

Agenda Item	4
Report No	ECI/1/20

## HIGHLAND COUNCIL

**Committee:** Economy and Infrastructure Committee

**Date:** 6 February 2020

**Report Title:** Role and Remit of the Economy and Infrastructure Committee

**Report By:** Executive Chief Officer Performance and Governance

### 1. Purpose/Executive Summary

- 1.1 In December 2019 the Council approved the establishment of a new strategic committee structure and associated changes to the Scheme of Delegation. This is the first meeting of the newly established Economy and Infrastructure Committee and the following report details the role and remit of the Ccommittee for Members' consideration.
- 1.2 Whilst this report sets out what each committee will consider as standard, the first meetings of the new committees will be slightly different and are primarily establishing meetings: considering and agreeing the membership, roles and remit of each Committee and its sub-committee structure. In addition, each committee will consider items that require member decisions that cannot wait until the next cycle of meetings including policy development and organisational development. The full remit of the committees, including scrutiny of budgets, service plans and performance will come forward once the new organisational structure has come fully into effect from April 2020.

### 2. Recommendation

- 2.1 Members are asked to consider the following report.

### 3. Implications

- 3.1 There are no resource, legal, community, climate, risk or Gaelic implications arising from this report apart from those specifically set out below.

## **4. Summary**

4.1 The following list summarises the areas that every Strategic Committee will consider as a matter of course at each committee cycle:

- Budget monitoring and scrutiny
- Service performance/quarterly reporting and statutory reporting requirements
- Review of external audits and inspections
- Policy Development and Service Planning
- Specific committee functions as set out in the Scheme of Delegation
- Responses to external consultations
- Responses to Legislative/Regulatory changes

## **5. Budget Monitoring and Scrutiny**

5.1 As was the case previously, one of the key roles of the Strategic Committees will be to monitor the budgets for the Council services that fall under their remit. In the case of this committee, this will comprise the Infrastructure and Environment Service revenue budget and the Economy and Transformation service revenue budget. The revenue budgets for the new Services are in the process of being established under the 8 Executive Chief Officers and will come into effect at the beginning of the 2020/21 financial year. Quarter 3 & 4 monitoring of the 2019/20 Service revenue budgets will be reported to the Resources Committee.

## **6. Scrutiny of Performance**

6.1 Another critical role of Strategic Committees is to scrutinise performance. Every Committee will have a number of common measures of performance that will come to each committee cycle. These are: staff absence; payment of invoices; complaints handling and Freedom of Information Requests (FOI). In addition, each Service will report their Service Plan performance which will include Statutory Performance Indicators (SPIs); national benchmarking data; Corporate Plan measures and service-specific performance measures relevant to their functional remits. The Service Plans for the Infrastructure and Environment Service and the Economy and Transformation Service will come to Committee for approval in May 2020.

6.2 The Committee will also have the opportunity to consider on an ad hoc basis all external audits and inspections relevant to its remit and to monitor progress against the implementation of any recommendations arising.

## **7. Specific committee functions as set out in the Scheme of Delegation**

7.1 The Scheme of Delegation was approved by the Council in December 2019. This set out the specific remit for the Economy and Infrastructure Committee across a number of headings as follows:

### **7.2 Specific:**

To carry out the functions of the Council as the statutory authority in relation to the following – Access, Building Standards, Coast Protection, Development Planning, Development Management, Environmental Protection, Flood Risk Management, Harbours, Trees and High Hedges, Planning Enforcement, Roads.

To make decisions relating to the functions of the Council in delivering services relating to the following Climate Change, Countryside Facilities, Economic Development and Regeneration, Energy, Europe, Ferries, Industrial Investment, Land Reform and Environment, Capital Design and Delivery, Oil Pollution, Parking Enforcement and Management, Recycling, Road Safety, Roads Network Management, Public and School Transport, Purchasing and Logistics, Town & Country Planning, Traffic Management, Transport Infrastructure, Housing Development and Winter Maintenance.

To set service standards and approve policy and overall priorities for the delivery of service functions to comply with the Council's legal, regulatory and financial responsibilities, approve the distribution of operational budgets to Local Committees, scrutinise expenditure against local budgets and agree corrective action to ensure a balanced Service budget

To monitor budgets, approve any variations (including those functions and budgets delegated to Local Committees) and consider changes to local service delivery arrangements proposed by Local Committees where these would have an impact on more than one Local Committee area.”

### 7.3 Infrastructure and Environment Service

#### Land Reform and Environment:

To oversee the Council's duties and responsibilities under the Countryside Act 1967, the Land Reform (Scotland) Act 2003 (in terms of access) and the Nature Conservation (Scotland) Act 2004, where such duties and responsibilities are not delegated to Officers (or where Officers have declined to exercise their delegated powers) or to the Planning Applications Committee.

