

**The Highland Council
No. 4 2018/2019**

Minutes of Special Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 5 September 2019 at 10.00am.

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

Present:

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

In Attendance:

Chief Executive	Executive Chief Officer, Performance and Governance
Director of Development & Infrastructure	Executive Chief Officer, Customer and Communities
Executive Chief Officer, Resources & Finance	

Apologies for absence were intimated on behalf of Mr B Allan, Miss J Campbell, Mr J Gordon, Mr K Gowans, Mr I Ramon and Mrs C Wilson.

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

There were no declarations of interest at the meeting.

3. **Review of the Highland Scheme of Establishment for Community Councils 2018/19**

There had been circulated Report No. HC/36/19 dated 28 August 2019 by the Acting Head of Policy which confirmed that the Council had agreed to review the Scheme of Establishment for Community Councils in January 2019 and the first phase of consultation had been undertaken between March and May 2019.

The findings of that first phase had been considered at a Council meeting in June 2019 at which time approval had been given for a further and final phase of consultation incorporating the changes received during the first phase.

As such, the report now set out the feedback received during the second phase of consultation, including any changes proposed as a result, and recommended approval of the new Scheme which had been set out in Appendix 1 to the report.

During discussion, Members raised the following issues:-

- thanks should be conveyed to the Officers for the work which had been undertaken and for the report which had been submitted;
- it had to be highlighted that this report represented the views and recommendations of Community Councils and not the Council;
- a Conference had been held for Community Councils in order to hear their views on various issues and it was planned for this to be repeated in future;
- regular dialogue was essential with Community Councils in order to benefit local communities;
- this had been a very difficult process but had been handled well by Council Officers;
- in relation to the proposed wording within the Control of Finance section of the new Scheme, it was suggested that the wording in Paragraph 14.1c should be amended as follows (*in italics*) – ‘The Treasurer shall also provide a written financial statement, including *evidence of* the current balance, to each Community Council meeting’;
- also in relation to the Control of Finance section, and with specific reference to the submission of a financial report to Annual General Meetings, it was suggested that the name and address of Auditors should be supplied in each case; and
- there was a need for continuous review of the new Scheme to ensure that it was operating effectively for all and as such it was suggested that a further review should be undertaken within the following year in conjunction with all Community Councils.

Thereafter, Mr A Christie, seconded by Mr A Graham, **MOVED** the recommendation within the report for approval of the new Scheme as detailed in Appendix 1.

As an **AMENDMENT**, Mr P Siggers, seconded by Mr L Fraser, moved that the proposed wording within Paragraph 14.1c of the new Scheme should be amended to read as follows – ‘The Treasurer shall also provide a written financial statement, including evidence of the current balance, to each Community Council meeting’.

On a vote being taken, the **MOTION** received 44 votes and the **AMENDMENT** received 16 votes, with 4 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr R MacWilliam, Ms K Currie, Mr R Laird, Mr C MacLeod, Ms P Hadley, Mr A Baxter, Mr R Balfour, Mrs M Paterson, Mr G Ross, Mrs D MacKay, Mrs B McAllister, Mr I Brown, Mr C Fraser, Ms E Knox, Mr D Louden, Mr A MacInnes, Mr D Macpherson, Mr B Thompson, Mr A Rhind, Mr J Finlayson, Mr M Finlayson, Mrs A MacLean, Mrs T Robertson, Mrs C Caddick, Mr B Boyd, Mr K Rosie, Mr H Morrison, Mr M Reiss, Mrs F Robertson, Mrs I Campbell, Mr D Rixson, Mr A Graham, Mr B Lobban, Ms M Smith, Dr I Cockburn, Mrs H Carmichael, Mrs M Davidson, Mr A MacKinnon, Mr A Henderson, Mr A Christie, Mr J Gray, Mr W MacKay, Ms N Sinclair and Mr R MacDonald.

For the Amendment:

Mr L Fraser, Mr A Sinclair, Mr S Mackie, Mr C Smith, Mrs L MacDonald, Mr T Heggie, Mr D MacLeod, Mr J Bruce, Mr D MacKay, Mr G Cruickshank, Mr G MacKenzie, Mr A Jarvie, Mrs I MacKenzie, Mr P Siggers, Mrs M Cockburn and Mr R Bremner.

Abstentions:

Mrs J Barclay, Mr N McLean, Mr R Gale and Mr J McGillivray.

Decision

The Council **NOTED** the feedback received during the Phase 2 consultation as part of the review of the Community Council Scheme.

The Council also **AGREED** the new Scheme of Establishment for Community Councils in Highland as set out in Appendix 1 of the report.

The meeting ended at 10.20am.

**The Highland Council
No. 5 2018/2019**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 5 September 2019 at 10.35am.

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

Present:

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

In Attendance:

Chief Executive	Executive Chief Officer, Performance and Governance
Director of Development & Infrastructure	Executive Chief Officer, Customer and Communities
Executive Chief Officer, Resources & Finance	

Mr B Lobban in the Chair

Apologies for absence were intimated on behalf of Mr B Allan, Miss J Campbell, Mr J Gordon, Mr K Gowans, Mr I Ramon and Mrs C Wilson.

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

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

Item 7 – Mr R Balfour and Mrs C Caddick (Non-Financial)

Item 18 – Mrs I MacKenzie, Mr A Henderson, Mr D Louden and Mr H Morrison (Financial)

Item 18 – Mr A Jarvie, Mr D Macpherson and Mr T Heggie (Non-Financial)

Prior to commencement of the formal business, it was **AGREED** to convey congratulations to Mr Sandy Scott who had been chosen to represent Great Britain and Ireland in the Walker Cup Golf match against the USA. This was the highest honour available to amateur golfers and Members wished Sandy and his team mates every success at the Hoylake Golf Club in the forthcoming weekend.

It was also **NOTED** that a Special Meeting of the Environment, Development & Infrastructure Committee had been arranged to discuss the car parking policy for the Highland area and would be held on 24 October 2019.

3. **Membership of the Council** **Ballrachd na Comhairle**

It was **NOTED** that Mr Richard Laird had tendered his resignation as a Member of the Council with effect from the end of the Council meeting on 5 September 2019.

In this regard, and in wishing him success in his new career, Mr Laird's impressive and outstanding contribution to the work of the Council, both at Headquarters and at Ward level, was highlighted by Members across the Chamber. Specific reference was made to the invaluable work which he had undertaken during his time as a Councillor, including the highlighting of mental health issues, addressing all aspects of poverty & inequality, the detailed examination of all relevant issues as part of the determination of local planning applications and successfully speaking out against fixed odds betting terminals (which had subsequently led to a change in the legislation in this regard).

In response, Mr Laird thanked colleagues and staff across the Council as well as the Scottish National Party, his Election Agents, the residents within Ward 14 (Inverness Central) who had elected him on two occasions and the SNP Group within the Council. In addition, he highlighted the challenges being faced daily by Local Councillors at a time of unprecedented challenges and difficulties at both a local and national level. Specifically, he expressed the opinion that there was now an urgent need for the re-examination of all aspects of the Local Councillor role (and potentially a change to the legislation in this respect) on the basis that this had now become a full-time occupation and did not (and could not) provide an appropriate work/life balance. As such, there was real concern as to how and by whom this role would be taken forward in the years ahead.

Thereafter, it was further **NOTED** that a By-Election for Ward 14 (Inverness Central) would be arranged and further details would follow in due course.

**4. Recess Powers
Cumhachdan Fosaidh**

It was **NOTED** that the recess powers granted at the meeting on 27 June 2019 had not required to be used in relation to the full Council.

**5. Presentation – Wester Ross Biosphere
Taisbeanadh – Bith-chruinne Rois an Iar**

A Presentation was undertaken at the meeting on the work of Wester Ross Biosphere during which details of the Strategic Plan for 2018-2023 were highlighted, including the main themes of Communication, Sustainable Development, Knowledge Sharing and Conservation.

In this regard, information was also provided on the proposed outcomes from April 2020 and beyond.

Decision

The Council **NOTED** the terms of the presentation as detailed – on the basis that any issues could be discussed during the lunch recess period.

**6. 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 27 June and of the Special Meeting held on 22 August as contained in the Volume which had been circulated separately which were **APPROVED**.

**7. Minutes of Meetings of Committees
Geàrr-chunntasan Choinneamhan Chomataidhean**

There had been submitted for confirmation as correct records, for information as regards delegated business and for approval as appropriate, the Minutes of Meetings of Committees contained in Volume circulated separately as undernoted:-

Pensions Committee, 8 August
Ross & Cromarty Committee, 14 August
Environment, Development & Infrastructure Committee, 15 August
Badenoch & Strathspey Area Committee, 19 August
City of Inverness Area Committee (Special Meeting), 20 August
Sutherland County Committee, 22 August
Caithness Committee, 27 August
Corporate Resources Committee, 28 August

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

Care, Learning & Housing Committee, 21 August

Starred Item 16 – Review of the Statutory Consultation Exercise to establish a 3-18 Campus in Tain

AGREED 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.

Starred Item 17 – Review of the Statutory Consultation Exercise to establish a Gaelic Medium Catchment Area for Mallaig Primary School

AGREED 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.

Starred Item 23 – Youth Works Highland – Highland Youth Work Strategy 2019-2024

AGREED that Mrs A MacLean (Non-Member of the Committee) should attend the Youth Work Improvement Group.

City of Inverness Area Committee, 29 August

Declarations of Interest – Mr R Balfour and Mrs C Caddick declared non-financial interests in the following Starred Item 11 as members of the Northern Meeting Park Association and the Northern Meeting Piping Trust respectively 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.

Starred Item 11 – Inverness Events and Festivals – Review of 2019-20 to date and Proposals for 2022-21

AGREED that Officers should support the Events and Festivals Working Group to work with partners to deliver a programme of events in Northern Meeting Park to generate the additional income required to deliver the agreed programme, subject to ensuring that all reasonable steps were taken to ensure that any current users which might suffer detriment were given advice and support where appropriate.

In this regard, clarification was provided at the meeting that Officers would work with partners and explore in principle the opportunities to generate additional income through the Northern Meeting Park which was a Council asset and therefore ownership and contractual matters were not within the decision making remit of the City Committee.

Lochaber Area Committee, 29 August

Starred Item 6 – Lochaber Car Parking Income

It had been agreed to recommend the introduction of 2 hours free car parking in the Viewforth and Middle Street Car Parks, Fort William commencing on Friday, 29 November 2019 to the close of business on Friday, 3 January 2020.

In this regard, it was confirmed that a similar timescale for free parking in the period before Christmas had been agreed by the Council in the previous year. At that time, it had been understood that clarity would follow from the Administration in respect of car parking budgets being disaggregated to local areas - with a target set for local areas and any surplus over that target being apportioned to the Local Area Committee to determine on how they wished it to be spent from the Community Services budget. However, it was now understood that this might no longer be the case and that a Special Meeting of the Environment, Development & Infrastructure Committee had now been arranged for 24 October when this matter would be further

discussed. In the absence of clarity on this issue, this further request for a period of free parking in the current year had now been agreed by the Local Committee.

In support of the request from the local Committee, it was highlighted that a budget of £420k had been set in the current financial year for car parking income and an assessment from Officers was that around £490k would be achieved by the end of the year. As such, what was considered to be a modest request in the sum of approximately £7.5k to repeat the free parking arrangements from the previous year in Fort William was set against the background of very hard decisions which had had to be taken by Lochaber Members in terms of setting car parking charges for their area at a time when the situation was not equal across the rest of the Highland Council area as had been expected.

In response, the Budget Leader highlighted that, whilst not moving an amendment to the proposal from the Lochaber Area Committee, this had to be viewed within the context of the Council's budgetary position whereby it had already been stated that no action should be taken which had the result of reducing income received by the Council and thereby increasing any forecast overspend.

Thereafter, the Council otherwise **AGREED** the recommendation from the Lochaber Area Committee as detailed.

Starred Item 7 – Corran Ferry Service Update

It had been agreed to recommend that future charges for foot passengers and pedal cyclists should be determined by the Lochaber Area Committee.

In this respect, it was clarified that permission was being sought to determine these charges locally in view of the unique and distinctive geographical location in which the Corran Ferry was based and as such it was hoped that overall control would be placed with the local Committee at some point in the future.

At this point, the Budget Leader highlighted the considerable responsibilities of the Council in respect of overall liability for the Corran Ferry and suggested that the appropriate way forward was for the local Committee to continue to make recommendations to the Environment, Development & Infrastructure Committee. In this respect, it was highlighted that this did not prevent the local Committee from influencing decisions and that it would perhaps be appropriate for a report to be submitted to a future meeting of the Council and/or the Environment, Development & Infrastructure Committee to detail the current arrangements in full and allow further discussion in this regard.

Thereafter, Mr A Baxter, seconded by Mr B Thompson, **MOVED** the recommendation from the Lochaber Area Committee that future charges for foot passengers and pedal cyclists should be determined by that Committee.

As an **AMENDMENT**, Mr A MacKinnon, seconded by Mr A Christie, moved that proposals from the Lochaber Area Committee should be considered as recommendations by the Environment, Development & Infrastructure Committee.

On a vote being taken, the **MOTION** received 31 votes and the **AMENDMENT** received 31 votes, with 1 abstention.

On the casting vote of the Convener, the **AMENDMENT** was **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr R MacWilliam, Ms K Currie, Mr R Laird, Mr C MacLeod, Mr A Baxter, Mr R Balfour, Mr L Fraser, Mr A Sinclair, Mr S Mackie, Mr C Smith, Mr I Brown, Mr C Fraser, Mr D Louden, Mr A MacInnes, Mrs G Campbell-Sinclair, Mrs L MacDonald, Mr B Thompson, Mr D MacLeod, Mr J Bruce, Mr D MacKay, Mr G Cruickshank, Mr G MacKenzie, Mr D Rixson, Mr A Jarvie, Mrs I MacKenzie, Mr P Saggars, Mr A Henderson, Mr R Bremner, Ms N Sinclair, Mr N McLean and Mr J McGillivray.

For the Amendment:

Mrs M Paterson, Mr G Ross, Ms L Munro, Mrs D MacKay, Mrs B McAllister, Mr D Macpherson, Mr A Rhind, Mr J Finlayson, Mr T Heggie, Mr M Finlayson, Mrs T Robertson, Mrs C Caddick, Mr B Boyd, Mr K Rosie, Mr H Morrison, Mr M Reiss, Mrs F Robertson, Mrs I Campbell, Mr A Graham, Mr B Lobban, Ms M Smith, Dr I Cockburn, Mrs H Carmichael, Mrs M Davidson, Mr A MacKinnon, Mr A Christie, Mr J Gray, Mrs M Cockburn, Mr W MacKay, Mr R MacDonald and Mr R Gale.

Abstention:

Mrs J Barclay.

The Council therefore **AGREED** that proposals from the Lochaber Area Committee should be considered as recommendations by the Environment, Development & Infrastructure Committee.

Also Starred Item 6 – Introduction of Car Parking Charges for West Bay, Mallaig

It had been agreed to recommend the introduction of car parking charges for West Bay, Mallaig with the revenue raised to be included in a disaggregated Community Services budget for Lochaber within an extended local control budget as previously agreed by the full Council on 28 June 2018. Also, a report to be brought back to Lochaber Members before June 2020 advising how additional car parking revenue raised from West Bay, Mallaig could be reinvested locally, especially to improve infrastructure and the tourist experience in the Mallaig, Morar and Arisaig areas in line with the recommendations of the Redesign Review on Car Parking.

In this respect, the arrangement of a Special Meeting of the Environment, Development & Infrastructure Committee on 24 October 2019 to further discuss car parking policy was welcomed and it was hoped that this recommendation from the Lochaber Area Committee would influence that discussion. Specifically, the recommendation sought to provide transparency over car parking income and how it was spent, allow the input of Local Members in that regard and set a timeline for implementation. As such, the recommendation did not seek to make a claim on any percentage of revenues to be ring-fenced in Mallaig or Lochaber.

It was important for this recommendation to be agreed in order to provide transparency and to include residents in Mallaig in any future discussions with a view to solving parking issues in that location.

It was also contended that community support from across the Highlands would be vital in relation to implementing proposals for car parking charges which would provide much needed additional income for the Highland area as a whole.

Thereafter, the Council otherwise **AGREED** the recommendation from the Lochaber Area Committee in respect of the introduction of car parking charges for West Bay, Mallaig as detailed.

**8. Recruitment Panel - Executive Chief Officers
Pannal Fastaidh – Prìomh Oifigearan Gnìomhach**

There had been circulated Minutes of Meetings of the Recruitment Panel as follows which were **NOTED**:-

Executive Chief Officer: Resources and Finance, 1 July 2019;
Executive Chief Officer: Customer and Communities, 3 July 2019;
Executive Chief Officer: Health and Social Care, 4 July 2019; and
Executive Chief Officer: Performance and Governance, 16 August 2019.

