

## The Highland Council

Minutes of Meeting of the **City of Inverness Area Committee** held **REMOTELY** on **Thursday, 18 November 2021** at 10.00am.

### Present:

Mr C Aitken	Mr K Gowans
Mr R Balfour	Mr A Graham
Mr B Boyd	Mr J Gray
Mr I Brown	Mr A Jarvie
Mrs C Caddick	Ms E Knox
Miss J Campbell	Mr D Macpherson
Mrs H Carmichael	Mr R MacWilliam
Mr A Christie	Mrs B McAllister
Mrs M Davidson	Mrs T Robertson
Mr D Fraser	

### Officials in Attendance:

Mr C Howell, Head of Infrastructure  
Mr C Baxter, Planner, Planning & Environment  
Mr S Manning, Principal Traffic Officer, Roads & Transport  
Mr J Taylor, Roads Operation Manager, Roads & Transport  
Ms A Clark, Head of Policy & Reform  
Mr D Haas, Inverness City Area Manager  
Mr S Fraser, Head of Corporate Governance  
Miss J MacLennan, Democratic Services Manager  
Mr M MacDonald, Corporate Improvement Project Manager  
Miss K Andrews, Climate Change Coordinator  
Miss M Zavarella, Committee Administrator

### Also in attendance:

Mr R Nixon, Local Senior Officer for Highland, Scottish Fire and Rescue Service

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

### Mrs H Carmichael in the Chair

Prior to the commencement of the formal business, tributes were paid to former Councillors Mr R Lyon and Mr H Wood who had recently passed away and condolences were conveyed to their families.

## Business

### 1. Apologies for Absence Leisgeulan

Apologies for absence were intimated on behalf of Mrs G Campbell-Sinclair, Mrs I MacKenzie, Ms E Roddick and Mr C Smith.

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

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

Item 4: Mr A Jarvie (non-financial)

Item 5: Mr A Christie (financial) and Mr A Jarvie (non-financial)

Item 13: Mr A Jarvie (non-financial)

Item 16: Mr K Gowans (financial) and Mr A Jarvie (non-financial)

Item 16(c): Mr A Christie (financial and non-financial) and Mr A Graham (non-financial)

## **3. Scottish Fire and Rescue Service – Area Performance Report Seirbheis Smàlaidh is Teasairginn na h-Alba**

There had been circulated Report No CIA/34/21 dated 1 November 2021 by the Local Senior Officer for Highland.

During discussion, an explanation was sought and provided on the anticipated impacts of the new legislation requiring domestic properties to have interlinked fire and heat detection systems. In that regard, it was confirmed that the Service would continue to educate and target behaviour which was the main cause of domestic fires.

At this point, and due to technical difficulties, the Inverness City Area Manager confirmed that he would seek responses offline to any remaining questions from Members.

The Committee otherwise **NOTED** the terms of the Area Performance Report as presented.

## **4. Notices of Motion Brathan Gluasaid**

**Declaration of Interest - Mr A Jarvie declared a non-financial interest in this item as a Director of High Life Highland but, as a Council appointee and in terms of the specific exclusion in Section 5.18 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.**

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

This Committee recognises the unprecedented scale of housing developments in the east of Inverness and lack of amenities to serve a growing population. In the next 5 years, over 5,000 new homes are planned and two new primary schools and one secondary school are already planned. It has already been acknowledged by this Committee and the public, there is a significant absence of indoor public sports facilities in the east of Inverness, to satisfy the growing demand from people of all ages and abilities.

This Committee recognises the need for major sports centre in the east of Inverness as a key element of any strategic plan for the city. In addition, the

Committee recognises the very real benefits of establishing a major sports centre in the east of Inverness in terms of building communities and promoting social, cultural capital and wellbeing.

This Committee agrees to prioritise and take forward the ambition and provision of a major sports centre on the east of Inverness, agree to set-up a five-to-seven-member cross party “Inverness East Sports Centre Working Group”, with support from officers, to liaise with stakeholders and partners to identify possible locations, range of facilities and to identify and progress funding opportunities.

Signed: Ken Gowans Glynis Sinclair Ian Brown

During discussion, there was general support from Members for the Motion and in particular it was highlighted that there had been thousands of houses built in the last few years and many thousands proposed to be built in future in the east of Inverness with currently no new sports facilities, other than the private gyms which had been built. There was therefore a need for new sports facilities for the majority of residents and these were long overdue.

