moved that the ICArts Working Group should be disbanded and that all future decision making relating to the Working Group's remit should be referred back to the City of Inverness Area Committee. Also, that all projects should remain suspended until a final decision was taken by the City Committee at a future date in order to allow a full external audit of project finances, contractual liabilities and cancellation costs.

On a vote being taken, the **MOTION** received 15 votes and the **AMENDMENT** received 7 votes, with no abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr R Balfour, Mr I Brown, Mrs C Caddick, Miss J Campbell, Mrs H Carmichael, Mr A Christie, Mr G Cruickshank, Mrs M Davidson, Mr J Gray, Mrs I MacKenzie, Mr D Macpherson, Mrs B McAllister, Mrs T Robertson, Mr G Ross, and Mr C Smith.

For the Amendment:

Mr B Boyd, Mrs G Campbell-Sinclair, Mr K Gowans, Mr A Graham, Ms E Knox, Mr R Laird and Mr R MacWilliam.

The Committee therefore **AGREED** the recommendations in the report to support the current arrangements and re-affirm the previously agreed commitment to the project – on the basis that there should be no further commitment of public funds and the project would be completed within the following 12-18 month period.

The meeting ended at 4.30pm.

The Highland Council

Minutes of Meeting of the **Care, Learning and Housing Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 21 August 2019 at 10.05 am.

Present:

Mrs J Barclay	Mr D Mackay
Mr B Boyd	Mr W MacKay (by video conference, am only)
Mr R Bremner (by video conference)	Mr G MacKenzie
Mrs I Campbell	Mrs I MacKenzie
Mr A Christie (am only)	Mr D Macpherson
Mr J Finlayson (Chair)	Mrs B McAllister
Mr A Graham	Ms L Munro (Vice Chair)
Mr T Heggie (pm only)	Mrs F Robertson
Mr A Jarvie	Mr G Ross
Ms E Knox	Mr C Smith

Religious Representatives:

Ms S Lamont
The Very Rev S Murray

Youth Convener:

Ms E Leitch

Non-Members also present:

Mr K Gowans	Mrs A MacLean (am only)
Mr A Henderson	Mr A Rhind (am only)
Mr B Lobban (am only)	Mrs T Robertson (am only)
Mr D Loudon	Mr A Sinclair

In attendance:

Ms D Manson, Chief Executive
Mr A Gunn, Chief Officer Resources, Care and Learning Service
Ms A Clark, Acting Head of Policy, Chief Executive's 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
Mr D Goldie, Head of Housing and Building Maintenance, Community Services
Mr B Cameron, Housing Policy and Investment Manager, Community Services
Ms S Harrington, Senior Manager Early Years, Care and Learning Service
Mr I Kyle, Children's Planning Manager, Care and Learning Service
Ms S McKandie, Benefits & Welfare Manager, Corporate Resources Services
Mr M Mitchell, Finance Manager, Corporate Resources Service
Mr S O'Dell, Project Manager – ICTiL, Chief Executive's Service
Mr R Quigley, Digital Citizenship Secondment, Care and Learning Service
Ms F Shearer, Area Care & Learning Manager (South), Care and Learning Service

Ms D Munro, Training Officer (Child Protection), Care and Learning Service
 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

Also in attendance:

DCI V McLaughlin, Chair of the Highland Child Protection Committee
 Mr I Murray, Chief Executive, High Life Highland
 Mr S Walsh, Chief Executive Designate, High Life Highland
 Teachers and pupils from Duncan Forbes Primary School
 Head Teachers from the Change Team

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 G Campbell-Sinclair, Mrs M Cockburn, Mr R MacWilliam, Mrs M Paterson, Ms N Sinclair, Mr W Skene and Prof H van Woerden.

