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The Highland Council
No. 3 2021/2022

Minutes of Meeting of the Highland Council held REMOTELY on Thursday, 9 September 2021 at 10.35am.

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

Present:

Mr C Aitken	Mr D Louden
Mr B Allan	Mrs L MacDonald
Mr R Balfour	Mr A MacInnes
Mrs J Barclay	Mr D Mackay
Mr B Boyd	Mr W MacKay
Mr R Bremner	Mr G MacKenzie
Mr I Brown	Mrs I MacKenzie
Mr J Bruce	Mr A Mackinnon
Mrs C Caddick	Ms A MacLean
Mrs I Campbell	Mr C MacLeod
Miss J Campbell	Mr D MacLeod
Mrs G Campbell-Sinclair	Mr D Macpherson
Mrs H Carmichael	Mrs B McAllister
Mr A Christie	Mr J McGillivray
Dr I Cockburn	Mr H Morrison
Mrs M Cockburn	Mr C Munro
Ms K Currie	Ms L Munro
Mrs M Davidson	Ms P Munro
Mr J Finlayson	Mrs M Paterson
Mr M Finlayson	Mr I Ramon
Mr C Fraser	Mr A Rhind
Mr D Fraser	Mr M Reiss
Mr L Fraser	Mr D Rixson
Mr R Gale	Mrs F Robertson
Mr J Gordon	Mrs T Robertson
Mr K Gowans	Ms E Roddick
Mr A Graham	Mr K Rosie
Mr J Gray	Mr P Saggars
Mrs P Hadley	Mr A Sinclair
Mr T Heggie	Mr C Smith
Mr A Henderson	Ms M Smith
Mr A Jarvie	Mr B Thompson
Ms E Knox	Ms J Tilt
Mr B Lobban	Mrs C Wilson

In Attendance:

Chief Executive	Executive Chief Officer, Economy &
Executive Chief Officer, Communities & Place	Infrastructure
Executive Chief Officer, Education & Learning	Executive Chief Officer, Performance & Governance
Executive Chief Officer, Health & Social Care	Executive Chief Officer, Property & Housing
	Executive Chief Officer, Resources & Finance
	Executive Chief Officer, Transformation

Mr B Lobban in the Chair

Apologies for absence were intimated on behalf Mr G Adam, Mr A Baxter, Mrs D MacKay, Mr S Mackie, Mr R MacWilliam and Mr N McLean.

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

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

General – Mrs M Cockburn as a Council appointee on the Inverness, Badenoch & Strathspey Citizens Advice Bureau, Mr J McGillivray on the basis that a relation was a Council employee and Ms L Munro as a Director of High Life Highland (All Non-Financial)

Item 7– Mr A Christie and Ms P Hadley (Both Non-Financial)

Item 10(i) – Mr B Lobban (Non-Financial) and Mrs C Caddick (Financial)

Item 10(ii) – Mr J McGillivray and Mr A Henderson (Both Financial)

Item 11 – Mr A Christie, Mr K Gowans and Mrs C Caddick (All Financial) and Mr D Rixson, Mr C MacLeod, Mr A Jarvie and Mr B Thompson (All Non-Financial)

Item 12 – Mr D Rixson, Mr J McGillivray, Mr A Jarvie and Mr B Thompson (All Non-Financial)

Item 13 – Mr A Jarvie and Mr B Thompson (Both Non-Financial)

Item 14 – Mr A Christie, Mr K Gowans and Mr A Jarvie (All Financial) and Mr T Heggie, Mr A Jarvie and Mr B Thompson (All Non-Financial)

Item 15 - Mr A Christie and Mr A Jarvie (Both Financial)

Prior to the commencement of the formal business, the Convener thanked Members for their continued use of the electronic system for receipt of agendas and reports for meetings which was helping to save on significant costs for the Council.

In this regard, he confirmed his intention to arrange a further training session in the near future for those who still wished additional assistance.

3. **Recess Powers** **Cumhachdan Fosaìdh**

It was **NOTED** that, during the recess period, recess powers had not been used.

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

The Convener, on behalf of the Council, welcomed the new Members who had been elected following the By-Elections on 12 August -

Ms Jill Tilt (Ward 3)

Mr Colin Aitken (Ward 13)

Ms Tilt and Mr Aitken responded accordingly.

5. **Presentation – Confucius Hub – Grantown Grammar School** **Taisbeanadh – Hub Confucius – Sgoil Gràmair Bhaile nan Granndach**

The Council **NOTED** and thanked Ms Ann Mackintosh for her presentation at the meeting in respect of the Confucius Hub at Grantown Grammar School.

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 24 June 2021 as contained in the Volume which had been circulated separately - which were **APPROVED** – subject to a correction to be made to a voting record in respect of Mr D MacKay/Mrs D Mackay.

It was also **NOTED** that an issue had arisen following IT changes to Members' names which had conflicted with the names within the voting database (and had led to a Member being able to vote twice at the last meeting). On that basis, it was confirmed that this would now be corrected and Members were further reminded of the process for submission of votes.

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 – those which were contained in Volume and those which had been circulated separately.

Declarations of Interest – Mr A Christie (as General Manager of the Inverness, Badenoch & Strathspey Citizens Advice Bureau) and Ms P Hadley (as a Local Member in Badenoch & Strathspey) declared non-financial interests in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

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

Badenoch & Strathspey Committee - Starred Item 8 – Kingussie & Grantown-on-Spey Common Good Funds - **AGREED** the re-classification of the property included in the Asset Register and re-activation of the Kingussie Common Good Fund.

Also **AGREED** that, due to the financial position of the fund, Kingussie Common Good property should continue to be maintained by Highland Council until such time as the fund recovered sufficiently to sustain Kingussie Common Good assets.

Health, Social Care & Wellbeing Committee - Starred Item 9 – Revised Highland Partnership Integration Scheme - **AGREED** that housing for staff be added to the Risk Section at Section 3.5 of the report.

Caithness Committee - Starred Item 6 – Thurso and North West Caithness & Wick and East Caithness (Wards 2 and 3) Place Based Investment Funds – Proposed Funding Allocations - **AGREED** to create and implement a Council wide playground strategy that considered the needs and expectations of communities and supported the active play, well-being and social activity of children and their families.

Education Committee

Starred Item 11 - Review of Statutory Consultation Exercise – Closure of Uig Primary School - **AGREED** the discontinuation of education at Uig Primary School, transferring its catchment to that of Kilmuir Primary School.

Starred Item 13 – Appointment to Highland Disability Sport - **AGREED** the appointment of Mr Calum Munro.

Minutes not included in the Volume

Highland and Western Isles Valuation Joint Board held on 19 March (approved by the Board on 18 June) – **NOTED**

Redesign Board held on 20 August – **AGREED**

Recovery, Improvement and Transformation Board held on 23 August - **AGREED**

Climate Change Working Group held on 18 August - **AGREED**

Recruitment Panel – Executive Chief Officer, Education & Learning held on 10 June (Shortleeting) and 30 June (Appointment) - **NOTED**

8. Membership of Committees, etc
Ballarachd Chomataidhean, msaa

It was **NOTED** that Mr A Baxter had now joined the Conservative & Unionist Group.

On that basis, and also following the By-Elections in Ward 3 and Ward 13, membership of the Council was now as follows:-

Ind – 25/SNP - 18/Cons & Unionist - 11/Lib Dem– 11//Highland Matters – 4/ Labour - 3/Sutherland Independent – 1/Non-Aligned – 1

The formula in respect of the number of places on Strategic Committees remained unchanged at 7/5/3/3.

The Council also **AGREED** the following

Economy & Infrastructure Committee - Mr B Lobban to fill the current vacancy for an Independent Group Member.

Education Committee – Mr C Munro and Mr D Fraser to fill the current vacancies for Independent Group Members – and Mr C Aitken to replace Mr A Christie

Communities & Place Committee – Ms J Tilt to replace Mrs T Robertson

Resources Committee – Mr A Christie to replace Mrs C Caddick

Housing & Property Committee – Ms J Tilt to replace Ms L Munro

Wellbeing Joint Sub Committee – Mr D Fraser to fill the current vacancy for an Independent Group Member

Redesign Board – Mr C Aitken to replace a Member from the SNP Group (to be confirmed)

Valuation Joint Board – Either a Liberal Democrat or a Conservative & Unionist Member (to be confirmed as place currently tied) to replace Mr J Gray.

**9. Question Time
Am Ceiste**

The following Questions had been received by the Head of Corporate Governance:-

(i) Mr R Bremner

To the Chair of the Economy & Infrastructure Committee

"There has been considerable concern by members of the public, especially in Caithness, in respect of the roads infrastructure. For some time there has been an underspend of the committed funding by Council for the road's infrastructure in Caithness and in other areas of Highland. It is imperative that the extra committed funding this year is spent and that this is the case for next year also. What comfort can our Highland communities be given that Council will actually ensure this happens?"

The response had been circulated.

In terms of a supplementary question, and whilst welcoming that extra funding was being spent this year and that a review was underway through the Council's Redesign Board, it was highlighted that the Council's commitment to extra funding was for the current and following year and would not be enough to enable an accelerated recovery of the roads' infrastructure. As such, it was queried as to whether there would be a commitment to further increased funding in the current period and the same increased commitment in the financial year 2023 and beyond to continue get the roads' infrastructure back to the condition that was necessary to support communities and commerce in Caithness and throughout the Highland area.

In response, it was confirmed that a review of the Capital Programme was being undertaken at present and the Roads Capital Budget was an important consideration within that to ensure that the backlog and the future capital maintenance projects were sustained. All Members would be involved in the priority setting for capital works, including roads, and this would be the subject of a report to the Council in October.

(ii) Mr R Bremner

To the Chair of the Communities & Place Committee

"Three years ago I brought a motion to Council committing Council to implementing an effective policy in respect of abandoned and, in particular, nuisance vehicles. Since then, progress has been very slow. This policy desperately needs to be implemented. I know that reference was made to the Northern Joint Collaboration Board for a national response and covid undoubtedly will have impacted. What position is Council at in reviewing and implementing an effective policy to deal with abandoned and nuisance vehicles?"

The response had been circulated.

In terms of a supplementary question, and in recognising that pilot projects had been implemented and had had some effect/success, the outcome sought was an effective policy that could be implemented successfully. The main issue would be funding to support such a policy and ensure that it was effective in its implementation and it was therefore queried as to what steps were being taken to identify this funding.

In response, it was explained that no funding had been available from the Northern Joint Collaboration Board. The Communities and Place Committee recognised the statutory duty, under the Refuse Disposal (Amenity) Act 1978, to remove abandoned vehicles from land or roads and expenditure had been improved to meet this duty. The current annual budget was £3200 to cover the recovery and disposal of any vehicles. Any additional required expenditure was managed within the wider Environmental Health budget. As part of the development of the new policy on abandoned and nuisance vehicles, the Environmental Health and Housing teams would consider budgets, including maximising opportunities for cost recovery, where legislation permitted and partnership working to target problematic areas. Work was also progressing with the Scottish Government and CoSLA on a wider workforce plan and Environmental Health teams given recent public health demands and EU exit budget implications.

(iii) Mr R Bremner

To the Chair of the Housing & Property Committee

“Do you agree that heating systems that are being replaced or installed by Highland Council in Council properties should be as affordable as possible for the occupiers?”

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Council would commit to ensuring that an effective process of monitoring of kilowatt hours to determine the performance of new systems in respect of savings was put in place as well as monitoring their operation to ensure that tenants and occupiers were not adversely affected by the installation and running cost of heating systems installed by the Council whilst contributing as effectively as possible to climate change goals.

In response, it was acknowledged that the question related to the transformation of energy in the Council's housing stock, partly to address affordability and also to address and meet some of the climate change goals. The way in which the Housing Service currently monitored the kilowatt hour usage, where it proved to be more expensive, was on a case- by-case basis. This was a reactive approach effectively to where tenants felt their systems were overly expensive. The best way to deal with this issue was to make sure the heating options that were installed were going to be cheap and effective to run. Whilst it was acknowledged the request was for a monitoring system, there was a monitoring system in place but, moving forward, it was important to make sure that the Council had confirmation that heating systems installed were going to be cheaper for tenants. Whilst it was understood that the question referred to heating options, to be completely transformational in terms of fuel poverty in the Highlands, different heating options would not address that and the fabric of buildings needed to be addressed. To do that at scale required the output from the asset management approach to housing that was currently being taken to the Committee. The output of that would take 12 to 18 months to complete so, if the concern was about reducing fuel poverty, the Council was working towards it but it would take time to get to the answer. The output of that would be seen in the HRA Capital Plan as it came before forthcoming Committees. The Council was acting on fuel poverty and the cost of installing new heating systems and there would be opportunity for Members to contribute as to how this would be taken forward.

(iv) Mr D Macpherson**To the Leader of the Council**

“Can you please give an assurance that all of the CCTV cameras in Inverness are fully functioning and have now been upgraded to the new Digital colour cameras, as opposed to the old unreliable analogue ones, and that adequate funding has been sourced and provided to complete the recommended upgrade of cameras and to the Inverness control room, estimated at £100,000 by Council officers, to ensure that the citizens of Inverness and visitors to the Highland Capital are safe in the knowledge that Police and the Highland Council (who run the CCTV System), are fully monitoring the screens in the Burnett Road Police Station control room, to record criminal and antisocial behaviour in the streets and parks throughout the city. And can you give a status report on the proposals to link up the other Highland Towns like Wick and Thurso, as well as the Kessock Bridge CCTV cameras and those CCTV cameras in the Rose Street Car Park in Inverness?”

The response had been circulated.

In terms of a supplementary question, it was suggested that, in view of the response which had been received, there was no option but for Mr Macpherson, the constituents of Inverness and the various Highland towns to ask the identical question of the Highland Council once again in a Freedom of Information format.

In response, it was acknowledged that Mr Macpherson was at liberty to take that course of action.

(v) Mr D Macpherson**To the Leader of the Council**

“Nominations have just closed for Interim Community Council elections, what will you be doing to demonstrate the Highland Council’s commitment to ensuring strong and adequately funded community councils exist, and how will you fund their ongoing existence and promote their value to deliver localism and help their communities in the planning decision making progress for Highland Council and the communities that they represent?”

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the letter which had been set to the Leader on 1 December 2020, proposing a detailed strategy and marketing plan to help recruit new Community Councillors, had been lost or disregarded.

In response, it was requested that Mr Macpherson resend the letter and the Leader would deal with it accordingly.

(vi) Mr A Jarvie**To the Leader of the Council**

“Can you outline the successes of and how many members of staff have been professionally developed in the Council’s long heralded “grow our own” programme?”

The response had been circulated.