In that regard, a proposal was submitted with the aim of strengthening the terms of the Motion which had been presented, including specific reference to the inclusion of High Life Highland in the Working Group given that they operated other sports facilities on behalf of the Council across the Highland area and would contribute valuable knowledge and experience to this project. It was also proposed that the first meeting of the Group should be held before the end of 2021 in order to progress the project more quickly.

It was also suggested that there was a need to be more specific about which sports facilities were needed and realistic and could be provided quickly with support from partners.

Thereafter, the Committee **AGREED** the terms of an amended Notice of Motion as follows:

This Committee recognises the unprecedented scale of housing developments in the east of Inverness and lack of amenities to serve a growing population. In the next 5 years, over 5,000 new homes are planned and two new primary schools and one secondary school are already planned. It has already been acknowledged by this Committee and the public, there is a significant absence of indoor public sports facilities in the east of Inverness to satisfy the growing demand from people of all ages and abilities.

This Committee recognises the need to establish major new sports facilities in the east of Inverness as a key element of any strategic plan for the city and recognises the very real benefits this would bring to the City in terms of building communities by promoting physical health, mental health and general wellbeing for all.

This Committee agrees to take forward the ambition to construct major new sports facilities on the east of Inverness by:

- setting up a cross party “Inverness East Sports Facility Working Group” with support from officers from the council and our High Life Highland partners;
- holding the first meeting of the group before the end of 2021 and agree that the working group will set its own Terms of Reference to reflect the powers delegated to the City Committee;
- liaising with stakeholders and partners to analyse work already underway and to identify potential locations for the new sports facilities;
- identifying the range of facilities to be delivered and progressing potential funding opportunities, including Sports Scotland;
- ensuring the plans are embedded in the Local Development Plan and City Strategy and make representations to the Council requesting that they are added to the Highland Council Capital Plan; and
- the Working Group reporting back to the City Committee on a regular basis to provide progress reports.

The Committee also **AGREED** that Officers should consult with political Group Leaders on the final composition of the Inverness East Sports Facility Working Group.

## 5. Inverness Strategy

### Declarations of Interest –

**Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that his interests did not preclude his involvement in the discussion.**

**Mr A Jarvie declared a non-financial interest in this item as a Director of High Life Highland but, as a Council appointee and in terms of the specific exclusion in Section 5.18 of the Councillors’ Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.**

There had been circulated Report No. CIA/35/21 dated 28 October 2021 by the Executive Chief Officer Infrastructure, Economy & Environment.

During discussion, Members raised the following issues:-

- the potential for the City and Area Recovery Group to become the City and Area Development Group with a scrutiny role in relation to the further delivery of plans contained in the Strategy and reports being brought back to the City Committee as required;
- the Strategy provided a blueprint for a healthier, safer and greener Highland capital which would attract tourists and businesses to the area. It provided an opportunity to create a separate and dedicated active travel network to provide low carbon, accessible and people focused travel infrastructure;

- a key issue was to connect the existing active travel routes into the City Centre and make them safer for users;
- the need to consider the carbon reduction plans for the City and wider area so there was a local as well as a Highland wide perspective;
- the need for more extensive planned consultation on the Strategy and the opportunity for Members to be fully involved in that consultation;
- it was important that the document was aligned with other strategic plans for the City;
- there was concern at the reference in the document to a one-way system in Castle Street, Inverness which Members had agreed should not be progressed. It was confirmed the document would be checked and corrected in this regard;
- the opportunities through the Strategy to deliver better quality jobs for those on low incomes and experiencing in-work poverty;
- the investment planned in reducing the domination of traffic, renewable energies and in creating new employment opportunities be emphasised in the summary section of the document;
- an update was sought and provided on the opportunities to redevelop Viewhill House which was currently in private ownership;
- creating housing, supporting independent traders and bringing new events and attractions was key to enhancing the vibrancy of the City Centre;
- the Strategy was an ambitious and forward thinking long terms vision and had the potential to be transformative. Members should be bold and show leadership in taking it forward;
- officers be commended on the exceptional work undertaken on the Strategy and on the major projects which had already been delivered;
- how the principles of community empowerment and public consultation would be applied to any major redesign to improve the City, and in particular the City Centre, for both visitors and residents; and
- the potential to undertake external painting works to the buildings at upper Bridge Street in the short term to improve the ambience of the City Centre. It was confirmed the costs of the works and associated planning issues were being actively considered.

Thereafter, the Committee:-

- AGREED** the Draft Inverness City Centre Masterplan for public consultation; and
- NOTED** the ongoing role of the Rethinking Inverness Report, including engagement undertaken, and Inner Moray Firth Proposed Local Development Plan in shaping and delivering the Inverness Strategy.