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

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

Item 5 - Mr A Christie (financial) and Mr K Gowans and Ms L Munro (both non-financial)
 Item 7 – Mr A Christie (financial and non-financial) and Mrs A MacLean (non-financial)
 Item 8 – Mr A Christie (financial and non-financial)
 Item 9 – Mr A Christie (non-financial)
 Item 10 – Mr A Christie (non-financial)
 Item 11 – Mr A Christie (financial and non-financial)
 Item 13 – Mr A Jarvie, Mr D Louden, Mr D Macpherson, Ms L Munro, Mr G Ross and Mr C Smith (all non-financial)
 Item 14 - Mr A Christie (financial)
 Item 15 - Mr A Christie (financial)
 Item 19 - Mr A Christie (financial)
 Item 21 - Mr A Christie (financial)
 Item 23 – Mr A Jarvie, Mr D Macpherson and Ms L Munro (all non-financial)
 Item 24 – Mr K Gowans, Mr A Jarvie, Mr D Macpherson and Ms L Munro (all non-financial)
 Item 26v - Mr A Christie (financial)

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

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

The Chair commended young people across Highland for their achievements and thanked the staff who had worked on the various initiatives. In particular, the increased academic performance of young people from deprived backgrounds was welcomed and a report analysing this data to identify and spread good practice was sought for a future meeting.

The Committee:-

- i. **NOTED** the good news and outstanding achievements; and
- ii. **AGREED** that a report be submitted to a future meeting analysing the increased academic performance of young people from deprived areas to identify good practice.

4. **Recess Powers** **Cumhachdan Fosaidh**

The Committee **NOTED** that the recess powers granted by the Council at its meeting on 27 June 2019 had not been exercised in relation to the business of the Committee.

5. **Presentation: Child Protection in Highland** **Taisbeanadh: Dìon Chloinne sa Ghàidhealtachd**

Declarations of Interest:

Mr A Christie declared a financial interest as a Non-Executive Director of NHS Highland and a non-financial interest as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in the discussion.

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 K Gowans – employee of UHI whose students had collaborated on work with the Child Protection Committee

Ms L Munro – Member of the Child Protection Committee

DCI Vincent McLaughlin, Chair of the Highland Child Protection Committee (CPC), and Donna Munro, Lead/Training Officer, gave a presentation outlining the role of the CPC in developing and implementing child protection strategy across Highland, with a

specific focus on accountability, continuous improvement and the role everyone had to protect children and young people from harm and abuse in Highland communities.

In addition, the Highland Child Protection Committee Improvement Plan 2019-2022 had been circulated information.

During discussion, the following issues were considered:

- information was sought, and provided, on the current top concerns and priorities, these being as detailed in the improvement plan, with particular emphasis on continuous improvement to tackle the wide range of issues affecting neglect, such as parental substance abuse and mental health;
- Member involvement in the work of the CPC was urged to improve the safety of children across Highland. A seminar for Members was suggested to facilitate this; and
- DCI Vincent McLaughlin was congratulated for his new appointment within Police Scotland and thanked for his chairmanship and contribution to the Committee over the previous five years.

The Committee:-

- i. **NOTED** the presentation and the Highland Child Protection Committee Improvement Plan 2019-2022; and
- ii. **AGREED** to hold a seminar for Members on Child Protection issues.

6. Presentation: Mock Court Project Taisbeanadh: Pròiseact Cùirte Fuadain

A presentation was provided by representatives of Duncan Forbes Primary School who, last academic session, had taken part in a national Mock School Court Case Project. The project had been running for a number of years but it was the first time schools in Highland had taken part. Pupils had prepared prosecution and defence evidence and tried three cases at Inverness Sheriff Court in front of a Sheriff. The school had attended the finals in Edinburgh where they had won awards for journalism and artistry.

The pupils were congratulated for their outstanding performance and exemplary behaviour during the competition, and the staff were thanked for the additional work and learning that they had put into the process. Two Highland schools had taken part last year and 12 were involved this year, with some valuable assistance being provided by local solicitors.

The Committee **NOTED** the presentation.

23. YouthWorksHighland – Highland Youth Work Strategy 2019-2024 Obair Òigridh na Gàidhealtachd – Ro-innleachd Obair Òigridh na Gàidhealtachd 2019-2024

Declarations of Interest: Mr A Jarvie, Mr D Macpherson and Ms L Munro 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 their involvement in the discussion.

There had been circulated Report No CLH/60/19 dated 12 August 2019 by the Chief Executive, High Life Highland.