In terms of a supplementary question, it was queried as to what the numbers were in respect of the Council's "grow your own" approach? For example, how many staff had been trained into new roles.

In response, it was confirmed that figures were not yet available as there was so much "grow your own" taking place across the Council. The Leader would speak with the Chief Executive to establish whether there were any figures which could be drawn out at the present time but it was not intended to ask busy Officers to spend their time counting rather than training.

(vii) Mr A Jarvie

To the Leader of the Council

"Can you provide me with the date the Corporate press release was issued announcing your coalition with the SNP Group?"

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Leader was assured that the SNP Group and all its members were certain that there was no such coalition and what assurances had she sought in this regard.

In response, and on the basis that there was no such coalition, the Leader declined to respond further.

(viii) Mr A Jarvie

To the Chair of the Economy & Infrastructure Committee

"The most up to date figure show that roughly 15% of the roads maintenance budget has been spent so far. Will this be spent in full this year or will our roads be underinvested in?"

The response had been circulated.

In terms of a supplementary question, it was queried as to what action would be taken to stop the ongoing problem of underspends being carried forward into the next financial year.

In response, it was confirmed that some contractors had been taken on in the current year in the hope of finishing the programmed works before the weather changed and the budget would be spent as quickly as possible.

(ix) Mr D Macpherson

To the Chair of the Economy & Infrastructure Committee

"Can you please give an update of the spend on roads and the expected underspend by the end of this calendar year and the financial year end?"

The response had been circulated.

In terms of a supplementary question, it was queried as to what percentage of available roads monies would be spent by the end of October.

In response, it was confirmed that it was expected that 100% spend would be achieved by the end of October unless any unforeseen circumstances changed this position.

10. Notices of Motion Brathan Glusaid

The following Notices of Motion had been received by the Head of Corporate Governance:-

Declarations of Interest –

Mr B Lobban, as the mover of the Motion at Item 10(i), declared a non-financial interest and left the Chair – which was then taken over by the Vice Convener (Mr A Henderson). Having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, Mr Lobban concluded that his interest did not preclude his involvement in the discussion.

Mrs C Caddick declared a financial interest in Item 10(i) on the basis of having a share in a self-catering property in Aviemore and confirmed that she would not take part in this item.

(i) Given the serious problems occurring in Badenoch & Strathspey due to the massive increase in Short Term Lets and the effect that has on the provision of permanent dwellings, that the Council agrees a draft proposal to designate a Short Term Let Control Area covering the whole of Badenoch & Strathspey as detailed under the Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021.

Following completion of statutory consultation, the Council brings a report to the Economy & Infrastructure Committee for final approval prior to submission to Scottish Ministers.

Signed: Mr B Lobban Ms P Hadley Mrs M Cockburn Mr John Bruce

During discussion, Members raised the following issues:-

- it had to be highlighted that the situation in relation to locally affordable housing in the Badenoch & Strathspey area had reached crisis point and the building of more houses was only part of the issue;
- the proposal to designate a short term let control area covering the whole of Badenoch & Strathspey would not result in a 'blanket ban' but would allow the Planning system to consider whether the change of use from a permanent dwelling to a short term let was appropriate in a particular area;
- there had to be a balance which not only promoted tourism in the area but also allowed local people to live and work in their own communities and to service the local businesses which brought tourism to the area in the first place;
- it was the case that there were regular complaints about noise and bad behaviour from short term lets and these proposals would allow local people to feed into the planning system and to be a part of the decision-making process for something which was having a massive impact on their community;

- the lack of housing available for key workers/staff was now a real issue for local businesses and, along with the continual increase in the cost of housing, made it vital that action was taken now;
- it was very regrettable that recently built affordable housing was already being used for short term lets;
- it was imperative that any changes made were strong enough not just for local businesses and communities but also future generations;
- there was a responsibility to put in place new arrangements to support current residents but also to support those who wished to come and live and work in the area;
- it was a fact that many small businesses were not currently operating at full capacity due to workers not being able to be accommodated in the area;
- there was increasing concern about the number of notices of eviction being issued so that properties could be converted into short-term lets;
- there was a real danger that local organisations and Community Councils would be lost if local people were not able to stay in their own communities and this would be detrimental for all concerned;
- although this proposal was focused on Badenoch & Strathspey, it was likely that the same issues would impact on other areas of the Highlands and in fact this was already happening in some cases;
- the future sustainability and growth of local communities was crucial and tribute was paid to the work of Local Housing Associations in this respect;
- this was a well-balanced and specifically targeted proposal which had the potential to benefit all sectors if taken forward;
- it should be highlighted that there were already a number of issues in Inverness in relation to the conversion of properties within residential areas to short let accommodation, including the impact of noise/disturbance on neighbouring properties, inconsiderate parking of vehicles and the environmental consequences of no proper adherence to refuse collection requirements; and
- it was hoped that any future fees to be charged would be cost neutral or at the very least would meet the cost of Officer time in relation to their implementation.

Decision

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

Declarations of Interest – Mr J McGillivray and Mr A Henderson declared financial interests in Item 10(ii) as members of the Local Government Pension Scheme and confirmed that they would not be taking part in this item.

(ii) Council:

- recognising the continuing, serious and accelerating changes to the world caused by climate change, reaffirms its declaration of a climate and ecological emergency and renews its commitment to achieving a carbon neutral Highlands by 2025;

- recognising that we live in one world, where local actions have global consequences and vice versa, affirms its commitment to sustainable development and environmental protection and acknowledges its role in upholding human rights and international law;

- notes that the Highland Council Pensions Committee must have regard to the Council's fiduciary duty as administering authority for the pension fund, recognises that this duty is consistent with selecting investments according to ethical, environmental, social and governance criteria as well as financial return and is concerned that the pension fund currently retains large holdings, worth in excess of £160 million, in companies, including fossil fuel and armaments companies, that fail to meet the environmental, social and governance standards expected of a responsible Local Authority pension fund;

- welcomes the arrangement in September of the workshops to develop and publish the Responsible Investing Policy Statement proposed in the Statement of Investment Principles adopted by the Pension Committee on 18 March 2021 and, as part of its consideration, encourages the Pensions Committee to have regard to the principles set out in the Highland Charter for Responsible Investment and urges the Pensions Committee to consider making a formal commitment prior to COP26 to divestment from fossil fuels, armaments and other environmentally and socially harmful products and activities as soon as possible.

Signed: Ms P Hadley Ms M Smith

During discussion, Members raised the following issues:-

- the terms of this Motion represented part of a co-ordinated attempt to position Scotland as a market leader for responsible and ethical investment (and not a market follower);
- specifically, the Motion asked that the principles around this issue be closely considered and that the Council unite in a voice that reinforced the direction in which it was already travelling as this issue had been discussed for some time;
- the Council's legal and moral obligation to achieve net zero emissions had to be emphasised, including the need to desist from using fossil fuels to heat buildings and power fleet;
- there was a need for strong leadership and a necessity that Member decisions aligned with climate commitments, including in areas where there were significant investments;
- overall, the Motion was asking Members to make a declaration of intent in line with previous declarations and a declaration of support to the direction of travel which had already been taken;
- the time was right for the Council to look closely at what it was doing and change direction in some areas of investment if necessary;
- it had been stated that at least £40m of the Council's current investments were in the top list of negative fossil fuel users and this now had to be reviewed in order to lead by example;
- it was also suggested that there should be a review of any investments in armaments;
- it was absolutely right for the Council to re-affirm its commitment to a net zero target but it also had to be acknowledged that Pension Fund management was a huge responsibility. In that regard, decisions could have long term repercussions and impacts which might not be known until future years so there was a need to act decisively but also carefully;
- on the basis that the Pensions Committee and Investment Sub Committee had already set out proposals to deliver on a net zero target, and whilst agreeing with the principles behind the Motion which had been submitted, it was felt that there was a need to put forward an amendment in the following terms (which would actually achieve more than what was being asked for

within the terms of Motion) - to recognise the continuing, serious and accelerating changes caused by climate change and to continue to work towards a carbon neutral Highlands by 2025, acknowledge that the pandemic had reversed progress in some areas, e.g. in increased use of single-use plastics and discouragement of shared transport, recognise that, as a major investor in many hundreds of listed companies, the Highland Council Pension Fund had the responsibility and capacity to be an active shareholder, challenging the management teams of those companies invested in to act in ethical and responsible manner in all their dealings, not least in how they responded to climate change. Also, to note that successful climate action might lead the Fund to invest in businesses that were fostering rapid change (some of whom might be significant carbon emitters initially), note that the Highland Council Pension Committee must have regard to the Council's fiduciary duty as administering authority for the Pension Fund and recognise that this duty was consistent with selecting investments according to ethical, environmental, social and governance criteria as well as financial return. Further, to welcome the arrangement in September of workshops to develop and publish the Responsible Investing Policy Statement proposed in the Statement of Investment Principles adopted by the Pension Committee on 18 March 2021, to recognise that the Pension Fund had started 2021 with a very low greenhouse gas intensity from its shareholdings, approximately half that of an average global investment portfolio, to note that the Fund had, in the course of 2021, now transitioned circa half of its actively managed shareholdings to be run on a Paris Accord-Aligned basis which had reduced the already low greenhouse gas intensity even further and to recognise that the Pension Fund's Paris Accord-Aligned portfolio would not rest at that already low level and would deliver an approximate 7% year-on-year reduction in greenhouse gas intensity from its investments in line with the target reductions set out by the IPCC in 2018 in order to achieve a rapid pathway to net zero and limit global warming to 1.5% by 2050;

- the primary function of the Pensions Committee was to carry out its fiduciary duties to protect the interests of members and it had to have as much flexibility as necessary in that regard;
- it had to be acknowledged that many of the companies involved with fossil fuels were also leaders in the development of renewables and continued to make a significant commitment to decarbonising;
- reference had been made to armaments as 'socially harmful products' but it had to be highlighted that firearms were very often required to save lives, including within the Highlands;
- there should be a recognition and inclusion of humanitarian duties alongside other considerations within this issue in order to fully address the ideals of corporate accountability;
- it had been stated during the discussion that the Motion was being brought forward on behalf of another campaigning group but it had to be highlighted that taking a political decision and enacting it in the independent Pension forum had been found previously to have been a clear breach of fiduciary duties and there could therefore be unintended consequences;
- the motivation behind the submission of the Motion was completely understood and the debate had been very useful and informative; and
- all Members of the Council were encouraged to attend future meetings of both the Pensions Committee and the Investment Sub Committee in order to gain more information on the issues which had been discussed during the debate.

Thereafter, and in view of the debate which had been undertaken, it was agreed that the terms of the amendment were acceptable to all and should be taken forward.

Decision

The Council **AGREED** as follows:-

- to recognise the continuing, serious and accelerating changes caused by climate change and to continue to work towards a carbon neutral Highlands by 2025;
- to acknowledge that the pandemic had reversed progress in some areas, for example, in increased use of single-use plastics and discouragement of shared transport;
- to recognise that as a major investor in many hundreds of listed companies, the Highland Council Pension Fund had the responsibility and capacity to be an active shareholder, challenging the management teams of those companies invested in to act in ethical and responsible manner in all their dealings, not least in how they responded to climate change;
- to note that successful climate action might lead the Fund to invest in businesses that were fostering rapid change, some of whom might be significant carbon emitters initially;
- to note that the Highland Council Pension Committee must have regard to the Council's fiduciary duty as administering authority for the Pension Fund and recognise that this duty was consistent with selecting investments according to ethical, environmental, social and governance criteria as well as financial return;
- to welcome the arrangement in September of workshops to develop and publish the Responsible Investing Policy Statement proposed in the Statement of Investment Principles adopted by the Pension Committee on 18 March 2021.
- to recognise that the Pension Fund had started 2021 with a very low greenhouse gas intensity from its shareholdings, approximately half that of an average global investment portfolio;
- to note that the Fund had, in the course of 2021, now transitioned circa half of its actively managed shareholdings to be run on a Paris Accord-Aligned basis which had reduced the already low greenhouse gas intensity even further; and
- to recognise that the Pension Fund's Paris Accord-Aligned portfolio would not rest at that already low level and would deliver an approximate 7% year-on-year reduction in greenhouse gas intensity from its investments in line with the target reductions set out in by the IPCC in 2018 in order to achieve a rapid pathway to net-zero and limit global warming to 1.5% by 2050.

(iii) Capital Spend - a key aspect of any capital project is the life cycle of that project, to enable the best value and return for the Council's spend. One of the major aspects to the life cycle of any project is good and well planned maintenance which enhances and preserves that asset, which in the long term is a spend to save for the Council. There must be a maintenance plan for every capital project which includes an estimate of the maintenance through the life cycle of that asset.

'Within the Council's new Capital Build Programme, this Council will commit and ensure that fully costed maintenance programmes for all new built projects are

budgeted for, to maintain and enhance the life cycle of the Council's assets, and duly planned and maintained as programmed.

Signed: Mr B Boyd Dr I Cockburn

During discussion, Members raised the following issues:-

- the intention behind the Motion was to improve the maintenance of Council assets and save time, money and effort in that regard;
- maintenance should be a key issue for all assets, not least in terms of keeping the value of the asset, and it was hoped that maintenance programmes and schedules could be put in place for all Council assets if this had not already been done;
- the issues which had been raised were extremely important and, following discussion, amendments were now proposed to strengthen the Motion so that it would read as follows – Capital Spend - a key aspect of any capital project is the life cycle of that project to enable the best value and return for the Council's spend. One of the major aspects to the life cycle of any project is good and well-planned maintenance which enhances and preserves that asset which in the long term is a spend to save for the Council. There must be a maintenance plan for every asset which includes an estimate of the maintenance through the life cycle of that asset. This Council will commit to working towards an appropriately costed maintenance programme for all assets to maintain and enhance their life cycle and that programme will be duly planned and maintained as programmed, the potential implications of that maintenance programme will be included in a report to a forthcoming Corporate Resources Committee meeting;
- it was imperative that decisions in relation to the Capital Programme were based on the best available evidence; and
- there had been previous concerns raised in relation to Listed Buildings (and specifically restrictions on what could be provided for the tenants who lived in such buildings) and as such the terms of the Motion were welcomed.

Decision

The Council **AGREED** as follows:-

Capital Spend - a key aspect of any capital project is the life cycle of that project to enable the best value and return for the Council's spend. One of the major aspects to the life cycle of any project is good and well-planned maintenance which enhances and preserves that asset which in the long term is a spend to save for the Council. There must be a maintenance plan for every asset which includes an estimate of the maintenance through the life cycle of that asset.

This Council will commit to working towards an appropriately costed maintenance programme for all assets to maintain and enhance their life cycle and that programme will be duly planned and maintained as programmed, the potential implications of that maintenance programme will be included in a report to a forthcoming Resources Committee meeting.

