

**The Highland Council  
No 7 2021/2022**

**Minutes of Meeting** of the **Highland Council** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on **Thursday 10 March 2022** at 10.35am.

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

**Present:**

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

**In Attendance:**

Chief Executive	Executive Chief Officer, Performance & Governance
Acting Executive Chief Officer, Communities & Place	Executive Chief Officer, Property & Housing
Executive Chief Officer, Health & Social Care	Executive Chief Officer, Resources & Finance
Executive Chief Officer, Infrastructure & Environment	

**Mr B Lobban in the Chair**

Apologies for absence were intimated on behalf of Mr B Allan, Mr A Baxter, Miss J Campbell, Mrs G Campbell-Sinclair, Mr J Gordon, Mr C Fraser, Mrs L MacDonald, Mr A MacInnes, Mr J McGillivray, Mr N McLean, Mr A Rhind and Mrs C Wilson.

## 2. **Declarations of Interest/Transparency Statements** **Foillseachaidhean Com-pàirt**

The Council **NOTED** the following transparency statements on the basis that the Members concerned, having applied the objective test, did not consider that they had an interest to declare -

Item 3 – Mr A Christie – as a Non-Executive Director of NHS Highland

Item 11 – Mr K Gowans – on the basis that a close family member was an employee of High Life Highland

General – Mrs F Robertson – on the basis of her involvement with Blythwood Care

Also, at this point in the meeting, the Convener confirmed that he had that morning resigned as a member of the Investment Sub Committee.

### **Urgent Item – The Invasion of Ukraine**

The Convener expressed his outrage and horror at the recent invasion of Ukraine by Russian forces following which over two million Ukrainian citizens had fled their homeland. As such, he called on the UK Government to urgently relax the rules on immigration into the United Kingdom and urged the Council to do all in its power to assist Ukraine.

Thereafter, and seconded by Mr A Sinclair, he moved a recommendation that the Investment Sub Committee at its emergency meeting on the following day should seek to disinvest the Highland Council Pension Fund and all associated investment funds under its control from any and all Russian companies.

(At this point, members of the Investment Sub Committee who were present left the meeting).

Thereafter, the Council unanimously **AGREED** the terms of the recommendation as detailed.

(Members of the Investment Sub Committee returned to the Chamber at this point).

Prior to further discussion, Mr D Loudon, seconded by Mr B Lobban, moved a recommendation that the heroic struggle of the Ukrainian people should be recognised by granting the Freedom of the Highlands to the President of Ukraine, Volodymyr Oleksandrovykh Zelenskyy.

The Council unanimously **AGREED** the terms of the recommendation as detailed.

During discussion, Members raised the following issues:-

- there was widespread horror and sadness at the situation in Ukraine and the actions of the Russian Government were widely and unanimously criticised;
- information was sought on what practical help the residents of the Highlands could offer to the people of Ukraine in addition to cash donations which was the most urgently required resource in the short term;

- it was hoped that a portal could be added to the Council's website to direct people who wished to offer help to the appropriate groups and contact numbers;
- there was cross-Chamber support for the lobbying of the UK Government to seek assurances that consideration would be given to admitting a higher number of Ukrainian refugees than allowed for within the current policy;
- given the high numbers of Ukrainians being forced to flee and the number of people who could come to the Highlands, it was important that early and proactive consideration was given to the provision of required infrastructure, such as accommodation, education and healthcare, and this should be undertaken in partnership with (or led by) the Community Planning Partnership;
- all Members were urged to read the briefing document which had been circulated earlier that morning;
- it was highlighted that cash donations could be made via reliable NGOs and it would be important to recognise and avoid any unreliable schemes;
- the thanks of the Council should be conveyed to school pupils and Council staff for the fundraising efforts which had been undertaken and in this regard it was confirmed that advice had been issued to schools in terms of supporting young people in processing the traumatic events which were currently unfolding in Ukraine;
- it was suggested that reference should again be made to the emergency planning skills gained at the start of the pandemic and a group established to manage action alongside coverage on social media;
- it was recognised that there was a degree of misinformation online and this was a problem at the present time;
- there had been a significant reduction in British Armed Forces in recent years and in this regard Members were urged to contact their MPs to call for an increase in defence spending wherever and whenever possible;
- it was suggested that the Convener should write to the Ukrainian Embassy to convey the Council's support and praise Local Authorities in Ukraine for their work in the distribution of food and keeping people safe;
- it was also noted that the Leader of the Council would be contacting Highland MPS to discuss possible future action and to urge a change in the current refugee policy;
- it was confirmed that regular briefings for Members would be undertaken in the weeks ahead and this was welcomed;
- there was deep concern for the orphaned children in Ukraine and it was suggested that urgent help should include the use of Covid-19 emergency medical centres, sponsorships, third sector support and the aid of volunteers wherever possible;
- it had to be recognised that not all Russians supported the current actions being taken by their Government and that many were actually unaware of the current situation; and
- the Council would allocate any resources it could to helping the people of Ukraine but it was not considered competent to allocate a specific amount of money to a general fund at this time.