A presentation was provided by the Youth Convenor, Esme Leitch, explaining the 15-month process that had been undertaken to produce the strategy, with full involvement of young people, as detailed in the report. The next step was the development of an action plan over the coming 6 months, which would be reported on annually to partners.

During discussion, the following issues were raised:-

- Esme Leitch was congratulated for her tremendous work on the strategy and with the Highland Youth Parliament. The importance of listening to young people, and providing them with resources and facilities, was emphasised by several Members, with reference to the significant impact decisions made by the Council could have on their lives;
- focus should now be on delivery of the action plan, working with young people, partners and community groups;
- the report lacked budget information and this was requested for future reports;
- it was hoped that there would not be a gap between strategies in future, as there had been in the past;
- in addition to the many young people involved in the development of the strategy, the involvement of third sector organisations and other partners was welcomed;
- the importance of youth work was emphasised and Members were urged to increase their involvement where possible, including through the Highland Youth Parliament or through High Life Highland initiatives to give children, especially those from deprived backgrounds, a voice in decisions affecting them;
- Ian Murray was thanked for his work as Chief Executive of High Life Highland in advance of his forthcoming retirement; and
- regular review and evaluation of the strategy was assumed.

The Committee:-

- i. **AGREED** to endorse the Highland youth work strategy contained in Appendix 1;
- ii. **NOTED** that the cross-sector For Highland's Children Four - Youth Work Improvement Group (which included young people) and the Highland Youth Parliament would develop an annual action plan to deliver the strategy;
- * iii. **AGREED to RECOMMEND** that Ms A MacLean attend the Youth Work Improvement Group; and
- iv. **NOTED** that progress towards the delivery of the strategy would be reported in a variety of settings and that reporting to the Council would be annually through the regular High Life Highland progress reports.

**24. High Life Highland
High Life na Gàidhealtachd**

Declarations of Interest:

Mr A Jarvie, Mr D Macpherson and Ms L Munro 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 their involvement in the discussion.

Mr K Gowans declared a non-financial interest as his wife was an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

At his final meeting of the Committee, the Chief Executive of High Life Highland gave a brief review of the work of High Life Highland to date, since the Council established the charity in 2011.

Issues covered during the presentation included the nine key areas of work, assumed and actual benefits of the establishment of High Life Highland and a summary of the overall approach, 'earn more, cost less, grow to protect'. Customer visits were increasing, there were 41 new facilities and services since 2011, and many mutually beneficial partnerships had been established.

During discussion, the following issues were raised:-

- Members welcomed the success of High Life Highland, with many benefits experienced over and above the original aims. Ian Murray was congratulated on his leadership, drive and commitment, and reference was made to several specific services that had benefited including music tuition, the Strathpeffer Pavilion, improvements to Thurso Leisure centre, and youth work;
- in relation to possible aspirational initiatives in the future, reference was made to community parklands and to a running track in Thurso;
- a key benefit of an Arm's Length Organisation such as High Life Highland was improved speed of decision making compared to a Local Authority and it was hoped this would continue;
- clarification was sought, and provided, on progress with the Lochalsh Leisure Centre; and
- the Chair thanked Ian Murray for his 31 years of service to the Council, the last eight being as Chief Executive of High Life Highland, and presented him with a gift on behalf of the Committee.

The Committee **NOTED** the position.

7. Advice and Information Services: End of Year Monitoring 2018/19 Seirbheisean Comhairle agus Fiosrachaidh: Sgrùdadh Deireadh Bliadhna 2018/19

Declarations of Interest: Mr A Christie declared a financial interest 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 interests did not preclude his involvement in the discussion.

There had been circulated Report No CLH/44/19 dated 19 July 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- the dedication of staff involved in the provision of advice and information services, both in the Council and the voluntary sector, was commended. Many people were struggling with basic entitlement such as food and housing, and the benefit gains set out in the report would not be possible if not for the interventions of staff, against a challenging regulatory backdrop. It was suggested that the Chair write to staff in recognition of their work and ask the Acting Head of Revenues and Customer Services to convey the Committee's thanks to the external organisations involved. The Chair undertook to do so;
- it was necessary to continue to highlight where government decisions and regulations were having an adverse impact on people's lives;
- the number of customer contacts and the significant financial gains for customers, which also strengthened the Highland economy, were recognised;
- information was sought, and provided, on the steps being taken to move resource from collecting debt to helping customers to avoid it; and
- recipients of benefits had historically been unemployed, and the graph in section 6.3 of the report highlighted the increase in in-work poverty.