**9. Membership of Committees, etc
Ballarachd Chomataidhean, msaa**

Highland Licensing Committee/Highland Licensing Board

It was **NOTED** that Dr I Cockburn had confirmed his resignation as a Member of the Highland Licensing Committee and Highland Licensing Board with effect from 1 October 2019 and that the following nominations had been received for the vacant place –

Mr B Thompson (Ward 11)
Mr A MacInnes (Ward 5)

On a vote being taken, Mr Thompson received 40 votes and Mr A MacInnes received 20 votes, with 4 abstentions, the votes having been cast as follows:-

Votes for Mr Thompson

Mr A Baxter, Mr R Balfour, Mrs M Paterson, Mr G Ross, Mr L Fraser, Mrs D MacKay, Mrs B McAllister, Mr A Sinclair, Mr S Mackie, Mr C Smith, Mr D Macpherson, Mr B Thompson, Mr A Rhind, Mr J Finlayson, Mr T Heggie, Mr M Finlayson, Mrs T Robertson, Mrs C Caddick, Mr D MacLeod, Mr J Bruce, Mr D MacKay, Mr H Morrison, Mr M Reiss, Mrs F Robertson, Mrs I Campbell, Mr D Rixson, Mr A Graham, Mr A Jarvie, Mrs I MacKenzie, Mr P Saggars, Mr B Lobban, Mrs H Carmichael, Mrs M Davidson, Mr A MacKinnon, Mr A Henderson, Mr A Christie, Mr J Gray, Mr W MacKay, Ms N Sinclair and Mr R MacDonald.

Votes for Mr MacInnes

Mr R MacWilliam, Ms K Currie, Mr R Laird, Mr C MacLeod, Mr I Brown, Mr C Fraser, Ms E Knox, Mr D Loudon, Mr A MacInnes, Mrs G Campbell-Sinclair, Mrs L MacDonald, Mr B Boyd, Mr K Rosie, Mr G MacKenzie, Mrs J Barclay, Ms M Smith, Dr I Cockburn, Mrs M Cockburn, Mr R Bremner and Mr N McLean.

Abstentions

Mrs L Munro, Mr G Cruickshank, Mr R Gale and Mr J McGillivray.

In addition to agreement that the vacant place would be taken by **Mr B Thompson** with effect from 1 October 2019, above, Members were reminded that the Highland Licensing Committee and Highland Licensing Board would appoint their new Chairs at their next available meetings.

Audit & Scrutiny Committee

The Council **AGREED** the revised membership of the Audit & Scrutiny Committee as follows – Mr G MacKenzie, Mr P Saggars, Mr D Loudon, Mr B Boyd, Mr R Bremner,

Mr G Adam, Mrs A MacLean, Mr S Mackie, Mrs M Davidson, Mr R Balfour, Mrs M Paterson, Mr B Thompson, Mrs J Barclay and Mr D Macpherson.

Environment, Development & Infrastructure Committee

The Council **AGREED** the following as put forward by the SNP Group:-

Mr D Loudon to replace Ms K Currie

10. Question Time Àm Ceiste

The following Questions had been received by the Head of Corporate Governance in terms of Standing Order 11 –

(i) Mr J McGillivray

To the Leader of the Council

“As agreed at the Council Budget meeting of March 2018, can the Administration put on public record the summary table showing budgeted and actual capital spending for the financial year 2018-19 for each Area?”

The response had been circulated.

In terms of a supplementary question, it was queried as to what schools were next for closure in Sutherland and also whether further information could be provided in relation to the Dornoch Community Skips facility.

In response, it was confirmed that the Leader and Budget Leader would meet with Mr McGillivray to discuss the issues which had been raised.

(ii) Mr J McGillivray

To the Leader of the Council

“For the financial year 2018-19, what are the budgeted and actual spends for each Area arising from the Inverness City/Region deal?”

The response had been circulated.

In terms of a supplementary question, it was queried as to whether any money would be forthcoming from the City/Region Deal funds to support the Dornoch Sports Shed project.

In response, it was confirmed that the Leader and Budget Leader would meet with Mr McGillivray to discuss this issue.

(iii) Mr A Baxter

To the Leader of the Council

“Which communities have been consulted on the introduction of car parking charges, since my question to you at the full council meeting on 9th May 2019, and can you provide details of reports presented to Area Committees in relation to the

roll out of car parking charges within the area of their remit and list those car parks where charging has been introduced since 9th May 2019?”

The response had been circulated.

In terms of a supplementary question, it was queried if the Leader, when car parking charges were proposed in specific areas, would ask a Local Member to lead their community and set charges suitable for their area or alternatively seek the transfer of the asset to the community.

In response, it was confirmed that the Council had not yet taken a position on whether or not to include car parks in asset transfers but this would be discussed at the Special Meeting of the Environment, Development and Infrastructure Committee which had just been arranged.

(iv) Mr D Louden

To the Chair of the Corporate Resources Committee

“You and the Chief Executive indicated some time ago that Highland Council would be purchasing a software program to allow Members and Officers to properly scrutinise and access the accounts on a daily basis to enable an accrual adjusted examination of them. When will this be implemented as we are now entering accounting Quarter 2?”

The response had been circulated.

In terms of a supplementary question, it was queried as to whether it was possible when reporting subjective code listing of variances exceeding £100k (over or under budget) to highlight those variances.

In response, it was confirmed that consideration was currently being undertaken in relation to a CIPFA model of accounting and a further report would be submitted to the Council in due course.

(v) Mr D Louden

To the Leader of the Council

“Is the Brexit Working Group due to meet very soon as the leaving date for Brexit is looming and the last time it met was many months ago?”

The response had been circulated.

In terms of a supplementary question, it was queried whether an assurance could be given that the Brexit Working Group would meet more frequently in future.

In response, it was confirmed that the Working Group would meet as often as necessary in future in light of the current circumstances pertaining to this issue.

(vi) Mr C Fraser

To the Chair of the Environment, Development & Infrastructure Committee

“With regards to the major capital projects that the Council will be doing in the future, can we get assurances that all projects will have complete financial control systems in place and any variations to the original signed contracts will be kept to an absolute minimum?”

The response had been circulated.

In terms of a supplementary question, it was queried whether an assurance could be given that variations to original signed contracts would be reduced to a minimum as a priority for the Design Team and signed off by the Full Council before tender documents were issued.

In response, it was confirmed that this proposal should be put in writing in the first instance and it would then be considered further.

11. Notices of Motion Brathan Glusaid

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

(i) Increased use of electric vehicles is important as we respond to the declaration of a Climate Emergency and a target of carbon neutral by 2025. The Council will engage with Scottish Government to allow and regulate the use of electric scooters in urban areas.

Signed: Mrs T Robertson Mrs C Caddick Mrs A MacLean

During discussion, Members raised the following issues:-

- it had to be recognised that increased use of electric vehicles was becoming an essential part of tackling the climate change emergency and this had already been proved in many parts of Europe through their increased use. However, it was acknowledged that dependence on other forms of travel was often unavoidable at present in the Highland area;
- although they were growing in popularity, it was a fact that it was currently illegal for electric vehicles/scooters to be used on roads and pavements and their use on private land was only allowed with the permission of the landowner. As such, there was a need for the current law to be reviewed and hopefully changed to allow their use in future;
- there was a need for this issue to be taken forward but it was recognised that the logistics surrounding the introduction of electric vehicles in the Highlands could be problematic;
- there was a requirement in the current circumstances to ensure that legislation kept pace with technology in this regard;
- if electric vehicles were to be introduced, there would be a need for education in the first instance in relation to the legal aspects of their ownership and use;
- whilst it was acknowledged that electric scooters offered an effective means of travel in Europe, this was often in cities where there were wide streets/pavements and dedicated cycle lanes, along with traffic lights which gave priority to electric scooter users and pedestrians which was not currently the case in the UK;
- there had been a number of high profile road infringements in the UK from an activity which was currently illegal and this was concerning. As such, the safety of all road users had to be paramount, with a particular focus on the needs and safety of those people who were disabled and wheelchair users;
- additional funding would be required to allow the provision of dedicated lanes on roads and this would require classification as a high priority alongside other issues;

- the Scottish Government did not currently have the authority to legalise electric scooters on Scottish roads so any lobbying in this regard would require to be directed to the UK Government;
- in light of the issues which had been raised, it would perhaps be more appropriate in the first instance for a report to be submitted to a future meeting of the Environment, Development & Infrastructure Committee to allow consideration of all issues, including those relating to health & safety and use on public roads and pavements; and
- there was concern that roads and pavements across the Highlands were not suitable for this type of vehicle.

Thereafter, Mrs T Robertson, seconded by Mrs C Caddick, **MOVED** the terms of the Notice of Motion as detailed – subject to reference to the ‘Scottish Government’ being changed to the ‘UK Government’.

As an **AMENDMENT**, Mr R MacWilliam, seconded by Mr B Boyd, moved that a Briefing Paper should be submitted to a future meeting of the Environment, Development & Infrastructure Committee on the potential use of electric scooters in urban areas, specifically to take account of any related issues which would need to be considered in the first instance, such as infrastructure or safety concerns.

On a vote being taken, the **MOTION** received 23 votes and the **AMENDMENT** received 32 votes, with 6 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr R Balfour, Mr D Macpherson, Mr B Thompson, Mr T Heggie, Mrs A MacLean, Mrs T Robertson, Mrs C Caddick, Mr J Bruce, Mrs F Robertson, Mrs I Campbell, Mrs J Barclay, Mr D Rixson, Mr A Graham, Mr B Lobban, Mrs H Carmichael, Mrs M Davidson, Mr A MacKinnon, Mr A Christie, Mr J Gray, Mr W MacKay, Ms N Sinclair, Mr R MacDonald and Mr R Gale.

For the Amendment:

Mr R MacWilliam, Mr R Laird, Mr C MacLeod, Ms P Hadley, Mr A Baxter, Mrs M Paterson, Mr G Ross, Mr L Fraser, Mr A Sinclair, Mr S Mackie, Mr C Smith, Mr I Brown, Mr C Fraser, Ms E Knox, Mr D Loudon, Mr A MacInnes, Mrs G Campbell-Sinclair, Mrs L MacDonald, Mr D MacLeod, Mr D MacKay, Mr G Cruickshank, Mr B Boyd, Mr K Rosie, Mr G MacKenzie, Mr P Saggars, Ms M Smith, Dr I Cockburn, Mr A Henderson, Mrs M Cockburn, Mr R Bremner, Mr J McGillivray and Mr N McLean.

Abstentions:

Mrs D MacKay, Mrs B McAllister, Mr J Finlayson, Mr M Reiss, Mr A Jarvie and Mrs I MacKenzie.

Decision

The Council **AGREED** the following amended Notice of Motion:-

A Briefing Paper to be submitted to a future meeting of the Environment, Development & Infrastructure Committee on the potential use of electric scooters in urban areas, specifically to take account of any related issues which would need to be considered in the first instance, such as infrastructure or safety concerns.

(ii) Since our recent declaration of a Climate Emergency, Highland Council commits to having more trees planted throughout the Highlands as a carbon sink, an economic measure and a recreational facility.

Specifically, the Council will (a) approach both the Scottish and UK Governments for financial support to pursue a major tree planting campaign to provide a Highland carbon sink (b) ensure that all available funding routes for forestry are widely advertised to all eligible groups (c) work to identify land where trees can be planted (d) commit to planting trees on its own estate wherever feasible (e) encourage the establishment of community groups with a focus on planting trees (f) encourage its schools and school children to engage in tree planting schemes and (g) commit resources and Officer time to (i) disseminating knowledge about the suitability of trees, soils, fencing, seeds and saplings (ii) helping access sources of funding and (iii) stimulating business usage of wood products for house building, fencing, furniture making, wood working, etc.

Signed: Mr D Rixson Mrs T Robertson

During discussion, Members raised the following issues:-

- the intention from this Motion was for a 'carbon sink' to be created in the Highlands as a result of the planting of as many trees as was possible which would serve the purposes of recreation as well as addressing the current climate change emergency;
- it was important to highlight that people wanted action to be taken in relation to climate change and in that regard the Council would have to work in partnership with the Scottish Government and partners to achieve the best possible outcomes;
- there was also a need to recognise the excellent work which had already been undertaken in the area by various individuals and organisations. As such, there was a need to continue to encourage and inspire as many people as possible to become involved by bringing their enthusiasm and expertise to projects which led to cultural change;
- addressing the current climate emergency through the planting of millions of trees had already been undertaken around the world and it was suggested that this could easily be replicated in the Highlands;
- it was imperative that local communities were encouraged to become involved in local schemes whenever and wherever possible;
- consideration should be given to the possibility of planting a tree for every child who had started Primary 1 in the current year;
- to enable progress to be made within a shorter timescale, it would be important for the corporate/commercial sector to become involved in future projects;
- there was an opportunity for conditions to be set in relation to tree planting as part of consideration of future planning applications and this should be taken forward by the Council through local development plans as a priority;
- the actions currently being undertaken by schools and school children was very impressive and should be highlighted;
- there was a need to actively engage with key partners and local communities across the Highlands to ensure the future success of projects to address climate change;
- it would be preferable to consider and build on the work which had already been undertaken in the Highlands wherever possible;
- in terms of the planting of trees, it would be important to use native trees in the Highlands;

- the Scottish Government had already made excellent progress on climate change issues in comparison with other parts of the UK and this was welcomed;
- it would be essential to highlight any proposals for tree felling as part of future planning applications;
- moving away from fossil fuels and the planting of trees would be paramount in dealing with climate change in future and the huge open landscape meant that the Highlands could make a significant contribution in this regard in future;
- it should be highlighted that the European Union had been the major funder for tree planting in the Highlands over the past 40 years;
- communities had a huge role to play in future and the possibilities for community buy-outs of forestry land in particular should be taken forward whenever possible.

Thereafter, Mr D Rixson, seconded by Mrs T Robertson, **MOVED** the terms of the Notice of Motion as detailed.

As an **AMENDMENT**, Mr K Rosie, seconded by Mr D Louden, moved the wording in the first paragraph of the Notice of Motion only, together with the following additional wording – 1) the Highland Council will commit to work with all Governments, public agencies and the private sector to identify sources of funding support to pursue a major tree planting campaign and existing woodland restoration programme to further enhance the Highland carbon sink, 2) work to identify land where trees can be planted on the Highland Council estate and plant trees wherever feasible, 3) encourage and support our schools and school children to engage in tree planting and actively engage pupils to understand the benefits to the environment that trees have using existing expert organisations such as Lantra and 4) actively engage with Forest Scotland, Forest and Land Scotland, UHI, Scottish Water, Scottish Natural Heritage, the third sector and the private sector to ensure a viable and sustainable future at community level for the tree and timber sector.

On a vote being taken, the **MOTION** received 38 votes and the **AMENDMENT** received 22 votes, with 3 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mrs M Paterson, Mr G Ross, Mrs D MacKay, Mrs B McAllister, Mr A Sinclair, Mr D Macpherson, Mr B Thompson, Mr A Rhind, Mr T Heggie, Mrs A MacLean, Mrs T Robertson, Mrs C Caddick, Mr D MacLeod, Mr J Bruce, Mr D MacKay, Mr G Cruickshank, Mr H Morrison, Mr M Reiss, Mrs F Robertson, Mrs I Campbell, Mrs J Barclay, Mr D Rixson, Mr A Graham, Mr A Jarvie, Mrs I MacKenzie, Mr P Saggars, Mr B Lobban, Mrs H Carmichael, Mrs M Davidson, Mr A MacKinnon, Mr A Henderson, Mr A Christie, Mr J Gray, Mr W MacKay, Ms N Sinclair, Mr R MacDonald, Mr R Gale and Mr J McGillivray.

For the Amendment:

Mr R MacWilliam, Mr R Laird, Mr C MacLeod, Ms P Hadley, Mr A Baxter, Mr R Balfour, Mr L Fraser, Mr I Brown, Mr C Fraser, Ms E Knox, Mr D Louden, Mr A MacInnes, Mrs G Campbell-Sinclair, Mrs L MacDonald, Mr J Finlayson, Mr K Rosie, Mr G MacKenzie, Ms M Smith, Dr I Cockburn, Mrs M Cockburn, Mr R Bremner and Mr N McLean.

Abstentions:

Mr S Mackie, Mr C Smith and Mr B Boyd.

Decision

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

(iii) Highland Council recognises the widespread disappointment at the granting of planning permission by the Scottish Government for Limekilns windfarm, close to Reay village, after hundreds of local objections and rejection on two occasions by Highland Council North Planning Applications Committee.

We call upon the Scottish Government to rapidly implement the Reporter's comment in his report: "The Scottish Government and the Scottish planning system need to consider the potential benefits of trying to secure better data and better assessments, notwithstanding the significant problems prior to consenting any more windfarms in environmentally sensitive areas that are heavily reliant on outdoor tourism".