11. Future Highlands – Health and Prosperity Strategic Partnership Plan Plana Com-pàirteachas Ro-innleachdail Slàinte is Soirbheis

Declarations of Interest – Mr A Christie (as a Non-Executive Director of NHS Highland), Mr K Gowans (as an employee of Inverness College/UHI) and Mrs C Caddick (as a Board Member of the Cairngorms National Park Authority)

declared financial interests in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

Mr D Rixson (as the Council nominee on the Lochaber Housing Association, the Lochaber Environmental Group and the Isle of Rum Community Trust and as a Director of Highland Opportunity Investments Limited and the Secretary of the Mallaig Heritage Centre), Mr C MacLeod (as a Director of the Skye & Lochalsh Citizens Advice Bureau) and Mr A Jarvie and Mr B Thompson (as Directors of High Life Highland) declared non-financial interests and concluded that their interests did not preclude their involvement in the discussion.

There had been circulated Report No. HC/20/21 dated 30 August 2021 by the Chief Executive.

During discussion, Members raised the following issues:-

- the Cairngorms National Park Authority, the University of the Highlands and Islands (UHI) and other relevant partner organisations should be included in future reports, with examples provided of the importance of their roles in the fulfilment of the Health and Prosperity Strategic Partnership Plan and the need for a shared vision;
- the role of the UHI as the major tertiary education provider in the region was emphasised, with particular reference to the need to ensure that young people in the Highlands were adequately skilled for local industries and to provide clear pathways for them from an early stage;
- there was support for the work of the Cromarty First Port Authority as part of the Opportunity Cromarty Firth consortium and their plans to apply for Greenport/Freeport status which would have benefits for the whole of the Highlands. Reference was also made to the importance of developing the hydrogen agenda, particularly to improve research and reduce production costs, as part of tackling climate change and it was hoped that off-shore wind turbines might be used to produce green hydrogen in future;
- the housing shortage was one of the most critical issues facing the Highlands at present with an urgent need for housing for key workers and many local business employees, especially in remote and rural areas. The impact of the housing shortage on the recruitment and retention of workforce in many sectors was also highlighted and whilst there were examples of early collaborative work which was taking place with partners and major employers, this was needed at an increased pace. There was also a need to regulate rent levels and holiday home usage;
- the proposal which was being submitted to the Scottish Government for a Skye-based Scottish centre of excellence for remote, rural and island healthcare and digital innovation was a good fit with priorities 2 and 3 of the Strategic Partnership, 'Health - Care Innovation' and 'People – Living Healthy, Thriving and Inclusive Lives';
- de-population was a significant issue facing communities across Highland areas, including Caithness where initiatives were in place to try to address this issue, and there was also a need for a focus on the urgent need for better broadband connections and transport links which were vital;
- in terms of the large numbers of jobs which were likely to be available in renewables and the potential in the Highlands to develop this sector, it was important that input was sought from both the Scottish and UK Governments in this respect; and

- with reference to the Cairngorms National Park peatland review, this should also be considered by the Council as part of the vision for the Highlands.

Decision

Members:-

- (i) **APPROVED** the development of a Future Highlands Strategy, including further engagement with partners, and for the draft strategy to come to the full Council meeting in October 2021;
- (ii) **NOTED** that recommendations for investment were contained in the report on the Medium Term Financial Plan – Update; and
- (iii) **AGREED** that reference to the Cairngorms National Park Authority, the University of the Highland and Islands, and any other relevant partner organisations should be included in future reports.

12. Medium Term Financial Plan – Update Planadh Ionmhasail Meadhan-ùine

Declarations of Interest – Mr D Rixson (as the Council’s nominee on the Lochaber Housing Association, the Lochaber Environmental Group and the Isle of Rum Community Trust and also as a Director of Highland Opportunities Investments Limited and the Secretary of the Mallaig Heritage Centre), Mr J McGillivray (as a Director of the Dornoch Area Community Interest Company) and Mr A Jarvie and Mr B Thompson (as Directors of High Life Highland) declared non-financial interests in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

There had been circulated Report No. HC/21/21 dated 24 August 2021 by Executive Chief Officer Resources and Finance.

During discussion, Members raised the following issues:-

- there was a need to highlight the mid-term position on future savings and the uncertainties and assumptions incorporated in the report, which included pay awards, the outcomes of Brexit, the impact of the Covid recovery process and the lack of a multi-year funding settlement;
- it was noted that the link between capital, revenue and affordability would be the subject of a further report in October 2021;
- positive issues included the update on the play area situation, the proposed £2.8m for a Green Energy Hub feasibility study, the continuation of Visitor Management Plan interventions, the capital investment confirmation for five schools and plans to consider capacity issues for Inverness East.;
- there was support for the proposed £2.8m towards the development costs for a Green Energy Hub. In this respect, the importance of thorough research and sufficient staff resources was emphasised given the significant investment which a Hub would require (£85-£195m) and it would be vital for the process to be reported on regularly and with transparency;
- the five schools which had been confirmed as priorities for capital investment were welcomed but attention was also drawn to the many other schools across the Highlands which required investment, noting the extent of the Highland school estate in comparison to some Local Authorities and the harsh weather experienced across the area. Particular reference was made to the

need to expedite the statutory consultation for St Clements School and tribute was paid to the Officers who had worked on preparing the projects;

- further investment in roads was required, noting that £20m was required to maintain a steady state and this level of funding was only in place for the coming two years;
- the dilemma around loan charges was acknowledged, as was the ongoing budget gap of around £15m;
- the Scottish Government's commitment of £234k to Highland play parks was welcomed, although it was pointed out that, in March 2021, it had been estimated that the minimum play park refurbishment cost for Lochaber alone was £936k and £3.75m for the Highlands as a whole;
- on the basis that investment requirements for the coming ten years were due to be identified after the Capital Programme was approved in October, it was suggested that a medium term requirement analysis should be developed as early as possible and that all Members should be invited to contribute, with examples provided of some of the significant investment decisions facing the Council;
- the proposal to develop a £1m cash-backed Community Loans Fund was welcomed and in this respect attention was drawn to a car park development project which was experiencing a shortfall in funding and would benefit from the use of the Community Loans Fund, perhaps through delegation to Local Members and Officers who could facilitate the completion of the project;
- attention was also drawn to an innovative play park ranger project in the Cromarty Firth Ward which would benefit from match funding from the Council at the budget review in February 2022;
- it was suggested the Waste Strategy Working Group should give consideration to a 'recycling shed' project, where people could exchange and re-use waste material or items;
- it was hoped that the Park Primary School building would be demolished and rebuilt as soon as possible;
- the continued funding for the Visitor Management Plan was welcomed;
- there was support for the Energy from Waste plant which would save around £8m per year in landfill tax. In this respect, excess energy could be sold to other energy users;
- Members were urged to attend appropriate meetings for capital projects they wished to be involved with; and
- a play park strategy was required to facilitate the play park review.

Decision

Members:-

- (i) **NOTED** the medium term financial planning assumptions as described in Section 5 of the report;
- (ii) **AGREED** to provide funding from the Council's General Fund non-earmarked reserves for the investment requirements linked to the 'Future Highlands - Health and Prosperity Strategic Partnership Plan' as described in Section 7 of the report for the Green Energy Hub, Visitor Management and Community Loans Fund;
- (iii) **AGREED** the scope, budget, phasing and timescale for the five capital projects described in Section 9 and Appendix 5 of the report and agreed that these be incorporated into the Council's current Capital Programme;
- (iv) **AGREED** that the fire-damaged main building at the Park Primary site should be demolished;

- (v) **AGREED** the priority for a bid to the next phase of the Scottish Government's Learning Estate Investment Programme at Sections 9.9 and 9.10 and Appendix 5 of the report should be East Inverness; and
- (vi) **AGREED** that, while progress on the five priorities for Schools Capital Investment would be monitored through the Housing and Property Committee, updates would also be provided to the Education Committee for noting.

13. **Best Value Assurance Report (BVAR) Improvement Plan Progress Report** **Sgrùdadh Luaich as Fheàrr – Aithisg Adhartais**

Declarations of Interest – Mr A Jarvie and Mr B Thompson declared non-financial interests in this item as Directors of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

There had been circulated Report No. HC/22/21 dated 16 August 2021 by the Chief Executive.

During discussion, Members raised the following issues:-

- whilst it had been expected that there would be some slippage as a result of Covid-19, there were some key areas of concern where it had been thought that there would have been improvement by this point in the pandemic, including a reflective response on actions which had been taken and, specifically in terms of ensuring good governance, further financial training for Members. In this latter regard, it was suggested that such training should be scheduled in advance of March 2022 if possible so that it was undertaken before the new Council was elected in May of that year;
- thanks were conveyed to the Accounts Commission for the recommendations which had been received and also to the staff who had worked tirelessly throughout the pandemic;
- it was confirmed that Members could ask for additional training whenever and wherever required;
- in noting that the Community Planning Partnership approach to locality planning was under review and that proposals included streamlining and simplifying the approach across Highland for more effective delivery against outcomes by creating one clear set of priorities for each Community Partnership which were measurable and reportable for community and wider scrutiny, further information would be helpful in future as to how this could be achieved and made applicable to all when the Council did not lead on every Community Planning Partnership and/or every Locality Plan;
- in order to address the issues in relation to knowledge, expertise, awareness and training which had been raised, it was suggested that it would be extremely helpful if a Workshop for Members on the Financial Impact of the Council's Capital Programme could be arranged as soon as possible; and
- it was suggested that the feedback from the previous week's Community Planning Partnership Seminar should also be taken into account as a number of pertinent and very valid issues had been raised at that time.

Decision

The Council:-

- (i) **NOTED** the progress as detailed;

- (ii) **AGREED** the revisions to timelines required to complete the delivery of the improvement plan as detailed in Appendix 1; and
- (iii) **AGREED** to amend 3.2, Appendix 1 as detailed in Paragraph 5.4 of the report to remove the need for external learning to be through visits.

14. Annual Corporate Performance Report 2020/21 Aithisg Choileanaidh Bhliadhnaidh

Declarations of Interest –

Mr A Christie (as a Non-Executive Director of NHS Highland), Mr K Gowans (on the basis that a close family member was an employee of High Life Highland) and Mr A Jarvie (as an employee of Inclusion Scotland and on the basis that a close family member was a teacher) declared financial interests in this item but, having applied the test outlined in the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

Mr T Heggie, Mr A Jarvie and Mr B Thompson (as Directors of High Life Highland) declared non-financial interests and, having applied the test, confirmed that they would also take part in the discussion.

There had been circulated Report No. HC/23/21 dated 17 August 2021 by the Chief Executive.

During discussion, Members raised the following issues:-

- thanks were conveyed to all staff for the extraordinary work which had been undertaken in response to Covid-19, not least in terms of the speed in which they had mobilised into action. In this regard, it was confirmed that future reports on continuing progress across a range of issues would be submitted to the Recovery, Improvement and Transformation Board, Strategic Committees and the full Council;
- in respect of the information for educational attainment, it should be noted that there was a time lag with the statistics which had been presented but progress was now being made and this would be reported through the Education Committee;
- in acknowledging that continuous improvement was essential, it was felt that there was a need to highlight points of excellence contained within the report;
- in relation to the section entitled 'A Place To Thrive', thanks were conveyed to all teaching staff for what had been achieved during the pandemic and not least the risk assessments undertaken on buildings in order to ensure that all learning facilities were safe;
- there was concern about the level 5 attainment of children from deprived backgrounds whereby the national average was 47% as compared to 37% for Highland Council and it was hoped that improvements could be made to this figure;
- in relation to the overall total tariff scores in regard to looked after children, these were also below the national average (some significantly) and it was hoped that this could be improved upon, perhaps through a benchmarking exercise with other areas which were achieving better outcomes;
- also in regard to looked after children, there was a reduction in accommodation having to be located outwith the Highland area which was welcomed and it was queried as to whether there was a similar focus on foster care outwith the area;

- there was some concern about the quality and relativity of the education figures which had been presented. In this respect, it was highlighted that some of these figures (but not all) had been submitted to the Education Committee in the previous week but a complete set of figures had then subsequently been published in full in the local press as part of a larger and more comprehensive report on the whole of the North of Scotland. Specifically, it was suggested that there was now a need for further consideration of a radical change in how education was delivered in the Highlands in order to improve on the current attainment figures, including information on the number of teachers who had been trained on Additional Support Needs and the percentage of Pupil Support Assistants who had been moved from classrooms;
- further clarification was also sought on the proposed removal of indicators as detailed within Section 7 of the report;
- there was a need to put on record the thanks of local communities to the Council for the services which had been provided during the pandemic, including the delivery of food on a regular and ongoing basis which was greatly appreciated by all;
- there was disappointment at some of the inaccurate issues which had been raised during the discussion and Officers would be asked to provide accurate and updated information for all Members to highlight the widespread and positive progress which continued to be achieved within schools, including attainment levels. As such, there was once again a need to commend all staff within schools for what they had delivered over the past months and the outcomes which had been achieved in very difficult circumstances; and
- in relation to looked after children, it was essential to recognise the progress which had been made to date through collaborative working and, whilst acknowledging that improvements could always be made, extensive thanks were conveyed to the staff involved in this area of work.

Decision

Members:-

- (i) **NOTED** the progress being made with the delivery of the Corporate Plan for the period 1 April 2020 to 31 March 2021;
- (ii) **AGREED** the changes proposed to performance indicators and actions targets as outlined at Section 6 of the report;
- (iii) **NOTED** the Council's response and work towards recovery from the Covid-19 emergency during 2020/21;
- (iv) **AGREED** to await a further report on Statutory Performance Indicators and the Local Government Benchmarking Framework no later than March 2022; and
- (v) **NOTED** that it was not possible to carry out the Annual Performance and Attitudes Survey due to Covid-19 and that the Citizen's Panel was being refreshed with a Survey planned again in 2022.

15. National Care Service for Scotland Consultation Cùram Sòisealta – Aithisg Cho-chomhairleachaidh

There had been circulated Report No. HC/24/21 dated 20 August 2021 by the Executive Chief Officer Health & Social Care.

Declarations of Interest – Mr A Christie (as a Non-Executive Director of NHS Highland) and Mr A Jarvie (as an employee of Inclusion Scotland) both declared financial interests in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that

their interests did not preclude their involvement in the discussion.