## **6. Inner Moray Firth Proposed Local Development Plan 2 Plana Leasachaidh Ionadail 2 Linne Mhoireibh A-staigh**

There had been circulated Report No. CIA/36/21 dated 28 October 2021 by the Executive Chief Officer Infrastructure, Environment & Economy.

During discussion, Members raised the following main points:-

- there was concern that site IN85 was designated for 'housing' given the significant traffic management implications of this and other proposed housing developments in the area and the newly formed local Community Council should be given the opportunity to comment on the proposed designation;
- there was a need to consult with Knocknagael Limited in relation to the proposed 'mixed use' site in this location. This was an active community group and it was important to ensure their community aspirations could be realised through the Local Development Plan;
- consultation with the above-mentioned community groups could proceed and their views incorporated into the content of the proposed Plan under recommendation iv in the report, before the Plan was issued for consultation. It was confirmed that Officers would reach out to both community organisations;
- the importance of the next stage of the consultation process and of the views of public being sought;
- the extensive consultation on the draft Plan to date had generated responses from the public in relation to a number of issues and these had been reflected in the proposed Plan;
- this was an excellent document and Officers should be thanked for the significant amount of work undertaken to date;
- there was large unmet demand for affordable housing in Inverness and the need to provide associated infrastructure and services to build communities in partnership with other organisations such as NHS Highland. An explanation was provided on the work ongoing to align the Local Development Plan and Capital Programme to ensure a co-ordinated approach in relation to where infrastructure was required;
- clarification was sought and provided in relation to the Council's annual targets for housing and how this compared to the targets set out in the proposed Plan;
- clarification was sought and provided in relation to the fact that a number of sites in Tomatin had been removed from the proposed Plan. It was considered the proposed modest levels of growth in this area would be more sustainable and sufficient for the settlement rather than on the strategic scale previously proposed;
- there was concern that the policy requirements set out in the Plan were restrictive and might make smaller developments unviable. In this respect, it was noted that each proposal would be considered in terms of its contribution to the evolving policy position in terms of climate change. It was considered those policies were proportionate and would have no undue impact on development; and
- a proposal that Site IN85 be changed from 'housing' to 'mixed use' encompassing housing, green space, community, office and business use on the basis this would give more flexibility in relation to the uses of the site.

Thereafter, the Committee:-

- i. **NOTED** the issues raised by respondents to the consultation on Local/City Committee-specific matters and **AGREED** the recommended responses to these issues as detailed in Appendix 1 of the report;

- ii. **\*NOTED** the issues raised by respondents to the consultation on strategic matters and Officer recommended responses as detailed in Appendix 2 of the report and **TO RECOMMEND** to the Economy and Infrastructure Committee and the Local/City Committee's view on these strategic matters;
- iii. **NOTED** that additional supporting documents would accompany the publication of the Proposed Plan, including those outlined in Section 3 of the report;
- iv. **\*NOTED** that minor presentational, typographical and other factual updates and changes would be made by Officers, with any material changes to be agreed in consultation and agreement with the Chair of the relevant Committee(s) prior to publication;
- v. in line with government guidance, **AGREED** for the published Inner Moray Firth Proposed Local Development Plan to be treated as a material planning consideration in making planning decisions and providing advice; and
- vi. **AGREED** the approach to consultation outlined in Section 7 of the report, subject to Site IN85 being changed from 'housing' to 'mixed use' encompassing housing, green space, community, office and business use.

## 7. Presentation – Ness Hydro Scheme Taisbeanadh – Sgeama Dealan-uisge Nis

A Presentation was undertaken at the meeting on the progress of the Ness Hydro Scheme.

During discussion, Members thanked the Officers for an excellent presentation and raised the following main points:-

- the potential for the Ness Hydro Scheme model to be replicated in the Highlands if funding was identified;
- it was hoped that the involvement of local school children and UHI students in the scheme would inspire them in their future pursuits;
- this was an exciting, inspiring and accessible green project located in the heart of the City and would deliver significant legacy benefits going forward and provide a focal point on the River;
- clarification was sought and provided in relation to the condition of the weir on the river and that it would not be compromised by the Hydro Scheme;
- details were sought and provided on the assessments carried out and statutory approvals in place to ensure the Scheme would not have a detrimental impact on wild salmon; and
- the potential for the Inverness Ice Centre to tap into the electricity generated by the Scheme. In this respect, it was confirmed that due to restrictions in relation to grid capacity, Officers had been advised that the project could only connect to the Inverness Leisure Centre.

Thereafter, the Committee otherwise **NOTED** the terms of the presentation which had been provided.