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

- i. in excess of 22,000 customers had been assisted by the Council's Welfare Support Team and Citizens Advice during 2018/19 for support with welfare, debt and housing issues;
- ii. financial gains for customers had exceeded £22.5 million. This represented a £14.07 return for every £1 allocated in Advice and Information services by the Council;
- iii. a total of £11.2 million of debt (including £2.4m relating to mortgage/other secured loans) had been presented to Citizens Advice which represented a 56% decrease compared to 2016/17; and
- iv. Citizens Advice had supported 2,625 customers (including social rented, private rented and home owners) seeking housing advice, highlighting the demand for consistent accessible support on these issues.

8. Local Child Poverty Action Report **Aithisg Gnìomha Bochdainn Chloinne Ionadail**

Declarations of Interest: Mr A Christie declared a financial interest as a Non-Executive Director of NHS Highland and a non-financial interest as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in the discussion.

There had been circulated Report No CLH/45/19 dated 12 June 2019 by the Acting Head of Policy.

During discussion, the following issues were raised:-

- a significant amount of work had gone into producing the report and it was suggested that it would be helpful to arrange a seminar, in conjunction with

partners, to tease out some of the elements of the report and increase understanding of child poverty. Particular reference was made to young carers, who not only had caring responsibilities but often had to take care of shopping, household bills etc; and

- the Action Report presented real opportunities but it was necessary to embed it much more in Community Partnership plans.

Thereafter, the Committee **AGREED**:-

- i. the Local Child Poverty Action Report for Highland for 2018/19; and
- ii. that a Members' seminar on child poverty be arranged, in conjunction with partners, and that it be tied in with the seminar on Child Protection issues agreed under item 5.

9. Housing Revenue Account (HRA) and Non-HRA Budget Monitoring Statement to 30 June 2019

Aithris Sgrùdaidh Buidseat Cunntas Teachd-a-steach Taigheadais agus Teachd-a-steach Neo-thaigheadais gu 30 Ògmhios 2019

Declaration of Interest: Mr A Christie declared a non-financial interest in this item as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau 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/46/19 dated 12 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, information was sought, and provided, on the following points:-

- the gross income and expenditure year to date figures, and whether they had been accrual adjusted;
- the significant projected underspend on staff costs, whether this had had an adverse impact on service delivery, and whether there were any issues/delays in terms of the Authority to Recruit (ATR) process; and
- the increased use of mainstream properties for temporary accommodation, and the associated impact on rent income.

Thereafter, the Committee **APPROVED** the budget position on the Housing Revenue Account and Non-Housing Revenue Account.

10. Housing Performance Report – 1 April to 30 June 2019

Aithisg Coileanaidh Taigheadais – 1 Giblean gu 30 Ògmhios 2019

Declaration of Interest: Mr A Christie declared a non-financial interest in this item as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau 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/47/19 dated 12 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, Members again referred to the significant projected underspend on staff costs, as reported under the previous item, and queried whether there had been any adverse impact on service provision, including management of rent arrears, as a result. Concern was expressed regarding the length of time taken to process ATR requests and the overall impact on the provision of community services, including housing. It was suggested that it was necessary to review the ATR process and consider how effective the Council was in terms of employing people to fill vacant posts to ensure that services were being delivered as efficiently and effectively as possible. In responding to the issues raised, the Chief Executive explained that it was important that Members understood the reality of what the challenging financial climate meant for services, and the associated governance arrangements. Information was being collated in that regard and would be shared with Members in advance of the budget process.

The Committee otherwise **NOTED** the information provided on housing performance in the period 1 April 2019 to 30 June 2019.