During discussion, Members raised the following issues:-

- this was an extremely important issue for the Council and as Seminars would be arranged and reports submitted to future meetings, including to the next full Council meeting in October. In this respect, the agreement by the Scottish Government to an extension to the consultation period was welcomed;
- there was agreement with the term of a press release from CoSLA which, whilst welcoming large parts of the Independent Review of Adult Social Care, had also expressed concern about the scope of the consultation (which it was felt went well beyond the Feely Report), the centralising approach which it was being proposed to be taken in future in respect of decisions which were currently being made locally, the lack of evidence provided within the consultation and lack of prior communication with Local Authorities;
- it was felt that the inclusion of Children's Services was particularly concerning as these were the services which needed to be 'closer to the ground' and often dealt with most urgently and on a local basis;
- there had to be further detail on these proposals before any further action was taken, not least in terms of finance;
- it was imperative that close and detailed discussion was undertaken on the potential implications for the Highlands. Including what opportunities might be available in the future;
- it had to be recognised that the Council now had a much improved relationship with NHS Highland and as such it was essential that good practice was spread and articulated across the Highland area;
- in stressing that local services had to be decided on and delivered at a local level as much as possible, this placed an even greater onus on the Highland Council to produce an alternative to what was being proposed. In this regard, account had to be taken of the fact that the current system was different from other parts of the country and also that it was not considered to be working well in some respects at present;
- the main priority in the setting up of care arrangements had to be the delivery of care to those who needed it most and not based on the current status of the relationship with NHS Highland;
- the current arrangements for scrutiny and/or oversight by Members in respect of the delivery of care across the Highlands were not considered to be adequate at present;
- in welcoming the consultation process in relation to a potential change in the strategy for the delivery of health and social care, there was concern about the use of the term 'centralisation'. As such, it was suggested that this was instead an opportunity to share a new care system and all Members were encouraged to attend consultation meetings as and when possible;
- it was recognised that there was tension at present between 'post code lotteries' and having full control and a balance would have to be found. In this regard, it was essential that this focused on what could be delivered for the citizens of the Highlands;
- it had to be recognised that there were huge geographical challenges across the Highland area and it was essential that some areas of care were not centralised and decisions continued to be made locally;
- it was undoubtedly the case that there was now a huge backlog in the delivery of care as a result of Covid-19, including in children's services, and this would require careful consideration as 'one size would not fit all';
- it would be extremely important to ensure that the Third Sector representatives were included within the consultation process and future discussions;

- it was suggested that the relevant staff should also be included where necessary in the consultation process, perhaps through the Redesign Board, in order to ensure a focus on 'person centred' and integrated outcomes;
- it was acknowledged that the current system was 'broken' in some respects and that this had been the case for a long time. However, change was coming and, whilst it was not felt that a national system would work for remote and rural areas, it was vital that the consultation process was used to influence that change for the benefit of communities across the Highlands;
- in terms of the Care Home sector, and with specific reference to the lessons which had to be learned from what had happened during the pandemic, the Feely Report had submitted proposals with the aim of making this a more attractive place for staff to work in and it was not felt that this could have been done locally. In that respect, and with specific reference to the staff who worked in this sector, there had to be focus on desired outcomes, such as providing the best level of pay and conditions possible in the future;
- the importance of the transition period had to be highlighted as there would be challenges ahead within the consultation and as such the transition would be just as important as the destination;
- it would be essential to ensure that the right people were involved in this consultation and that their views were taken into account and this included unpaid carers, Third Sector reps, staff within Care Homes and the caring community generally. As such, it was felt that the thanks of all concerned should be conveyed to the caring community for what they had achieved in past months; and
- it was imperative that more detail was provided during the consultation as this would be vital to achieving the best outcomes for the Highland area, and not least remote and rural areas.

Decision

The Council:-

- (i) **NOTED** the proposals set out in the consultation and **AGREED** the approach set out within Section 5 of the report;
- (ii) **NOTED** the need to engage with staff, trade unions and Members and with key partners including NHS Highland and other third party stakeholders in terms of informing a response to this consultation;
- (iii) **AGREED** that the Chief Social Work Officer should provide a professional response to the questions highlighting possible impacts to service delivery and Council performance which would then be considered as part of the process set out in recommendation (i) above;
- (iv) **AGREED** the draft response should come to the Council at the next scheduled meeting on 28 October; and
- (v) **AGREED** that there be continuing engagement with CoSLA in terms of the impact the consultation might have on Local Authority functions going forward.

16. Timetable of Meetings – 2022 Clàr-ama Choinneamhan – 2022

There had been circulated the Timetable of Meetings for 2022 as follows -

January to April (inclusive) – **APPROVED**.

May to December (inclusive) – **APPROVED in PRINCIPLE** – on the basis that the new Council would determine the final dates of meetings for the remainder of the year after the May Election.

17. 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 24 June 2021 were available on the Council's Website.

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

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

19. Holiday Pay – Back Pay
Ais-Phàigheadh Shaor-làithean

There had been circulated to Members only Report No. HC/25/21 dated 24 August 2021 by Executive Chief Officer Resources and Finance.

Decision

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

The meeting ended at 3.45pm.

Highland Council

Minutes of Meeting of the **Nairnshire Committee** held remotely on Wednesday 15 September 2021 at 10.30 am.

Present:

Mr L Fraser
Mr T Heggie

Mrs L MacDonald
Mr P Saggars

In attendance:

Mrs K Lackie, Executive Chief Officer, Performance & Governance
Ms A Clark, Head of Service (Community Support and Engagement) Communities and Place
Mr D Haas, City Manager, Communities and Place
Mr B Cameron, Housing Policy & Investment Manager, Housing & Property Service
Mr D Wood, Principal Housing Officer, Housing & Property Service
Mr R Porteous, Roads Operations Manager, Economy and Infrastructure
Ms S Murdoch, Common Good Fund Officer, Performance & Governance
Mrs L Dunn, Principal Administrator, Performance & Governance

Also in attendance:

Area Inspector V Tough, Police Scotland (Item 3)

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

Mr T Heggie in the Chair

PRELIMINARIES

Prior to the commencement of the meeting, the Chair expressed his appreciation to the City Manager for the ward support that had been received. He also extended his best wishes for a good recovery to the Ward Manager.

BUSINESS

1. Apologies for Absence Leisgeulan

There were no apologies for absence.

2. Declarations of Interest Foillseachaidhean Com-pàirt

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

Item 6: Mr L Fraser (non-financial)

**3. Police Scotland Area Performance Report
Poileas Alba Geàrr-chunntas Dèanadais Sgìreil**

There had been circulated Report No NC/**14**/21 dated 31 August 2021 by the Area Inspector, Police Scotland.

During discussion, the following main points were raised:-

- Clarification was sought and provided that there had been experience of telephone scams in the area which predominately targeted the elderly/vulnerable and Police Scotland continued to work with local bank branches to prevent this fraudulent activity;
- It was confirmed that the vast majority of the public had been complying with the Covid restrictions and instances of large gatherings/parties had been rare. It was further confirmed that there was no additional information available in respect of Covid passports;
- Police Scotland indicated that they had not experienced much activity in respect of hare coursing but there had been instances of poaching. Therefore, extra anti-crime patrols were being undertaken and Police Scotland had also been working collaboratively with the Nairn River Salmon Board. Crossover of illegal activity e.g. poaching and farming theft was recognised;
- Appreciation was extended to Police Scotland for their support in the establishment of the Visitor Management Group and ensuring an enhanced and safe experience for visitors; and
- The need to promote and encourage home security, i.e. ensuring doors were locked, particularly amongst the elderly community, was emphasised.

Thereafter, the Committee **NOTED** the progress made against the objectives set within the Highland Local Policing Plan 2020-23, Year 1, attached as Annex A to the report, for the period covering 1 April 2020 to 31 March 2021.

**4. Nairn Common Good Fund: Proposal to Dispose of Sandown Lands for Development – Update and Additional Engagement Proposal
Maoin Math Coitcheann Inbhir Narann: Moladh Faighinn Cuidhteas Fearann Sandown Airson Leasachadh – Fios às ùr agus co-chomhairle a bharrachd**

There had been circulated Joint Report No NC/**15**/21 by the Executive Chief Officer Communities and Place and Executive Chief Officer Resources and Finance.

During discussion, the following main points were raised:-

- In terms of the response rate, Nairn tended to have a steady feed of responses throughout the consultation period. Support was indicated for the proposals and it was suggested that there should be a lengthy consultation period to ensure as wide a representation as possible;
- It was felt that the draft questions should be more specific. In particular, it was felt that Question 2 was too open and should be more targeted to ascertaining the public's priorities i.e. obtaining maximum sale value or increasing the proportion of affordable housing or ensuring a good design

brief. It was also felt that the public should be alerted to the potential benefits from the sale of the common good land and the sale proceeds. Confirmation was provided that the purpose of the consultation was to seek community views on the disposal of the land, not on how it should be developed, but views could be gathered on realising community benefits. It was also noted that question 2 was general in order to mirror the original consultation questions and allow those who did not respond initially the same opportunity for comment;

- Further information was sought and provided on Common Good custodian duties in relation to selling and it was also clarified that a valuation of the land would be provided by the District Valuer. It was felt affordable housing should not be the main purpose for selling and that if land was not sold, it still remained as an asset of the Common Good Fund;
- There appeared to be a lot of misinformation in the community in respect of the proposals and there was a need for clarity to ensure that the community could make an informed response based on factual information. It was clarified that the allotments area was not included and a graphic was being developed to show the area of land potentially being disposed of and the potential uses as outlined in the Development Brief; and
- It was indicated that the short life reference group needed to be established as soon as possible and that the membership should be as inclusive as possible to ensure transparency. The Head of Service (Community Support and Engagement) proposed that she liaise with the Chair of the Nairnshire Community Partnership on the group being established at the next meeting on 23 September 2021.

Thereafter, the Committee:-

- i. **AGREED** the terms of the additional consultation period as contained in the draft document at Appendix 1 to the report;
- ii. **NOTED** the reflections on the consultation to date and the proposals for widening the engagement within the additional consultation period;
- iii. **NOTED** that a short life reference group would be established to support the further period of consultation and **AGREED** the Head of Service (Community Support and Engagement) liaise with the Chair of the Nairnshire Community Partnership on the group being established at the next meeting on 23 September 2021; and
- iv. **AGREED** to allow to the end of December 2021 for the additional consultation period with the outcome and recommendations being considered at the first meeting of the Nairnshire Committee in 2022.

5. Place Based Investment Fund – Proposals for Investment Tasgadh Stèidhichte air Àite - Molaidhean airson Tasgadh

There had been circulated Report No NC/16/21 dated 31 August 2021 by the Executive Chief Officer Communities and Place.

During discussion, the funding support towards both the play area provision and the Nairn Access Panel was welcomed. A request was made for the Council's amenity officers to work closely with Nairn Play to deliver on their project as well as promoting the natural environment. It was reported that a feasibility study on the beach access would be shared with Members once available. The Chair reported that he had had an onsite meeting with the two recently appointed

Community Support Co-ordinators on their role in enabling these projects to be brought to fruition. In addition, along with the help of the Tenant Participation Officer, a group of people had been identified to be involved in achieving the place based investment outcomes. The Council was thanked for their support in delivering these projects which would enhance the local area.

Thereafter, the Committee:-

- i. **AGREED** the proposed allocation of Place Based Investment Funds as follows:
 - a. Direct funding award to Green Hive to support the development of the Seaman's Hall Community Hub Project - £25,000;
 - b. Towards play area provision - £10,000;
- ii. **AGREED** the proposed sums to be ringfenced for the following areas of work:
 - a. Towards the development of accessibility projects within the ward led by the Nairn Access Panel - £10,000;
 - b. Towards projects to improve health and wellbeing outcomes, to be led by the Community Partnership - £5,000; and
- iii. **NOTED** that work was underway to explore allocating the remaining funding to the development of motorhome infrastructure and to support the development of Town Centre projects and that proposals would be brought for consideration to a future meeting of the Committee.

**6. Housing Performance Report – 1 April 2021 to 30 June 2021
Aithisg Coileanaidh Taigheadais – 1 Giblean 2021 gu 30 Ògmhios 2021**

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 NC/17/21 dated 30 August 2021 by the Executive Chief Officer Housing and Property.

During discussion, the following main points were raised:-

- Officers were commended for their hard work and compassion, particularly in respect of reducing rent arrears which was a significant achievement in the current climate;
- Further information was sought and provided in respect of the reason for tenants opting out of receiving capital heating improvement works. It was further clarified that once the property had been vacated, dialogue was held with the incoming tenant with a view to the improvement works being undertaken;
- It was confirmed that the Council would be responsible for ensuring that houses were compliant with the new fire alarm regulations and a programme of works was ongoing in regard to this;
- In regard to project CSH19039, it was confirmed that this also included air source heat pumps. Arising from a complaint in the Piperhill area, further information was sought and provided on the level of consultation

with tenants on heating systems and whether any analysis was undertaken to determine if there had been a reduction in heating costs following the improvement works. The Housing Policy & Investment Manager proposed that Members be updated on the outcome of the heating system review of the premises in Piperhill by the independent energy advisors;

- It was too early to confirm whether a balanced budget would be achieved at the year-end but final outturns would be reported to a future meeting of the Committee; and
- The Nairn Capital programme was not currently, and did not anticipate in the future, being affected by any supply chain difficulties.

Thereafter, the Committee:-

- i. **NOTED** the information provided on housing performance for the period 1 April 2021 to 30 June 2021; and
- ii. **AGREED** that Members be updated on the outcome of the heating system review of the premises in Piperhill by the independent energy advisors.

7. **Winter Maintenance Plan 2021/22** **Obair-glèidhidh Geamhraidh 2021/22**

There had been circulated Report No NC/18/21 dated 2 September 2021 by the Executive Chief Officer Infrastructure, Environment and Economy.

During discussion, the following main points were raised:-

- Confirmation was provided that there would be a reduction in services if the revenue budget was not increased in line with inflation, noting that the Council would be expected to meet its obligations to deliver a service which met with the standards expected within the Winter Maintenance Policy;
- Concern was expressed at the impact on the safety of school buses in outlying areas if gritting was not completed on all routes before buses started their journeys. It was clarified that if required, e.g. for significant snowfall, local contractors would be used, but assurance was provided that the Council would deliver the Winter Maintenance Policy as agreed; and
- It had been raised by the East Nairnshire Community Council that they had to continuously request to get Glenferness village gritted and further explanation was sought and provided on this. In addition, they had also been experiencing difficulty in ascertaining salt grit bins and it was confirmed that this would be further investigated.

Thereafter, the Committee:-

- i. **APPROVED** the Winter Maintenance Plan for Nairnshire in reference to the Briefing Note (Appendix A); and
- ii. **AGREED** to investigate and report back on the provision of salt grit bins for the East Nairnshire Community Council area.

**8. Nairn Common Good Fund – Quarter 1 2021/22 Monitoring Report
Maoin Math Coitcheann Inbhir Narann – Aithisg Sgrùdaidh Cairteil 1
2021/22**

There had been circulated Joint Report No NC/19/21 dated 25 August 2021 by the Executive Chief Officer Communities and Place and Executive Chief Officer Resources and Finance.