## 8. Inshes Junction Improvements – Update Leasachaidhean Ceann-rathaid nan Innseagan

There had been circulated Report No CIA/37/21 dated 27 October 2021 by the Executive Chief Officer Infrastructure, Environment & Economy.

During discussion, Members raised the following issues:-

- the need to move forward with the recommended improvements to the junction as soon as possible following the lengthy consultations held to date and given traffic volumes at this junction would increase as a result of major housing developments and investment in roads infrastructure in the area;
- Officers be commended on the work undertaken on the design of the scheme to date;
- the need to be realistic in terms of the barriers that existed in achieving a modal shift to more active travel and changing in driver behaviour;
- concern that the proposals involved additional sets of traffic lights and this combined with housing development in the area and improvements to the link road from the A96 would result in the junction becoming more congested. It was explained that the traffic signals in the area would be linked to give more certainty around journey times through the junction at peak times;
- the impact of the improvements on the Drakies Estate and the inclusion of a proposal to close the Old Perth Road link to traffic which had previously been rejected;
- further consideration be given to the options for the junction at the Raigmore Motel and concern that the proposed traffic lights at Drumossie Avenue would result in increased traffic and queues and impact on local residents;
- whether a project of this importance justified carrying out a full detailed census of traffic to ensure future forecasts were evidenced based. It was confirmed that extensive traffic modelling had been undertaken, details of which were provided;
- confirmation was sought and provided that modelling had been undertaken and plans drawn up for an underpass for pedestrians and cyclists to run from Beachwood Business Park to Inshes Retail Park and consideration was being given to the associated safety issues;
- it was important developer contributions towards the junction improvements be requested and collected; and
- the report provided a solution to a heavily used stretch of road and the only means by which to improve traffic flow was to close some junctions and install more traffic lights for the benefit of the majority of the population.

Thereafter, the Committee **AGREED** to proceed with the statutory approvals, planning permission and detailed design of the scheme based on a revised Option 1 as amended by Section 6.2 the report.



## 9. **Ballifeary Residents Permit Scheme** **Sgeama Cheadan Luchd-còmhnaidh Bhaile na Faire**

There had been circulated Report No CIA/38/21 dated 26 October 2021 by the Executive Chief Officer Infrastructure, Environment & Economy.

During discussion, Members raised the following issues:-

- it was queried as to what the process would be if it was discovered after time that there were knock on effects with parking restrictions on Ballifeary Road and it was felt necessary to amend the parking restrictions. In this respect it was advised that the proposed parking restrictions would be subject to review. If a change was deemed necessary, then there would be an advertisement and consultation to have the restrictions altered.
- in relation to the rationale for these parking restrictions, it was advised that there had been increased usage of Ballifeary Road by non-residents as free parking to access nearby facilities such as Eden Court Theatre, the Tennis and Squash Club and Highland Council HQ; and
- it was advised that the proposals for parking restrictions had been subject to full consultation and supported by the majority of local residents.

Thereafter, the Committee **AGREED** to support the making of the Traffic Regulation Order amended as follows:-

- i. reduce the Permit Scheme to only cover that length of Ballifeary Road from its junction with Bishops Road and its junction with Ballifeary Lane;
- ii. reduce the restricted hours to Monday – Friday 10am to 5pm;
- iii. abandon the Permit Scheme proposed for Ballifeary Lane; and
- iv. abandon the waiting and loading restrictions from a point in line with the boundary of number 28/30 Ballifeary Road Southwards to its junction with Glenurquhart Road.

## 10. **Ross Avenue Residents Permit Scheme** **Sgeama Cheadan Luchd-còmhnaidh Chraobhraid Rois**

There had been circulated Report No CIA/39/21 dated 29 October 2021 by the Executive Chief Officer Infrastructure, Environment & Economy.

During discussion, it was confirmed that parking zones for residents could change if it was felt necessary as this was an administrative process and there was no need to amend the Traffic Regulation Order.

Thereafter, the Committee **AGREED** to support the making of the Traffic Regulation Order as follows:-

- i. introduce “No Waiting at Any Time” restrictions on the south side of Ross Avenue and also at locations on the north side of Ross Avenue at its junction with Fairfield Road, between Nos 15 & 17; between Nos 33 & 35 and at the junction on Ross Avenue and Kenneth Street; and

- ii. introduce a Parking Permit Holder restriction bays on the North side of Ross Avenue between Nos 1& 15, 17 & 33 and Nos 35 & 49.

## 11. Inverness City Active Travel Network – Riverside Way Report

There had been circulated Report No CIA/40/21 dated 3 November 2021 by the Executive Chief Officer Infrastructure, Environment & Economy.