Thereafter, the Council undertook a minute of applause in support of the people of Ukraine.

### **3. Presentation - Director of Public Health – Annual Report Taisbeanadh – Stiùiriche Slàinte Phoblaich – Aithisg Bhliadhna**

A Presentation of the Annual Report by the Director of Public Health was undertaken at the meeting which a focus on suicide and mental health.

During discussion, Members raised the following issues:-

- it was suggested that the report should also be considered at the forthcoming Joint Monitoring Committee and/or again at a future meeting of the Council;
- suicide awareness and prevention training had been developed as part of a key strategy of the Community Planning Partnership, including the creation of an app which was of particular benefit to young people and their families. On that basis, It was hoped that in future this report could also be presented to the Partnership and that an action plan could be developed with wide engagement, not just to prevent suicide but also to reduce the stigma attached to it;
- clarification was sought and provided on the figures showing a correlation between deprivation and suicide and the differences between the Highland and national statistics;
- attention was drawn to the need to continue to highlight suicide as a significant cause of death in a similar manner to other major causes such as heart disease and stroke, with reference being made to a successful approach used in Detroit, USA, to lower suicide rates;
- the rise in self-harm rates among young people in the area was a matter of serious concern;
- there was a need to highlight and praise the work of the third sector in relation to the issues which had been raised;
- attention was drawn to other issues which impacted on suicide rates, including drug use, crime, and economic concerns;
- the Council should explore all options for saving money, for example turning down heating or switching off streetlights in the middle of the night, to increase funds available for other projects which could benefit people's mental health;
- it had to be recognised that a wide variety of major issues had caused mental health trauma to people in recent years, including Brexit, Covid-19 and the invasion of Ukraine;
- local communities, as well as statutory agencies, should be encouraged to undertake initiatives to identify and address instances of poor mental health;
- in addition to geographic isolation in the Highlands, attention was also drawn to identity isolation, with particular reference to LGBTI (lesbian, gay, bisexual, transgender and intersex) individuals, who often had higher rates of mental health issues due to lack of support in their communities and the Council was urged to address this issue; and
- action was needed in regard to the deteriorating situation in Easter Ross with the age-sex standardised suicide rate as a priority.

Thereafter, and having thanked the Director of Public Health for his attendance at the meeting, the Council otherwise **NOTED** the terms of the Annual Report as presented.

#### **4. Confirmation of Minutes Daingneachadh a' Gheàrr-chunntais**

There had been submitted for confirmation as a correct record the Minutes of Meetings of the Council held on 10 December 2021 and 3 March 2022 (Special Meeting) as contained in the Volume which had been circulated separately which were **APPROVED**.

## 5. Minutes of Meetings of Committees Geàrr-chunntasan Choinneamhan Chomataidhean

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

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

Housing and Property Committee, 15 December  
Gaelic Committee, 16 December  
Badenoch & Strathspey Area Committee (Special Meeting), 21 December  
Housing & Property Committee, 20 January  
Corporate Resources Committee, 26 January  
Economy & Infrastructure Committee, 2 February  
Housing & Property Committee, 3 February  
Lochaber Area Committee, 7 February  
Dingwall & Seaforth Area Committee, 7 February  
Caithness Committee, 9 February  
\*Wester Ross, Strathpeffer & Lochalsh Committee, 9 February  
Health, Social Care & Wellbeing Committee, 10 February  
Pensions Committee, 14 February  
\*Black Isle Committee, 15 February  
\*Badenoch & Strathspey Area Committee, 15 February  
Audit & Scrutiny Committee, 16 February  
Tourism Committee, 16 February  
City of Inverness Area Committee, 17 February  
\*Easter Ross Area Committee, 17 February  
Isle of Skye & Raasay Committee, 21 February  
Communities & Place Committee, 23 February  
\*\*Education Committee, 24 February  
\*Sutherland County Committee, 28 February  
Gaelic Committee, 2 March  
Lochaber Area Committee (Special Meeting), 7 March  
Wester Ross, Strathpeffer & Lochalsh Committee (Special Meeting), 7 March  
City of Inverness Area Committee (Special Meeting), 8 March  
Nairnshire Committee, 8 March

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

**\*Wester Ross, Strathpeffer & Lochalsh Committee, 9 February**

### **Starred Item 4: Highland Coastal Community Fund**

**AGREED** the following application – High Life Highland – Ullapool Youth Space – £14,550.

**\*\*Black Isle Committee 15 February**

### **Starred Item 9: Place Based Investment Funds – Proposed Funding Allocation**

**AGREED** the following application – Black Isle Partnership – Development of Local Based Plan - £30,000.

### **Starred Item: Item 12: Road Safety**

**AGREED** the following amended recommendation from the Committee - that the issues which had been raised in relation to road safety (as detailed in the Minutes of the Meeting) should be remitted to the Economy & Infrastructure Committee in the first instance for detailed consideration.