Additionally, this research must include an assessment of windfarm developments on land/ property values, long term planning blight, depopulation, mental health concerns and the overall holistic effects of multiple developments on local residents' sense of wellbeing.

Signed: Mr M Reiss Mr S Mackie

Decision

It was **NOTED** that this Notice of Motion had now been withdrawn.

(iv) The Council is disappointed that the UK Government has indicated that EU free movement rules will end immediately if there is a no-deal Brexit on 31 October 2019. This will affect the rights of EU citizens who arrive in the UK from November onwards.

Given the importance of attracting people to live and work in the Highlands so as to meet the employment and skills needs of businesses and to address the demographic challenges facing the area, the Council agrees that the Leader of the Council should write to the UK Government Immigration Minister to request an urgent meeting to seek clarity over the Government's approach to immigration and highlight the particular circumstances facing the Highlands

Signed: Mrs M Davidson Dr I Cockburn Mr A Christie

During discussion, Members raised the following issues:-

- there had been a welcome change in respect of EU free movement rules whereby the previous stipulation that this would end on 31 October 2019 in the event of a no-deal Brexit had been removed and it had been confirmed that freedom of movement would now continue for a further three year period;
- the Cities Alliance had undertaken a significant level of work in conjunction with the Scottish Government and this included a position paper on a proposal which would work for Scotland and the Highlands. On that basis, this position paper would now be circulated to all Members of the Council;
- it had to be recognised that any restriction on freedom of movement could cause significant problems and disruption for EU Nationals who were living and working in the Highlands. Although there had been a good response to

the EU Settlement proposals, it was very worrying that this only accounted for approximately one third of the 3.3m people who were likely to be affected and as such there was a need to help and encourage all those affected to register as soon as possible;

- it was imperative that lobbying was continued to ensure that long term arrangements and a regional variation which suited Scotland and the Highlands respectively were put in place as a matter of urgency;
- there was serious concern that the application process in relation to the EU Settlement proposals was not simple or straightforward and a significant number of people who had lived in the Highlands for many years were facing considerable disruption and often rejection as a result of technicalities within the process;
- a number of longstanding businesses in various parts of the Highlands were now being affected and often forced to leave as a consequence of the EU Settlement proposals and this was very worrying for all concerned;
- there was a need for a very strong message to be sent out to encourage people to visit and stay in the Highlands and to reassure those who were already living and working in the area that they were highly valued;
- the unique differences and needs of the Highlands in comparison with other parts of the country had to be highlighted and reinforced whenever and wherever possible, with particular reference to the value of EU Nationals to Highland businesses and the wider economy;
- it was also appreciated however that the current proposals from the UK Government were affecting other areas of the UK and as such there was a need to ensure that future discussions sought to identify not just local solutions but also measures which could be replicated in all constituent parts of the country as and when required;
- there had to be a zero tolerance policy in the Highlands in regard to racist and bigoted behaviour whereby all individuals were treated as equals and valued within local communities; and
- it would have been helpful if the Brexit Working Group which had been set up in the previous year had met more regularly as this would have allowed some of the issues which had been raised to have been more fully considered and discussed by Members in that forum. Confirmation that the Working Group was now to be expanded, with more regular meetings, was however noted and welcomed.

Decision

The Council **AGREED** the following amended Notice of Motion:-

In relation to EU free movement rules, and given the importance of attracting people to live and work in the Highlands so as to meet the employment and skills needs of businesses and address the demographic challenges facing the area, the Council agrees that the Leader of the Council should write to the UK Government Immigration Minister to request an urgent meeting to seek an important regional variation to reflect the particular circumstances facing the Highlands.

12. Annual Fire Report/Presentation Aithisg/Taisbeanadh Bliadhna Smàlaidh

There had been circulated Report by the Area Manager and Local Senior Officer – Highland, Scottish Fire and Rescue together with the Annual Performance Report which detailed the Fire and Rescue performance across a range of Emergency Response, Prevention and Protection activities for 2018-19.

Following a summary of the report, Members raised the following issues:-

- in relation to concern regarding the considerable number of wildfires over the Summer months and the need for information on who met the costs for any action required, such as the deployment of helicopters, it was noted that such incidents were very resource intensive and difficult to control and often there was a reliance on resources from out with the Highland area. Also, helicopters were only used with the permission of landowners with costs being met in most cases through insurance arrangements;
- in welcoming the roll-out of the new Rapid Response Units, it was suggested that there was also a need for flexibility in terms of allowing individual Fire Stations to decide on the number of crew required to attend incidents. In this regard, it was confirmed that discussions were ongoing in relation to flexible crew arrangements and this included the associated pay negotiations;
- in relation to rural areas in particular, it was noted that it was hoped that the recruitment of Rural Support Watch Managers would commence soon as part of other similar initiatives and whilst capability in rural areas was always challenging, recruitment opportunities were always available and as widely advertised as possible;
- it would be helpful if more information could be provided on whether there was any possibility of reducing the recruitment age from 16 to 18 in future;
- the number of house fires had decreased and as such thanks had to be conveyed to the Service for the success of the house visit scheme, particularly as this was now being undertaken in conjunction with partner agencies where necessary;
- the number of female fire fighters also continued to increase and this was a very positive statistic for the area;
- with particular reference to recent events which had been arranged to focus on opportunities for looked after children, it was suggested that attendance at a future Care, Learning & Housing Committee meeting by SFRS Officers could be very beneficial in relation to the highlighting of employability issues and the potential for mentoring schemes and also to discuss the possibility of attending similar events in future; and
- the continued success of the 'Driving Ambition' courses, which specifically focused on preventing accidents involving young drivers, was welcomed.

Decision

Members **NOTED** the terms of the Presentation and the SFRS Service Delivery and Performance as contained within the Annual Performance Report for 2018-19.

13. Organisational Transformation and Transition Plana Cruth-atharrachaidh agus Eadar-ghluasadan Eagrachail

There had been circulated Report No. HC/38/19 dated 25 August 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- thanks should be conveyed to the Officers concerned for the considerable work which had been undertaken and the progress which had been made in establishing a Council Vision which was underpinned by core strategic approaches;

- communication, resilience and partnership engagement had improved and this was welcomed;
- there was a need for further information on the costs of the short term additional staffing for the Finance, HR and systems teams in relation to making the final switch across to new financial, staffing and performance reporting in the new financial year;
- it would be important to highlight the strong connection required with local communities in terms of future localism/local decision making initiatives;
- in relation to the section in the report on 'A Sustainable Council', this also had to include reference to community income generation;
- it would be helpful if a new and comprehensive Organisational Structure Chart could be submitted to the next Council meeting;
- as part of a future Scheme of Delegation, there was a need for information on any deliberations in regard to Ward boundaries/responsibilities, with particular reference to previous representations which had been made in respect of Ward 5 whereby it was suggested that a meeting with the Leader of the Council and the Chief Executive should be arranged as soon as possible;
- it had to be acknowledged that there had been a strong focus on budget/ financial and staffing issues over recent months and this had meant that the consideration of localism issues had had to be paused to some extent over that period. However, it was expected that a further Governance Review report would be submitted to the October Council meeting and this would include details of Executive Chief Officer responsibility/involvement in the different geographical areas across the Highlands as had been previously agreed;
- there was a need to continue community planning partnership work in respect of localism in the Highlands and this would include consideration of the appointment of an independent Chair for the Community Planning Partnership Board in future; and
- it was noted that, in addition to the Governance Review report, the planned list of reports for the October Council meeting included Budget Strategy update, Capital Programme governance, Change Strategy, Transformation Programme update, Council Values and Leadership and Culture Strategy.

Decision

Members:-

- (i) **NOTED** the progress made to date in establishing a Council Vision underpinned by core strategic approaches;
- (ii) **AGREED** the priorities for action over the coming months;
- (iii) **NOTED** the transitional arrangements in place and the indicative timescales for the permanent structure being established;
- (iv) **AGREED** that Section 95 duties should be assigned to the Executive Chief Officer for Resources and Finance; and
- (v) **AGREED** a bid to the Change Fund for £82,000 to resource the programme effectively and £145,000 for associated HR and systems support to ensure a smooth transition to the new structure.

14. Corporate Plan 2019-22 – Finalising Targets Phlana Chorporra 2019-22 - Toirt Thargaidean gu Crìch

There had been circulated Report No. HC/39/19 dated 19 August 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- in relation to Appendix 1 in the report – Corporate Plan targets - there was a need for an additional column in future reports to identify the ‘Responsible Officer’ for each issue listed;
- in relation to the percentage of the road network that should be considered for maintenance treatment, it was suggested that reference should be made to the Scottish Road Maintenance Condition Survey in terms of future benchmarking;
- it had been reported that the most important services as identified by the Citizen’s Panel were road repairs and pot holes and also winter road maintenance and as such these issues had to be given the highest priority in future;
- whilst the first part of the document was very clear and accessible for all, it was not felt that this applied from Page 56 onwards and it was suggested that this should be reviewed and improved where necessary;
- it was important that visible action was taken by the Council to address concerns raised by communities across the Highlands and that this action was highlighted for all;
- in relation to increasing energy generation from renewable sources and reducing energy consumption in the Council, there was a need for confirmation that this would be adequately resourced in order to fully deliver at scale; and
- it was important to highlight the vital role undertaken by the Service Centre and Service Points across the Highlands in any future proposals to be taken forward.

Decision

The Council:-

- (i) **APPROVED** the draft Corporate Plan for 2019-22;
- (ii) **NOTED** that the Corporate Plan would be updated to take account of decisions Members took in relation to the Council’s Governance Review, any amendments to the Change Programme, the Council’s approach to performance improvement and any organisational restructure;
- (iii) **NOTED** that the Plan would support the delivery of the Highland Outcome Improvement Plan;
- (iv) **NOTED** that the Corporate Plan would be the subject of an Annual Performance Report in September each year and the first report for this plan was due in September 2020; and
- (v) **NOTED** that the Plan was normally reviewed following the Annual Performance Report to Council and any changes would be submitted to the Council for approval. This review was first due in Autumn 2020.

15. Annual Corporate Performance Report Aithris Choileanaidh Bhliadhnaidh

There had been circulated Report No. HC/40/19 dated 14 August 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- in relation to the statement that the Council was on track to implement 1140 hours of high quality early learning and childcare to every eligible child across

the Highlands, it was hoped that a report in this regard would be reported to the next Care, Learning & Housing Committee as had been promised;

- clarification was also required in terms of whether the statistic of 76% of Associated School Groups having one to one devices deployed in 2018/19 had now increased to 100%;
- with regard to the section entitled 'A Place to Learn', it was hoped that the figures which had been quoted could be updated in future in order to allow adequate scrutiny by Members;
- with specific reference to Rural Proofing, it had to be recognised that often the Council was the first agency contacted for help and advice, even when the issue concerned was not within its remit and this added extra pressure for staff in rural areas from time to time;
- it would be helpful if trends could be highlighted in future reports in order to provide more detailed information for Members;
- there was a need for more information in future reports in relation to commitments not met and specifically the reasons why this was the case and any proposals for future improvement;
- specifically, in relation to the current report, there was a need for more information on whether benchmarking/best practice was being applied in regard to improving educational attainment for all;
- thanks should be conveyed to the Officers concerned for the considerable work which had been undertaken in regard to the report and for the progress which had been made in the areas of housing, apprenticeships, tourism and education in particular; and
- it would be helpful if detailed information could also be provided for Local Committees, particularly in regard to improvements in educational attainment for all.

Decision

Members **NOTED**:-

- (i) the progress being made with the delivery of the Council's Programme for the period 1 April 2018 to the end of 31 March 2019;
- (ii) that a revised Council Programme and Corporate Plan had been approved for 2019/20 forward with a first performance report due in September 2020; and
- (iii) that a further report on Statutory Performance Indicators and the Local Government Benchmarking Framework would be presented no later than March 2020.

16. Revenue Budget Strategy 2020/21 to 2022/23 Ro-innleachd Buidseit Teachd-a-steach 2020/21 2022/23

There had been circulated Report No. HC/41/19 dated 27 August 2019 by the Executive Chief Officer – Finance and Resources.

In this regard, it was confirmed that, given the level of uncertainty around specific funding and cost issues, a variety of different scenarios had been modelled to try to encompass all potential eventualities and they had highlighted various budget gap figures. As such, any budget gap would need to be closed by spending less, delivering services more efficiently or stopping/reducing them and increasing the level of income which was generated from Council Tax and other fees and charges and all of these actions would be needed over the period from 2020/21 to 2022/23.

During discussion, Members raised the following issues:-

- it had been stated that there were no implications, including Gaelic, Community (Equality, Poverty, Rural and Island) or Climate Change/Carbon Clever, arising as a direct result of the report but it was questioned as to whether it was correct to make this statement in view of the current financial situation and any future action which might be required;
- clarification was needed in terms of what specific areas would be highlighted for consideration during discussions to be held with Opposition Members and Trade Unions in the following weeks;
- it had to be acknowledged that savings agreed in previous years during budget meetings had not always been subsequently delivered and this could not be allowed to happen again;
- in thanking the Finance staff for the information which had already been received, it was suggested that in future it would be helpful if such information could be provided for Members earlier in the year if possible, including spreadsheets for each Service on which future decisions could be based;
- there was a need for a commitment to be given that Local Members would be consulted at an early date in instances where proposals could disproportionately impact on specific areas of the Highlands in order to allow time for the identification of possible alternative solutions;
- in relation to Council Tax and other local taxation powers, there was concern at the prospect of any possible future proposals coming forward in relation to a 5% increase in Council (which could cause additional hardship for families across the Highlands) and also the introduction of a workplace parking levy across Council buildings (which would directly impact staff who often had no alternative but to take a car to their workplace);
- new governance measures which had been put in place were welcomed on the basis that potential issues impacting the budget situation could now be identified at an earlier stage; and
- it was imperative that, in the current financial situation, all possible ways to address budget challenges were identified and as such the positive approach which had been taken by all Members of the Council in terms of working together to plan ahead for future years was welcomed.

Decision

Members:-

- (i) **NOTED** the financial modelling assumptions;
- (ii) **NOTED** the scale of the financial challenge facing the Council over the next three years with a potential funding gap of between £50.2m and £77.3m; and
- (iii) **AGREED** the importance of setting a balanced three year revenue budget.

17. Preparedness for EU Exit Dealachd airson an t-Aonadh Eòrpach Fhàgail

There had been circulated Report No. HC/42/19 dated 26 August 2019 by the Communications and Resilience Manager.

In this regard, the Chief Executive confirmed that confidential resilience work was currently being undertaken at a national level in preparation for exit from the European Union and as such she would be unable to answer questions on or share details of this work during discussion.

It was highlighted however that the work currently being undertaken on resilience at a local level (which fed into the national work) was of a very high standard and thanks were conveyed to the Officers concerned.

It was also proposed that the Member Working Group which had been set up to consider issues in connection with the exit from the European Union should now be expanded to include 2 Members from each political group within the Council and should meet more frequently as required.

During discussion, Members raised the following issues:-

- the work surrounding this matter represented a very complex set of issues and it had to be recognised that there were potentially very large funding streams involved. As such, it was vital that the priorities for the Highlands were highlighted at all times and that all Members across the Council worked together in this regard;
- it was imperative that businesses were supported throughout this process and in this respect there was a need to convey thanks to the Scottish Government and Local Government organisations for the work which was being undertaken;
- information in respect of all issues pertaining to exit from the European Union should be provided where possible in the coming weeks;
- it was suggested that the Council, in partnership with other Councils and CoSLA should lobby the Scottish Government for the full and proportionate share of the funds which had been made available for Local Authorities' Brexit preparations;
- the damage which could be inflicted on the Highlands in the event of a 'no deal' Brexit could not be underestimated, particularly in terms of the potential loss of current funding streams and the loss of market access whereby the Highlands could suffer a disproportionate and negative impact in future; and
- it would be important for an early meeting of the Member Working Group to be convened in order to discuss the issues which had been raised.

Decision

Members **NOTED** the Council's Resilience preparations for EU Exit as detailed in the report.

It was also **AGREED** that the Council would, in partnership with other Councils and CoSLA, lobby the Scottish Government for the full and proportionate share of the funds made available for Local Authorities' Brexit preparations.

18. Change Strategy and Change Fund Phase 4 Cunntas à Ùr mun Ro-innleachd Atharrachaidh agus Tagraidhean don Mhaoin Atharrachaidh

Declarations of Interest – Mrs I MacKenzie, Mr A Henderson and Mr H Morrison declared financial interests in this item as either directly providing accommodation or having a family connection in this respect but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that they would remain in the Chamber but not take part in the discussion.

Mr D Loudon, having also declared a financial interest in this regard, confirmed that he would not take part in discussion of the item and left the Chamber at this point.

Mr A Jarvie, Mr D Macpherson and Mr T Heggie declared non-financial interests in this item as Directors of High Life Highland and remained in the Chamber.

