

The Highland Council
No. 5 2022/2023

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 22 September at 9.35 am.

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

Present:

Mr C Aitken	Mr S Kennedy
Ms S Atkin	Ms E Knox
Mr M Baird	Ms L Kraft
Mr A Baldrey	Mr B Lobban
Mr C Ballance	Mr P Logue
Dr C Birt	Mr D Louden
Mr B Boyd	Ms M MacCallum
Mr R Bremner	Mr A MacDonald
Mr I Brown	Mr W MacKay
Mr J Bruce	Mrs I MacKenzie
Mr M Cameron	Mr S Mackie
Mrs I Campbell	Mr A MacKintosh
Mrs G Campbell-Sinclair	Mr R MacKintosh
Mr A Christie	Mrs A MacLean
Mrs M Cockburn	Ms K MacLean
Ms T Collier	Mr T MacLennan
Ms H Crawford	Mr D Macpherson
Ms S Fanet	Mrs B McAllister
Mr J Finlayson	Ms J McEwan
Mr D Fraser	Mr J McGillivray
Mr L Fraser	Mr D Millar
Mr R Gale	Mrs P Munro
Mr K Gowans	Ms L Niven
Mr J Grafton	Ms M Nolan
Mr A Graham	Mr P Oldham
Mr M Green	Mrs M Paterson
Mr D Gregg	Mrs M Reid
Mr R Gunn	Mr M Reiss
Mrs J Hendry	Mr A Rhind
Ms M Hutchison	Mr K Rosie
Mr A Jarvie	Mr A Sinclair
Mrs B Jarvie	Mr R Stewart
Ms L Johnston	Ms K Willis
Mr R Jones	

In Attendance:

Chief Executive

Acting Depute Chief Executive and Executive Chief Officer, Performance and Governance

Executive Chief Officer, Communities and Place

Executive Chief Officer, Education and Learning

Executive Chief Officer, Health and Social Care

Executive Chief Officer, Infrastructure, Environment and Economy

Executive Chief Officer, Property and Housing

Mr B Lobban in the Chair

BUSINESS

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

Apologies for absence were intimated on behalf of Mr G MacKenzie, Mr H Morrison, Mr C Munro, Ms S Rawlings, Mrs T Robertson, Mrs L Saggors and Ms M Smith.

2. Her Late Majesty Queen Elizabeth A Mòrachd a' Bhanrigh Ealasaid nach Maireann

The Convener led tributes to Her Majesty the Queen and a minute's silence was observed. Thereafter tributes were paid to Her Majesty commencing with the political group leaders during which Members recognised the lifetime of her service. Members made reference to the Queen's strong connection with the Highlands and memories were shared of her many visits to the area. Attention was drawn to the Queen's support and patronage of organisations such as the Royal Scottish Country Dancing Society, The Scouts and the Girl Guides and her support of the Gaelic language was also highlighted. Condolences were extended to the royal family and best wishes given to King Charles for his reign.

3. Declarations of Interest Foillseachaidhean Com-pàirt

The Council **NOTED** the following Declarations of Interest:-

Item 10.iii: Mr M Green
Item 11: Mrs M Reid

and the following Transparency Statements:-

Item 10.i: Mr A Christie
Item 11: Mr A Christie
Item 12: Mr A Christie
Item 19: Mr A Christie
Item 25: Mr A Christie

4. Recess Powers Cumhachdan Fosaidh

It was **NOTED** that the recess powers granted by the Council at the meeting on 30 June 2022 had been used as follows - Change of Highland Licensing Committee and Board date from 2 August to 9 August 2022.

5. Appointments Cur an Dreuchd

a. Scotland Excel

Members recalled that they appointed Mr D Loudon to the Scotland Excel Joint Committee. Scotland Excel had now informed us that Highland Council could appoint an additional Member to their Executive Sub Committee.

The Council **AGREED** to appoint Mr C Munro to Scotland Excel's Executive Sub Committee.

b. CoSLA Appointments

The Council **AGREED** to appoint the following Members to each of the CoSLA Boards as detailed below:-

- i. Health and Social Care – Mr D Fraser
- ii. Children and Young People – Mr J Finlayson
- iii. Environment and Economy – Mr K Gowans
- iv. Community Wellbeing – Mr G Mackenzie

6. Confirmation of Minutes Daingneachadh a' Gheàrr-chunntais

There had been submitted for confirmation as a correct record the Minutes of Meeting of the Special Council held on 29 June 2022 and of the Meeting held on 30 June 2022 as contained in the Volume which had been circulated separately – which were **APPROVED**.