11. Care and Learning Revenue Budget Monitoring Quarter 1 2019/20 Sgrùdadh Buidseat Teachd-a-steach Cùraim agus Ionnsachaidh Cairteil 1 2019/20

Declarations of Interest: Mr A Christie declared a financial interest as a Non-Executive Director of NHS Highland and a non-financial interest as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in the discussion.

There had been circulated Report No CLH/48/19 dated 29 July 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- information was sought, and provided, on the Adult Services budget year to date expenditure; the future of the Sustainable Education Programme; the budget saving in respect of Specialist Education Services, particularly whether a greater level of training and flexibility of deployment was taking place and what the programme looked like in that regard; and how it was proposed to reduce the costs associated with transporting Looked After and Accommodated Children to school. In relation to Specialist Education Services, it was confirmed that a copy of the programme would be provided to Mr G MacKenzie and that training uptake was being evaluated; and
- whilst welcoming the improved position on the previous year, concern was expressed regarding the practice of subsidising budget pressures from other areas of the service, thereby diminishing service provision, to achieve a balanced outturn. The main budget pressures had been the same for many years, and reference was made to previous discussions regarding how to better organise the budget to account for them. In response, the Chief Executive explained the work that was underway in terms of moving towards a target operating model and realigning budgets, and that progress would be reported to the next budget briefing.

The Committee otherwise **NOTED** the revenue budget outturn forecast for the year, and the actions being taken to address the budget position in the current year.

12. Learning Estate Investment Priorities
Priomhachasan Tasgaidh Oighreachd Ionnsachaidh

The Committee **NOTED** that this item had been withdrawn on the basis that the matter would be discussed at a Special Meeting of the full Council on Thursday 22 August 2019.

13. Update on Review of Funding for External and Third Sector Sports, Leisure, Culture and Community Organisations
Cunntas às Ùr de Sgrùdadh mu Mhaoineachadh do Bhuidhnean Spòrs, Cur-seachad, Cultair agus Coimhearsnachd bhon Taobh a-muigh agus 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 and Director of High Life Highland

Mr D Louden – attendee at the Management Committee of the Duthac Centre

Mr D Macpherson – Director of High Life Highland

Ms L Munro – Director of High Life Highland

Mr G Ross – Officer Bearer with Highland Disability Sport

Mr C Smith – Board Member of Highland Disability Sport and Inverness Area Sports Council

There had been circulated Report No CLH/50/19 dated 13 August 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- in relation to the recommendation to reduce village hall funding by £40k, it was queried whether any impact assessment had been carried out and whether there might be merit in deferring consideration of the matter to the next meeting to allow more information to be provided. In response, the Chair of the Working Group explained that the focus of the group had been equality, fairness and robust ways forward to ensure that organisations were not discriminated against. The village hall grants scheme allowed halls to apply for a maximum of £500 and the Working Group had reached the view that this was no longer affordable and that £500 could potentially be fundraised. Whilst no formal impact assessment had been carried out, it had been recognised that ceasing the grants scheme might present difficulties for some communities, hence the recommendation that there be a contingency fund of £10k;
- the difficulty of the task remitted to the Working Group was emphasised;

- some of the organisations affected by the review provided hugely valuable services, and reducing or ceasing the funding they received might impact on their sustainability;
- the Committee had previously endorsed the Youth Work Strategy yet could potentially adversely affect it by not funding organisations that supported it; and
- it had previously been suggested that facilities such as swimming pools could make savings by installing solar panels, and it was queried whether a study had been done in that regard and, if so, what the findings were.

Thereafter, the Committee:-

- AGREED** the recommendation of the Working Group to reduce village hall funding by £40k, with application criteria to be developed for the remaining contingency fund of £10k; and
- NOTED** the process for review, with recommendations to come back to the Care, Learning and Housing Committee for decision, and notification, in October 2019.

14. NHS Highland Assurance Report Aithisg Barantais 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/51/19 dated 5 August 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- in relation to the school nursing service, concern was expressed regarding the statement that maintaining a full staffing complement was challenging, and information was sought on the number of school nurse posts and how many were currently filled. It was confirmed that figures in that regard would be provided to Mr A Graham;
- information was sought, and provided, on whether there was a timetable for resolution of the technical issues in relation to Child Health Surveillance data; and
- in relation to Speech and Language Therapy and Occupational Therapy, concern was expressed that over 40% of children and young people were not being seen within the 18 week target and information was sought, and provided, on the action being taken to address this issue.