During discussion, Members raised the following issues:-

- there was a need for more ‘listening’ to the local community and perhaps consideration of a new outline design as this was a very complex situation;
- strong feelings had been expressed by local residents and there had been widespread support for a review paper which had been drawn up by Ballifeary Community Council and sent to Elected Members;
- it had been suggested that there were serious omissions in regard to Council reports on this issue, specifically in terms of consultation responses/results, and this should be investigated/followed up as a matter of priority;
- there was a strong local feeling that changing from 2-way to 1-way traffic was not the right thing to do for the area;
- whilst acknowledging that this was a very complex project comprising different sections of road, the section from the Cathedral should be viewed differently (not least as it did not form part of the Traffic Regulation Order) in terms of finding the best possible solution;
- there was alarm at the strength of local feeling on this matter and particularly the claims which had been made in respect of inaccurate information having been provided;
- there was need to focus on the detail within the proposals for all sections in order to identify and deliver the best possible outcomes for the local community in particular. In this regard, it was suggested that there might have to be a choice between active travel and 2-way traffic;
- there had been some concern expressed by the Royal British Legion in respect of the section from the Ness Bank Church to Cavell Gardens and these had to be addressed; and
- an amendment would be put forward if necessary for the full consultation responses which had been received to date (including those prior to the formal process) to be submitted to the February meeting of the Committee in order to be able to see what had come through and how this had developed, including what options had been looked at (not just formal responses) in order to be able to see the transparency in the process.

Thereafter, the Committee **NOTED**:-

- i. that the Traffic Regulation Order (TRO) statutory process was underway and that any outstanding objections would be brought to the City of Inverness Area Committee in February 2022;
- ii. that concept designs based on stakeholder feedback would be progressed to detailed and technical design, including further stakeholder engagement on the Riverside Way proposals, which would

come back to a future meeting of the City of Inverness Area Committee for approval; and

- iii. **AGREED** that – for the February meeting – the report should also include full consultation responses which had been received to date, including those prior to the formal process, in order to be able to see what had come through and how this had developed, including what options had been looked at (not just formal responses) – this to be added on in order to be able to see the transparency in the process.

## **12. HRH The Queen’s Platinum Jubilee – Lord Provostship Competition Iùbailidh Platanaim na Banrigh – Farpais an Àrd-Phrobhaist**

There had been circulated Joint Report No CIA/41/21 dated 2 November 2021 by the Executive Chief Officer Communities and Place and the Executive Chief Officer Performance and Governance.

During discussion, Members raised the following issues:-

- having checked the Lieutenancies Act from 1997, it was queried as to whether there was a need to have both a Lord Lieutenant and a Lord Provost for Inverness and what the perceived benefits and associated costs would be if any application in this regard was successful;
- it was noted that other areas within Scotland of a similar size were currently discussing/considering this application process but the proposed expenditure in this respect was queried;
- it was felt that Inverness had had the position of Provost for over 400 years and as such it was not considered that there was any valid reason for changing that status to Lord Provost as there were other issues which were considered to be more important in terms of the use of the proposed funds;
- in contrast to the views already expressed, it had to be highlighted that this represented a unique opportunity to apply for a title which would enhance the status of the City and potentially deliver wider benefits in regard to profile and reach;
- in terms of the process, it was confirmed that this required a substantive application to be produced by 7 December and as such it was suggested that the use of consultants with wide experience in these matters offered the best possible chance of success;
- it was important to note that this application was based on a position (and not an individual) and was appropriate for a City which had grown and continued to grow dramatically. As such, it was suggested that there was no reason for not wanting to achieve higher status for the area;
- this represented an outstanding opportunity for Inverness, not least in achieving a higher status which had the potential to deliver significant benefits, including through town twinning;
- Inverness was viewed by many as a city of history and this application represented another opportunity for it to make history;
- it was considered that the general public would support this application being made for the area;
- there was a need to take pride in the City status which had already been granted and taking forward this proposal would build on that status;
- whilst acknowledging the comments which had been made during the debate, it was still felt that the recommendations within the report should

- be rejected and the proposed funding for the application process used for another purpose, such as street cleaning within the City; and
- it was also suggested that, in agreeing to the processing of the application, there should be an acknowledgement of the day to day needs of citizens and that for every pound spent in developing this, one pound should be given to the roads budget for Inverness.