There had been circulated Report No. HC/43/19 dated 27 August 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- there was a need for further information on income generation, specifically in relation to car parking, whereby it was queried as to what levels of investment were currently being provided in this respect and what impact this was having on potential income being/not being achieved;
- in terms of back office support, it was noted that additional staff in Legal Services were now in place and this was welcomed in order to avoid any unnecessary delays on projects in future;
- it was imperative that a significant strategic approach was taken in future whilst also appreciating that organisational and technological changes would take time;
- there was a need for clarification on how success would be measured in relation to the projects which had been listed in the report;
- in terms of the potential national timescale for introduction, it was queried as to whether the proposals in relation to the Transient Visitor Levy were appropriate at this time;
- in regard to the proposals for Members' training, there was a need to consider whether mandatory training on all relevant issues could be put in place with a subsequent related assessment of such training;
- it was important that the Council had proposals ready in relation to the Transient Visitor Levy in advance of the introduction of any future proposals;
- this was a very good report but there was also a need for an 'exit strategy' to be contained in future reports to identify alternative funding which could be used at the end of the Change Fund monies;
- it would be vital to work with partners on as many initiatives as possible in future, such as Talent Attraction, and for the terms of this report to be submitted to and discussed by the Community Planning Board;
- the work on education transformation which had been undertaken was welcomed;
- in regard to Members' training, consideration should be given to the provision of in-house training where possible in addition to accessing services from external sources;
- in relation to the Waste (Scotland) Regulations 2012, there was a need for further information on what alternative arrangements would be put in place in view of the fact that the Council would not meet the 2021 deadline and also in terms of what discussions had been undertaken with the Scottish Government in this regard; and
- consideration of potential future income generation possibilities in relation to housing should be considered where possible.

Thereafter, Mr A Jarvie, seconded by Mr G Cruickshank, **MOVED** that there should be a change to recommendation (iii) within the report whereby it was suggested the bids to Phase 4 of the Council's Change Fund should be agreed to further support the transformation activity being undertaken throughout the Council – with the exception of the proposal contained within Paragraph 9.5 of the report in respect of Income Generation/TVL.

As an **AMENDMENT**, Ms M Smith, seconded by Mr A Christie, moved the recommendations in the report as detailed.

On a vote being taken, the **MOTION** received 9 votes and the **AMENDMENT** received 30 votes, with 2 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr S Mackie, Mr C Smith, Mr D MacLeod, Mr J Bruce, Mr D MacKay, Mr G Cruickshank, Mr A Jarvie, Mrs I MacKenzie and Mr P Siggers.

For the Amendment:

Mr R MacWilliam, Mr R Laird, Mr R Balfour, Mr G Ross, Mrs B McAllister, Mr I Brown, Mr C Fraser, Ms E Knox, Mr A MacInnes, Mr D Macpherson, Mr B Thompson, Mr J Finlayson, Mrs A MacLean, Mrs T Robertson, Mrs C Caddick, Mr B Boyd, Mr K Rosie, Mr M Reiss, Mrs I Campbell, Mrs J Barclay, Mr D Rixson, Mr A Graham, Mr B Lobban, Ms M Smith, Dr I Cockburn, Mrs H Carmichael, Mrs M Davidson, Mr A MacKinnon, Mr A Christie and Mr R Bremner.

Abstentions:

Mr A Baxter and Mrs F Robertson.

Decision

Members:-

- (i) **NOTED** the progress being made to implement the projects that formed the Council's Change Programme;
- (ii) **NOTED** the progress being made on delivering the committed actions from Phases 1-3 of the Council's Change Fund; and
- (iii) **AGREED** the bids to Phase 4 of the Council's Change Fund to further support the transformation activity being undertaken throughout the Council.

(At this point, Mr D Loudon returned to the meeting).

**19. Crown Estate Scotland
Oighreachd Crùin na h-Alba**

There had been circulated Report No. HC/44/19 dated 21 August 2019 by the Chief Executive.

During discussion, Members raised the following issues:-

- it was noted that the Scottish Government had made a commitment that the net revenues from Crown Estate Scotland marine assets (out to 12 nautical miles) would provide benefit to coastal communities but there was currently no clarity over the amount to be allocated, the criteria to be applied or the mechanism for distribution of these resources. As such, there was a need to continue to make representations to the Scottish Government in order to make urgent progress on these issues;
- it was essential to view this matter within the budgetary context for the Council and in this regard the importance of receiving additional funding in this regard was stressed;
- the potential for the benefit to communities across the Highlands from this additional funding was welcomed;

- it would perhaps be beneficial to learn from the negotiation undertaken by Islands Councils who had already benefited from this funding in the past; and
- it would be helpful if discussion could be undertaken at a future Environment, Development & Infrastructure Committee meeting in relation to the terms of a future distribution formula to be put in place by the Council prior to any funding being received.

Decision

The Council **NOTED** the terms of the report as presented.

20. Adoption of West Highland and Islands Local Development Plan Gabhail ri Plana Leasachaidh Ionadail na Gàidhealtachd an Iar agus nan Eilean

There had been circulated Report No. HC/45/19 dated 16 August 2019 by the Director of Development and Infrastructure.

In this regard, it was advised that the Scottish Government had now requested a further 28 day extension so what was now being sought was approval to adopt the Local Development Plan subject to Scottish Government clearance.

Decision

The Council **AGREED** to adopt the West Highland and Islands Local Development Plan subject to Scottish Government clearance.

21. Members' Training and Development Programme Prògram Trèanaidh agus Leasachaidh Bhall

There had been circulated Report No. HC/46/19 dated 28 August 2019 by the Chief Executive.

Decision

The Council:-

- (i) **APPROVED** the proposed outline Training and Development Programme for Elected Members of the Council;
- (ii) **AGREED** to the establishment of a Member Mentoring Scheme;
- (iii) **AGREED** that joint Member/Officer training would also be developed; and
- (iv) **APPROVED** a bid to the Change Fund for £53,000 to provide additional resource to develop and deliver the programme with a view to mainstreaming much of this over time.

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

There had been circulated Report No. HC/47/19 dated 15 August 2019 by the Chief Executive.

Decision

The Council **APPROVED** the final Scheme of Polling Districts and Polling Places for the period 2019-2023 which incorporated the retention of the 6 Polling Places –

Merkinch Community Centre, Trinity Church Hall, James Cameron Community Centre, Gairloch Community Centre, Unapool Former Primary School and Phipps Hall, Beaully.

It was also **NOTED** that the Scheme reflected the change in the description of the proposed Polling Place location in Strathpeffer to 'Strathpeffer Community Centre'.

23. Review of Standing Orders Relating to the Conduct of Meetings

Ath-sgrùdadh air Òrdughan Seasmhach a' Buntainn ri Stiùireadh Choinneamhan

There had been circulated Report No. HC/48/19 dated 26 August 2019 by the Head of Corporate Governance.

In this regard, there had also been tabled an additional paper to clarify the detail of the report and to confirm that the proposals being brought forward had been discussed and agreed by Members at meetings of the Governance Review Steering Group.

During discussion, and in regard to Standing Order 14 – Notices of Amendment (Planning) – the Convener, seconded by Mrs C Caddick, **MOVED** the proposal in the report that the number of signatures required should be increased from 15 to 19.

As an **AMENDMENT**, Dr I Cockburn, seconded by Mr R MacWilliam, moved the retention of the status quo in this regard.

On a vote being taken, the **MOTION** received 24 votes and the **AMENDMENT** received 18 votes, with 1 abstention, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr G Ross, Mrs B McAllister, Mr S Mackie, Mr C Smith, Mr D Macpherson, Mrs A MacLean, Mrs T Robertson, Mrs C Caddick, Mr J Bruce, Mr D MacKay, Mr G Cruickshank, Mr H Morrison, Mr M Reiss, Mrs F Robertson, Mrs I Campbell, Mrs J Barclay, Mr D Rixson, Mr A Jarvie, Mrs I MacKenzie, Mr P Saggars, Mrs M Davidson, Mr A MacKinnon, Mr A Henderson and Mr A Christie.

For the Amendment:

Mr R MacWilliam, Mr R Laird, Mr C MacLeod, Ms P Hadley, Mr A Baxter, Mr I Brown, Mr C Fraser, Ms E Knox, Mr D Loudon, Mr A MacInnes, Mr B Thompson, Mr J Finlayson, Mr B Boyd, Mr K Rosie, Mr A Graham, Ms M Smith, Dr I Cockburn and Mr R Bremner.

Abstention

Mr B Lobban

In regard to Standing Order 25 – Method of Voting – the Convener, seconded by Mrs C Caddick, **MOVED** the proposal in the report that the requirement for the bell to be rung prior to any vote being taken should be deleted.

As an **AMENDMENT**, Mr S Mackie, seconded by Ms M Smith, moved the retention of the status quo in this regard.

On a vote being taken, the **MOTION** received 5 votes and the **AMENDMENT** received 35 votes, with 3 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr G Ross, Mr I Brown, Mr C Fraser, Mrs M Davidson and Mr A MacKinnon.

For the Amendment:

Mr R MacWilliam, Mr R Laird, Mr C MacLeod, Ms P Hadley, Mr A Baxter, Mrs B McAllister, Mr S Mackie, Mr C Smith, Ms E Knox, Mr D Louden, Mr A MacInnes, Mr D Macpherson, Mr B Thompson, Mr J Finlayson, Mrs A MacLean, Mrs T Robertson, Mr J Bruce, Mr D MacKay, Mr G Cruickshank, Mr B Boyd, Mr K Rosie, Mr H Morrison, Mr M Reiss, Mrs F Robertson, Mrs I Campbell, Mrs J Barclay, Mr D Rixson, Mr A Graham, Mr A Jarvie, Mrs I MacKenzie, Mr P Siggers, Ms M Smith, Dr I Cockburn, Mr A Henderson and Mr R Bremner.

Abstentions:

Mrs C Caddick, Mr B Lobban and Mr A Christie.

Decision

The Council **AGREED** the following proposals in relation to Standing Orders:-

Standing Order 12 – Notices of Motion - All Notices of Motion and Starred Items coming before Council for consideration shall be accompanied, where appropriate, with an assessment completed by the Executive Chief Officer, Resources and Finance, identifying the financial, staffing and other implications of adopting the Motion/Starred Item together with, where appropriate, an assessment of the measures that have been identified to address such implications.

Standing Order 13 – Notices of Amendment – For the avoidance of doubt, individual emails and/or individual written signatures will be accepted from Members who wish to submit and/or support Notices of Amendment.

Standing Order 14 – Notices of Amendment (Planning) – For the avoidance of doubt, individual emails and/or individual written signatures will be accepted from Members who wish to submit and/or support Notices of Amendment (Planning).

Notices of Amendment (Planning) must be in writing, signed by 19 Members of the Council (including at least one third of the membership of the relevant Planning Application Committee) and will be submitted to the next scheduled meeting of the full Council.

Standing Order 32 – Submission of Minutes of Headquarters Committees and City/Area Committees – In the case of any matter discussed by a Committee where that matter is not included within the Committee's remit, any decision taken will require to be submitted to the next scheduled meeting of the full Council as a recommendation (known as a 'starred item').

At the Council meeting, any Member can move an amendment when approval of the starred item is considered. If that amendment is seconded and successful when a vote is taken, it will become the decision of the Council.

The Council having so decided, it will be incompetent for the matter to be re-considered by the Committee concerned.

New Standing Order – Question Time (Public) – from December 2019 – A member of the public may submit, for consideration at an ordinary meeting of the Council, a written question to the Leader of the Council, Depute Leader of the Council or Chair

of a Committee concerning the business of the Council. This question must be received by the Head of Corporate Governance no later than 12 noon on the Friday preceding the meeting.

Questions will be delivered at the meeting exactly as submitted and one supplementary question will be allowed in each case. No question will exceed 1 minute.

Questions must not refer to individual planning or licensing matters or any matter of a personal nature. In addition, questions must not be substantially the same as a question which has been put at a meeting of the Council in the previous 6 month period, must not be defamatory, frivolous, vexatious or offensive and must not require the disclosure of confidential or exempt information.

A 20 minute time allocation will be allowed at ordinary Council meetings for questions from members of the public.

It was further **AGREED** that the remaining proposals within the report should not be taken forward but rather that the status quo should be maintained in each case.

**24. Climate Change Panel
Pannal Atharrachadh Gnàth-shìde – Ballrachd**

The Council **AGREED** the following membership for the new Climate Change Panel:-

Mr B Thompson, Mr D Macpherson, Mrs I Campbell, Mrs M Davidson, Mr M Finlayson, Mr T Heggie, Mr J Gray, Mr A MacInnes, Mr B Boyd, Mr C Fraser, Mr D Loudon, Mr R MacWilliam, Mr D MacLeod, Mr J Bruce, Mr S Mackie, Mrs A MacLean, Mr D Rixson and Mrs T Robertson.

**25. Appointment of Depute Clerk to the Highland Licensing Board
Cur Iar-Chlèireach an Dreuchd do Bhòrd Cheadachd na Gàidhealtachd**

The Council **AGREED** the following:-

Mr Iain Meredith to be appointed as Depute Clerk to the Highland Licensing Board.

**26. Appointments to Other Bodies
Cur an Dreuchd gu Buidhnean Eile**

The Council **AGREED** the following:-

Children's Hearings Scotland - Highland and Moray Area Support Team - Mrs P Munro to replace Mrs J Barclay.

**27. Arrangements for Special Meeting of the Council – Planning Applications -
Large Scale Developments
Ullachaidhean airson Coinneamh Shònraichte den Chomhairle – Iartasan Dealbhaidh – Leasachaidhean Mòra**

It was **NOTED** that the Special Council Meeting (Planning) had been arranged for Thursday, 12 September 2019 at 2.00pm in the Council Chamber, HQ. In this regard, the agenda and reports for this meeting would be issued in due course.

At this point, and following consultation with the Chair, it was also **AGREED** that the North Planning Applications Committee meeting previously scheduled for 8 October should now be held on 16 October.

28. 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 27 June 2019 was available in the Members' Library and on the Council's Website.

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

The Council **AGREED** under Section 50A(4) of the Local Government (Scotland) Act 1973, that the public should be excluded from the meeting for the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 & 9 of Part 1 of Schedule 7A of the Act.

30. Property Investment
Tasgadh Cuid-seilbhe

There had been circulated to Members only Report No. HC/49/19 dated 27 August 2019 by the Executive Chief Officer, Finance and Resources.

Decision

Following discussion, the Council **AGREED** the recommendation as detailed in the report.

The meeting ended at 6.05pm.

Minutes of Special Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 12 September 2019 at 2.00 pm.

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

Present:

Mr G Adam	Mr D Mackay
Mr R Balfour	Mr S Mackie
Mrs J Barclay	Mr D MacLeod
Mr B Boyd	Mr D Macpherson
Mr I Brown	Mr R MacWilliam
Mrs G Campbell-Sinclair	Mr J McGillivray (vc)
Mr G Cruickshank	Mr H Morrison
Ms K Currie	Ms P Munro
Mrs M Davidson	Mr M Reiss
Mr C Fraser	Mr A Rhind
Mr R Gale (vc)	Mr D Rixson
Mr J Gray	Mrs F Robertson (vc)
Mr T Heggie	Mr K Rosie
Mr A Henderson	Mr G Ross
Mr A Jarvie	Mr A Sinclair
Mr B Lobban	Ms M Smith
Mr D Louden	Mr B Thompson (vc)

In Attendance:

Dafydd Jones, Acting Head of Development Management – Highland
Mr S Hindson, Principal Planner
Mrs G Pearson, Planner
Mrs K Lyons, Principal Solicitor
Alison MacArthur, Administrative Assistant

Mr B Lobban in the Chair

Apologies for absence were intimated on behalf of Mr A Baxter, Mr R Bremner, Mrs C Caddick, Ms B Campbell, Mr A Christie, Dr I Cockburn, Mrs M Cockburn, Mr J Finlayson, Mr M Finlayson, Mr L Fraser, Mr K Gowans, Mr A Graham, Ms P Hadley, Mrs L MacDonald, Mrs D Mackay, Mr W Mackay, Mr G Mackenzie, Mrs A MacLean, Mr C MacLeod, Ms L Munro, Mrs M Paterson, Mrs F Robertson, Ms N Sinclair and Ms C Wilson.

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

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

Item 3.1 – Mr S Mackie (financial).

Item 3.1 – Ms K Currie and Mr M Reiss (non-financial).

3. Applications to be Determined Dealbhaidh rin Dearbhadh

Declarations of Interest – Mr S Mackie declared a financial interest in this item as Depute Chairman of the Dounreay Stakeholders Group and left the meeting for the duration of this item.

Ms K Currie and Mr M Reiss declared non-financial interests in this item as members of the Dounreay Stakeholders Group and left the meeting for the duration of this item.