During discussion, it was highlighted that it had been brought to attention that the access to shelters located at Cumming Street, the swimming pool and the harbour required to be checked as it was alleged that they were potentially dangerous. Concern was expressed that an injury claim could be lodged against the Nairn Common Good Fund and it was requested that the ground conditions be repaired. The City Manager proposed that a safety audit be undertaken, which would assess the ground conditions and if any remedial works were required, and report back on the outcome of this with any works required urgently taking place as soon as practicable.

The Committee:-

- i. **NOTED** the position of the Nairn Common Good Fund as shown in the Quarter 1 Revenue Monitoring Statement against Budget for 2021/22;
- ii. **AGREED** to homologate spend within Quarter 1 undertaken in respect of:-
 - a. Urgent necessary repairs and interventions due to health and safety concerns and/or to prevent further degradation to Nairn Common Good Fund property;
 - b. Granting a waiver of the usual fee for the use of the Nairn Links by the Funfair for the period 9 – 21 August 2021 only; and
- iii. **AGREED** to defer commissioning further non-essential refurbishment work to the Harbour Street Toilet Block, pending an additional assessment on the viability and justification of reinstating the building as a public convenience. With a report to be taken to the first scheduled meeting of the Committee in 2022.
- iv. **AGREED** that a safety audit be undertaken of the access entrances to the shelters located at Cumming Street, the swimming pool and the harbour and the outcome reported to Members with any works required urgently taking place as soon as practicable.

**9. Minutes
Geàrr-chunntas**

There had been circulated Minutes of Meeting of the Nairnshire Committee held on 23 June 2021 which would be approved by the Council on 9 September 2021, the terms of which were **NOTED**.

The meeting was concluded at 12.22 pm.

The Highland Council

Minutes of Meeting of the **Gaelic Committee** held **Remotely** on Thursday 16 September 2021 at 10.30 am.

Present:

Mr G Adam	Mr D MacKay
Mr R Bremner	Mr G MacKenzie
Mrs I Campbell	Mr C Munro
Miss J Campbell	Mr D Rixson
Mr A Henderson	

In attendance:

Ms K Lackie, Executive Chief Officer – Performance and Governance
 Ms J MacDonald, Senior Gaelic Translation Officer
 Ms M A MacLeod Mitchell, Gaelic Development Officer
 Miss J MacLennan, Principal Administrator

Also in attendance:-

Mr J Graham, Chief Executive Officer, An Comunn Gàidhealach
 Ms F Hampton, Director of Inverness Castle, High Life Highland

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 C Munro in the Chair – Items 1-5

Mr A Henderson in the Chair – Item 6-8

Preliminaries

The Chair conveyed the following items of good news:-

- a new Gaelic Medium School was opening in Mabou, Nova Scotia. Highland Council had long standing links with Nova Scotia and he looked forward to working with the school in the years ahead;
- in the co-fharpais ChLAS (S1-S3 National Gaelic Writing Competition) 5 prizes had come to Highland . Andrew Cumming and Anna Varwell had won prizes in the Fluent Category and in the Learners' Category prizes were won by William MacNeil, Matthew Bird and Anna Duncan;
- Innes MacNeil, Portree High School and pupils from Inverness Royal Academy had taken part in a project with the National Library of Scotland researching the history of mountaineering, a project which was now being exhibited; and
- at the end of the last school session, Cròileagan Inbhir Pheofharain saw two longstanding members of staff retire. Manager Annie Macdonald had been at the helm of the Gaelic medium partner setting in Dingwall for 33 years, joined shortly after by Margaret Mackenzie as Senior Early Years Practitioner (EYP). The Chair explained the history of the Cròileagan and that it was often a child and their family's first experience of Gaelic. A new manager had now taken up post, supported by the team of Gaelic speaking EYPs.

Business

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mr J Gordon, Mr A MacInnes Mrs M Paterson, Ms E Roddick and Mr A Sinclair.

2. Declarations of Interest

Item 3 – Mr G Adam, Ms I Campbell and Miss J Campbell (non-financial)

Mr R Bremner also declared non-financial interests in any item which might relate to his connection with the following organisations: Caithness & Sutherland Provincial Mòd, Caithness Branch of An Comunn Gàidhealach, Melvich Gaelic Choir, Atomaig Piseag (Gaelic Choir) and the Local Organising Committee – Mòd Ghallaibh 2010.

3. Royal National Mòd 2021

Declarations of Interest: Mr G Adam, Ms I Campbell and Miss J Campbell declared non-financial interests as Council appointed Board Directors of Eden Court Theatre, the main venue for the Mòd, but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude them from taking part in the discussion.

There had been circulated Report No. G/12/21 dated 8 September 2021 by the Executive Chief Officer Performance and Governance. In addition, Mr Graham, Chief Executive Officer, An Comunn Gàidhealach gave a short presentation outlining the plans and preparation underway for this year's Mòd which was to be held in Inverness. The official launch had taken place on 2 September 2021 and had been well received. Tickets for in-person events were now being sold at Eden Court but there would also be an online element available. The programme of events was now printed and could also be accessed digitally. Due to ongoing Covid restrictions the usual mass choir procession would not take place but, as an alternative, would meet collectively in the Northern Meeting Park. In conclusion, he expressed his thanks for the support of Highland Council, both financially and from the advice and support provided.

During discussion, Members made the following points:-

- information was sought, and provided, on how the monetarisation of income would be measured. It was important that this data was available for scrutiny in the future to demonstrate to the Highland Council that the Mòd offered a good return on its investment, both financially and culturally;
- previous in-person attendance at a National Mòd had been in the region of 9,000-10,000 people over a 9-day period. However, as this level of attendance would not be achieved, and neither the financial economic injection to the area or the same length of time that the Mòd would be taking place, it was questioned what comparisons with previous years could be made. It was recognised that direct comparisons with previous years would be difficult;
- details were requested, and provided, on what percentage of the programme that would normally be delivered would be presented and what percentage of competitors numbers were being realised;

- in response to a question, it was explained that there would be fewer choirs this year as many choirs had not had the opportunity to practise, due to Covid restrictions;
- confirmation was provided that the literature competition would take place but this would be a pre-recorded event available online;
- in relation to the Council's funding for both 2020 and 2021, it was hoped that it would not be used to supplement the loss of membership, competition entry or local committee income. It was questioned, if there was a reduced programme and a reduced economic benefit, if all the funding was all required;
- it was queried why An Comunn Gàidhealach were not selling tickets and they would only be available through the Eden Court Box Office. As tickets for the live streamed events could be ordered online, it was questioned why An Comunn hadn't adapted to an online ticketing service. In response, it was explained that, given Covid restrictions and the need to tie in with Eden Court's biking system, it had been more practical to hand this element over to the Theatre;
- it was confirmed that An Comunn Gàidhealach were working closely with the Highland Council to ensure that the opportunity to promote Inverness and the Highlands and the contribution made by Highland Council was taken, especially with online events; and
- staging the Mòd in the current climate was challenging and appreciation was expressed for the hard work of officers in Highland Council and An Comunn Gàidhealach.

The Committee **NOTED**:-

- i. the current programme;
- ii. that contingency arrangements were in place to adjust between virtual and in-person events;
- iii. that any underspend in the planned budget arising from a reduction in the in-person content of the event would be set against the budget feed of £80,000 approved by Corporate Resources Committee, resulting in a reduced cost to the Council; and
- iv. the arrangements to ensure proper governance and scrutiny of the Council's financial contribution to the event.

4. Progress against Gaelic Language Plan 3

There had been circulated Report No. G/13/21 dated 3 September 2021 by the Executive Chief Officer Performance and Governance.

Amongst it's many aims, the Gaelic Language Plan 3 sought to raise the profile and use of Gaelic with external partners/relevant stakeholders and to contribute to and support Community Partnership Development Plans. There was a locality plan in place in Caol, Lochaber where there was already a Gaelic Medium Primary school and links with it were encouraged. Furthermore, the links with the Nova Scotia Government was welcomed, given the huge local value which could be devised from such transatlantic connections.

The Committee **NOTED**:-

- i. the progress made in both monitoring and implementing GLP3 on a quarterly basis utilising the (PRMS) support delivery of GLP3; and
- ii. the progress and challenges regarding the implementation of some enabling actions in the Plan. Challenges were largely due to the pandemic, which had impacted some projected project implementation and completion dates, however, the Gaelic Team had and continued to endeavour to adapt to an on-line or a blended approach to deliver the enabling actions.

5. Bilingual Signs Policy

There had circulated Report No. G/14/21 dated 18 August 2021 by the Executive Chief Officer Performance and Governance.

During discussion, Members made the following points:-

- appreciation was expressed for the translation of the Money Matters leaflet;
- in the event where Gaelic and English place names were the same it was suggested that only the Gaelic version be used;
- the increase in costs of producing Gaelic publications was acknowledged;
- it was questioned how much of this policy was ringfenced;
- proof reading of signage was of paramount importance;
- the origins of place names came from many sources so it was important to have a degree of flexibility; and
- in addition to the larger companies, it was hoped small housing developers could be made aware of the help that was available.

The Committee:-

- i. **NOTED** the work that had been undertaken in relation to the bilingual policy refresh; and
- ii. **AGREED** the proposed changes.

6. Statutory Consultation - Gaelic Medium Catchment Proposals for Glenurquhart Primary School

There had been circulated Report No. G/15/21 dated 6 September 2021 by the Executive Chief Officer Performance and Governance.

Members welcomed the consultation and explored the issue of catchment areas. Catchments areas differed and relied on a number of factors but every effort was made to minimise pupils' travel time. However, it was hoped a flexible approach on the limit that distance might impose was adopted.

The Committee **AGREED** to support the proposal **NOTED** that the Education Committee would be advised of Members' views prior to taking its decision.

7. Gaelic and Gàidhlig Medium Education Update

There had been circulated Report No. G/16/21 dated 6 September 2021 by the Executive Chief Officer Performance and Governance.

During discussion, Members made the following points:-

- the Gaelic Language (Scotland) Act 2005 had looked to increase the number of Gaelic speakers and Highland Council was the biggest performer. However, it was vital that the Council's Gaelic Language Plan needed to be robust enough to demonstrate that it could grow more speakers and this primarily took place in the education sector;
- whilst information in the report was graphed it was suggested that other forms be considered to demonstrate the number of learners, fluent speakers etc and how the Council was progressing over a period of time;
- the subject material for schools being delivered through Gaelic was another key indicator;
- it was important that the Gaelic and Education Committees worked together to deliver Gaelic Medium Education;
- the Census in 2022 would strongly influence Scottish Government funding and this reinforced the need to highlight how many fluent Gaelic speakers were now in Highland; and
- information was sought on the number of pupils who continued with Gaelic Medium Education and those who reverted to English Medium due to a lack of provision. This would identify where resources needed to be channelled.

The Committee:-

- NOTED** the contents of the paper and recognised the significant improvement trends in attainment and presentation numbers for Gàidhlig and Gaelic in S4, S5 and S6;
- AGREED** to congratulate the young people, their families and the school staff for such significant improvement in Gàidhlig SQA attainment in the Highlands in August 2021; and
- AGREED** that a report would be brought back to the Gaelic Committee highlighting best practice in strategies being deployed to further improve work in our secondary schools.

8. Inverness Castle Project

There had been circulated Report No. G/17/21 dated 6 September 2021 by the Executive Chief Officer Performance and Governance. The Director of Inverness Castle, High Life Highland, was also in attendance and gave a presentation as to how Gaelic Language and Culture was to be incorporated into the project to enhance the visitor experience.

During discussion, Members made the following points:-

- the transformation of the castle would result in an iconic Scottish landmark, luring visitors from all over to Inverness;
- the development was revealing many hidden features of the building;
- it was hoped that the Castle Project would benefit all of Highland, not just Inverness;
- it would be important to connect the Project to the Education sector to highlight, outside the classroom, that there were other opportunities to use Gaelic;
- it would be important that pupils from the rural areas were also afforded the opportunity of visiting Inverness Castle; and

- the concept of the Gaelic garden was commended and gave the opportunity to develop the history of Gaelic healing and medicines.

The Committee **NOTED** the report.

The meeting concluded at 12.30 pm

**The Highland Council
Pensions Committee and Pension Board**

Minutes of Meeting of the **Pensions Committee and Pension Board** held Remotely on **Wednesday 22 September 2021 at 10.30am.**

Present:

Pensions Committee

Mr R Gale
Mr A Jarvie
Mr B Lobban
Mr D Louden
Mr C Munro
Mr P Saggars
Mr B Thompson

Pension Board

Mrs C Caddick, The Highland Council
Mr R Fea, Representative for other Employers
Mr E Macniven, GMB

Non-Members in Attendance

Mr A Henderson

Officials in attendance:

Mr E Foster, Head of Corporate Finance and Commercialism, Resources & Finance Service
Mr S Fraser, Joint Secretary (Scheme Manager's Joint Secretary)
Mr C MacCallum, Payroll & Pensions Manager, Resources & Finance Service
Mrs M Grigor, Finance Manager (Corporate Budgeting, Treasury and Taxation), Resources & Finance Service
Ms C Stachan, Accountant, Resources & Finance Service
Ms D Sutherland, Corporate Audit Manager, Performance & Governance Service
Mr J Campbell, Senior Auditor, Performance & Governance Service
Mrs L Dunn, Principal Administrator, Performance & Governance Service
Mr A MacInnes, Administrative Assistant, Performance & Governance Service

Also in attendance:-

Mr J Boyd, Audit Director, Grant Thornton
Mr K Ettles, AON Hewitt, Investment Principal and Actuary

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

Mr R Gale in the Chair

BUSINESS

**1. Apologies for Absence
Leisgeulan**

Apologies for absence were intimated on behalf of Mr R Bremner, Mrs H Carmichael and Mr C Fraser of the Pensions Committee and Mrs M Paterson, Mr C Nicolson, Comhairle nan Eilean Siar of the Pension Board and Mr J Gibson, Joint Secretary (Trade Unions' Side).

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

There were no declarations of interest.

**3. Governance Policy Statement 2021/22
Poileasaidh Riaghlaidh 2021/22**

There was circulated Report No. PC/10/21 by the Head of Corporate Finance & Commercialism which provided a copy of the Highland Council Pension Fund Governance Policy Statement to Committee for approval. The Statement set out the governance policy statement that applied to the Highland Council Pension Fund.

Following consideration, the Committee **APPROVED** the Highland Council Pension Fund Governance Policy Statement.