The Committee otherwise scrutinised and **NOTED** the data and issues raised in the report.

15. Adult Social Care Update Cunntas às Ùr mu Chùram Sòisealta Inbheach

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/52/19 dated 29 July 2019 by the Chief Executive.

During discussion, information was sought, and provided, on the timescale for signing off the new Partnership Agreement between the Council and NHS Highland, and whether an alternative plan was in place in the event that sign-off was delayed.

In relation to care at home, it was queried whether the tariff issues had been resolved. In addition, the report indicated that the current model was not sustainable and that outcomes had not been fully achieved, and information was sought on the impact on clients and whether care was failing to be delivered where it was most needed. The Head of Resources undertook to provide an update to Mr G MacKenzie in that regard. In addition, it was explained that the Adult Services Development and Scrutiny Sub-Committee, at which the detail of the issues highlighted in report was considered, benefited from attendance by NHS Highland senior managers and was an opportunity to receive an in-depth explanation on matters relating to adult social care, if Members wished to attend.

The Committee otherwise **NOTED** the contents of the report and the highlighted items from the Adult Services Development and Scrutiny Sub-Committee.

16. Review of the Statutory Consultation Exercise to establish a 3-18 campus in Tain
Ath-sgrùdadh den Eacarsaich Cho-chomhairle Reachdail gus campus 3–18 a stèidheachadh ann am Baile Dhubhthaich

There had been circulated Report No CLH/53/19 dated 12 August 2019 by the Chief Executive. The appendices had been circulated separately as Booklets A, B and C.

During discussion, local Members welcomed the report and the positive outcome to what had been a long and extensive consultation process. Thanks were expressed to the Council Leader and the Budget Leader for their ongoing support for the schools in Tain, as well as to the local MSP, Gail Ross, and Councillor F Robertson. In addition, Members acknowledged the positive support of Parent Councils in Tain and wider Easter Ross, and the pupils from the schools affected, who had actively engaged and made their views known. Thanks were also expressed to officials, particularly the Chief Executive for her support and dedication, and her work with Scottish Futures Trust and Scottish Ministers. She believed in the importance and power of education and, through her engagement with local communities and local Members, had made a positive impact in the short time she had been in post.

It was highlighted that the schools that were the subject of the consultation had already been working to a 3-18 campus model and this had been a positive step, particularly for St Duthus Special School, which had some of the most disabled and vulnerable pupils in Ross-shire and Sutherland. Positive relationships had been built up with Craighill Primary School and the Head Teacher of St Duthus had noticed a much more inclusive and accepting environment which had benefited pupils.

Thereafter, having considered the proposal set out within Appendices A and B of the report and the further representations received, the Committee:-

- * i. **AGREED TO RECOMMEND** to the Council that education provision be discontinued at Tain Royal Academy, Craighill Primary School, Knockbreck Primary School and St Duthus Special School and relocated to a new 3 to 18 campus to be established on the site of the existing Craighill Primary School; and
- ii. **NOTED** the position relating to capital funding for implementation, and the actions being progressed to explore funding opportunities and achieve 'bid ready' status in relation to Scottish Government Learning Estate investment.

17. Review of the Statutory Consultation Exercise to establish a Gaelic Medium catchment area for Mallaig Primary School
Ath-sgrùdadh den Eacarsaich Cho-chomhairle Reachdail gus sgìre sgoile Foghlam tron Ghàidhlig a stèidheachadh airson Bun-Sgoil Mhalaig

There is circulated Report No CLH/54/19 dated 25 July 2019 by the Chief Executive.

- * Having considered the Proposal set out within the Consultation Report and associated appendices, the representations received and the report from Education Scotland, the Committee **AGREED TO RECOMMEND** to the Council the creation of a Gaelic Medium catchment area for Mallaig Primary School on the basis shown on the map at Appendix 3 of the report.

18. Deferred and Early Entry to School
Inntrigeadh Sgoile Dàilichte agus Tràth

There had been circulated Report No CLH/55/19 dated 13 August 2019 by the Chief Executive.