3.1 Applicant: Scottish Hydro Electric Transmission Plc (19/01092/FUL) (HC/50/19)
Location: Land 400 m SW of former Kennels Building, Dounreay Nuclear Research Establishment, Dounreay (Ward 2 – Thurso and North West Caithness)
Nature of Development: Erection of 275/220 kV electricity substation comprising platform area, electrical infrastructure and buildings, associated plant, ancillary infrastructure and temporary site compound.
Recommendation: Grant.

There had been circulated Report No PLN/065/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report. The Planning Officer recommended a further additional condition setting out the working hours.

This item was then taken in accordance with the Hearings Procedure and Mr T Hart, representing the applicant spoke to the application. Mr S Hall, Environmental Project Manager accompanied Mr Hart.

Mr Hart stated that the proposed development was part of a wider programme of works to provide an electricity transmission connection from the Orkney Islands that would facilitate the connection of renewables generation as there is currently no transmission infrastructure on the Orkney Islands. A marine cable linking mainland Orkney and mainland Scotland would be required and associated onshore infrastructure including this new substation to be located near Dounreay. An onshore 220 kV HVAC cable is proposed to landfall to the northwest of, and connection underground into, the proposed substation. The cable is not part of this planning application. There had been no representations from the public or statutory consultees. The applicant had worked closely with the consultees, Planning and Landscape officers on the colour of the buildings.

The applicant responded to Members questions as follows:

- the link to Shetland was a completely separate application and was at Noss Head in Wick and planning permission in principal had been granted;
- the cable from the substation to the marine cable landfall and the landfall catchment area and HDD which was shown on the plan, some work would be undertaken within the existing Dounreay substation;
- the proposal includes a temporary construction access for the contractors entering the site during construction, once the site was operational there would be very little additional traffic; and
- the design of the buildings took into account the buildings on the adjacent site, decommissioned land could be allocated for future uses and other buildings may come in the future.

There were no community council representatives, third parties or members of the public who wished to speak.

Members were content with the information supplied.

The applicant was content with the hearings procedure and the hearings procedure was therefore completed.

The Planning Officer then presented his report and responded to Members' questions as follows:

- this would remain an agricultural landscape and screening of the site would therefore be inappropriate;
- the existing access into Dounreay would not be utilised and construction traffic would be remote from the existing traffic problem, a condition requiring the submission of a Transport Statement, that also looked at cumulative impact with the Dounreay Phase 3 site and the co-ordination of construction traffic management plans across the Dounreay facility, had been included; and
- related improvements for the traffic, mitigation had been proposed and any damage to the road network would be covered by the Roads Wear and Tear agreement.

Decision

The Council **AGREED** to **GRANT** planning permission subject to the conclusion of a roads wear and tear agreement, the conditions contained in the report and the following additional condition in substitution for the informative referred to in the report:

Construction work which is associated with the approved development (including the loading / unloading of delivery vehicles, plant or other machinery), shall take place only within the following hours

- 0730 – 1800 Monday to Friday; and
- 0800-1600 Saturdays and Sundays.

Notwithstanding the above, no such construction work shall take place at any time on Christmas Day, New Year's Day, 2nd January, Good Friday or Bank Holidays (as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended)), unless otherwise approved in writing by the Planning Authority as an exceptional instance for construction works outwith these hours.

Reason: In order to ensure that the use of the premises remains compatible with the character of the surrounding area, and that no activities or processes take place which may be detrimental to its amenities.

3.2 Applicant: Scottish Hydro Electric Transmission Plc (19/00374/FUL) (HC/51/19)

Location: Land 1000 m SE of Dalchork House, Lairg.

Nature of Development: Erection and operation of a 132 kV substation comprising platform area, control building, associated plant and infrastructure, ancillary facilities, public road improvements to the A836 between the site entrance and the junction with the A838, upgrade of an existing forest track, site compound (half of which will remain permanent for operational purposes) and landscape works (Ward 1 – North, West and Central Sutherland).

Recommendation: Grant.

There had been circulated Report No PLN/065/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

This item was then taken in accordance with the Hearings Procedure and Mr K Reid, Environmental Project Manager, Mr B Wilson, Project Manager and Mr D J MacDonald, Civil Engineer represented the applicant.

Mr Reid advised that the development was for the erection of a new substation to provide a connection for contracted renewable generation in the area to the electricity transmission network via a proposed new double circuit 132 kV overhead line and underground cable to Loch Buidhe Substation. Public road and junction improvements would be undertaken to the public road under a Road Construction Management Plan. Six public events had taken place and community councils and MSP's had fed into the process. There had been a high level of public interest and a Community Liaison Group would be set up for the construction phase of the project to address any issues. A key concern raised through the process had been in relation to the roads and a Road Construction Management Plan had been submitted and would be updated to address concerns. Heavy goods vehicle movements would be minimised by using rock from the cut and fill on the site and by the avoidance of school bus travel times.

The applicant responded to points of clarification from the Members as follows:

- the applicant had not considered a cycling route, this was not a simple procedure but could be looked at under the Traffic Management Plan;
- deliveries to the site would be outwith the school bus travel times and any further concerns could be discussed through the Community Liaison Group.

Members were content with the points of clarification.

There was no community council representatives present.

Mr A Marshall, objector, then spoke on behalf of himself and Mrs Marshall. His property was 100 m from the substation. He objected to the cumulative effect of the substation and the power line into the substation. The overhead line would lie to the back of his property and within 200 m thereof. This development would destroy the local environment and he had serious concerns about the condition of the road and road safety. This road was the main route for cyclists from John O'Groats to Lands' End and there are a large number of cyclists using the route. This was also a busy road with classic cars and motorcycles. A cycle path from Dalchork to Lairg would be beneficial. There was also an additional power line project running concurrently with this project which would cause a large cumulative effect.

The objector then responded to points of clarification from the Members as follows:

- he was not against the project, but would prefer it was relocated further away from his property to reduce the noise and light pollution and to also move the overhead line away from his property; and
- the development would not directly affect his business.

Mrs Armstrong then spoke on behalf of herself and Mr Armstrong. This development would have a massive impact on their tiny village. Mrs Armstrong was not against the development but asked that the massive infrastructure be sited more responsibly. This proposed development had been ongoing since November 2013.

Members were content with the information supplied. The objector was also content with the hearings procedure but would have liked to have seen the flythrough presentation before he spoke.

The applicant was content with the hearings procedure and the hearings procedure was therefore completed.

The Planning Officer then gave a presentation and responded to Members' questions as follows:

- the flyover presentation and photomontages had been provided by the applicant, these complied with the Council standard;
- the overhead pylons were part of a separate application (the next item on the agenda) although they had some relevance to this application in terms of cumulative impact;
- there would be no access to the site from Saville, it was shown by the applicant as the closest road to the substation site;
- there would be no noise associated with this operation unless there was a fault in the equipment;
- it would be for the applicant to undertake the road widening and for the Highland Council to maintain the road after completion; and
- an average 10% increase in traffic was forecast, there was no information available on the current number of HGV traffic movements on the A836.

Ms M Smith, seconded by Mr A Jarvie, moved that the application be deferred to allow for submission of:

- visualisations (paper copies for Members);
- drone footage of the application site and its environs; and
- clarification of the current number of HGV movements on the A836.

Mr J Gray, seconded by Mr R MacWilliam, moved as an **amendment** that Members continue to determine the application today.

On a vote being taken, the motion received 18 votes and the amendment received 12 votes, with 1 abstention, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr R Balfour, Mrs J Barclay, Mr B Boyd, Mr I Brown, Mrs G Campbell-Sinclair, Mr G Cruickshank, Mrs M Davidson, Mr C Fraser, Mr R Gale, Mr J McGillivray, Mr A Jarvie, Mr D Louden, Mr D Mackay, Mr M Reiss, Mr D Rixson, Mr K Rosie, Mr A Sinclair and Ms M Smith.

For the Amendment:

Mr G Adam, Ms K Currie, Mr J Gray, Mr T Heggie, Mr A Henderson, Mr D MacLeod, Mr R MacWilliam, Mr H Morrison, Mr A Rhind, Mrs R Robertson, Mr G Ross and Mr B Thompson.

Abstention:

Mr B Lobban.

Decision

The Council therefore **AGREED** to **DEFER** determination of the application to allow submission of the above information.

3.3 Applicant: Scottish and Southern Electricity Works (19/01236/FUL) (HC/52/19)

Location: Land 1000 m SE of Dalchork House, Lairg (Ward 1 – North, West and Central Sutherland.

Nature of Development: Lairg to Loch Buidhe 132 kV overhead line.

Recommendation: Raise no objection.

There had been circulated Report No PLN/065/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

Decision

The Council **AGREED** to **DEFER** determination of the application given the close relationship between this application and item 3.2.

The meeting ended at 3.55 pm.

The Highland Council

Minutes of Meeting of the **Nairnshire Committee** held in the Chamber, Lethen Hall, Auldearn on Wednesday 11 September 2019 at 10.30 am.

Present:

Mr L Fraser
Mr T Heggie

Mrs L MacDonald
Mr P Saggars

In attendance:

Mr D Haas, Inverness City Manager, Chief Executive's Office
Mr M MacLeod, Council Redesign Lead, Chief Executive's Office
Mr R Porteous, Roads Operations Manager - LNBS, Community Services
Mr R MacLeod, Principal Housing Officer, Community Services
Mr J Henderson, Housing Investment Officer, Community Services
Mrs L Dunn, Principal Administrator, Chief Executive's Office

Also in attendance:

Mr G Asher, Lord Lieutenant (Item 3)
Area Inspector V Tough, Police Scotland (Item 4)

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

Mr T Heggie in the Chair

Preliminaries

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

The Chair also reported that the Ward Manager, Liz Cowie, was currently on secondment and the Committee wished her well with this career opportunity and expressed their appreciation for her support. Although the interim arrangements were welcome, the need for a formal replacement as soon as possible was emphasised.

Business

1. Apologies for Absence

There were no apologies for absence.

2. Declarations of Interest

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

Item 9 – Mr L Fraser (non-financial)

3. Community Awards for Nairnshire Duaisean Coimhearsnachd airson Siorrachd Inbhir Narann

There was a presentation by the Lord Lieutenant Mr George Asher, on the introduction of Community Awards for Nairnshire during which he advised that the scheme had been created to recognise the people and groups making a positive contribution to the quality of lives in the local community and carrying out charitable work in Nairnshire. He advised that an Awards Nomination Form had been developed, copies of which were tabled at the meeting, and nominees were invited based on six key categories, namely Arts/Music, Community, Enterprise, Environment, Sports and Young People. Forms would be available from 12 September 2019 from the Nairn Service Point. Mr Asher also expressed his appreciation to the Ward Manager for her support in developing the Awards.

During discussion, the following main points were raised:-

- The Committee welcomed the introduction of the Community Awards for Nairnshire and emphasised the importance of recognising volunteers that gave their time to enhancing and enriching the local community;
- It was felt that holding the Awards ceremony in January was an appropriate time of year and it was confirmed that it was intended that this would be an annual event;
- In order to improve accessibility, it was recommended that the Nomination Forms should be available online to download; and
- It was requested that a press release should be issued on the Community Awards for Nairnshire and that social media should also be used to promote the scheme.

The Committee **NOTED** the presentation and **AGREED** that, if within Council Policy to do so, officers would use reasonable endeavours to arrange for the:-

- i. Awards Nominations Forms for Nairnshire to be made available for download from the Council website; and
- ii. a press release to be issued on the launch of the Nairnshire Community Awards scheme and for it to be further promoted via social media.

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

There had been circulated Report No N/13/19 dated 30 August 2019 by the South Highland Area Commander.

During discussion, the following main points were raised:-

- Further information was sought and provided on digitally enabled policing and the mobile devices that would be utilised. With regard to this, it was clarified that the new technology would not include recording devices such as body cameras;

- Confirmation was provided that arrangements had been put in place to ensure Police Scotland representation and reporting at local community council meetings. This was welcomed and it was suggested that should attendance not be possible, that a summary of local community issues should be submitted to the meeting;
- It was queried whether it would be feasible to provide a percentage breakdown of the drink/drugs driving offences and further information was sought and provided on the separate procedures that were followed in processing these offences; and
- It was valuable to have police officers that had knowledge and experience of the local community which further helped to pre-empt crime.

Having thanked Inspector Tough for his report, the Committee **NOTED** the 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.

5. Annual Area Capital Report Aithisg Bhliadhnaì Chalpa Sgìre

There had been circulated Report No N/14/19 dated 9 July 2019 by the Head of Corporate Finance and Commercialism.

During discussion, the following main points were raised:-

- Overall the Committee was content with the level of investment but concern was expressed that the Housing HRA Capital Repairs Environmental works had not yet commenced. It was welcomed that further information on this matter would be reported to the Ward Business Meeting;
- Appreciation was expressed for the high standard of repair works being undertaken at the Court House; and
- At a recent Nairn Academy Parent Council meeting, there was an update on the additional capital improvement works that would be undertaken at the school and this was welcomed.

The Committee **NOTED** the:-

- i. expenditure on each project in this Council area in 2018/19;
- ii. budget for each project in this Council area in 2019/20; and
- iii. cumulative spend for each project in this Council area for 2018/19 and 2019/20 to 30 June 2019.

6. Nairn Common Good Fund – Quarter 1 2019/20 Monitoring Report Maoin Math Coitcheann Inbhir Narann – Aithisg Sgrùdaidh Cairteil 1 2019/20

There had been circulated Report No N/15/19 dated 29 August 2019 by the Acting Head of Policy.

During discussion, the Committee commended the project team for their work to date in respect of the Links Development Project. This was a significant project, and although welcome, it was highlighted that once the £100,000 had been utilised the Nairn Common Good Fund would have limited resources available. And whilst the

Council's investments had been tracking well, the Committee was reminded that these values could go down as well as up. It was confirmed that the £15,000 budget for project management costs, some of which had already been utilised, was in addition to the £210,000 that had been estimated for purchasing and fitting the splash pad. The target date for completion of the project of the summer 2020 was also welcomed.

With regard to governance of the of the disposal of an area of Common Good land to the Nairn Sailing Club for use by the Nairn Rowing Club, it was confirmed that all statutory obligations had been followed in line with the requirements of section 104 of the Community Empowerment (Scotland) Act 2015. It was further clarified that as part of this process all individual members of the former Nairn River Community Council had been notified and invited to respond to the consultation. However, in order to ensure as wide as engagement as possible, a policy change had been made whereby in future all Nairnshire community councils would be notified with regard to the disposal of any assets from the Nairn Common Good Fund.

Thereafter, the Committee:-

- i. **NOTED** the position of the Nairn Common Good Fund (NCGF) at the end of the first quarter;
- ii. **NOTED** the progress of the Links Project Phase 1 and **AGREED** in principle to the allocation of £100,000 from the Common Good Loans Fund account towards this project, subject to the confirmation of other funding and a business case;
- iii. **AGREED** that a full business case be developed and reported to the next meeting of the Nairnshire Committee and that all practicable steps be taken to maximise third party funding opportunities;
- iv. **AGREED** the proposal to dispose of an area of Common Good land to the Nairn Sailing club for use by the Nairn Rowing Club noting the outcome of community consultation and permission having been granted by the Sherriff Court; and
- v. **NOTED** that, if required, a special meeting of the Committee would be scheduled in accordance with Standing Orders to ensure progress of the project continued without any delays.

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

There had been circulated Report No N/16/19 dated 22 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, the following main points were raised:-

- Responding to a request, it was confirmed that it was standard practice for school term bus routes to be gritted in advance of the bus using the route. It was suggested that any local incidents that which appeared to contravene this policy should be reported to officers for further investigation; and
- It was confirmed that no routes routinely commenced at 5am and that this was a discretionary option to provide greater flexibility.

The Committee **APPROVED** the Winter Maintenance Plan for the Nairn Area, which is in accordance with report EDI/57/18, and includes the priority road map presented in Appendix B.

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

There had been circulated Report No N/17/19 dated 22 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion concern was expressed at the limited funds available to address the deteriorating condition of both the roads and pavements and the importance of targeting additional income for investment was emphasised.

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

9. **Housing Performance Report – 1 April 2018 to 30 June 2019** **Coileanadh Taigheadais: 1 Giblean 2019 gu 30 Ògmhios 2019**

Declaration of Interest: Mr L Fraser declared a non-financial interest in this item as a Sub-Contractor for the Housing Service in Nairn but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

There had been circulated Report No N/18/19 dated 19 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, the following main points were raised:-

- It was clarified that a greater supply of affordable housing accommodation would help to alleviate the increasing trend of homelessness presentations. In view of this, a plea was made for community councils to bear local needs in mind when considering future affordable housing planning applications;
- It was queried whether it would be more cost effective for aids and adaptations structures to be permanent. However, it was further queried whether this would be feasible as it was suggested that there might be a need for adaptations to be temporary to enable structures to be reinstated to their original condition; and
- Further information was sought and provided in regard to the Heating replacements budget of £50,000 for one-off heating failures.