Thereafter, the Committee:-

- NOTED** the terms of the application form and process detailed within Appendix 1 of the report;
- NOTED** that the title of Lord Provost would not change the status of the Provost of Inverness within the context of the Council;
- NOTED** that, if successful, the additional title would act to enhance the profile of the City and that of the Highlands in the context of Inverness having the same status as other leading Cities within Scotland;
- NOTED** that the sum of £2,000 had been allocated by the Inverness Common Good Fund Sub-Committee, together with a further sum of £1,500 from the Infrastructure and Environment budget, for the provision of support in preparation of the application (noting the tight timeframe); and
- AGREED** to an application being made for the grant of Lord Provostship status, which would attach to the title of the Provost of Inverness, to the HRH Queen's Platinum Jubilee Lord Provostship Competition.

(At this point, Mr A Jarvie asked for his dissent to be recorded in relation to the decision which had been taken).

### **13. Inverness City Arts – Annual Report Prògram Pròiseact Ealain Baile Inbhir Nis – Aithisg Bhliadhnaid**

**Declaration of Interest - Mr A Jarvie declared a non-financial interest in this item as a Director of High Life Highland but, as a Council appointee and in terms of the specific exclusion in Section 5.18 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.**

There had been circulated Report No CIA/42/21 dated 4 November 2021 by the Executive Chief Officer Communities and Place.

At this point, and following discussion undertaken at the meeting of the Inverness City Arts Working Group held on 12 November in terms of the exclusion of the public at that time, the Head of Corporate Governance confirmed that he had now reviewed the Minutes of a number of previous meetings of the Working Group (going back as far as 2013).

In that regard, he confirmed that on every occasion a resolution had been agreed by the Members of the Working Group to exclude the public from these meetings in terms of Paragraphs 6 & 9 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.

As such, the resolution to go into private at the meeting on 12 November was considered to be appropriate and in accordance with the Act and reflected not

only the Council's longstanding practise but also the longstanding practise of the Working Group.

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

- there were a number of concerns in relation to the breakdown of costs which had been provided within the report and it was therefore necessary to seek clarity for the general public on the allocation of these funds. Specifically, a cost of approximately £260k for the Gathering Place had been identified within the report but the appendix quoted a cost of approximately £360k and there was therefore a need for clarity on the difference of approximately £100k;
- serious issues had now been highlighted in respect of accessibility and although it had previously been agreed that a turning circle with at least a 1.2m area was to be provided, it did not appear that this is what had been provided. As such, and on the basis that a number of users had now complained of difficulties with access, clarification was required on the exact dimensions of what had actually been provided;
- it had been stated within the report that the construction of the Gathering Place had been completed in compliance with the adjustments made following recommendations from a Special Meeting of the City Committee when reservations had been voiced that the plans at that time were not acceptable, especially for wheelchair users. Assurances had been given that relevant Equalities Groups would be given the opportunity to comment on the proposed changes and that the finished design would be 'fully accessible' but this was not the case and some wheelchair users could currently not even access this structure;
- there was now a need for reassurance to be given on the steps which had been taken to make the structure as accessible as possible as had been previously promised and information on which Equalities and/or Diversity Groups had been consulted;
- clarification was also sought on whether wheelchair users had been involved in the design decisions;
- information was also sought on how exactly the additional £27k of funding had been spent through an itemised breakdown of the allocated funding to enhance the disabled access;
- there were lessons to be learned from this project, not least in terms of public perception/engagement and governance as it was the case that the general public did not understand what had happened and how funds had been spent;
- it was queried as to whether a maintenance budget was currently in place and if so how much had been spent already;
- information had been received to the effect that the area around the turning circle (which it had been agreed should be at least 1.2m) was in fact 1.06m and it was queried as to whether this was correct;
- a number of members of the public were not happy with the structure which had been provided and wanted the riverside returned to its previous natural state. As such, there was concern at any further expenditure in this regard;
- it was not felt that the structure provided any enhancement to the area in terms of its current location and was considered by many to be a 'lost opportunity' for the area;

- there had been previous attempts to disband the Working Group by individual Members and regret was expressed by them that this had not been done at that time and in advance of the recommendation now within the report in that regard;
- it was hoped that Members would not have to resort to the submission of Freedom of Information requests again in order to obtain a breakdown of current funding as this was not acceptable when it was the case that Elected Members were responsible for such budgets on behalf of the people of Inverness;
- it was questioned as to who would take responsibility and/or apologise for this situation and also clarify as to whether the agreement at a meeting in August 2019 to not commit any further public funds to this project had been breached since that time;
- it had been confirmed recently that this project had come in on budget and it was queried as to whether this had been correct;
- it was considered that public engagement had been inadequate throughout this project and this was regrettable;
- in response to questions of responsibility, it was advised that the City Committee had made the decision to go forward with the project and had agreed the Minutes of the Working Group meetings (to whom power had been delegated) as and when submitted and on that basis it was considered that collective decisions had in fact been made on each occasion and throughout;
- it was felt by some Members of the Committee that they had no part in any collective responsibility for this situation as they had repeatedly expressed concerns over past months on a number of issues; and
- it was suggested that the following should now be shared with all Members of the City Committee in confidence – Item 6 from the November meeting of the City Arts Working Group (including appendices) to detail all full costs incurred and payments made – also to break down these costs at a high level to not breach confidence to publicly publish as much detail as was possible.