#### **\*Badenoch & Strathspey Area Committee 15 February**

### **Starred Item: Item 12: Grantown Common Good Asset Register**

**AGREED** the reclassification of the property included in the Asset Register and the reactivation of Grantown on Spey Common Good Fund.

Also **AGREED** that due to the financial position of the Fund, Grantown on Spey Common Good property would continue to be maintained by Highland Council for the foreseeable future.

#### **\*Easter Ross Area Committee 17 February**

### **Starred Item: Item 11: Invergordon Common Good Fund**

**AGREED** the disposal of Invergordon Town Hall by sale after considerable years of attempting to bring it into viable use to provide sufficient income for its continued use.

#### **\*\*Education Committee, 24 February**

### **Starred Item: Item 12: Review of Statutory Consultation Exercise**

**AGREED** the creation of a Gaelic Medium catchment area for Newtonmore Primary School.

### **Starred Item: Item 13: Review of Statutory Consultation Exercise**

**AGREED** the creation of a Gaelic Medium catchment area for Acharacle Primary School.

#### **\*Sutherland County Committee, 28 February**

### **Starred Item: Item 3: Russian Invasion of Ukraine**

**AGREED** the full support of the Council in relation to the need for the UK Government to act urgently and without delay to close travel loopholes and ensure the Highlands did not provide a back door for travel to and from Russia.

#### **\*Nairnshire Committee, 8 March 2022**

### **Starred Item 6: Place Based Investment Programme**

**AGREED** that the following applications be offered a Place Based Investment Programme grant –

Nairn Sports Club Bounce Back - £35,000

Nairn St Ninian JFC Floodlight Upgrade - £5,094

Nairn St Ninian Bowling Club Disabled Toilet Renovation - £4,400

Residual funding of £34,234 to be awarded to Team Hamish Links Regeneration (Phase 2).

### **Minutes not included in the Volume**

- (i) Climate Change Working Group held on 28 January - **APPROVED**
- (ii) Redesign Board held on 18 February - **APPROVED**
- (iii) Recovery, Improvement and Transformation Board held on 28 February – **APPROVED**
- (iv) Investment Sub Committee held on 25 February – **AGREED** the following amended recommendation – that a full review of all Russian holdings be undertaken and that an emergency meeting should be convened once that review had been carried out.

## **6. Question Time Àm Ceiste**

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

Questions (1) – (7) – and the responses in each case - had been carried forward from the 10 December 2021 meeting as requested by the Members concerned.

### **(1) Mr A Jarvie**

#### **To the Leader of the Council**

Which member of Council Staff will be tasked with answering this question on your behalf?

The response had been circulated.

In terms of a supplementary question, it was queried whether officers were in charge of the Council or Councillors.

In response, it was confirmed that the Leader of the Council wrote and provided the answers.

### **(2) Mr A Jarvie**

#### **To the Leader of the Council,**

As Leader of the Council, following my question at a previous Council meeting, can you assure me there is no coalition agreement with the SNP Group?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the SNP group were aware that they were not in a coalition.

In response, it was confirmed that this was not a question for the Leader of the Council so no answer was provided.

**(3) Mr A Jarvie**

**To the Leader of the Council,**

As Leader of the Council, do you find it acceptable that an artwork which cost the public purse nearly £400,000 is not 'fully accessible' to disabled people as was promised?

The response had been circulated.

In terms of a supplementary question, it was queried as to how the turning circle at the end of an entrance that was not accessible was classed as 'fully accessible'.

In response, it was confirmed that this was a piece of art and not a road with disabled access at the end of a cul-de-sac.

**(4) Mr R MacWilliam**

**To the Leader of the Council**

Which Highland Council budget will meet the additional costs arising as a result of unauthorised spending beyond the agreed Inverness City Arts budget?

The response had been circulated.

In terms of a supplementary question, it was queried whether out of the agreed arts budget of £790,000, for which two projects with identifiable spend had been identified, the only other project (My Ness the Gathering Place installation) had been delivered within the £300,000 budget allocated.

In response, it was confirmed that the question should be submitted in writing and a response would be provided.

**(5) Mr R MacWilliam**

**To the Leader of the Council**

When will a detailed breakdown of the ICArts programme expenditure become available for public scrutiny?

The response had been circulated.

In terms of a supplementary question, it was queried as to which budget had been used to cover expenses referred to in the report, such as the provision of Highland Council Engineering Services?