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

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

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

*Health, Social Care & Wellbeing Committee 24 August 2022

Starred Item 4.2 – Appointments - Family Nurse Partnership Board – **AGREED** to appoint Ms Leslie-Anne Niven

Starred Item 12 - Appointment of Champions for Older People and Children - **AGREED** to appoint Mr Bill Boyd, as Older People's Champion

*Economy & Infrastructure Committee 25 August 2022

Starred Item 5 - Appointments to Sub-Committees/Working Groups

- i) Education Transport Review Committee – **AGREED** the membership of the Education Transport Review Committee as follows - Mr D Millar
- ii) Harbours Management Board - **AGREED** the Harbours Management Board membership as follows - Ms S Atkin and Mr C Munro

Starred Item 6 - Appointment to Outside Bodies

a) HITRANS Tier 1 Ferry Users Consultation Groups

- i) the Argyll Ferry Users Consultation Group – **AGREED** to appoint Ms S Fanet;
- ii) the Lochaber and Skye Ferry Users Consultation Group - **AGREED** to appoint Mr D Millar and Mr C Munro; and
- iii) the Hebrides Ferry Users Consultation Group – **AGREED** to appoint Mr C Munro.

f) Flood Area Risk Management – Local Plan District Executive Steering Groups – **AGREED** to appoint Ms S Fanet to the “Highland and Argyll Local Plan District” Steering Group

Minutes of Meetings not included in the Volume were as follows -

- i. Redesign Board held on 7 September 2022 - **APPROVED**;
- ii. Highland and Western Isles Valuation Joint Board held on 18 February and 7 March 2022 (approved by the Board on 20 June 2022) - **NOTED**; and
- iii. Recruitment Panel held on 1 March, 17 March and 30 March 2022 - **NOTED**.

8. Membership of Committees, etc Ballarachd Chomataidhean, msaa

The Council:-

- i. **AGREED** that Mr J Bruce replace Mrs H Crawford on the Economy and Infrastructure Committee; and
- ii. **NOTED** that Mr C Ballance had been appointed to South Planning Applications Committee in respect of Ward 12.

9. Question Time Àm Ceiste

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

Public Question

Ms L Boyle

To the Leader

“Given the plethora of issues at Beaully Primary School, not limited to, but including, asbestos in the roof of the canteen, being pecked off by birds and dropped on the ground; freezing cold classrooms and canteen facilities whereby children have to keep jackets, hats and gloves on to stay warm; damp and mould spores that are evident on the walls and ceilings and the smell of dampness which hits you in the face when you walk into the gym hall; unsafe buildings and an unsecure school site in general given that there is a road running through the school and the perimeter fence is unlocked as there is a public footpath running through the whole school site. Can the Leader of the Council confirm if, and when, construction of the new school will begin onsite?”

The response had been circulated.

Member Questions

(1) Mr A Christie

To the Leader

“Please could the Leader detail occasions since the establishment of the Administration up to the current date where he or the Chairs of the Strategic Committees have represented the Council in meetings with elected members of the Scottish Government or UK Government including the main topic of the meeting and the outcome?”

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Leader would agree to publishing his diary on the Council webpage?

In response, the Leader of the Council confirmed that this would be done.

(2) Mr A Christie

To the Leader

“Could the Leader update Council as to the activity the Administration has undertaken since the 30th June in developing the new Council Programme, developing a strategy for the next revenue budget 2023/24, and working towards finalising a revised affordable capital programme and when this will be presented to Council?”

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Leader would name which quarter or which Council meeting the Capital Programme would be presented to Council, rather than ‘in due course’?

In response, the Leader of the Council confirmed that the Capital Programme would continue to be under review and the Council would be informed once further details had been agreed.

(3) Mr A MacDonald

To the Leader

“Scottish Government have confirmed in response to recent enquiries that active consideration is being taken to connect Hebridean Islands by tunnels with distances far in excess of the short length to cover the Corran Narrows.

Would the Leader agree to write an open letter to Jenny Gilruth, The Minister of Transport urging that the Corran Narrows is added to the tunnel program?”

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Highland Council had set aside the needed £60m for the replacement Corran ferries. If not, would Transport Scotland provide the funds?

In response, the Leader of the Council confirmed that there were ongoing discussions under the remit of the Chair of Economy and Infrastructure.

(4) Mr A Baldrey

To the Chair of Communities and Place

“What is the Council doing to encourage more allotments and food growing projects? Given the waiting list for these is long and the availability of current allotments is limited, and given the Council’s statutory duty to provide allotments, as well as Government policy to promote local food growing, how many new sites does the Council plan to open in the next twelve months?”

The response had been circulated.

In terms of a supplementary question, it was queried if an area-based waiting list would be supplied so focus and attention could be applied where land was urgently required for more allotments.

In the absence of the Chair of Communities and Place, the response would be circulated amongst Members.

(5) Mr D Gregg

To the Chair of Economy and Infrastructure

“Does the Administration support the Cycling by Design 2021 guidelines produced by Transport Scotland?”

The response had been circulated.