In response to the issues which had been raised, the City Manager advised that governance for this project programme had been set by the City Committee and as such Officers had adhered to that governance throughout. Financial management issues had been the subject of regular reports in an open and accountable manner through the City Arts Working Group, although it was the case that some detail had not been able to be provided as it had been classed as exempt information in terms of the Act.

Minutes of Meetings of the City Arts Working Group had been regularly provided for the City Committee, in addition to annual reports and budget updates, and on 20 August 2019 a full report had been presented which had detailed the spend which had been undertaken on every aspect of the project programme. At that time, Members had agreed to instruct Officers to deliver the project programme in line with the revised budget and in doing so Officers had proceeded to build budget to deliver the Gathering Place. In this respect, and as detailed in the report, this cost had amounted to approximately £260k with the sum of £360k highlighted in the appendix representing the total sum for the project and including aborted costs that Members had previously decided to absorb (at the meetings on 1 July 2016 and 20 August 2019).

Specifically, in relation to maintenance, and in line with discussions in August 2019 and ongoing, it was advised that such costs were minimal. In that regard, the only sums spent to date had been in relation to the Gathering Place for the removal of graffiti (£275 plus VAT).

In terms of further work to be undertaken, this would include putting in place a maintenance programme for the artwork to ensure that it was safe for people to use during the Winter months and was kept clean and in a proper and fit state and condition. In that regard, £5k had been set aside from a Common Good budget but it was not expected that that level of expenditure would be needed.

In regard to accessibility for the Gathering Place, it was confirmed that consultation had been undertaken with representatives from the former Inverness Disability Access Panel but no objections had been submitted.

Council Officers had received assurances that the adequate turning space had been provided but this would now be investigated to ensure that the exact specifications had actually been met and further action taken if necessary.

Thereafter, the Committee:-

- i. **NOTED** that construction of the Gathering Place Art Installation had been completed in compliance with the adjustments made, following recommendations agreed at the Special Meeting of the City of Inverness Area Committee held on 20 August 2019 and as further reported to the Committee on 21 November 2019;
- ii. **NOTED** that the Inverness City Arts Working Group had discharged all its functions within the rules of governance set by the City of Inverness Area Committee;
- iii. **NOTED** that all other approved and fully funded projects under the Inverness City Arts Project Programme had been concluded, all in terms of governance set by the City of Inverness Area;
- iv. **NOTED** that governance remained in place in terms of the usual monitoring of contracts and expenditure under the Inverness Common Good Fund to the City of Inverness Area Committee;
- v. **AGREED** to dissolve the Inverness City Arts Working Group with immediate effect; and
- vi. **AGREED** to share with all Members of the City Committee, in confidence, Item 6 from the November meeting of the City Arts Working Group including appendices detailing full costs incurred and payments made and to also break down these costs at a high level to not breach confidence to publicly publish as much detail as is possible.

#### **14. Place Based Investment Programme**

There had followed Report No. CIA/43/21 dated 16 November 2021 by the Executive Chief Officer Infrastructure, Environment & Economy and the Executive Chief Officer Communities and Place.

During discussion, Members raised the following issues:-

- the proposal for investment in the Inverness Campus Sports Development project had to be given a high priority, not least in light of earlier discussion on this very important issue for the East of Inverness, and it was expected that it would be greatly welcomed by residents in that area;
- it was noted that overall the funds which had been identified within the report required at present to be committed by the end of March 2022 but it was proposed to enter into formal engagement with the Scottish Government to seek flexibility in this respect in view of the circumstances over the past 18 months; and
- it was also noted that the funds could only be used as capital expenditure and again the aim was to commit by the end of March 2022 (or by any extended date agreed with the Scottish Government).

Thereafter, the Committee **AGREED**:-

- i. in principle, to investing £79,000 in the Victorian Market, Market Hall and Fish Market refurbishment project;
- ii. in principle, to investing £335,499 in the Inverness Campus Sports Development project; and
- iii. to operate a Challenge Fund for remaining budget.