In response, it was confirmed that the question should be submitted in writing and a response would be provided.

**(6) Mr R MacWilliam**

**To the Leader of the Council**

What measures are Highland Council taking to support the community food growing strategy?



The response had been circulated.

In terms of a supplementary question, it was queried as to what actions Highland Council would take to share good practice with communities across the local authority area.

In response, it was confirmed that a dedicated community food officer was in place and any suggestions for good practice should be shared with her.

**(7) Mr R MacWilliam**

**To the Leader of the Council**

What measures are in place to consult communities on the sale of 'common good' assets?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the consultation in respect of the proposal to dispose of Sandown Common Good Lands was repeated because the Council did not like the first answer?

In response, it was confirmed that the question should be submitted in writing and a response would be provided.

**(8) Mr J Gordon**

**To the Chair of the Health, Social Care and Wellbeing Committee**

An Adult support and protection/ large scale investigation involving Highland Council, NHS Highland and Police Scotland was commissioned after the Covid-19 outbreak at Home Farm in Portree in 2020.

Has this report been completed, and can you provide the Council with a copy?

The response had been circulated.

There was no supplementary question.

**(9) Mr A Jarvie**

**To the Leader of the Council**

Why are the fees paid with public money to the artists of the Gathering Place not disclosed to the public?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the artist fee for the Gathering Place should be made public.

In response, it was confirmed that the two issues were not connected.

**(10) Mr A Jarvie**

**To the Chair of the Corporate Resources Committee**

Following the disclosure of multiple bullying allegations against staff of this Council, why was the Union's request for establishment of a panel, including Councillors, to resolve the matter not taken forward?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Council took the allegations of bullying seriously?

In response, it was confirmed that the Council took all such allegations seriously and investigated them thoroughly, including this instance.

**(11) Mr A Jarvie**

**To the Chair of the Education Committee**

Have you read the report from the inquiry into abuse of Children in Scottish Borders schools?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether, after reading the report, there were any concerns regarding the repeated failings of education management staff at the Scottish Borders Council to deal with a teacher that physically abused young and vulnerable autistic children?

In response, it was confirmed that Highland Council had implemented robust child protection and safeguarding practices and policies for all education establishments and that there was regular training for all associated staff to ensure that children within the Highlands were protected.

**(12) Mr A Jarvie**

**To the Chair of the Economy and Infrastructure Committee**

Do you think the current division of roads funding is fair for all areas of the Highlands?

The response had been circulated.

In terms of a supplementary question, the likelihood of developing a methodology which would ensure a fair division of roads funding across the Highlands was queried.

In response, it was confirmed that there was a need to wait for the review process to be concluded and the outcome of this would be reported through the Redesign Board.

**(13) Mr A Jarvie**

**To the Chair of the Economy and Infrastructure Committee**

Are you confident the forthcoming Short Term Lets Licensing regime will resolve both the concerns many Highland communities have, but also not harm such an important sector for our economy?

The response had been circulated.

In terms of a supplementary question, it was queried as to how the Council would specifically ensure that the tourism sector would continue to thrive under the forthcoming Licensing and Planning regime for Short Term Lets?

In response, it was confirmed that the outcomes would be monitored over time. The Council was currently trying to fit with Government legislation and that was what was under review. Going forward, it would be monitored but it obviously would not be a complete fix for all of Highland as the areas were very different.

**(14) Mr P Saggars**

**To the Chair of the Economy and Infrastructure Committee**

Can you explain what steps will be put in place to ensure the roads budget is spent in full this coming year, and who will be responsible for ensuring that?

The response had been circulated.

There was no supplementary question.

**(15) Mr P Saggars**

**To the Leader of the Council**

What lessons have been learned from the saga of the Gathering Place and measure put in place to ensure something like that can't happen again?

The response had been circulated.

There was no supplementary question.

**(16) Mr R MacWilliam**

**To the Leader of the Council**

Do you agree that Prince Andrew has proven himself unfit to hold the title 'Earl of Inverness'?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Leader was proud that most of the Highland's Politicians and the Council she led, including herself, have not taken a position on this matter?

In response, it was confirmed that the view of the Council, and how the Leader implemented that view, was paramount to any particular views she might have herself.

**(17) Mr R MacWilliam**

**To the Leader of the Council**

Have you had any recent discussions with senior managers with intention to deploy further Highland Council resources in the fabrication of vexatious complaints to the

Standards Commission for Scotland about the conduct of her political opponents?

The response had been circulated.

In terms of a supplementary question, and on the basis that it was vital that Council staff supported Elected Members irrespective of their political identity and maintained impartiality at all times, it was queried as to why Highland Council staff had been compromised in that regard?