The Committee **AGREED** to defer consideration of this item to the Care, Learning and Housing Committee on 10 October 2019, subject to a Members' seminar taking place beforehand on the issues surrounding deferred and early entry to school.

19. Education Transformation
Cruth-atharrachadh Foghlaim

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/56/19 dated 3 July 2019 by the Chief Executive.

The report introduced a presentation on progress made by the Change Team and their strategic priorities for the coming months. During the school summer term considerable consultation had taken place with Head Teachers about the creation of a comprehensive training programme for all school-based staff which would be focused

on delivering the culture, ethos and quality that was sought for all Highland pupils. The training was organised around the following 6 pillars:- Building positive relationships; Inclusion, Rights and equalities; Safeguarding, care and wellbeing; Pedagogy and development; Leadership of Change; and Supporting Processes.

During discussion, the following issues were raised:-

- the Chairman highlighted the considerable work taking place and it was encouraging to see areas now being addressed. In particular, he welcomed the Children's Plan review and the empowerment agenda;
- the Change Team were addressing many of the historical concerns raised by Head Teachers. They were transforming education through their knowledge, energy and enthusiasm and this was applauded;
- it was important to recognise Head Teachers as leaders and for a wider appreciation of what they did;
- the provision of Additional Support Needs (ASN) information was welcomed but the need for it being anonymised was questioned, given the importance of being open and transparent;
- it was essential ASN was allocated fairly;
- further information was sought, and provided, as to the proposed young ASN Ambassador programme;
- it was questioned if the 170 new probationary teachers had received ASN training. In this regard, in relation to those teachers where there were concerns regarding competency, confirmation was sought that training would be provided;
- the closer engagement with HMIe and Education Scotland was welcomed given the common aims. It would also instil confidence in schools ahead of inspections;
- the sharing of best practice would also bring added benefits;
- to fulfil their scrutiny role it was important that Members knew how to analyse data and Member workshops would enable them to communicate more effectively with Parent Councils and Head Teachers. It was also thought that parents too would welcome such a training opportunity;
- measures to reduce stigma, especially of Looked After Children, needed to be sought;
- reference had been made in the presentation to the excellent work being done by Stirling Council and support was expressed for the Change Team's visit there to examine good practice;
- a suggestion was made that an audit of paperwork and forms in the Education system be carried out so that it could be minimised where at all possible; and
- tracking was important and schools had a variety of methods in use. However, ideally one should be in place which would give a whole school picture of a pupil and which would encourage parental involvement.

The Committee:-

- i. **NOTED** the progress and plans being put in place to deliver better outcomes for young people; and
- ii. **AGREED** that a Members' workshop on data analysis and information management be arranged to enable more effective scrutiny and communication.

20. ICT in Learning Strategy and Chromebook Rollout in Schools

Ro-innleachd ICT ann an Ionnsachadh agus Sgaoileadh Chromebook ann an Sgoiltean

There had been circulated Report No CLH/57/19 dated 29 July 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- the positive nature of the report was welcomed although it was acknowledged that it was still too early to undertake any substantive evaluation;
- confirmation was sought, and provided, that the difficult technical and infrastructure issues had been addressed;
- the features available on new devices to assist pupils with dyslexia were welcomed;
- smart screens were still being used where appropriate but as technology developed the need for them was likely to reduce;
- taking into account the need for refreshing devices and the impact this would have on the Council's capital programme, assurances were sought, and provided, that when pupils left school their chrome books were returned and reallocated; and
- Members would welcome a demonstration from young people on the power of Chromebooks in the school environment.

The Committee:-

- i. **NOTED** the successful deployment of approximately 22,000 Chromebooks to Highland schools by June 2019;
- ii. **NOTED** the initial feedback for the project to date; and
- iii. **NOTED** the next steps in ICT and Digital Learning in schools; and
- iv. **AGREED** that a group of school pupils be invited to attend a future meeting of the Committee to demonstrate the capacity and benefits of Chromebooks in learning.