#### **15. Inverness Wards Place Based Investment Funds and COVID-19 Fund – Proposed Funding Allocations**

There had been circulated Report No CIA/44/21 dated 3 November 2021 by the Executive Chief Officer Communities and Place.

The Committee **AGREED** the proposed allocations of Place Based Investment Funds as follows:

##### **i. Ward 14**

- a. Investment in Play Parks (Merkinch)- £55,000
- b. Investment in Community based Mental health and wellbeing projects in Merkinch - £35,000 with direct awards to:
  - Merkinch Partnership - £8,750
  - Rokschool - £8,750
  - The Clay Studio - £8,750
  - Merkinch Nature Reserve - £8,750
- c. Investment in Community based projects in Dalneigh £10,000
- d. Total = £100,000

##### **ii. Ward 16**

Investment in Play Parks allocated as follows:

- a. Crown & City Centre Community Council - £13,750
- b. Culcabock & Drakies Community Council - £13,750
- c. Hilton, Milton & Castle Heather Community Council - £13,750
- d. Raigmore Community Council - £13,750



- iii. Ward 17
  - a. Investment in Play Parks (Croy) - £50,000
  - b. Investment in GoodNess Community Garden - £30,000
  - c. Investment in Ardersier Community Garden Project - £20,000
  - d. Total = £100,000

And, **AGREED** the reallocation of the following COVID-19 funds:-

- i. Ward 15 & Ward 16 – Hilton Covid Fund
  - £6,500 from the COVID-19 Hilton Fund, which was allocated for both Wards, and £750 each from Inverness Ness-side Ward and Inverness Millburn COVID-19 Funds towards the Hilton Family Support project.

**16. Inverness Common Good Fund  
Maoin Math Coitcheann Inbhir Nis**

**Declarations of Interest –**

**Mr K Gowans declared a financial interest in this item on the grounds that a close family member was an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.**

**Mr A Jarvie declared a non-financial interest in this item as a Director of High Life Highland but, as a Council appointee and in terms of the specific exclusion in Section 5.18 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.**

**a) Financial Monitoring  
Sgrùdadh Ionmhasail**

There had been circulated Joint Report No. CIA/45/21 dated 4 November 2021 by the Executive Chief Officer Resources and Finance and the Inverness City Area Manager.

The Committee **NOTED** the financial monitoring report to 30 September 2021 as detailed and that overall expenditure was within agreed budgets.

**b) Capital Projects Update Report  
Pròiseactan Calpa**

There had been circulated Joint Report No. CIA/46/21 dated 4 November 2021 by the Executive Chief Officer Infrastructure, Environment and Economy and Executive Chief Officer Communities and Place.

The Committee **NOTED** the current status of capital projects and the adjustments being made to the allocations within the Victorian Market, Market Hall and Fish Market Refurbishment project as detailed.

**c) Grants Applications over £10,000  
Iarrtasan Tabhartais thar £10,000**

**Declarations of Interest –**

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

**Mr A Graham declared a non-financial interest in this item on the grounds that a family member was a volunteer for Blythwood Care but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in the discussion.**

There had been circulated Report No. CIA/47/21 dated 8 November 2021 by the Executive Chief Officer Resources and Finance. A copy of supporting documentation had also been circulated as Booklet A.

The Committee determined the current grant applications as follows:-

- 1) Blythwood Care – **APPROVED** a grant of £20,000;
- 2) Inverness Ice Centre Limited – **APPROVED** a grant of £30,000;
- 3) Inverness Botanic Gardens, High Life Highland – **APPROVED** a grant of £22,470; and
- 4) City Flowering Projects and the Queen's Green Canopy – **APPROVED** a grant of £21,200

**Additional Agenda Item**

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

The Committee **AGREED** to appoint Mr D Macpherson to the Inverness Town Twinning Committee.

**17. Minutes  
Geàrr-chunntas**

The Committee:-

- i. **NOTED** the Minutes of the City of Inverness Area Committee held on 26 August 2021;
- ii. **APPROVED** the Minutes of the Inverness Events and Festivals Working Group held on 20 September 2021;
- iii. **NOTED** the Minutes of the City and Area Recovery Group held on 19 August 2021 and 18 October 2021;
- iv. **APPROVED** the Minutes of the Inverness City Arts Working Group held on 19 August 2021 and 12 November 2021; and

- v. **APPROVED** the Minutes of the Inverness Common Good Fund Sub-Committee held on 8 November 2021.

The meeting ended at 5.45pm.