In response, the Leader invited Mr MacWilliam to raise any specific instances with her directly.

**(18) Mr R MacWilliam**

**To the Leader of the Council**

In considering the damning contents of the Scottish Public Services Ombudsman report of 10th Feb.2022 into the handling of Town Centre Fund allocations and the sole award to the Citizens Advice Bureau project in Nairn, including that Highland Council had “not followed appropriate processes”, that “the decision-making process has been lacking in transparency”; and agreeing with the complainant that a statement from Highland Council which claimed that this project had been the “most compelling bid” when in reality your Administration had secretly resolved to make this project the sole bid, do you accept that there are benefits to allocating public funds through democratic and inclusive process rather than by simply following what can only be described as the ‘pet project’ model?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Scottish Public Services Ombudsman report, which had been comprehensive and damning, spoke volumes in regard to the determination of Highland Council to ride roughshod over the community’s wishes when the Leader had dug her heels in rather than provide a public apology when a review of process was so obviously required?

The response was no.

**(19) Mr R MacWilliam**

**To the Leader of the Council**

Do you believe the process of Town Centre funding allocations in Inverness have been immune to your Administration’s ‘pet project’ model of resource allocation?

The response had been circulated.

In terms of a supplementary question, it was queried as to what community consultation had taken place to ascertain new projects for consideration in allocating Central Government Capital funds?

In response, it was confirmed that, due to the short timescale accompanying the Town Centre Capital Funds, community consultation had been through Elected Members and an assurance was given that the Members of Ward 12 had spoken with their communities and through wider consultation and it was hoped that all other Ward Members had done the same.

**(20) Mr R MacWilliam**

**To the Leader of the Council**

What process is currently in place to ensure that members of staff, Elected Members and the public can report suspected violations of the code of conduct for Local Government employees?

The response had been circulated.

In terms of a supplementary question, it was queried as to whom a complaint should be addressed if it was believed that the Chief Executive had breached the Code of Conduct for Local Government (Employees)?

In response, it was confirmed that senior staff should be approached and then advice sought from the Head of Corporate Governance on such a matter.

**(21) Mr R MacWilliam**

**To the Leader of the Council**

What safeguards are in place currently to ensure that concerns raised by either family or staff members about the provision of services for children in the care of Highland Council are dealt with promptly and professionally?

The response had been circulated.

There was no supplementary question.

**(22) Mr R MacWilliam**

**To the Chair of the Health, Social Care and Wellbeing Committee**

Why there has there been no statement, either public or in private, to Members of Highland Council on the serious allegations of service failure which she announced would be reported to Police Scotland during the Committee meeting in November?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Chair would supply a confidential report to Elected Members in order that they could ascertain whether or not actions taken thus far had been sufficient to address deficiencies in the service for which they were all responsible?

In response, it was confirmed that when the report was complete, the Chair would ensure that this was circulated to all Elected Members.

**(23) Mr R MacWilliam**

**To the Chair of the Health, Social Care and Wellbeing Committee**

Are there any whistle-blowing concerns currently being processed in relation to services for children in the care of Highland Council?

The response had been circulated.

In terms of a supplementary question, and in light of recent concerns, it was queried whether staff working in care services were being encouraged to come forward with information under the existing internal whistleblowing policy?

In response, the Chair confirmed that she had not asked that question but expected that it was the case. As such, she undertook to confirm this and circulate her response to all Members and the Council.

**(24) Mr R MacWilliam**

**To the Chair of the Health, Social Care and Wellbeing Committee**

What actions have been taken to ensure that Highland Council staff are encouraged to report concerns over deficiencies in residential care services?

The response had been circulated.

(There was no opportunity given to ask a supplementary question at the meeting).

**7. Notices of Motion  
Brathan Glusaid**

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

(i) This Council recognises we live in rapidly changing times, with ever increasing challenges shaping the roles Councillors have, along with the challenges that are faced in performing this role. There is an increasing awareness of the inherent personal risk that is attached to a public position, but there has been little ongoing discussion on how this risk presents and how it can be minimised considering existing and emerging threats.

As a Council we perform best when we have a broad and diverse representation elected to position, and with recognition of the need to ensure that the role is open to a broad a range of candidates for this role as possible to achieve this fair balance, resolves to address the personal safety issue on a timescale of delivery to work with the election of new members this coming May.

Following the elections, Council pledges to undertake a personal safety audit, with regard to the personal safety of the new Elected Members, and to taking an individual based approach to supporting/achieving this in a practical fashion – alongside delivery of an educational Council wide programme giving information, practical advice and current best practice in both preventing and dealing with threat, plus to ensure a working communication system is in place and is connected to Police Scotland's current system of high profile/vulnerable persons alert.