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

There was circulated Report No. PC/11/21 by the Head of Corporate Finance and Commercialism which provided an update on matters relating to the administration of The Highland Council Pension Fund.

In particular, it was advised that to be eligible for the new Shared Cost Additional Voluntary Contribution Scheme (salary sacrifice scheme), the participants earnings could not go below the minimum wage. Also, one of the main benefits was to earn tax relief, so if an individual was not earning enough to gain tax relief then this scheme would not be appropriate for them. Otherwise the scheme was open to all members of the Highland Council.

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

**5. Application for Admitted Body Status
Iarrtas airson Inbhe Buidhne Inntrigte**

There was circulated Report No. PC/12/21 by the Head of Corporate Finance and Commercialism which invited Members to approve an application for Admitted Body Status by West Highland College subject to the appropriate financial safeguards.

It was noted that some other colleges that were part of the University of The Highlands and Islands were already admitted bodies to the Fund and it was queried if any others would request to join. It was advised that historically further education came under the local authority remit but this changed in the late 90's with the Further and Higher Education Act and colleges had more autonomy. Colleges that were formed prior to the Act had an automatic right to remain in the local government pension fund. Any colleges formed after the Act would have to apply to join the Fund. It was advised that there were no further applications from Colleges for admitted body status at present.

Regarding representation from admitted bodies on the Pensions Committee, it was advised that in terms of the legislation there was no entitlement to a place on the Committee. The Highland Council was the responsible authority for administering the pension fund. There were representatives for the other Employers on the Pension Board and the Investment Sub Committee.

Thereafter, the Committee **APPROVED** an application for Admitted Body Status by West Highland College to the Highland Council Pension Fund, subject to appropriate financial safeguards being agreed by Fund Officers.

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

There was circulated Report No. PC/13/21 by the Head of Corporate Finance and Commercialism which provided information relating to retirements from The Highland Council Pension Fund for the year ended 31 March 2021.

The Committee **NOTED** the details of the retirements as outlined in the appendices to the report.

**7. Training Policy and Training Plan 2021/22
Poileasaidh Trèanaidh agus Plana Trèanaidh 2021/22**

There was circulated Report No. PC/14/21 by the Head of Corporate Finance & Commercialism which set out the training policy for the Pension Fund, applying to both officers responsible for supporting the Fund, and members of the Pension Board, Pensions Committee and Investment Sub Committee.

In terms of personal development records, it was confirmed that Members were requested to advise officers of any pensions training they had undertaken and this was reported in the Pension Fund Annual Accounts.

It was highlighted that the Responsible Investment workshop held recently had been excellent and members of the Committee/Board were encouraged to attend such workshops to enhance their understanding of responsible investing.

The Committee:-

- i. **NOTED** the assessment and training resources provided by The Pensions Regulator and the requirement for newly appointed Board and Committee members to complete induction training;
- ii. **NOTED** the adoption of the CIPFA Local Pensions Boards Technical Knowledge and Skills framework, including the self-assessment matrix and the guide for local pension boards issued by CIPFA;
- iii. **NOTED** the training delivered to date on pension fund matters;
- iv. **AGREED** the training policy and programme for 2020/21 set out within the report; and
- v. **NOTED** that details of individual attendance at Pensions Committee, Investment Committee and training would be reported in the Pension Fund Annual Report and Annual Accounts 2021/22.

**8. Risk Management Update
Fios às Ùr mu Rianachd Chunnairt**

There was circulated Report No. PC/15/21 by the Head of Corporate Finance and Commercialism which provided an update on the Fund's risk register and compliance with the Pension Fund Regulator requirements on internal controls.

The Committee, having been advised that there were no significant changes to the risk register, **NOTED** the updated risk register extract and compliance with the Pension Fund Regulator requirements.

**9. Internal Audit
In-Sgrùdadh**

**9a Highland Council Pension Fund Internal Audit Annual Report 2020/21
Aithisg In-Sgrùdaidh**

There was circulated Report No. PC/16/21 by the Corporate Audit Manager which included an assessment of the Pension Fund's framework of governance, risk management and control, and the associated opinion which provided information for the Fund's Annual Governance Statement.

It was highlighted that this was a very positive report and the Committee **NOTED** the content of the report and the audit opinion provided.

**9b Highland Council Pension Fund Internal Audit – Audit of Investments
Plana In-Sgrùdaidh Bliadhnail Maoin Peinnsein Chomhairle na Gàidhealtachd
2021/22**

There was circulated Report No. PC/17/21 by the Corporate Audit Manager which provided details of the audit review of Pension Fund investments.

It was noted that the contract for Investment Advisor and Custodian had not been tendered for in recent years and it was confirmed that these two services would be reviewed and put to tender with a target date of 31 December 2022. In particular, there were a number of changes to the investment strategy of the Fund and it was prudent not to change the Advisor until these changes had been completed. While these services were operational matters and did not require member involvement in the procurement process, on reflection given the importance of the Investment Advisor to the Fund an undertaking was given to consider if the Investment Sub Committee should have a role in this specific procurement.

In terms of the frequency of Pensions Committee/Board meetings (2 per year), it was generally accepted that this was adequate for the amount of business required to be considered and there was also the ability to arrange a special meeting if required. Further, the Investment Sub committee did meet quarterly, but their minutes were not published until the next meeting of the Pensions Committee/Board meaning a long delay which was not helpful in terms of transparency of decision making on investments. It would be checked if Investment Sub Committee minutes could be submitted to full Council should there be no intervening Pensions Committee/Board.

The Committee **NOTED**:-

- i. the terms of the report;
- ii. it would be checked if Investment Sub Committee minutes could be submitted to full Council for approval if there was no intervening Pensions Committee/Board; and
- iii. Officers would consider whether the procurement of the Pension Fund's Investment Advisor should have Investment Sub Committee involvement.

**10 External Annual Audit
Sgrùdadh Bliadhnail on Taobh A-muigh**

**10a. External Annual Audit Report to Members of the Pensions Committee and the Controller of Audit
Aithisg In-sgrùdaidh Bhliadhnail on Taobh A-muigh do Bhuill de Chomataidh nam Peinnsean agus Rianadair an Sgrùdaidh**

There was circulated Report No. PC/18/21 by the External Auditor, Grant Thornton on the audit of the Pension Fund for the financial year ended 31 March 2021. There was an unmodified audit opinion on the annual report and accounts.

It was highlighted that the report confirmed that the pension fund was well managed and thereafter, the Committee **NOTED** the terms of the report.

**10b. Letter of Representation 2020/21
Litir Riochdachaidh 2020/21**

There was circulated Report No. PC/19/21 a copy of the annual audit letter of representation 2020/21.

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

**10c. Audited Accounts 2020/21
Cunntasan Sgrùdaichte 2020/21**

The Audited Statement of Accounts Report No. PC/20/21 for the financial year 2020/21 had been available for viewing at the following weblink:-

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

It was highlighted that in 2020/21 there had been a positive return in investments of £526m and the net assets of the Pension Fund were now £2.394bn. Pension benefits payable were £74.5m up from £65.1m in the year 2019/20, but the 2020/21 figure was inflated due to a transfer out by Visit Scotland amounting to circa £11.8m. However, benefits that were being paid out were increasing.

Continuing, the number of retirements in 2020/21 was significantly down compared to the previous year and this would be monitored, for example, to see whether this was Covid-19 related.

Pension fund investment performance over 1, 3 and 5 years was above benchmark which was very positive for the Fund. The Actuarial Valuation completed in March 2020 assessed the Fund as 100% funded which was excellent news.

It was highlighted that the audited accounts gave a very positive report on the Highland Council Pension Fund and the work of the Finance team and Investment Fund Managers to make this possible was congratulated.

The Committee **APPROVED** the audited accounts 2020/21.

11 **Amendments to the Statement of Investment Principles** **Atharrachaidhean do dh'Aithris nam Prionnsapalan Tasgaidh**

There was circulated Report No. PC/21/21 seeking approval of amendments to the asset allocation element of the Fund's Statement of Investment Principles which had been supported by the Investment Sub Committee.

The amendment to be made was that the UK equities allocation was removed and replaced with an equivalent increase in the asset allocation to global equities. It was highlighted that the global Investment Manager would have the flexibility to invest in UK companies if it was felt they were likely to generate better returns.

It was highlighted that the Investment Sub Committee also intended to consider the split of the equity allocation between passive and active management with any recommendation for change being brought to the March 2022 Pensions Committee.

A view was expressed that in relation to the increase in allocation to property there may be risks in property investments at present as was apparent from the latest news on the financial problems of the Chinese property company Evergrande. As for the increased investment in private credit, this was a market that could see increased volatility. It was advised that these matters had been discussed at the Investment Sub Committee and the Sub Committee was supportive of the recommendation. In particular, private credit lending, was short term lending at high yields to mid-sized businesses. This added diversification to the portfolio while maintaining high returns.

Thereafter, the Committee **APPROVED** the following amendment to Appendix 2 (Asset Allocation) of the Statement of Investment Principles:-

- the UK equities allocation (set at 8.4% at the March Pensions Committee) is removed and replaced with an equivalent increase in the asset allocation to global equities as shown in the table at 4.2 of the report.

12 **Investment Sub Committee: Minutes of Meeting** **Fo-chomataidh Tasgaidh: Geàrr-chunntas na Coinneimh**

The Minutes of meeting of the Investment Sub-Committee held on 12 March and 11 June 2021 were circulated and **NOTED**.

Arising from the minutes of 12 March 2021, the Equity Strategy implementation was highlighted and some of the changes being made were of significant public interest. Also, options for alternative management arrangements of the Inverness Common Good and Associated Funds were to be discussed and this would be relevant to all Elected Members as trustees of these Funds. As mentioned previously in the meeting (Item 9b), it was to be checked if Investment Sub Committee minutes could be published sooner, by submitting them to full Council for approval, which would improve transparency and timeliness of information being made public.

The meeting ended at 11.40 a.m.

The Highland Council

Minutes of Meeting of the **Audit and Scrutiny Committee** held REMOTELY on Thursday, 23 September 2021 at 10.30am.

Present:

Mr G Adam	Mr G MacKenzie
Mr R Balfour	Mrs A MacLean
Mr R Bremner	Mr D Macpherson
Dr I Cockburn	Mr P Saggars
Mrs M Davidson	Mr B Thompson

Non-Member also present:

Mr A Henderson	Mr D MacKay
Mr D Louden	Mr C Munro

Officials in Attendance:

Ms D Manson, Chief Executive
 Ms L Denovan, Executive Chief Officer, Resources & Finance
 Ms K Lackie, Executive Chief Officer, Performance & Governance
 Ms C Campbell, Head of Service (Community Operations and Logistics), Communities and Place
 Mr E Foster, Head of Finance and Commercialism, Resources and Finance
 Mr S Fraser, Head of Corporate Governance, Performance & Governance Service
 Ms S McKandie, Head of Revenues and Customer Services
 Ms E Johnston, Corporate Audit & Performance Manager, Performance & Governance Service
 Miss D Sutherland, Corporate Audit Manager, Performance & Governance Service
 Ms W Allman, Children's Services Manager, Care and Learning Service
 Mr S Carr, Corporate Performance Manager, Performance & Governance Service
 Mr M Watters, Freedom of Information and Data Protection Manager, Performance & Governance Service
 Mrs M Grigor, Finance Manager (Corporate Budgeting, Treasury & Taxation), Resources & Finance
 Mr D MacKenzie, Trading Standards Manager, Performance & Governance
 Mr J Campbell, Senior Auditor, Performance & Governance Service
 Mr P Hankinson, Senior Auditor, Performance & Governance Service
 Miss J MacLennan, Principal Administrator, Performance & Governance
 Mr A MacInnes, Administrative Assistant, Performance & Governance

Also in attendance:

Ms J Brown, Audit Partner, Grant Thornton
 Mr J Boyd, Audit Director, Grant Thornton

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

Mr G MacKenzie in the Chair

1. Apologies for Absence

Leisgeulan

Apologies for absence were intimated on behalf of Mrs J Barclay, Mr B Boyd, Mr S Mackie and 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 24 June 2021 had not been exercised in relation to the business of the Committee.

4. External Audit Report Aithisgean Sgrùdaidh bhon Taobh A-muigh

There had been circulated Report No. AS/16/21 by the Council's External Auditors (Grant Thornton) on the Annual Report 2020/21 to Elected Members and the Controller of Audit – Wider Scope.

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

During discussion, Members considered the following issues:-

- the Chair welcomed the Council's positive report;
- an explanation was sought, and provided, as to what was meant by "Contribution to reserves - Affordable housing contribution 2nd incomes exceeding budget";
- the challenges Highland Council had faced over the last 18 months of the Covid pandemic could not be underestimated and the contribution made by both officers and Members to keep the Council operating and protecting Highland communities was to be commended. It had been an unprecedented time. Looking forward there were huge opportunities to bring agencies closer together; and
- information as to Highland Council's benchmarking performance compared to other Local Authorities during the Covid pandemic would be welcomed.

The Committee **NOTED**:-

- i. the terms of the report; and
- ii. Audit Scotland publications on the impact of Covid-19 on the public sector and local government financial and performance reports were due for publication in the new year and would be submitted to a future Committee.

5. Internal Audit Reviews and Progress Report Ath-sgrùdaidhean In-sgrùdaidh agus Aithisg Adhartais

There had been circulated Report No. AS/17/21 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.

Prior to turning to the Audit Reports, the Corporate Audit Manager drew Members' attention to the link in the report to the Gantt Chart which, as agreed at a previous meeting of the Committee, would measure progress against the 2021/22 Audit Plan. This was the first time information had been presented in this format and any feedback from Members as to further developments for the presentation of information would be welcomed. She was also pleased to report that the Trainee Auditor's post had now been advertised.

The final reports were then presented as follows:-

- (i) Communities & Place – Fleet Management Arrangements (Substantial Assurance) – no issues raised at the meeting.
- (ii) Resources & Finance – Purchase to Pay (Reasonable Assurance)

During discussion, Members raised the following issues:-

- there was a high proportion of payments made without purchase orders and the nature of these was queried. Furthermore, it was questioned if this level was comparable to other Local Authorities, information which officers undertook to determine and report back to Councillor Thompson;
 - concern was expressed at the 24,500 transactions with no invoice narrative and the number which were not paid on time. In relation to the latter, the Highland Council recognised the need to pay invoices in good time, especially during the last 18 months which had been a worrying time for many businesses;
 - the lack of clear responsibility for cost centres and failure to monitor expected payments as part of Service Level Agreements had also led to a delay in paying invoices and a review of budget holders against cost centres was to be undertaken by the end of November. However, it was questioned how this would be monitored, especially when staff were working from home, and if this was an issue in some Services as opposed to others. In some instances, the failure might be as a result of a change of personnel and accordingly it was important staff training took place to ensure robust processes were followed;
 - the Financial Regulations needed to be clearer as to when Purchase Orders were and were not required; and
 - the progress made with revision of budgets was welcomed and, in so doing, when comparing actual expenditure with budgets, it was important budgets were up to date and reflected what the Council was trying to achieve. The training provided to staff to look for variances and how these might be addressed was also commended.
- (iii) Resources & Finance – Financial Management and Reporting (Substantial Assurance) – Members welcomed the considerable progress that had been made and the improved standard of reporting to Service Committees. However, the importance of continuous training was highlighted.
 - (iv) Resources & Finance – Council Tax & Non Domestic Rates discounts and exemptions (Full Assurance) – congratulations were expressed to the teams

involved with Council Tax and Non Domestic Rates discounts and exemptions. These types of issues directly affected people's lives and the work involved by staff in the previous 18 months could not be underestimated.