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

10. **Minutes of Previous Meeting**

There were circulated and **NOTED** Minutes of Meeting of the Nairnshire Committee held on 12 June 2019, which had been approved by the Council on 27 June 2019.

The meeting concluded at 12 noon.

379
The Highland Council

Minutes of Meeting of the **Audit and Scrutiny Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday 19 September 2019 at 10.30am.

Present:

Mr G Adam	Mr D Louden
Mr R Balfour	Mr G MacKenzie
Mrs J Barclay	Mr S Mackie
Mr B Boyd	Mr D Macpherson
Mr R Bremner	Mr P Siggers
Mrs M Davidson	Mr B Thompson

Non-Members also present:

Mr K Gowans
Mr B Lobban
Mrs B McAllister

Officials in Attendance:

Mrs D Manson, Chief Executive
Ms K Lackie, Executive Chief Officer – Performance and Governance
Mr E Foster, Head of Corporate Finance & Commercialism
Miss D Sutherland, Corporate Audit Manager
Ms E Johnston, Corporate Audit & Performance Manager
Mr S Carr, Corporate Performance Manager
Mr J Campbell, Senior Auditor
Mr J Shepherd, ICT Operations Manager
Ms L Dunn, Principal Administrator
Ms F MacBain, Committee Administrator

Also in Attendance:

Mr J Boyd, Senior Manager, Grant Thornton
Ms J Brown, Engagement Leader, Grant Thornton

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

Mr G MacKenzie in the Chair

Preliminaries

The Chair referred to the previous year's survey of Audit & Scrutiny Members which had an initial low response rate but had proved valuable in improving the effectiveness of the Committee. The Committee **NOTED** the next annual survey would be issued shortly and Members were urged to complete it, with the results to be reported at the November 2019 meeting.

**1. Apologies for Absence
Leisgeulan**

An apology for absence was intimated on behalf of Mrs M Paterson.

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

There were no Declarations of Interest.

**3. 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 this Committee.

**4. External Audit Reports
Aithisgean Sgrùdaidh bhon Taobh A-muigh**

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

- a) Annual Report 2018/19 to Elected Members and the Controller of Audit
- b) Letter of Representation

Representatives from Grant Thornton presented the reports and key messages for the Committee.

During discussion, Members considered the following issues:

- Information was requested on areas in the Local Government Benchmarking Framework where improvement was required. These had been extracted from Audit Scotland reports and while they were not the only means of measuring performance, information could be shared with the Committee. It was clarified that benchmarking data had been reported to the Council;
- It was suggested the level of confidence in the Council's ability to meet its saving targets this year was not adequately reflected in the report, with reference to the redesign of services that was underway;
- Assurance was sought, with reference to the actuarial revaluation of pensions detailed in the report under 'IAS 19 Defined Benefit Pension Scheme', on the likelihood of further unexpected changes. In response the complexity of pension issues was highlighted, and reference was made to tribunal and discrimination cases that could impact, however controls were in place with the Council's actuarial service to monitor and anticipate issues as much as possible;
- Rebasings of the budget was suggested as a means of breaking the pattern of failing to achieve a balanced budget, with overspends being identified earlier in the year. Reference was made to the benefits of a more commercial approach to financial accounting that provided a clearer vision of the current financial situation to facilitate more immediate reactions to challenges. It was explained that the current format of financial monitoring was similar to other Local Authorities and was considered appropriate;

- It would be helpful if future reports contained information on trends and progress over five years;
- The monthly budget meetings were proving beneficial;
- The new structure and governance arrangements for the Committee were welcomed;
- Involvement in the City Region Deal Monitoring Group was welcomed;
- Concern was expressed at the low level of Council reserves, noting that 2% of the total Council budget was recommended as an appropriate level. There were planned actions in place to deliver savings and build up reserves in due course;
- The importance of effective ownership of actions resulting from Audits was emphasised to ensure they were realised;
- Attention was drawn to issues with the European Social Fund which had been frozen due to Scottish Government auditing difficulties. There had been a request from COSLA to the Scottish Government to underwrite funds but this had not yet been agreed; and
- The Chair asked that the reporting of the council tax uplift in the section of the report, 'Financial planning 2019/20,' be clarified in the final report.

The Committee:

- NOTED** the terms of the report;
- APPROVED** the Letter of Representation;
- AGREED** further information on the figures in the bottom quartile of the Local Government Benchmarking Framework would be shared with Members;
- AGREED** future reports should contain information on trends and progress over five years; and
- AGREED** under 'Financial planning 2019/20' information on the council tax uplift would be clarified in the final report.

5. Audited Accounts 2018/19 Cunntasan Sgrùdaichte 2018/19

There had been circulated Report No AS/14/19 dated 11 September 2019 by the Executive Chief Officer Resources & Finance.

The Committee **APPROVED** the audited accounts for signature.

6. Internal Audit Reviews and Progress Report – 01/06/19 – 06/09/19 Ath-bhreithneachaidhean In-sgrùdaidh agus Aithisg Adhartais

There had been circulated Report No. AS/15/19 dated 10 September 2019 by the Corporate Audit Manager which summarised the final reports issued since the date of the last meeting, together with details of work in progress and other information relevant to the operation of the Internal Audit Section as follows:-

Corporate Resources – Review of Financial Controls (Full Assurance)

During discussion, Members considered the following areas:

- Attention was drawn to the importance of Internal Audit reports and their usefulness in identifying potential cost savings, which could offset the cost of investigations. Discussions were ongoing with the Budget Leader in relation to

the requirement for increased staffing in Audit, although it was clarified that any decision to increase staffing lay with the Council;

- In relation to procurement it was welcomed that there was officer presence in Highland and hoped there would be better understanding in future of the benefits of an effective procurement service. A summary was provided of plans in place to improve shared procurement services with Aberdeenshire Council and Aberdeen City Council;
- The importance of the Internal Audit Plan taking account of the various major changes and reviews being undertaken was emphasised, eg the Trades Review and the review of arrangements for the award of works to sub-contractors. A workshop for Members was proposed and the Chair suggested that this was premature given the Committee's recent redesign, but should be considered once the Committee's work had been more thoroughly embedded;
- In relation to the use of Airbnb or similar sub-letting schemes by Council house tenants, this was a breach of tenancy agreement and a zero tolerance approach would be taken, with an expectation that Housing Associations take a similar stringent approach. The message should be made clear to the public and the use of the Council's fraud hotline or website to report any suspected abuses was promoted;
- Attention was drawn to the importance of workforce planning and the impact on service delivery of recruitment challenges;
- Suggestion was made that any budget decisions that would impact on the work of the Audit and Scrutiny Committee should be considered by the Committee and to ensure scrutiny structures remained appropriate to any redesign of services;
- Clarification was sought and received that the outcomes of Internal Audit investigation were not reported to Area Committees and remained with the remit of the Audit & Scrutiny Committee; and
- Assurance was sought and received that the splitting of orders to sub-contractors to avoid maximum contract limits in relation to procurement and tendering was not permitted and was an appropriate area for investigation if occurring.

Corporate Resources – Review of Information Management Arrangements (Limited Assurance)

During discussion, Members considered the following areas:

- The report and survey return rates were disappointing, with only 69% of staff having received an induction and only 19% having completed the mandatory e-learning course. Information was sought on how to improve this and catch up with staff who had missed them;
- Slippage on following up on actions from Internal Audit reports was also disappointing and it was proposed the Chair and Vice Chair discuss this further outwith the meeting, with a further suggestion to include the relevant Executive Chief Officer in any discussions of high priority actions not addressed within a specific timeframe;
- A Member from the Audit & Scrutiny Committee should be appointed to the Information Management Governance Board and anyone interested should speak to the Chair in the first instance;
- The proposed 8-9 months to have Senior Information Risk Owners in place seemed too long and consideration should be given to an interim solution;

- Information was sought and provided on what functions were being undertaken by Information Management Lead Officers;
- It was hoped the recommendations and actions from the Zurich Information Governance Health Check report would be delivered before June 2020, and they should be viewed as an asset rather than an expense or an optional extra;
- The designation of the development of an Information Management Plan, which was fundamental to achieving the objectives, as medium rather than high priority was queried;
- It was suggested that the Council was undertaking the necessary actions, and that given GDPR legislation had only been introduced 18 months previously, the progress to date was as expected, with solutions being developed; and
- Assurance was provided to Members that immediate action was being taken, including the appointment of an Executive Chief Officer, and the matter was a key area of priority in the transition programme. A summary was provided of the work being undertaken, with emphasis on the highest risk areas.

City Region Deal

A summary was provided of recent progress following the meeting in August 2019 as follows:

- The cross party group was focussing on the programme as a whole, having identified strengths and weaknesses with the Senior Responsible Officer, and was scrutinising projects and programme management;
- The proposed reporting structure was summarised and included reports to the Group, to the Council and to the Scottish Government. Reports for Quarter One had included a programme overview, financial overviews, profiles and risks;
- The positive knock on effects were pointed out including the attraction of additional investment and the economic benefits of retaining young people in the region;
- The next meeting was scheduled for 24 October 2019; and
- The City Regions Deal should be a standing item on the Audit and Scrutiny Committee's agenda.

The Committee:-

- i. **NOTED** the Final Reports referred to in Section 4.1 of the report;
- i. **NOTED** the current work of the Internal Audit Section outlined at section 5 of the report and details of progress against the plan at Appendix 1;
- ii. **AGREED** the deletions from the planned audit work as outlined at section 6.4 of the report;
- iii. **AGREED** a Member from the Audit & Scrutiny Committee be appointed to the Information Management Governance Board; and
- iv. **AGREED** the Inverness City Region Deal be a standing item on future Audit and Scrutiny Committee agendas.

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

There had been circulated Report No. AS/16/19 dated 9 September 2019 by the Corporate Audit & Performance Manager.

During discussion, Members considered the following:

- The increased flexibility of the Risk Register was welcomed and it was hoped this would improve its use and scrutiny. In future it was hoped there would be more in depth discussion of red-ragged items and this should be discussed by the Chair and Vice Chair outwith the meeting;
- In relation to red-ragged items, Lead Officers should be invited to attend Committee meetings to update on progress;
- Attention was drawn not only to the risk ragging but to the ranking of the risks; and
- Highlighted risks included rural development funding, post-Brexit market access, climate change, which required updating, and the residual waste project.

The Committee:-

- i. **NOTED** the Corporate Risk Register provided at Appendix 1 and the risk profile at Appendix 2 to the report;
- ii. **NOTED** that six monthly reviews of the Corporate Risk Register would continue to be reported each March and September to the Audit and Scrutiny Committee; and
- iii. **AGREED** in relation to red-ragged items, Lead Officers be invited to attend Committee meetings to update on progress.

8. **Scottish Public Service Ombudsman (SPSO) Cases Upheld Cùisean Ombudsman Sheirbheisean Poblach**

There had been circulated Report No. AS/17/19 dated 9 September 2019 by the Executive Chief Officer Performance & Governance.

The Committee considered the outcomes of the SPSO cases and **NOTED** that the SPSO made no recommendations in relation to this matter.

Members **NOTED** there would be a private meeting between the Audit & Scrutiny Committee and Grant Thornton, the Council's External Auditors, at the end of the meeting.

The meeting ended at 12.35pm.

The Highland Council

Minutes of Meeting of the **Isle of Skye and Raasay Committee (Comataidh an Eilein Sgitheanaich agus Ratharsair)** held in the Chamber, Tigh na Sgìre, Park Lane, Portree on **Monday, 30 September, 2019 at 10.30 am.**

Present:

Mr J Finlayson
Mr J Gordon

Mr R MacDonald
Mr C MacLeod

In attendance:

Mr W MacKinnon, Ward Manager, Chief Executive's Service
Chief Inspector Bob MacKay, Police Scotland
Mrs A Clark, Acting Head of Policy (by VC), Chief Executive's Service
Mr C Simpson, Principal Tourism and Film Officer, Development and Infrastructure Service
Mr I Moncrieff, Road Operations Manager (Skye, Ross & Cromarty), Community Services
Mr S Fraser, Head of Corporate Governance, Chief Executive's Service

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

Mr J Gordon – Cathraiche (Chair)

Business

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

There were no apologies for absence.

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

There were no declarations of interest.

3. **Minutes** **Geàrr-chunntas**

There were circulated for information, Minutes of Meeting of the Isle of Skye and Raasay Committee (Comataidh an Eilein Sgitheanaich agus Ratharsair) held on 3 June, 2019, which were approved at the Highland Council meeting held on 27 June, 2019, the terms of which were **NOTED**.

4. **Police – Area Performance Summary** **Poileas – Geàrr-chunntas Dèanadais Sgìre**

PP.

There had been circulated Report No. SR/13/19 by the by the Area Commander for Police.

During discussion, Members raised the following issues:-

- The extent of contact between Police Scotland and Transport Scotland in situations where a community were concerned about issues such as speeding. Reference was made to concerns about speeding and safety that had been raised by communities in Raasay, Sconser, Staffin, Strollamus and Skeabost. It was advised that such concerns would require investigation through, for example, installation of speed counters and liaison with local Community Services staff. Enquiries would be taken forward to establish the extent of contact with Transport Scotland and the outcome of the speed count survey undertaken in both Broadford and Portree.
- The extent of Police time spent on dealing with mental health issues had been discussed previously and if there had been any reduction. It was advised a multi-agency prevention and intervention strategy had been put in place and it was hoped this might lead to a reduction in demand on police resources.
- Reference was made to the value of the 'Keep Left' campaign locally and it was confirmed that the Police were continuing to promote including liaison with car hire companies with stickers being placed in vehicles' windscreens.
- In welcoming production of the short film 'The Slide' it was agreed this would be made available to the Committee.
- Noted the reduction in the supply of drugs and it was explained there had been a number of initiatives including with the licensed trade and good liaison with communities:- and
- Noted the proposal to roll out mobile working across the Highlands and Islands Division. Digitally enabled police officers will be operating and will be seen with mobile devices as part of their operational duties.

Thereafter, the Committee **NOTED** the progress made against the objectives set within the Highland and Islands Local Policing Plan 2017-20 Year 2 and 3, attached as Annex A to the report, for the period covering 1 April 2018- 31 March 2019 and 1 April 2019 – 30 June 2019.

5. Annual Area Capital Report Aithisg Bhliadhnaì Calpa Sgìreil

PP.

There had been circulated Report No. SR/14/19 by the Head of Corporate Finance and Commercialism.

During discussion, Members raised the following issues:-

- There had been raised several Service specific issues in advance of the meeting. In respect of the Uig Ferry Redevelopment the spend to date was associated with the investigations and surveys, the progression of the Harbour Revision Order, Marine Licence and all the associated surveys including the environmental assessments, detailed design and contract preparation. Tenders will be invited for the main civil engineering works in October.
- In respect of the Housing Revenue Account Capital Programme it was noted that an update had been provided to the Ward Business Meeting on 20 September. The Skye windows and doors project is due on site imminently and surveys are being undertaken ahead of the external insulation project.
- In respect of the other Service specific issues an update would be provided by the Ward Manager to a future Ward Business Meeting;

- It was noted that the meeting of Highland Council in June had agreed to allocate funding for redevelopment of Dunvegan Primary School which was welcomed.
- Noted that since the time of writing there was now agreement to create new nursery provision at Sleat Primary School.
- The increase in tourism numbers had a consequential impact on the condition on the area's roads and verges together with associated infrastructure. It was noted that a significant percentage of the roads in the area were single carriageways with passing places. It was common for those unfamiliar with driving on such roads to drive on the verges with resulting damage to the roads as drainage was affected.
- The lack of passing place signage was an issue as such places were often being used for parking.
- The absence of the Portree Link Road from the Capital Programme was noted and Members expressed their disappointment that it was no longer included. A number of interdependencies were noted to be present and members would continue to push very strongly for the Link Road.

Thereafter, 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.
- iii. the cumulative spend for each project in this Council area for 2018/19 and 2019/20 to end of June.
- iv. The Ward Manager had made a number of service specific enquiries and would bring a further update to a future Ward Business Meeting.
- v. Portree Link Road was no longer included in the Capital Programme. This was disappointing and the case for the Link Road would continue to be made very strongly.

6. Update on Developments to Support Tourism Infrastructure Cunntas às Ùr mu Leasachaidhean airson Taic a Thoirt do Bhun-structair Turasachd

There was circulated Report No SR/15/19 by the Director of Development and Infrastructure and the Interim Chief Officer Resources (Community Services).

During discussion, Members raised the following issues:-

- Welcomed the significant investment of £2.9M identified and committed within the previous 18-24 months.
- With respect to car parking it was noted that consideration be given to the feasibility of introducing an all-day ticket to serve a number of the car parks;
- A detailed breakdown of the income from the car parks including those at the Green and Somerled Square would be made available. It was also advised that there were different levels of charging reflecting the difference between on-street and off-street car parking. Further local variation was allowed across Highland for long and short stay parking charges to reflect local circumstances.
- Future parking charges were to be discussed at the Special Environment, Development and Infrastructure Committee on 24th October and it was noted

that any agreement reached on tariffs was in accordance with the current Council policy providing for a local/corporate split of the income achieved.