Signed: Ms P Hadley Mr B Lobban

**Decision**

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

(ii)The Council recognises the right of the public to understand how decisions are made and by whom; further recognises that Ward Business Meetings have evolved from simply forums of discussion to decision-making bodies which determine applications for considerable amounts of money and take decisions on issues of importance to local areas; and, therefore, agrees to publish minutes of Ward Business Meetings going forward, including records of votes taken and decisions made, to ensure the level of accountability and transparency the public expects of its elected representatives.

Signed: Ms E Roddick Mr D Louden

During discussion, it was suggested that as Ward Business Meetings dealt with financial and other important issues across the whole of the Highlands, there was now a need to publish action notes from these meetings in terms of transparency and openness for the general public.

In contrast, a view was expressed that Ward Business Meetings were often more valuable because they were not recorded in any way and it was the case that the minutes of Local Committees were published in order that the public could be made aware of how and when decisions were made on local issues. As such, an amendment would be put forward for the status quo to be maintained meantime. However, it was recognised that a review was needed at some point in order to fully assess whether any future changes were needed.

Thereafter, Ms E Roddick, seconded by Mr D Louden, **MOVED** the terms of the Notice of Motion as detailed.

As an **AMENDMENT**, Mrs C Caddick, seconded by Mr D Macpherson, moved the retention of the status quo in relation to the arrangements at Ward Business Meetings meantime.

On a vote being taken, the **MOTION** received 15 votes and the **AMENDMENT** received 35 votes, with 1 abstention, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

#### **For the Motion**

Mr R Balfour, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr J Bruce, Dr I Cockburn, Mrs M Cockburn, Ms S Fanet, Mr K Gowans, Mr A Jarvie, Ms E Knox, Mr D Louden, Mr R MacWilliam, Ms E Roddick and Mr K Rosie.

#### **For the Amendment**

Mr G Adam, Mrs J Barclay, Mrs C Caddick, Mrs I Campbell, Mrs H Carmichael, Mr A Christie, Mrs M Davidson, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr R Gale, Mr A Graham, Mr J Gray, Ms P Hadley, Mr A Henderson, Mr B Lobban, Mrs D MacKay, Mr D MacKay, Mrs I MacKenzie, Mr A MacKinnon, Mrs A MacLean, Mr C MacLeod, Mr D Macpherson, Mr H Morrison, Mr C Munro, Ms L Munro, Mrs P Munro, Mr M Reiss, Mr D Rixson, Mrs F Robertson, Mrs T Robertson, Mr A Sinclair, Mr C Smith, Ms M Smith and Ms J Tilt.

#### **Abstention**

Mr C Aitken

## **Decision**

The Council **AGREED** to retain the status quo in relation to the arrangements at Ward Business Meetings meantime.

### **8. Levelling Up Fund and Shared Prosperity Fund Update Cunntas às Ùr mu Mhàoin an Àrd-ìreachaidh agus Maoin an t-Soirbheachais Cho-roinnte**

There had been circulated Report No. HC/1/22 dated 27 February 2022 by the Executive Chief Officer Infrastructure Environment & Economy.

## **Decision**

Members:-

- i. **NOTED** progress and **AGREED** the proposals for the Levelling Up Fund bid resubmissions for Round 2 (expected to be submitted by end June 2022);
- ii. **AGREED** that any additional resources required to submit the applications would be funded from the Regional Economic Development element of the Economic Prosperity Fund; and
- iii. **AGREED** that further lobbying on the Council's future share of the Shared Prosperity Fund remained a top priority for the Council, with a report being brought back to an early Council meeting following the Local Government elections in May 2022.

### **9. Future Highlands Strategic Partnership Priority 3: People – Living Healthy, Thriving and Inclusive Lives Prìomhachas 3 Com-pàirteachas Ro-innleachdail Gàidhealtachd an Ama ri Teachd: Daoine – Beathannan Slàn, Soirbheachail is Ion-ghabhaltach**

There had been circulated Report No. HC/2/22 dated 1 March 2022 by the Executive Chief Officer Resources and Finance.

## **Decision**

The Council **NOTED** the progress on the direction of travel for key strands of the 'People – Living Healthy, Thriving and Inclusive Lives' Strategy as detailed.

It was also **NOTED** that further updates would be brought back in due course.

### **10. Climate Action, Green Energy and Jobs Gnìomh air Gnàth-shìde, Lùth Uaine agus Obraichean**

There had been circulated Report No. HC/3/22 dated 28 February 2022 by the Chief Executive.