#### Planning and Building Standards:

To oversee the functions of the Council as the Planning Authority under the Town and Country Planning (Scotland) Act 1997 (as amended) and as the Buildings Authority under the Building (Scotland) Act 2003 (as amended).

To oversee the preparation, monitoring and review (for the Council) of any Local Development Plans (and associated Action Programmes), Supplementary Guidance and other land use, policies and guidance that provide a Highland-wide policy context for place-specific plans, policies and guidance, in accordance with the terms of the Town and Country Planning (Scotland) Act 1997 (as amended).

To determine all applications referred to the Committee (with the exception of applications relating to 'major developments' (as designated by Regulations made under s26A(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) which are considered to be significantly contrary to the development plan [rather than to a Planning Applications Committee] where the Director, following consultation with the Environment, Development and Infrastructure Chair and the Chairs of the relevant Planning Applications Committee(s), is of the opinion that an application raises strategic and/or cross boundary issues.

To exercise all functions available to the Council under the High Hedges (Scotland) Act 2013, unless otherwise reserved to The Highland Council or delegated to Planning Applications Committees or Officers. To determine applications referred to the Committee under the Council's Notice of Amendment procedures in respect of applications first considered at a Planning Applications Committee.

To respond to consultations from Scottish Ministers on energy developments under the Electricity Act 1989 (including those relating to s36 and s37 applications) referred to the Committee under the Council's Notice of Amendment (Planning) procedures in respect of applications first considered at a Planning Applications Committee.

To fulfil the functions of the Council under the terms of the Ancient Monuments and Archaeological Areas Act 1979 (as amended) and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) where such functions are not delegated to Officers (or where Officers have declined to exercise their delegated powers) or to Planning Applications Committee.

Planning etc (Scotland) Act 2006 – to determine under Part 9 (Business Improvement Districts) whether the Council should exercise its power of veto over a ballot held into a BID proposal.

Coast Protection to set policy for the maintenance of existing coast protection schemes and the implementation of new schemes.

Ferries, Harbours, Piers and Slipways To set policy for the management and maintenance of ferries, harbours, piers and slipways and to approve the scale of charges for those in Council control, to promote Harbour Orders and to receive the Minutes of the Harbours Management Board meetings.

Roads To set policy for the management and maintenance of roads and bridges and to approve the scale of charges required under Roads Legislation.

### 7.3 Economy and Transformation Service

Carry out the functions of the Council in delivering services relating to the following:

- Economic Development and Regeneration
- Tourism – reported to Council via newly formed Tourism Committee
- Change programme – reported to Council
- Redesign and Commercial programme – reported to Council
- Europe – reported to Council
- City Region Deal – reported to Council
- Industrial Investment
- Housing Development
- Culture and Leisure
- Safe Highlander

Non HRA Estates Investment and Tenancy Management The management, lease and disposal of land and property of a capital value exceeding £250,000 or £50,000pa: investigating and formulating proposals for joint venture utilising Council property assets. The acquisition and lease of land and property of a capital value exceeding £200,000 for acquisitions or £20,000pa for leases. The disposal of land at less than the best consideration than can reasonably be obtained with a market value in excess of £10,000 or where marginal differences between proposed prices and best consideration prices is 25% or less and the marginal difference exceeds £10,000.

Housing Development To consider all applications for housing development loans and grants and to oversee the operation of the Council's Landbank Fund. To consider all applications for the Scottish governments Evergreen Infrastructure Loans Fund and to oversee the operation of the loan fund.

Culture Strategy Receive reports on the performance and activity of High Life Highland and Eden Court.

## **8. Sub Committees and Working Groups**

- 8.1 As agreed at Council in December 2019, any formal working groups or boards that report to Strategic Committees or to the Council must be established on the basis of political balance and have an agreed purpose, remit, and terms of reference as well as a proposed duration. In addition to submitting minutes to the parent committee, all formal sub groups must submit an annual report to Council.

## **9. Amendments to the role and remit of Strategic Committees**

- 9.1 As the Strategic Committees are newly established, there will be an opportunity to submit changes to Council's Scheme of Delegation to Council in March 2020 and also in June 2020, to provide Members and officers time to reflect on the operation of the new Committees and make any adjustments deemed appropriate.
- 9.2 In the case of the Economy and Infrastructure Committee, there will need to be a change made in relation to Gaelic following the Council's decision to establish a standalone Gaelic Committee. Currently the Scheme of Delegation states that the Economy and Infrastructure Committee has responsibility for Gaelic Language and Culture, Gaelic Medium Development and approval of the Gaelic Language Plan. This will be revised at the Council meeting in March 2020 at which point the membership of that Committee will also be agreed.

**Designation: Executive Chief Officer Performance and Governance**

**Date: 26 January 2020**

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