- Investigation was ongoing in respect of increased signage and that recruitment of additional decriminalised parking enforcement officers was currently underway .
- With respect to the Transient Visitor Levy consultation it was noted that there had been over 5400 responses to date with a range of different views being presented from residents, businesses and visitors. The results will be analysed and presented in a report to December Council. It was important that campervans and minibuses were included.
- The Council should continue to seek to exploit new technology and explore means of linking in with initiatives such as the Skye Connect pilot.
- There may be advantages in exploring means of directing and controlling visitors including expanding the number of destinations that might be visited possibly through the use of apps. It might be possible to explore the number of vehicles using particular roads acknowledging that the introduction of parking charges could be used to influence behaviour.
- Given the concern that the introduction of parking charges might displace vehicles to residential areas it was noted that following the introduction a review would be undertaken and it would be important to pick up on any issues arising including those of residents.
- It would be desirable to mitigate the impact upon some of the highly visited sites and seek to influence visitors including investigating measures such as park and ride- noting this would have to be commercially viable or provision of display boards to serve the current selfie culture.
- Investigation of dedicated contract parking for businesses will be undertaken but there were likely to be restrictions on the availability of such parking.
- An update on the waste collection review would be welcomed before the end of the year. Concern had been raised about the level of waste being left in locations such as Staffin and further investigation was needed to identify if more bins or collections were required.
- There was merit in revisiting the findings of the workshop which previously looked at short term reactive issues as well as medium term ones presented by the visitor numbers, to see what was still relevant.

Thereafter, the Committee:-

- i. **NOTED** the importance of tourism to the Eilean a' Cheò Ward 10;
- ii. **NOTED** the work undertaken to date to improve infrastructure across Ward 10;
- iii. **NOTED** the work planned to address infrastructure challenges;
- iv. **NOTED** the need for further investment at certain sites to support tourism and impact on local residents;
- v. **NOTED** how this investment might be delivered and whether or not to pilot new approaches to find solutions to some tourism challenges;
- vi. **NOTED** the feedback received to date, agreed to the introduction of traffic orders to enable charging at Quiraing and Broadford Ford Road, subject to any further responses being received;
- vii. **AGREED** to the introduction of charging at Neist Point subject to the appropriate traffic order consultation process and further discussions with the Waterstein Township;

- viii. **AGREED** to the introduction of charging at the new off-street car park at Old Man of Storr, which would include the extension to this car park once complete;
- ix. **NOTED** the feedback received during the engagement and actions identified and, **AGREED** to the introduction of charging at the new Bayfield West car park, following completion of the project, which would include a £10/month Local Parking Season Ticket (LPST) for local users;
- x. **NOTED** the reporting performance of Pay & Display at short stay car parks in Portree; and
- xi. **AGREED**, subject to a final review, the parking tariffs outlined at appendix 3.

**7. Winter Maintenance Plan
Plana Obair-gleidhidh Geamhraidh**

PP.

There had been circulated Report No. SR/16/19 by the Interim Chief Officer Resources (Community Services).

During discussion, Members raised the following issues:-

- The level of uptake of self-help within local communities was queried. It was advised that there was a scheme in place but, to date, there had been little uptake across Skye and Ross and Cromarty generally.
- The start time for operators/drivers was queried and advice sought if there was flexibility in the start time on Sundays. It was confirmed that there were a number of issues that precluded such flexibility as the Council Winter Maintenance Policy offered a template for the whole of the Council area and this identified a start time of 6am.
- It was noted that there were four gritters and two footpath tractors on Skye and the availability of plant to undertake maintenance in areas such as Skye was queried. It was confirmed that a more programmed approach was being adopted in Ross and Cromarty and consideration would be given to rolling this out to Skye.

Thereafter, the Committee **APPROVED** the Winter Maintenance Plans for the Isle of Skye and Raasay for 2019/20, which included the priority road lists and maps presented in Appendix B & C.

**8. Street Naming
Ainmeachadh Sràide**

PP.

There had been circulated Report No. SR/17/19 by the Acting Head of Policy.

The Committee **AGREED TO HOMOLOGATE** the naming of 'Murray Court' for a new housing development within Portree.

The meeting ended at 1.10 p.m.

The Highland Council

Minutes of Meeting of the **Care, Learning and Housing Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday 10 October 2019 at 10.05 am.

Present:

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

NHS Highland:

Prof H van Woerden (am only)

Religious Representatives:

Ms S Lamont
Mr W Skene

Non-Members also present:

Mr A Baxter (am only)
Mrs D Mackay (teleconferencing – am only)
Mrs M MacLean (am only)
Mr J McGillivray (teleconferencing - am only)
Mr A Sinclair

In attendance:

Ms D Manson, Chief Executive
Ms L Weber, Executive Chief Officer, Health and Social Care
Mr A Gunn, Chief Officer Resources, Care and Learning Service
Mr B Porter, Head of Resources, Care and Learning Service
Ms K Ralston, Interim Head of Children's Services, Care and Learning Service
Dr J Vance, Interim Head of Education, Care and Learning Service
Ms N Grant, Interim Head of Education (Designate), Care and Learning Service
Mr D Goldie, Head of Housing and Building Maintenance, Community Services
Mr R Campbell, Estate Strategy Manager, Care and Learning Service
Mr I Kyle, Children's Planning Manager, Care and Learning Service
Mrs F Shearer, Interim Care and Learning Manager – South, Care and Learning Service
Mr M Mitchell, Finance Manager, Finance Service
Mr A Yates, Environmental Health Manager, Community Services

Ms J Douglas, Care and Learning Alliance (Third Sector)
 Ms S Blyth, Highland Parent Council Partnership
 Mrs D Budge, Tenant Representative
 Mrs M MacKay, Tenant Representative
 Miss J MacLennan, Principal Administrator, Chief Executive's Office
 Miss M Murray, Committee Administrator, Chief Executive's Office

Also in attendance:

Mr I Chisholm, Rugby Development Officer, Highland Rugby Club
 Ms A Downie, Head Teacher, Cauldeen Primary School
 Ms C Farrell, Depute Rector, Tain Royal Academy
 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, Mr D Mackay, Mr W MacKay, Mr R MacWilliam and The Very Rev S Murray.

2. Declarations of Interest
Foillseachaidhean Com-pàirt

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

Item 5 – Mr A Christie (non-financial)

Item 7– Mr A Christie (financial)

Item 9 - 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 having commended the range of achievements throughout Highland, the Committee **NOTED** the good news and outstanding achievements.

4. Presentation: Highland Rugby Club
Taisbeanadh: Club Rugbaidh na Gàidhealtachd

Iain Chisholm, Rugby Development Officer at the Highland Rugby Club, gave a presentation on the range of work undertaken by the Club in support of Care Experienced Young People and other vulnerable young people. Key issues covered

included health and wellbeing, mental health, employability, education and current initiatives in schools and communities.

During discussion, the following issues were raised:

- the usefulness of rugby and other sports training for various areas of life was emphasised, including teamwork, leadership, resilience, discipline and a sense of belonging. Playing sport formally and informally could help mental health and socialisation in a world where many young people were isolated, especially care-experienced young people, and tended to spend too much time in front of a screen;
- the benefits of rugby sevens were outlined, as was the importance of being able to play locally, with some of the challenges around transporting players to away-games being explained; and
- the Rugby Club would be invited back to discuss initiatives and future funding sources informally with Members, with suggestions including the Charleston Community Foundation.

The Committee **NOTED** the presentation.

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

Aithris Sgrùdaidh Buidseat Cunntas Teachd-a-steach Taigheadais agus Neo-thaigheadais gu 30 Sultain 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/61/19 dated 1 October 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, the following issues were raised:-

- an explanation was sought, and provided, on the underspend on homelessness, which related to challenges budgeting for unknowns such as turnover, voids, furnishing and repairs and which might be resolved as the year progressed;
- the projected overspend of £200k against Loan Charge estimates had been the subject of a Members' seminar the previous day and related partly to the reduction in capital receipts as a result of Right to Buy sales, which had made the forecasting process more complex. A future report on the Loan Charge situation was planned and the presentation from the seminar would be circulated;
- it was clarified that bracketed figures generally represented good news, and an explanation was provided on expenditure on rent voids;
- in relation to savings from vacancy management, assurance was sought on the impact of lower levels of staffing on service delivery, with recent higher than normal staff turnover in the Housing team now being recruited. In relation to performance, during times of pressure, priority was given to the key indicators listed in the report;

- local performance issues in relation to void management would be covered in local Area Committee reports and could be discussed with local Members;
- information was sought, and provided, on support provided to tenants who had to move house for personal reasons, for example relationship breakup, and the standards for temporary accommodation. Individual cases should be discussed with the relevant Housing Management Officer in the first instance;
- reference was made to the good news contained in the report and, in relation to a query about the level of detail provided, it was explained that this was a budget monitoring report and further detail on performance would be included in the quarterly performance report. Further discussion could be held outwith the meeting on the frequency of performance reporting on particular issues; and
- information was sought, and provided, on the timing of the report and which figures were actual and which were estimates.

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

6. Annual Assurance Statement to the Scottish Housing Regulator Aithris Bharantais Bhliadhnaid do Riaghladair Taigheadais na h-Alba

There had been circulated Report No CLH/62/19 dated 30 September 2019 by the Interim Chief Officer Resources (Community Services).

The Committee **APPROVED** the Annual Assurance Statement 2019/20 at Appendix 1 of the report.

7. Care and Learning Revenue Budget Monitoring Quarter 2 2019/20 Sgrùdadh Buidseat Teachd-a-steach Cùraim agus Ionnsachaidh airson Cairteil 2 2019/20

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/63/19 dated 30 September 2019 by the Chief Executive.

During discussion, the following issues were raised:-

- Care and Learning officers were commended for the significant amount of work that had gone into addressing the budget position in challenging circumstances and in a period of great change. Thanks were also expressed to the Chief Executive for her work, particularly her support of the Corporate Parenting Board;
- there currently appeared to be a significant budgetary risk in relation to Commissioned Children's Services. However, the projected year end variance was zero and information was sought on how that would be achieved;
- Elected Members could not monitor, challenge and change direction if they did not know whether projections had been met until the end of the financial year. In that regard, an update was sought in relation to the commitment by the Chief Executive, at the last budget meeting, that accrual accounting would be

introduced with real time budget information being available to Members. The Chief Executive explained that work was underway in terms of realigning all Council budgets to a new model based on that of another Council in Scotland. Staff had completed learning visits and training had commenced. However, it was a significant piece of work that would take in the region of two years to complete. The goal was that Members would have transparent open access to accounting all year round, and she undertook to request a Members' Briefing to provide detail in that regard and on the training that was taking place;

- concern having been expressed regarding the unachieved savings in respect of the Care and Learning management restructure, the Chief Executive explained that an update on progress with the Council restructure, including the associated savings, would be presented to the full Council on 31 October 2019. She emphasised the importance of engagement with staff and trade unions throughout the re-structure process and commended the work of officers in that regard;
- further information was sought, and provided, on the review of special school budgets; the continuing underspend on family teams; how the costs associated with transporting Looked After and Accommodated Children to school were being reduced; and, in relation to Additional Support Needs (ASN), the steps being taken to address the underlying historic pressures referred to in the report;
- a plea was made for careful risk assessment in respect of vacancies resulting in an underspend on children's services;
- it was important to acknowledge that recruitment challenges could lead to pressures in terms of service delivery; and
- on the point being raised, it was confirmed that a report on the review of Fostering and Adoptions fees/allowances would be presented to the full Council on 31 October 2019.

The following issues were raised in relation to the Placement Services Change Programme:-

- the progress that had been made was welcomed and Members commended the officers involved;
- some Members, whilst welcoming the savings that had been achieved, questioned whether returning a child in a stable out of authority placement to Highland was in the best interests of the child, and information was sought on how many of the 42 children returned to date had been in such placements and the rationale behind their return. Similarly, concern was expressed regarding children in specialist provision such as specialist autism education being returned to Highland when there was no equivalent provision locally, and information was sought on how many children in such placements had been returned. In response, a detailed explanation was provided of the individual, child-centred approach being taken to returning young people to Highland, during which it was emphasised that a permanent placement would not be disrupted unless the child indicated that they wanted to return to Highland. The Chief Executive added that not only was retaining children in Highland better in financial terms, it was better in terms of the children's wellbeing. Being taken out of their community and leaving family and friends was one of the greatest traumas a child could experience, and the Council had to have the ambition that it would not happen to any of Highland's children in the future. She referred to areas elsewhere in the UK where that ambition had been achieved, and to a

forthcoming good practice visit, and she invited the Strategic Chair, Councillor Munro, to consider how best to share the learning in that regard;

- the need for Members to trust, respect and support officers in terms of their professional judgement was emphasised;
- the majority of Looked After Children, even those who had been in care for a long time, returned to their families. One of the most basic human instincts was to go home and seek a sense of belonging, and the best thing that could be done with a finite budget was to work with families and communities to retain young people in Highland; and
- the officers involved in the Programme were enthusiastic as they could see that they were making a difference to young people's lives, and Members were encouraged to speak to them in that regard.

The Committee otherwise **NOTED**:-

- i. the revenue budget outturn forecast for the year; and
- ii. the actions being taken to address the budget position in the current year.

8. Air Quality and Highland Schools Càileachd Èadhair agus Sgoiltean na Gàidhealtachd

There had been circulated Report No CLH/64/19 dated 24 September 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, the following issues were raised:-

- concern was expressed that the number of road safety posts to cover the Highlands had reduced from six to two, and information was sought on what was being done to ensure that the team was adequately resourced. The Environmental Health Manager undertook to ask the Road Safety Team Manager to respond to Councillor Graham in that regard;
- there was a drop off/pick up culture in Highland, particularly at schools;
- Highland was fortunate to have relatively good air quality/low pollution, and work continuously took place in terms of improving road safety. However, there was no room for complacency, and some of the "hot spots" were near schools;
- at present, much of what the Council did was reactive to accommodate and contain cars. Thinking ahead, it was necessary to seek to promote changes in behaviour;
- it was questioned whether enough was being done to give parents and pupils the opportunity to travel by means other than car. For example, was enough being done to form partnerships with public transport providers and discuss common objectives? It would be helpful to discuss matters such as the use of small flexible buses, electric vehicles, routes and times. It was added that the issues associated with air pollution did not only apply to schools, hospitals being cited as another example;
- in relation to the recommendation that a pilot project on air quality improvement be developed with a willing and appropriate school, it was proposed that Dingwall Primary School be considered. Local Members, residents, the Parent Council and the Head Teacher had worked together over a number of years to try to reduce idling at the school, utilising schemes such as Safer Routes to School and Park Smart as well as carrying out leafleting and highlighting the issue in the school newsletter. The Chair commented that there would be many

- other schools, not only in urban areas, in a similar position and suggested that proposals be emailed to the Environmental Health Manager in the first instance;
- in relation to vehicle idling offences, some Members suggested that more enforcement was needed. Other Members commented that highlighting the possibility of enforcement could be enough of a deterrent;
 - it was necessary to encourage people to walk, cycle or choose alternative forms of transport to the car;
 - many parents wanted to encourage their children to cycle to school but there were issues such as a lack of cycle paths, traffic congestion, and the need for road safety education;
 - concern was expressed regarding traffic congestion at Millburn Academy and the surrounding area, which had led to the use of “rat runs” and alarm amongst residents in terms of the number of near misses;
 - Glasgow City Council had introduced car free zones outside primary schools and it was suggested that the Council should consider doing the same;
 - more parents implementing “walking bus” systems whereby they shared responsibility for walking a group of children to school would help to reduce traffic congestion at the school gate;
 - the need to involve young people in the discussions and to have a more strategic approach was emphasised;
 - as well as schools, parents and communities had a responsibility in terms of how to support young people to get to school safely and engage with the climate change agenda; and
 - an example was cited of two buses being used to transport seven children on the same road to school and it was emphasised that, to reduce the Council’s carbon footprint, it was necessary to rationalise school transport. The Chair confirmed that work was underway in that regard.

The Environmental Health Manager having responded to the issues raised, the Committee:-

- i. **NOTED** the continued promotion of the resources available to schools to enable Cycling, Walking and Safer Streets projects;
- ii. **NOTED** that Environmental Health would further promote awareness of measures that could be taken by the public and businesses to improve air quality and, where resources permitted, undertake projects aimed at reducing idling vehicles at schools; and
- iii. **AGREED** to Road Safety and Environmental Health developing a pilot project on air quality improvement with a willing and appropriate school.