During discussion, Members raised the following issues:-

- green energy and energy storage was an extraordinary opportunity for the Highlands, not least in terms of the potential for the creation of jobs, wealth and equalising opportunities within local communities across the area;
- the energy storage plans coming forward inshore and through windfarms had to be highlighted and welcomed, alongside the considerable plans and expectations in relation to the production of hydrogen;



- manufacturing and infrastructure issues had to be at the centre of all future proposals for the area;
- the generation of real community wealth had to be a priority, together with plans for the implementation of future technology across the whole area;
- climate change should not be viewed as a problem for the Highlands but rather as an opportunity which had to be taken forward for the benefit of all;
- the need to produce energy within the Highland area at a much lower price had to be given the highest priority by the new Council, not least because control of household bills aligned with fuel poverty was a real and escalating problem for many residents in the area;
- the attraction of inward investment from energy users would be crucial in the months and years ahead;
- this was one of the most important debates within the Council for many years and it was vital that ownership was taken of the issues which had been raised, including the need for at least 25% of future renewables to be community owned;
- the involvement of partners in all future proposals/agreements was imperative;
- converting to a greener future had to be viewed and pursued as an investment opportunity for the area; and
- whilst taking forward new proposals, it would be important not to lose sight of tried and tested technologies, such as solar power.

At this point, it was **AGREED** that the meeting should now go into private session in order to consider in detail a confidential matter/recommendation.

### **Decision**

Members:-

- AGREED** the scope of the study being undertaken in respect of Renewable Energy income opportunities;
- NOTED** the many encouraging developments being pursued by the Council and the work with partners to learn from best practise;
- AGREED** to restate the Council's commitment to work with Opportunity Cromarty Firth on the development opportunities that would arise from a Green Freeport bid;
- AGREED** to seek the involvement and backing of the Scottish Government to provide a legislative and regulatory framework that supported the Council's ambitions for Highland communities and people; and
- AGREED** that Officers should continue to pursue investment opportunities in hydrogen and other renewable energy schemes.

Members also **AGREED** the confidential recommendation which had been discussed in the private session of the meeting.

## **11. Annual Report – Statutory Performance Indicators, Benchmarking and Best Value 2020/21** **PP. 51-95** **Aithisg Bhlìadhnaìl – Taisbeanairèan Coileanaidh Reachdail, Tomhas-mheasaidh agus an Luach an Fheàrr 2020/21**

There had been circulated Report No. HC/4/22 dated 25 February 2022 by the Chief Executive.

During discussion, Members raised the following issues:-

- the data within the report had been compiled during an unprecedented set of circumstances over the past two years and thanks had to be conveyed to all

Council staff, trade unions and local communities for the outstanding contributions which had been made to business continuity across the Highland Council and all areas from the onset of the Covid-19 pandemic;

- it was the responsibility of all Elected Members to set targets and monitor results as provided by senior management within the Council. In this regard, some very positive data had been produced, including in respect of cost savings produced by High Life Highland which had been ranked very highly and which were considered to be exceptional. However, there were also serious issues which had been identified in terms of Education – Literacy and Numeracy – whereby Highland Council had been ranked 32<sup>nd</sup> out of 32 Local Authorities and this was very concerning for all;
- in addition, the Council had been ranked 25<sup>th</sup> and 27<sup>th</sup> respectively for Literacy and Numeracy gaps and there was an urgent need to address these rankings and deliver improvements as a priority, including through the provision of support for education staff and Head Teachers where and when necessary;
- in response to the concerns which had been raised in regard to education issues, it was highlighted that the Council and specifically the Education Service had plans to improve attainment levels and to drive forward these plans with support and engagement from Education Scotland and indeed this work had already been started;
- it had to be noted that this was the first year of reporting data post Covid-19 and as such the figures which had been presented were not directly comparable with what had been presented in other years;
- in regard to education, health and wellbeing issues and integration back into school life had been prioritised as previously agreed;
- thanks should be conveyed to all Council staff who had been caring, efficient, flexible and adaptable from the onset of Covid-19, with specific mention being made of the Community & Planning, Welfare, Education, Housing, Waste Collection, Business Grants, Ward Management, Roads and Planning teams;
- the data which had been presented in relation to staff sickness/absence rates and collection of Council Tax was very positive and this should be recognised; and
- Elected Members had a duty to both scrutinise and monitor these statistics and that had to be recognised.

### **Decision**

Members **NOTED**:-

- i. the performance of the Council's SPIs for 2020/21 in the context of Covid-19 as outlined in Appendices 1, 2 & 3 of the report;
- ii. the analysis of Covid-19 impacts on SPIs in Appendix 4;
- iii. the changing Audit Direction on public performance reporting and the Council's approach to compliance in Appendix 5;
- iv. the Best Value Qualitative Report summarised in Appendix 6 and the full detail via the hyperlink which had been provided;
- v. the External Audit opinion on the Council's delivery of Best Value in relation to the Council's Best Value Assurance Report (BVAR) and associated BVAR Improvement Plan as outlined at Section 7.
- vi. that Members should expect the opportunity to scrutinise plans for performance recovery in response to the information contained in the report through the development of the Council's new Corporate Plan for 2022-27 and through Strategic Committees; and

vii. that Service Plans would be presented to Strategic Committees in the second cycle of meetings in the new financial year to allow for the development of a new Corporate Plan following the Local Government Elections in May 2022.