- (v) Resources & Finance/ Health and Social Care/Education and Learning Investigation into missing petty cash at a Facility (Limited Assurance)

During discussion, Members raised the following issues:-

- training would be provided to both the Service and Business Support staff involved;
- ideally to avoid reoccurrences of such instances all cash payments would be eliminated, especially as the Council moved forward to a hybrid way of working. Alternative means would be considered as part of the wider audit of petty cash systems; and
- following on from the above, in response to a question, it was confirmed that the guidance accompanying grants provided to the Council from the Scottish Government for dispersal during the Covid 19 pandemic had encouraged money to be transferred by BACS or card payments.

The Committee **NOTED** the current work of the Internal Audit Section outlined at section 5 of the report and progress against the 2021/22 audit plan.

(At this juncture the Chair referred to the survey of Audit & Scrutiny Members and which had, to date, attracted a low response rate. These surveys had proved valuable in improving the effectiveness of the Committee and he urged Members to complete it, with the results to be reported at the November 2021 meeting).

6. Review of Corporate Risks Ath-Sgrùdaidh air Cunnartan Corporra

There had been circulated Report No. AS/18/21 by the Corporate Audit and Performance Manager.

During discussion, Members raised the following points:-

- the Chair drew Members' attention to the "red" action in relation to the Internal Audit of Procurements. Whilst this audit was now underway, assurance was sought, and provided, that the Internal Audit team would have the input needed to ensure the report came to the Audit and Scrutiny Committee scheduled for 25 November 2021;
- the Scottish Government's Feeley Review of Adult Social Care had been identified as a risk. However, it was pointed out that services would continue to be provided but in fact the risk was to the Council's mainstream budgets. It was hoped funding of a National Care Service would not be centralised but the Council needed to be prepared for that happening and it was important this was kept under review;
- workforce planning was important in terms of Brexit and the possible implications of the Feeley Report. The demographics of the Highland would also have to be taken into account as the Council looked ahead to the next 5-10 years;

- it was queried what audit was done of the method of staff appointments in terms of whether due procedure and process was being followed to ensure a fair and equal process was being afforded to all candidates;
- the risk owner for Climate Change was the Executive Chief Officer Performance and Governance (and not Economy and Infrastructure as detailed in the report) but this was an issue which needed to filter through every Service. It was a Council wide responsibility; and
- there had been problems with food distribution to schools in England and assurance was sought, and provided, that there were contingency arrangements in place should this become an issue in Scotland.

The Committee **NOTED**:-

- i. the Corporate Risk Register provided at Appendix 1 and the risk profile at Appendix 2 of the report;
- ii. that the risk to the Council from the potential formation of a National Care Service for Scotland would be kept under review and updated in the next report; and
- iii. information on how staff appointments were measured in terms of following proper procedure and process to make sure a fair process to all candidates would be provided to Councillor R Bremner.

7. Annual Report of Scottish Public Service Ombudsman (SPSO) Cases determined in 2020/21

Aithisg Bhliadhna de Chùisean Ombudsman Seirbheis Phoblach na h-Alba air an dearbhadh ann an 2020/21

There had been circulated Report No. AS/19/21 by the Executive Chief Officer Performance & Governance.

During discussion, Members raised the following points:-

- given the significant percentage increase, more information was sought as to the nature of complaints relating to the Council's planning function and whether they related to the process or the decisions. While further information would be shared with Councillor B Thompson on this point, it was highlighted that Highland Council attracted more planning applications than other Local Authorities.
- the low number of complaints around Welfare Fund - Crisis Grants highlighted the excellent work of the Council's Welfare team, especially in the last 18 months;
- in response to a question it was confirmed that, the number of complaints upheld by the SPSO, Highland Council's ranking was similar to other local authorities; and
- where complaints to the SPSO were not upheld, this still provided an opportunity for self-reflection as to what the Council might be able to do better.

The Committee **NOTED**:-

- i. the low numbers of complaints regarding the Council considered by the SPSO;
- ii. the outcomes of the upheld and partially upheld cases; and
- iii. that the SPSO's recommendations have now been carried out.

8. Regulation of Investigatory Powers (Scotland) Act (RIPSA) Achd Riaghladh Chumhachdan Sgrùdaidh (Alba) (RIPSA)

There had been circulated Report No. AS/20/21 by the Head of Corporate Governance.

The Committee **NOTED** the Council continued to be a modest user of the powers and that a further report would be forthcoming to the February 2022 meeting.

9. Review of Financial Regulations Ath-sgrùdadh air Riaghailtean Ionmhasail

There had been circulated Report No. AS/21/21 by the Corporate Audit and Performance Manager.

During discussion, Members raised the following points:-

- It was highlighted that there was continuous review of the Financial Regulations and the instruction notes. In response to a comment on purchase orders raised by Councillor Saggars earlier in the meeting, an undertaking was given to review section 18.2 of the Financial Regulations in respect of the requirement and procedures for the use of purchase orders.
- in relation to the authorisation of financial transactions, information was sought, and provided, on the training provided to officers and how that training was audited to monitor its effectiveness;
- referring to historical gifts and bequests left to schools and Common Good Funds confirmation was requested that these were still being managed. It was also suggested that a mechanism be put in place to allow the public to leave such gifts and donations and for the general public to be more aware of their existence;
- when Capital Monitoring Reports came before Members often the budgeted figure had been reprofiled. So that Members could exercise greater scrutiny additional information detailing the original budget also needed to be provided;
- in response to a query it was confirmed that the Council maintained a Register of all its plant and materials and where they were stored; and
- often Council owned land and property lay unused and, to avoid any damage and/or deterioration, it was suggested they were demolished. It was important that a detailed Property Register was in place. However, given the large extent of such assets, this was a sizeable undertaking but officers confirmed where concerns were raised checks were made to determine ownership.

The Committee **NOTED**:-

- * i. the revised Financial Regulations and **AGREED TO RECOMMEND** their adoption to Council;
- ii. that there would be a review of section 18.2 – Authorisation and Access Control in respect of the requirement and procedures for the use of purchase orders;
- iii. that best practice, relevant legislation and improvement actions from internal audits would continue to be monitored with any significant amendments to the Regulations requiring Members attention submitted to Committee for approval;
- iv. there would be a review of education funds received by way of donations, to ensure there was full awareness of them and that they were being appropriately distributed; and

- v an undertaking was given to provide financial monitoring information on capital projects so that the original budget of the project as well as the reprofiled budget position was provided.

The meeting ended at 12 noon.

The Highland Council

Minutes of Meeting of the **Tourism Committee** held remotely on **Wednesday 29 September 2021** at **10.30am**.

Present:

Mr G Adam	Mr A MacInnes
Mr R Bremner	Mr W Mackay (substitute)
Mr J Bruce	Mr D Macpherson
Dr I Cockburn	Mr H Morrison
Mr J Gordon	Mr D Rixson
Mr A Henderson	

Non-Members also Present:

Mr A Christie	Mr D Mackay
Mrs I Campbell	Mrs T Robertson
Mrs H Carmichael	Mr P Saggars
Mr J Finlayson	

Officials in Attendance:

Ms K Lackie, Executive Chief Officer, Performance & Governance
 Ms C Campbell Head of Performance and Resources, Performance and Resources
 Ms N Wallace, Environment Manager, Planning and Environment
 Mr C Simpson, Principal Officer – Europe, Tourism & Film, Development and Resources
 Ms L Joiner, Tourism Project Co-ordinator, Development and Resources
 Mr T Francis, Senior Countryside Ranger, Planning and Environment
 Mr P Waite, Countryside Team Leader, Planning and Environment
 Mr S Manning, Principal Traffic Officer, Roads and Transport
 Mrs L Dunn, Principal Administrator, Performance and Governance
 Mrs O Bayon Committee Officer, Performance and Governance

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 Gordon Adam in the Chair

1. Apologies for Absence Leisgeulan

There were apologies for absence on behalf of Mr C Fraser, Mr S Mackie, Mrs M Paterson and Ms M Smith.

2. Declarations of Interest Foillseachaidhean Com-pàirt

The following Members declared interests relating to all items on the agenda but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion:

Financial interests:

Mr Gordon Adam - part owner of two self-catering units

Mr John Gordon – Air BnB provider

Mr Hugh Morrison – Hotel owner

Non-financial interests:

Mr Gordon Adam – Director of a glamping business

Mr John Gordon – Council Representative of Skye Connect

Mr Denis Rixson - Council's representative on the Isle of Rum Community Trust and as the Secretary of the Mallaig Heritage Centre

Item 5 – Mr R Bremner and Mr D Rixson (non-financial)

3. **The Highland Council Access Rangers – Working with Communities and Visitors**

Luchd-Raoin Inntigidh Chomhairle na Gàidhealtachd – Ag Obair le Coimhearsnachdan agus Luchd-tadhail

A presentation was provided by Philip Waite, Outdoor Access Manager and Tim Francis, Senior Access Ranger - North Highland, on the first season of operation of the seasonal Highland-wide Access Ranger team including the role, main issues and the statistics of the Access Ranges visitor site monitoring.

During discussion, the following main points were raised:

- Members thanked the team for the presentation, and extended commendations were given to the Rangers for their hard work;
- in response to a query regarding informing the public on waste disposal and recycling, it was confirmed that Rangers regularly engaged with the public and distributed two leaflet types on motorhomes & caravans and responsible camping. In this regard the need of additional signage was recognised;
- consideration into ways of increasing waste disposal capacity should be given;
- Members enquired if evidence was available regarding tourists venturing off the North Coast (NC) 500, as such into the Caithness, Sutherland and Ross-shire surrounding countryside;
- the Ranger data demonstrated the level of tourist demand in Sutherland and it was suggested that the areas within the report should be renamed North & West Sutherland to capture Durness, and separately include a section for North Sutherland;
- consideration should be given to methods of roadside recycling for motorhomes and caravan users;
- the importance of ensuring that NC500 organisers attend and participate in the upcoming workshop was highlighted;
- it was necessary to increase social media posts, adding that posts should include positive pictures and statistics which would help promote the excellent work the Rangers were undertaking;
- there was a need to engage with local landowners regarding business opportunities to use private land for tourism ventures, such as additional parking facilities;
- clarification was provided that the Council had committed £300,000 which was sufficient budget for 10 Ranger posts. It was also confirmed that NatureScot/Scottish Government had contributed funding for a further seven Ranger posts. They were expected to confirm whether there would be a financial contribution for next year shortly. Members also recognised it was especially important not to reduce Ranger posts for next year;

- information was sought regarding if Rangers had to involve the Police when enforcing compliance issues and regulations;
- with the implementation of additional waste disposal measures, it was hoped that there would be fewer reports of Rangers having to clean up discarded waste next season;
- in terms of motorhomes it was suggested to introduce a levy which would contribute to the cost of infrastructure and enforcement. In this regard, it was suggested that there be further discussion on this at the workshop; and
- it was confirmed that Rangers were not able to enforce traffic regulation orders, however they could issue warning notices.

Thereafter, the Committee **NOTED** the presentation.

4. Visitor Management Plan Plana Stiùiridh Luchd-tadhail

There had been circulated Report No TC/08/21 dated 10 September 2021 by the Executive Chief Officer Infrastructure, Environment & Economy.

During discussion, the following main points were raised:

- provision was being made in the 2022/23 budget for 10 Rangers but Members expressed the need for at least the current level (17 Rangers) to be maintained but ideally for this to be increased;
- reference was made to the 40% increase in car parking revenue at Chanonry Point which was accredited to the presence of Rangers. The increased revenue for the Council to help to cost neutralize the existence of having parking wardens was welcomed;
- information was sought and provided regarding implementation of the voluntary car park charges. It was indicated that a report would be submitted to the next meeting of the Economy and Infrastructure Committee on Parking Charges. The importance of continued community engagement and incentivising local communities in the car parking charge process which would allow them to receive an income stream to support local infrastructure was emphasised. However, there was a need for projected income streams to be realistic and it was suggested that this and how car parking charges would be implemented should be further discussed at the workshop;
- The data contained within the report was commended and it indicated public concern regarding littering and outside toileting. This could be addressed through additional resource and the provision of additional bins and bin collections in west Lochaber was a positive example of this. The importance of resource investment to enhance visitor experience, support locals areas and improve the economy of the Highlands was emphasised;
- it was queried whether the Comfort Scheme provided sufficient provision or could it be further extended and the need for a fair rate to be paid to providers was highlighted. Support for reopening public conveniences rather than allowing them to be disposed of was also indicated. An adequate inspection regime for public toilets to meet required standards was highlighted;
- it was suggested that the forthcoming workshop should include representatives from external agencies such as Forestry and Land Scotland, Police Scotland and the National Trust for Scotland. It was also suggested that the workshop should explore enforcement and collaborative working opportunities for Dog Wardens, Rangers and Traffic Wardens;

- due to the negative impact, Members recognised the need for additional focus by Rangers to address the issue of uncontrolled dogs in West Lochaber;
- Members endorsed the Ranger service to be extended to include the winter period, as this would allow further site improvements to be carried out before commencement of the following tourist season;
- it was confirmed that the Council would deploy its new variable message signs (VMS) in spring/summer 2022 or earlier if needed;
- a request was made for the data for the months of September and October 2021 to be made available for the workshop;
- it was queried whether the litter picks at beaches and road verges could continue over the winter period as part of the COVID recovery; and
- the need for further education of fire safety and discouraging the use of disposable barbeques was stressed. It was also suggested that there should be further engagement with large retail wholesalers and fast food companies to help prevent littering and reduce waste.

Thereafter the Committee:-

- NOTED** the information provided by each Service and the Access Rangers on progress to date on delivering the Visitor Management Plan actions as detailed in Appendices 1 and 2 to the report;
- NOTED** that there would be a need to re-allocate funding between activities as the detailed costs were being finalised, responding to the dynamic approach the Council had taken this year; and
- AGREED** that a Member / officer workshop be arranged in early autumn to consider feedback from the 2021 season and priorities for a revised Visitor Management Plan for 2022.