21. Placement Services Change Programme Update

Cunntas às Ùr mu Phrògram Atharrachaidh nan Seirbheisean Suidheachaidh

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/58/19 dated 26 July 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- staff were commended for their hard work under difficult circumstances. Area Managers had been creative in trying to find solutions and frontline staff had gone above and beyond what could be reasonably expected to ensure the protection, health and wellbeing of children, families and communities;

- disappointment was expressed at the low level of fostering and adoptions fees/allowances in Highland;
- the development of Àrach, the new outreach and respite service, was commended. However, to ensure that young people were kept in Highland, it was essential that wraparound services were also in place i.e. health and education services;
- the testimonies from social workers, parents and young people of the improved outcomes arising from the Placement Services Change Programme was encouraging;
- the costs of sending young people to out-of-authority specialist residential facilities were considerable and it was suggested that there was potential for Highland to produce its own bespoke facility and to charge other local authorities for placements. However, it was questioned if it was morally correct to profit from such initiatives; and
- it would be of benefit for Members to hear accounts from young people, perhaps through video clips, about what it was like to live within the care system. These young people were often stigmatised, and, at times, siblings were split up and had to suffer the trauma of changing school with no access to friends.

The Committee **NOTED**:-

- i. the progress to date; and
- ii. that a report on the review of Fostering and Adoptions fees/allowances would be presented to the Council in October 2019.

22. Early Years Update Cunntas às Ùr mu Thràth-bhliadhnaichean

There had been circulated Report No CLH/59/19 dated 5 August 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- further information was sought, and provided, on the Milton Holiday Club project, a Scottish Government backed project to tackle holiday hunger in Highland. In this regard, Members also commended the similar work being done by the Hungry Horse, a community-led initiative in Ballifeary run by volunteers;
- there were specific challenges around resourcing Early Learning and Childcare (ELC) in the rural areas and the plans and procedures put in place over the summer to mitigate these issues were welcomed, additional information detailing these having been provided at the meeting;
- confirmation was sought that the Council was still on target to fully implement the offer of 1140 hours ELC to all eligible 2, 3 and 4 year olds by August 2020. Having been informed that there were a number of critical sites which still needed to be addressed, Members sought further reports on these hotspots; and
- in view of her forthcoming retirement, the Chair thanked the Senior Manager Early Years for her service to the Council and presented her with a gift on behalf of the Committee.

The Committee:-

- i. **NOTED** the developments and progress in early years;

- ii. **NOTED** the risks to the Early Learning and Childcare programme; and
- iii. **AGREED** that ongoing updates would continue to be provided to the Committee including on the critical areas in terms of expansion requirements.

25. Membership of Local Negotiating Committee for Teachers Ballrachd Comataidh Barganachaidh Ionadail airson Thidsearan

The Committee **AGREED** the following changes/additions to the membership of the Local Negotiating Committee for Teachers:-

- Ms G Campbell-Sinclair to replace Ms K Currie, as put forward by the SNP Group.
- Mr A Jarvie, as put forward by the Conservative and Unionist Group.
- Mr D Mackay, as put forward by the Conservative and Unionist Group.

26. Minutes Geàrr-chunntas

Declaration of Interest: Mr A Christie declared a financial interest in item 26v 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.

The Committee:-

- i. **NOTED** the Minutes of the Highland Child Protection Committee – 26 February 2019;
- ii. **NOTED** the Minutes of the Highland Alcohol and Drugs Partnership Strategy Group – 5 March 2019;
- iii. **NOTED** the Minutes of the Highland Community Justice Partnership – 20 March 2019;
- iv. **APPROVED** the Minutes of the Adult Services Development and Scrutiny Sub-Committee – 13 June 2019;
- v. **NOTED** the draft Minutes of the Highland Council/NHS Highland Joint Monitoring Committee – 17 June 2019;
- vi. **NOTED** the draft Minutes of the Local Negotiating Committee for Teachers – 19 June 2019;
- vii. **APPROVED** the Minutes of the External and Third Sector Sports, Leisure, Culture and Community Funding Working Group – 5 August 2019; and
- viii. **APPROVED** the Minutes of the Adult Services Development and Scrutiny Sub-Committee – 8 August 2019.

The meeting concluded at 3.50 pm.