9. Education Transformation Update Cunntas às Ùr mu Chruth-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/65/19 dated 19 September 2019 by the Chief Executive.

The report introduced a presentation by the Change Team, during which detailed information was provided on the progress made in respect of the six pillars of the transformation programme, namely, Promoting Positive Relationships; Inclusion, Rights and Equalities, ASN; Safeguarding, Care and Wellbeing; Pedagogy and Development; Leadership of Change; and Supporting Processes.

During discussion, the following issues were raised:-

- given the level of information in the presentation, it was suggested that a detailed report should have been presented;
- in relation to Pillar 1, as well as the positive information presented it would have been helpful to see some of the challenges and concerns raised, and how they might be mitigated;
- in relation to Pillar 2 and the statement that ASN reductions had led to increased teacher creativity and inclusion supporting pupils with lower levels, creativity was sometimes by necessity and this could lead to staff feeling very stretched;
- with regard to the ASN consultation, it was necessary to be completely open and transparent and provide detailed information on the concerns and challenges raised and how it was proposed to mitigate them;
- it would have been helpful to circulate the presentation in advance of the meeting to allow Members time to consider comments and questions;
- communities saw the redesign of ASN provision as a cut and the reality was that there would be less money in the system than there had been previously;
- education within the Council was in a period of transition, which could lead to uncertainty, and a timeline was sought as to when the redesign was going to stabilise;
- the anxiety in relation to ASN and the extra strain on teachers identified in the presentation chimed with the feedback Members were receiving from parents, teachers and Head Teachers;
- reference was made to the chronic staff shortages in Caithness and the range of duties being undertaken by Head Teachers, including janitorial tasks, teaching classes and organising what were often emotional meetings. Concern was expressed that schools were operating on the good will of teachers, and it was essential to consider the culture they were having to work in;
- in relation to the chart indicating that approximately 50% of parents identified their child as having ASN, whilst not every case might meet the official criteria there was still a need to be addressed;
- a plea was made for more clarity in terms of the proposals for ASN provision and how they would impact on pupils;
- information was sought on how local Members could be included in ASN consultation meetings and how they were being promoted. It was essential to ensure that the meetings were well advertised and that pupils had the right support to feed in to the consultation process and make their voices heard;
- improving information flow was key in terms of addressing concerns;
- whilst understanding some Members' keenness to accelerate the process, other Members emphasised that it was going to take time to make the desired seismic improvements in children's education. It was necessary to plan and test interventions carefully, and to ensure that parents and teachers were on board. There was a lot to do and it was necessary to learn from the experience, knowledge and expertise of the Change Team. The presentation was an

excellent starting point and the detailed report to the December Committee could build upon it;

- staff were best placed to say what would work in their area and it was important that their suggestions as to how best to use the finite ASN budget available were included in the forthcoming report and taken on board;
- in relation to Pillar 6 and the need to reduce workload and bureaucracy for senior leaders, many of the issues had been raised repeatedly by Head Teachers over a number of years and it was essential that action was taken;
- the Change Team was commended for the significant amount of work that had been done to date. In particular, Members welcomed the introduction of peer support, the renewed focus on succession planning and the work that had been done in terms of identifying and learning from good practice elsewhere in Scotland. It was added that succession planning ought to be from Principal Teacher level upwards as part of a “grow your own” approach;
- ASN staff were extremely anxious about the future and reference was made to reports from some staff that it had been days to the end of term before they found out their positions were secure;
- reference was made to a parents’ meeting at which the theme had been one of despair and impotency in the face of the financial situation. Of particular concern was the level of criticism of the Child’s Plan, which parents felt was more about rhetoric than reality;
- with regard to ASN support, historically there had been an emphasis on differentiated learning in the mainstream classroom and information was sought, and provided, on whether that was still the case and, if not, whether it could be made more of a focus;
- it was necessary to keep reiterating that teachers, as well as children, were at the centre of the transformation programme. Given the shortage of teaching staff, it was important to promote the message that the Council was supporting teachers and focussing on succession planning;
- concern was expressed that misleading stories in the press could add to constituents’ concerns;
- the work that was taking place in terms of benchmarking against the best performing local authorities was welcomed;
- a request was made for a report re-stating the budget decisions that had been made in February and outlining the potential impact in the coming year. In response, the Chief Executive explained that all budget setting processes included looking at historic spend and budget proposals already agreed as well as new proposals and innovations. There would be a full budget engagement process and a timeline would be shared with Members in the near future; and
- the Head Teachers on the Change Team would not have put themselves forward for the role if they did not think the transformation programme was going to make a difference for all teachers and improve education in Highland. Feedback from teaching staff was that they felt they were being listened to by people who understood their job and how they could work together to make improvements.

In responding to the issues raised, the Chair confirmed that, as indicated in the report, a detailed report would be presented to the next meeting of the Committee. The staff engagement that was taking place was a positive step and areas for improvement were being identified, as well as areas where additional resource was potentially required. However, it was important to remember that resource did not always equate to additional funding and that it could often be training or more cooperative working. He commended the Change Team for their comprehensive, open and transparent

approach, and emphasised that the aim of the transformation programme was to put children at the centre and improve not just attainment but life experiences. In relation to ASN, the points in relation to differentiation were well made. There were different ways of meeting need and it was suggested that a combination of resource, training and differentiation was required.

He went on to highlight that this was James Vance's last meeting as Interim Head of Education before he returned to his substantive post as Rector of Culloden Academy. He thanked James for his support over the last year, and the calm and measured manner in which he had responded to Members' queries.

Nicky Grant, currently Head Teacher of Alness Academy, would take over as Interim Head of Education after the October break and he welcomed her to her first meeting of the Committee.

Finally, he thanked Members for the engaging, respectful and supportive way in which the business of the Committee was carried out.

Thereafter, the Committee:-

- i. **NOTED** the progress and plans being put in place to deliver better outcomes for young people; and
- ii. **AGREED** that a detailed report be presented to the next meeting of the Committee.

In terms of Standing Order 9, the Committee **AGREED** to consider item 11 at this stage.

11. Pupil Equity Funding (PEF) Update **Cunntas às Ùr mu Mhaoin Cheartais Sgoilearan**

There had been circulated Report No CLH/67/19 dated 26 September 2019 by the Chief Executive.

The report introduced a presentation by representatives of Cauldeen Primary School and Tain Royal Academy demonstrating how they had used their PEF funding to make a difference. This set out the background to PEF funding, the experiences of both schools and how it had helped to close the attainment gap, improve attendance and lead to better health and wellbeing outcomes.

During discussion, the following issues were considered:

- having been involved with schools which had been granted PEF funding, Members were able to evidence the improvements which had been generated. Previously, some funding had been used at Tain Royal Academy to employ an Attendance Officer but, when funding had come to an end, attendance had fallen away. PEF funding now supported this post again and attendance had again increased;
- because of what had begun at Tain Royal Academy in supporting pupils' Mental Health and Wellbeing, many Community Councils in the area now, in recognising that communities themselves had a role to play, had this as a standing item on their agendas;

- the funding additionality gave Head Teachers flexibility and autonomy and this was to be welcomed;
- the A3 diagram tabled at the meeting showing the process and the advantages was welcomed as Members could use it to explain PEF to others;
- it would be useful to benchmark the impact of PEF to demonstrate the overall benefit to an area from what was, overall, a relatively modest amount of funding;
- it was hoped funding for the Butterfly Room at Cauldeen Primary, aimed at supporting pupils with Additional Support Needs, would continue;
- ideally the Fresh Start initiative adopted at Tain Royal Academy to help pupils with dyslexia could be shared with other schools;
- the work undertaken by Primary Mental Health Workers in the Black Isle was commended and it was hoped this could be rolled out elsewhere to ensure limited resources could work better;
- the creativity of Head Teachers was applauded and the presentations had given Members an insight to the high quality of work taking place; and
- it was disappointing not all schools received PEF funding and calls were made to expand the criteria to include such factors as rurality to allow a greater distribution of funding.

The Committee:-

- i. **NOTED** the changing pattern of expenditure;
- ii. **NOTED** the infrastructure supporting this;
- iii. **NOTED** the examples of effective use of resources;
- iv. **AGREED** that the possibility of rolling out successful initiatives such as Fresh Start to other schools be explored;
- v. **AGREED** that a report on the best practice being undertaken by Primary Mental Health Workers be presented to the next meeting of the Committee; and
- vi. **AGREED** that information on the impact of PEF funding on attainment be aggregated and shared with Members.

10. School Attainment Review Processes Pròiseasan Ath-sgrùdaidh Coileanadh Sgoile

There had been circulated Report No CLH/66/19 dated 19 September 2019 by the Chief Executive.

The report introduced a presentation by the Interim Head of Education which provided an overview of the Scottish Government database (Insight) that secondary schools used to carry out detailed analysis of exam results.

In discussion of how to use the information provided by Insight, suggestions were made that this would be best achieved at either Ward or at school catchment level but this could be further explored at the Seminar.

The Committee:-

- i. **NOTED** the work done by schools to analyse and plan improvement around their exam results;
- ii. **NOTED** the range and type of additional attainment information available from Insight; and

- iii. **AGREED** to a seminar at which agreement could be reached about how best to use the information available from Insight to allow Members to carry out their scrutiny function.

12. Deferred and Early Entry to School Inntrigeadh Dàilichte agus Tràth dhan Sgoil

There had been circulated Report No CLH/68/19 dated 20 September 2019 by the Chief Executive.

The Scottish Government, in recognising the work of the Give Them Time Campaign, had announced that it was to engage further with local authorities on the implementation of Deferred and Early Entry to School arrangements. Members welcomed this move by the Scottish Government as many felt there was little advantage to sending a child to school early but with the question still remaining if additional funding would be provided for an extra year of nursery.

Accordingly, the Committee **AGREED** to defer consideration of this item.

13. Highland Council School Admissions Policy Poileasaidh Inntrigeadh Sgoile Chomhairle na Gàidhealtachd

There had been circulated Report No CLH/69/19 dated 13 September 2019 by the Chief Executive.

During discussion, the following issues were considered:

- in some instances, where there was insufficient space to accommodate a pupil at their local school, the pupil was transported to an alternative school until space became available. In a small number of instances pupils sometimes wished to remain at this school and it was hoped that the continued provision of transport could be considered on a child-by-child basis; and
- one of the reasons a Placing Request could be refused was if placing a child in the school would result in the need for an additional class or the employment of an additional teacher at a future stage of the child's education in primary school even if pupil numbers remained constant. Whilst acknowledging that the long term impact needed to be taken into account it was suggested that this wording required to be refined.

The Committee:-

- i. **APPROVED** the Policy at Appendix A of the report; and
- ii. **NOTED** the content of the updated leaflet for parents at Appendix B of the report.

14. Care and Learning Capital - Early Learning and Childcare Programme Calpa a' Chùraim agus an Ionnsachaidh – Prògram Tràth-ionnsachaidh agus Cùraim-chloinne

There had been circulated Report No CLH/70/19 dated 1 October 2019 by the Chief Executive.

In welcoming the comprehensive and regular reporting of progress it was still important to ensure that programmed capital works remained on track with reporting to Members at Ward level. Although not part of this specific project, information was sought, and provided, as to the current timescale for the commencement of the St Clements School consultation.

The Committee **NOTED**:-

- i. the current status of the individual projects in the capital programme; and
- ii. the approach that had been adopted in order to identify and manage the risks associated with those projects that had been classed as high priority and/or high-risk in terms of being able to deliver the expanded Early Learning and Childcare service from August 2020 onwards.

15. Regional Improvement Collaborative Improvement Plan Plana Leasachadh Co-obrachail Leasachadh Roinneil

There had been circulated Report No CLH/71/19 dated 18 September 2019 by the Chief Executive.

Whilst the formation of Improvement Plans was welcomed, what was of paramount importance was the effect it would have in schools and classrooms. In this regard the Chairman assured Members that Phase 3 of the Improvement Plan was more focused and resourced.

The Committee:-

- i. **NOTED** the progress made in the Phase 2 Plan; and
- ii. **AGREED** to endorse the Northern Alliance Phase 3 Regional Improvement Plan.

16. Minutes Geàrr-chunntas

The Committee **NOTED** the following Minutes:-

- i. Highland Violence Against Women Partnership Group – 12 February 2019;
- ii. Highland Alcohol and Drugs Partnership Strategy Group – 4 June 2019; and
- iii. Highland Community Justice Partnership – 12 June 2019.

The meeting concluded at 3.15 pm

The Highland Council

Minutes of Meeting of the **Lochaber Committee** held in **Council Chambers, Council Offices, Charles Kennedy Building, Achintore Road, Fort William, on Wednesday, 25 September 2019 at 2.00pm.**

Present:

Mr A Baxter
Mr A Henderson
Mr I Ramon

Mr D Rixson
Mr B Thompson

In attendance:

Mrs D Ferguson, Senior Ward Manager (Ross, Skye and Lochaber)
Mr A Webster, Regeneration and Employment Manager, Development & Infrastructure
Ms A Macrae, Committee Administrator, Chief Executive's Service

Mr A Baxter - Chairman

Business

1. Apologies for Absence Leisgeulan

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

2. Declarations of Interest Foillseachaidhean Com-pàirt

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

Item 3: Mr A Henderson (non-financial)

3. Town Centre Fund Maoin Meadhan a' Bhaile

Declaration of Interest: Mr A Henderson declared a non-financial interest in this item as the Council's representative on the Caol Regeneration Company but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in discussion.

There had been circulated Report No LA/26/19 by the Director of Development and Infrastructure.

The Chair explained that he had called for a special meeting of the Committee to consider this item as it had initially been proposed the Lochaber allocation of the Town Centre Fund be discussed in private at a ward business meeting, prior to the recommendations of local Members being considered centrally by a panel of Members. He emphasised that in terms of governance, it was important for local Members to have the opportunity to express their views in public and for the process to be open and transparent. He also expressed concern that the Committee could not take the final decision on projects which directly impacted on Lochaber, and therefore at the Administration's commitment to localism.

In response, Mr A Henderson as Chair of the Town Centre Fund Working Group, advised that this was a cross party working group of Members which would consider applications from all areas to the Fund on 3 October 2019. He indicated that in fairness to the Council and the Administration, the time schedules for the Fund set by the Scottish Government had been extremely tight for all parties involved and in terms of the Council's schedule of meetings, rather than there being any deliberate policy not to involve local committees. He suggested that applications would be considered in a reasonably open forum taking into account those time constraints.

Following a summary of the the six proposals received by the Council for Lochaber and an assessment of their eligibility status, Members raised the following issues:-

- confirmation was sought and provided that the Town Centre Fund could not be used to recover the Council's costs in administering the Fund with the exception of professional fees and it was unknown what these administrative costs were to date;
- a point that the West End Roundabout and Fort Roundabout Improvements project was purely aesthetic and would not involve any improvements to the road infrastructure. It was suggested more time was required to ensure the project achieved a high standard and therefore discussions continue to be progressed with Fort William Retail Association and other potential sources of funding investigated;
- it was suggested the Cameron Square Canopy project would encourage more people to attend events and thereby help increase footfall in this area;
- in regard to the Thomas Telford Corpach Marina project, confirmation was sought and provided that there would be a robust audit trail in place in terms of how the funding was being managed between the Council, the funder and Caol Regeneration Company to ensure there were no issues of double funding;
- an assurance was sought and provided that in regard to the above project, Scottish Government and EU grants had previously been awarded to projects on a retrospective basis as long as the expenditure did not pre-date the date of the grant award;
- confirmation was sought and provided that the Scottish Government grant criteria did not stipulate what the town centre boundaries should be and it was for the local authority to be satisfied what was reasonably a town centre;
- an assurance was sought and provided that if the Kilmallie Community Centre Car Park project was approved there would continue to be flexibility to change the mix between the acquisition price and infrastructure improvements, for example if a long term lease was more affordable. In response to a question, the Regeneration and Employment Manager advised he would confirm to Members who had undertaken the valuation for this project;
- there was significant desire within community for Caol Co-op Car Park project to be progressed. It was important flexibility be retained in respect of drainage elements of the project given the opportunity for a pelican crossing to be installed and environmental works to be undertaken and the capacity within the Council to take these forward timeously;
- concern at the potential risks associated with allocating funding to projects where there was a question over their deliverability within the relevant timescales; and
- confirmation was sought and provided that there was no indication from the Scottish Government that a further round of town centre funding would be made available in the next financial year.

Thereafter, Members proceeded to discuss and rank the projects in order of priority to fit the indicative funding allocation of £198,000 which was available for the Lochaber area. Following discussion, the Committee **AGREED** to recommend that the following projects be funded from the Town Centre Fund:-

- Thomas Telford Corpach Marina
- Caol Co-op Car Park
- Cameron Square Canopy

The Committee further **AGREED** to recommend that any balance of funding be allocated to the Fort William High Street Public Realm Improvements with the lighting element being given priority.

The meeting ended at 2.50pm.