## 12. Scheme of Delegation Sgeama Tiomnaidh

There had been circulated Report No. HC/5/22 dated 2 March 2022 by Executive Chief Officer, Performance and Governance.

During discussion, and in relation to recommendation 2.3 within the report, Mr K Gowans, seconded by Mr A Jarvie, **MOVED** that the word 'delete' should be replaced by 'retain' and that the wording from 'planning application' through to 'Planning Application Committee' should be deleted so that the recommendation would now read as follows – retain the automatic referral of all planning applications for major developments (including housing developments of 30 or more houses).

As an **AMENDMENT**, Mrs T Robertson, seconded by Mrs A MacLean, moved the recommendations as detailed in the report.

On a vote being taken, the **MOTION** received 25 votes and the **AMENDMENT** received 13 votes, with 5 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

### **For the Motion**

Mr C Aitken, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr J Bruce, Mrs C Caddick, Mrs I Campbell, Dr I Cockburn, Mrs M Davidson, Ms S Fanet, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr A Graham, Mr A Jarvie, Ms E Knox, Mr B Lobban, Mr D Louden, Mr W MacKay, Mrs I MacKenzie, Mr D Macpherson, Mrs F Robertson, Ms E Roddick, Mr K Rosie and Mr A Sinclair.

### **For the Amendment**

Mr G Adam, Mr R Balfour, Mrs J Barclay, Mrs H Carmichael, Mr J Finlayson, Mrs A MacLean, Mr C MacLeod, Mrs L Munro, Mrs P Munro, Mr D Rixson, Mrs T Robertson, Ms M Smith and Ms J Tilt.

### **Abstentions**

Mr A Christie, Ms P Hadley, Mr A Henderson, Mr H Morrison and Mr C Munro.

### **Decision**

The Council **AGREED**:-

1. the changes to the Scheme of Delegation as detailed in Appendix 1 of the report. and
2. amendments to the Scheme in relation to planning matters as set out in detail at Appendix 2 and as summarised below:-
  - i. retain the reduction in the number for objections from 8 to 5.
  - ii. retain the ability of 2 ward Members to call-in any application validated from 1 Jan 2021 onwards and subsequently recommended for approval.
  - iii. retain the automatic referral of all planning applications for major developments (including housing developments of 30 or more houses) contained in (c ) of the Scheme of Delegation.

**13. Timetable of Meetings 2022**  
**Clàr-ama Choinneamhan 2022**

The Council **AGREED** the following -

Special Council (Planning) meeting to be held in June 2022 (specific date delegated to and to be confirmed by the Head of Corporate Governance)

Highland Licensing Committee and Board – meeting to move from 7 to 13 June 2022

**14. Highland Opportunity (Investments) Limited – Appointment of Single Interim Director**

**Cothrom na Gàidhealtachd Earranta – Cur an Dreuchd Stiùiriche Singilte Eadar-amail**

It was noted that, in terms of the Local Government (Scotland) Act 1973, Councillors appointed (by the Council) to be members of a company, board, etc. ceased to be members of that body on Polling Day. In that regard, the Board of Highland Opportunity (Investments) Limited (and its subsidiary companies) was comprised solely of Council Directors.

It was therefore **AGREED** that, from 5 May 2022 and until the Council formally appointed (or re-appointed) Councillors, the Executive Chief Officer (Infrastructure, Environment & Economy) should be appointed as the Single Interim Director for Highland Opportunity (Investments) Limited (and its subsidiary companies).

**15. Clerk to the Highland Licensing Board**  
**Clèireach do Bhòrd Cheadachd na Gàidhealtachd**

It was **NOTED** that Mrs Claire MacArthur had now returned to her position as Clerk to the Licensing Board following her maternity leave.

**16. Recess Powers**  
**Cumhachdan Fosaidh**

It was **AGREED** that, during the period from 11 March to 4 May 2022 inclusive, powers should be delegated to the Chief Executive, Interim Depute Chief Executive and Executive Chief Officers, in consultation with the Convener, Leader of the Council, Depute Leader of the Council, Leader of the Opposition and relevant Strategic Committee Chairs, to deal with business arising during that time.

It was also **AGREED** that, during the period from 5 May to 25 May 2022 inclusive, powers should be delegated to the Chief Executive to deal with business arising during that time.

In this regard, a report would be prepared for the first meeting of the Council or the relevant Committee(s) following these periods where the powers had been exercised.

**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 10 December 2021 were available on the Council's Website.

The meeting ended at 5.50pm.