5. **Tourism Infrastructure Bun-structair Turasachd**

Mr D Rixson declared a non-financial interest in this item as a director of Highland Opportunity (Investments) Limited but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

Mr R Bremner declared a non-financial interest in this item as Chair of Thrumster Community Development Association but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

There had been circulated Report No TC/09/21 dated 13 September 2021 by the Executive Chief Officer Infrastructure, Environment & Economy.

During discussion, the following main points were raised:

- it was suggested that a scoring matrix for the RTIF funding applications be developed, and the Chair and Vice Chair receive oversight of the process before it was presented to VisitScotland;
- concern was expressed at the safety issues and lack of signposting at Whaligoe Steps car park and an update was sought and provided regarding how this would be addressed;

- there was concern that the Red, Amber Green (R.A.G) status that had been assigned was not an accurate assessment of progress, i.e. if an activity was not progressing then it should not be assigned a RAG status of green. Improved and more accurate reporting of progress could help to highlight resource, support or funding issues which needed to be resolved in order to drive the activity forward to completion;
- it was queried whether the additional grant support referenced at paragraphs 9.4 and 9.5 in the report would be financed from the proposed Economic Prosperity Fund; and
- it was clarified that previously established and recognised Airigh sites would be able to continue to operate next year but might require planning permission as would any new sites. It was indicated that further information was awaited from the Scottish Government on whether the moratorium on planning permission would be extended until next year.

Thereafter, the Committee:-

- i. **NOTED** the current position with the Highland Rural Tourism Infrastructure Fund supported projects;
- ii. **NOTED** the new tourism infrastructure projects that were the subject of funding bids to the 4th funding round that closed in September 2021;
- iii. **AGREED** the proposals for supporting the development of a network of Airigh and any related facilities that would provide a particular public benefit;
- iv. **NOTED** the work proposed to produce a Strategic Tourism Infrastructure Development Plan by January 2022.; and
- v. **AGREED** authority be delegated to the ECO Environment, Infrastructure and Economy, in consultation with the Chair and Vice Chair of the Committee, to develop a scoring matrix to prioritise the RTI funding applications.

The meeting ended at 1:05 pm.

The Highland Council

Minutes of Meeting of the **Housing and Property Committee** held Remotely on Thursday 30 September 2021 at 10.30am.

Present:

Mr B Allan	Mr A Jarvie
Mrs J Barclay	Mr D Louden (substitute)
Mr R Bremner	Mrs B McAllister
Miss J Campbell	Mr D Mackay
Mr M Finlayson	Mrs A MacLean
Mr L Fraser	Mr P Siggers
Mr A Graham	Mr B Thompson
Mr A Henderson (substitute)	Ms J Tilt

Non-Members also present:

Mrs H Carmichael	Mrs L Macdonald
Mr J Finlayson	

Officials in Attendance:

Mr M Rodgers, Executive Chief Officer Housing and Property
 Mr D Goldie, Head of Housing and Building Maintenance, Housing and Property
 Mr F MacDonald, Head of Property and Facilities Management, Housing and Property
 Mr B Cameron, Housing Policy and Investment Manager, Housing and Property
 Mr A Maguire, Head of Development and Regeneration, Housing and Property
 Mr R Campbell, Estates Strategy Manager, Housing and Property
 Mrs L Dunn, Principal Administrator, Performance and Governance
 Ms A Macrae, Committee Administrator, Performance and Governance
 Ms O Bayon, Committee Administrator, Performance and Governance

Also in attendance:

Ms L Shaw, Research Resource

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

Mr B Thompson in the Chair

BUSINESS

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

Apologies for absence were intimated on behalf of Mrs G Campbell-Sinclair, Mr C Fraser, Mrs F Robertson and Ms E Roddick

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

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

Item 7: Mr A Jarvie (non-financial)

Item 8: Mr A Jarvie and Mr B Thomson (non-financial)

Item 9: Mr A Jarvie and Mr B Thomson (non-financial)

Declarations of Interest: Mr R Bremner declared a non-financial interest relating to all items on the agenda as a Board Member of Albyn Housing Society Ltd but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude him from taking part in the discussion.

Declarations of Interest: Mr L Fraser declared a non-financial interest relating to all items on the agenda on the grounds he undertook work 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 him from taking part in the discussion on the basis this work was so remote and minor it would not impinge on his work on the Committee.

3. **Good News** **Naidheachdan Matha**

Members were advised that two members of staff had successfully gained new skills and qualifications. Ms K Maclean had completed a BSc in Construction and the Built Environment and Ms L Fraser had completed a distance learning BSc (Hons) in Quantity Surveying. Details were provided of the challenges and work put in to achieve the results and the benefits for the Service.

The Chair, on behalf of the Committee, congratulated both members of staff on achieving their qualifications.

The Committee **NOTED** the good news.

4. **Tenant Participation and Engagement Update** **Cunntas às Ùr mu Chom-pàirteachas is Ceangal Luchd-màil**

There had been circulated Report No HP/13/21 by the Executive Chief Officer Housing and Property.

Ms L Shaw, Research Resource, gave a presentation on the results of the Tenant Satisfaction Survey 2021.

In discussion, Members raised the following main points:-

- this was a positive report which highlighted the improvements in satisfaction levels from the previous tenant survey, despite the challenges presented by the pandemic, and all staff involved be congratulated on the results;

- how more face to face meetings with tenants could be facilitated going forward and how to improve tenant participation particularly in respect of younger tenants;
- the potential to direct more resources into areas which required attention such as anti-social behaviour or pockets of dissatisfaction in Highland;
- the need to continue to work with tenants to ensure their priorities were reflected in the Council's decisions on the priorities for spend balanced against Scottish Government's directions on housing standards, and to ensure there was transparency in respect of the decision making process;
- the opportunities to improve communication between contractors and tenants on the scheduling of works and ensure tenant feedback on the quality of works;
- the opportunities to build on the good work being undertaken with tenants in terms of providing a customer friendly approach in dealing with their complaints;
- the approach taken to communal works in mixed tenure estates, noting that local Members were provided with as much information as possible to make a decision as to whether it was good value for tenants and the community as a whole to progress works;
- confirmation was sought and provided that officers would have further discussions in relation to the dissatisfaction levels with kitchens and bathrooms;
- many of the complaints received related to the infrastructure within Council housing estates and the need to clarify responsibility for this matter within the Council. It was confirmed that discussions were to be held with Roads colleagues as to how most effectively maintain these assets within the constraints of the available capital spend;
- in response to tenant satisfaction levels with the quality of their home, the opportunities to be more proactive in improving the Council's older properties in terms of future capital investment; and
- confirmation was sought and provided that a Member survey had been circulated seeking feedback on proposed changes to the Highland Housing Register's allocation policy.

The Committee **NOTED** the:-

- i. continuous improvement in tenant participation in Highland and the recognition of this by the Scottish Housing Regulator; and
- ii. results of the latest comprehensive tenant survey detailed in Appendix 1 to the report.

**5. Annual Assurance Statement to the Scottish Housing Regulator
Aithris Bharantais Bhliadhnaid gu Riaghladair Taigheadais na h-Alba**

There had been circulated Report No HP/14/21 by the Executive Chief Officer Housing and Property.

In discussion, Members commended the Service on the high level of compliance with the annual gas servicing requirements specified in the Framework for 2020-21.

Thereafter, it was confirmed that Mrs B McAllister would be provided with the information produced by Environmental Health in terms of the oversight of the new legislation concerning the standards of fire and smoke alarms. Clarification would also be sought from the Scottish Fire and Rescue Service as to whether direct financial support was available for owner occupiers.

The Committee **APPROVED** the Annual Assurance Statement for 2021 detailed at Appendix 1 to the report.

6. Housing Revenue Account (HRA) and Non-HRA Budget Monitoring Statement to 30 June 2021
Aithris Sgrùdaidh Buidseat Cunntas Teachd-a-steach Taigheadais agus Neo-thaigheadais gu 30 an t-Og Mhios

There had been circulated Report No HP/15/21 by the Executive Chief Officer Housing and Property.

In discussion, Members raised the following main points:-

- confirmation was sought and provided that the repairs and maintenance budget as presented did not include the expenditure available from reserves as a result of the underspend from the previous year being rolled forward to the current year;
- an explanation was sought and provided in relation to the Capital from Current Revenue (CFCR) budget and confirmation that Members at a future meeting would be asked to consider the future strategy for CFCR;
- clarification was sought and provided that loan charges were increasing and this was a significant issue for HRA and was reflected in the variance on the 'other costs' budget;
- the maintenance of open spaces in the Council's housing estates had fallen behind in some areas and was a poor reflection on the Council, and whether budget for the day to day maintenance of open spaces available to the Amenities Service was sufficient;
- an amenities review was being progressed by the Redesign Board and this would include service level agreements and the impact of the pandemic on some open spaces. The Rate your Estate reports undertaken by the Housing Service would also be shared with the Amenities Service to review feedback and identify areas for improvement;
- the need for more planned cyclical painting of doors, windows, etc be carried out to Council houses with the target of works being undertaken every five years. It was confirmed that an update on this matter would be provided to a Ward 13 (Inverness West) Business Meeting and an analysis of planned maintenance undertaken and shared with Members. In the meantime any other specific issues could be picked up at a local level; and
- the potential to undertake more regular external maintenance in respect of homeless accommodation. It was requested that Members advise the Head of Housing and Building Maintenance of any specific concerns in this regard.

The Committee:-

- i. **NOTED** the final outturn figures for the Housing Revenue Account and non-Housing Revenue Account 2020/21;
- ii. **APPROVED** the budget position on the Housing Revenue Account and non-Housing Revenue Account 2021/22 for the period to June 2021;
- iii. **AGREED** that £2.8m of HRA balances be earmarked for additional expenditure on repairs and environmental works delayed due to Covid-19; and
- iv. **NOTED** that an update would be provided to a Ward 13 Business Meeting in relation to cyclical painting and an analysis of planned maintenance would be undertaken and shared with Members.

**7. Housing Revenue Account (HRA) Capital Monitoring Report to 30 June 2021
Aithisg Sgrùdaidh Cunntas Teachd-a-steach Taigheadais gu 30 an t-Og Mhios**

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

There had been circulated Report No HP/16/21 by the Executive Chief Officer Housing and Property.

As an update to the report, it was clarified that an updated Strategic Housing Investment Programme would be the subject of a report to the Committee later in the calendar year and that the slippage highlighted at paragraph 5.1 of the report related to the HRA mainstream programme rather than the total programme. Thereafter, an explanation was sought and provided in relation to the projected underspend on the HRA Capital Programme 2019/22.

The Committee:-

- i. **NOTED** the final outturn figures for the Housing Revenue Account Capital Programme 2020/21; and
- ii. **APPROVED** the budget position on the Housing Revenue Account Capital Programme 2021/22 for the period to 30 June 2021.

**8. Property & Facilities Management Services Revenue Monitoring Report to 30 June 2021
Aithisg Sgrùdaidh Teachd-a-steach Sheirbheisean Rianachd Cuid-seilbh & Ghoireasan gu 30 an t-Og Mhios**

Declarations of Interest: Mr A Jarvie and Mr B Thomson as Directors of High Life Highland declared a non-financial interest in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interest did not preclude them from taking part in the discussion.

There had been circulated Report No HP/17/21 by the Executive Chief Officer Housing and Property.

In discussion, Members raised the following main points:-

- the need for the Council as a whole to acknowledge the challenges and pressures in relation to the budget in the current year due to the ongoing impact of covid on construction materials and costs, contractor capacity and tender costs and that it would be a significant achievement if the forecasted year end position was realised; and
- an explanation was sought and provided on the impact of the roll out of the extended free school meals provision on the budget. It was confirmed that further information would be provided to Members at the next meeting on the costs involved, any additional external funding being provided to support the roll out, and in relation to capital works.

The Committee **NOTED**:-

- i. the revenue outturn position for the 2020/21 financial year;
- ii. that based on the best available information to date, a service budget gap of £1.345m to the end of 2021/22 was presently forecast;
- iii. that the budget gap might change positively or negatively depending on the application of expenditure and recruitment controls, adjusting services to meet previously agreed budget savings; in-year income recovery, identifying new income and procurement opportunities, drawing down any further Government grant support and any new Covid related recovery costs;
- iv. the progress update provided in relation to budget savings delivery; and
- v. that further adjustments would be made in future quarterly reporting to reflect the updated apportionment of costs across the new Service structure.

9. Capital Programme – Outturn for 2020/21 and Q1 2021/22 and Progress Update
Prògram Calpa – Fìor Shuidheachadh airson 2020/21 agus C1 2021/22 agus Cuntas às Ùr air Adhartas

Declarations of Interest: Mr A Jarvie and Mr B Thomson as Directors of High Life Highland declared a non-financial interest in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that their interest did not preclude them from taking part in the discussion.

There had been circulated Report No HP/18/21 by the Executive Chief Officer Housing and Property.

In discussion, Members raised the following main points:-

- the content of the report had and would continue to evolve from meeting to meeting taking into account Members comments on the information they wished included and thanks were expressed to officers for the improvements made to date;
- noting that budgets had been reprofiled and concern that details of the original budget be provided in reports to allow Members to monitor where over/underspends were occurring; and

- confirmation was sought and provided that it was proposed to report on variances on individual project budgets in future reports to the Committee baselined against the revised capital programme that was due to be reported to the full Council meeting in October 2021.

The Committee **NOTED** the:-

- capital outturn position for the 2020/21 financial year;
- financial position for the 2021/22 financial year as of 30 June 2021 and the estimated year end forecast; and
- progress made with the Education and Strategic Asset Management projects in the Council's capital programme.

10. **Housing Performance Report** **Aithisg Coileanaidh Taigheadais**

There had been circulated Report No HP/19/21 by the Executive Chief Officer Housing and Property.

In discussion, the following main points were raised:-

- the potential for the performance indicators targets to be reviewed, specific reference being made to reducing the current target for completion of emergency repairs;
- in relation to complaints and enquires performance, the potential for information in relation to complaints received by Councillors to be included in the report on the basis this would show trends and potentially result in fewer complaints to MSPs; and
- confirmation was sought and provided that officers would respond directly to Mrs A Maclean in relation to how savings on High Life Highland's energy costs would be achieved.

The Committee

- NOTED** the information provided on housing performance for the period 1 April 2021 to 30 June 2021; and
- AGREED**:- (a) that the target levels for the performance indicators be reviewed, and (b) to investigate the potential for performance information in relation to complaints received by Councillors to be included in the report.

The meeting was closed at 12.55pm.