In terms of a supplementary question, it was queried as to why the Council had not followed the Transport Scotland Cycling by Design Guidelines for the proposed scheme at Bridge Street and Academy Street in Inverness at a number of places?

In response, the Chair of Economy and Infrastructure confirmed there was ongoing consultation for Academy Street and agreed to involve Councillor Gregg in these discussions.

(6) Ms J McEwan

To the Leader

“What are the lessons learned from the “carefully planned closure” of Avonlea Children’s Home in Wick in terms of the impact on service users, the wider community, staff and the best practice in media handling?”

The response had been circulated.

In terms of a supplementary question, it was queried as to when the Leader first knew about plans for Avonlea and why senior managers had not been open and transparent with local Councillors, staff and service users regarding these plans?

The Leader of the Council confirmed there would be a follow up response in due course, after the Chief Executive had carried out a visit to the area.

(7) Ms A MacLean

To the Leader

“The Highland Council has had a longstanding commitment to replace St Clement’s School. The school provides for some of the most vulnerable children in Highland and is based in Dingwall. The current school accommodation has been rated poor for both Condition and Suitability and the limitations of much of the facilities that the pupils require including the outdoor space. The 2014 HMIE inspection made a number of recommendations and highlighted “The buildings do not provide a satisfactory range or quality of facilities. Corridors and doors are narrow and challenge pupils with limited mobility. One classroom can only be accessed through the staff room and there is a lack of space and specialist facilities.” The current school is not suitable in its condition or layout as a special needs school.

I welcome the report to the Education Committee on 15th September 2022 with the outcome of the statutory consultation and also reaffirming that Highland Council has identified £13m for the project within the capital plan. All the stakeholders, including the voice of the pupils have been working towards the new St Clement's School for many years, however there is a concern that given Budget pressures that some projects may not be taken forward or that there will be slippage in some.

Will the Leader confirm the replacement school for St Clement's School is proceeding with haste and what are the planned start and completion dates?"

The response had been circulated.

There was no supplementary question.

(8) Mr A Jarvie

To the Leader

"As the first Caithness Leader of the Highland Council, how will you specifically reverse the unfair funding methodology and ensure Caithness receives what it deserves?"

The response had been circulated.

In terms of a supplementary question, it was queried if the first Caithnessian Leader believed that the great county of Caithness received a fair deal from the Council?

In response, the Leader of the Council confirmed that Members were aware of his hard work over the past few years to ensure that Caithness got a good deal.

(9) Mr C Ballance

To the Chair of Corporate Resources

"In view of the announcement in the Holyrood Programme for Government that Councils will be empowered in the next year to introduce a Transient Visitor Levy, will you agree to commission a feasibility study by officers into the practicalities of introducing such a tax on visitors in hotels, larger b & bs, self-catering rental properties and mobile homes, including the possibility of exempting patients attending Raigmore or other medical appointments, and suggesting levels at which the tax could be levied, and projected income from it, so that this Council be ready to initiate such a tax as soon as it is possible."

The response had been circulated.

In terms of a supplementary question, it was queried if the TVL (Transient Visitor Levy) would be in place for summer 2023?

In response, the Chair of Corporate Resources confirmed that commitment for TVL would go ahead although no exact date for implementation was available.

(10) Mr R Gunn

To the Chair of Health, Social Care and Wellbeing

"Is the Chair in favour of the proposed National Care Service and what does he see as the biggest challenges to its introduction in Highland?"

The response had been circulated.

In terms of a supplementary question, it was queried how our national care service would improve the recruitment and retention of the increased number of care workers required to allow for care at home and residential care?

In response, the Chair of Health, Social Care and Wellbeing confirmed that whilst the Council supported the national care service, at this stage no answers could be provided.

(11) Mrs H Crawford

To the Leader

“What criteria will Highland Council apply when deciding which of the new school building projects, as contained in the current capital plan, will take priority over the course of the session?”

The response had been circulated.

In terms of a supplementary question, it was queried what was the backup plan if LEIP funding was not forthcoming for these schools?

In response, the Leader of the Council confirmed commitment was in place from the Council.

(12) Mr M Reiss

To the Leader

“Respite Care at Thor House in Thurso has been stopped/massively reduced over the Pandemic period and, instead, the premises are now being used as a Residential Children’s Home. The Unit specifically provides services for those with disabilities and was highly regarded in this respect, being described as a “purpose built 4 bedded residential respite facility offering support to children up to 18 years of age with a learning disability”. It also provided day care support for up to 15 adults, some of which is continuing. Now those same Respite Service Users are being told to make alternative arrangements (sometimes at their own expense) in Inverness, 110 miles from Thurso or in Moray. When will the Administration fully reinstate this vital service for the benefit of families in Caithness and North Sutherland?”

The response had been circulated.

In terms of a supplementary question, it was queried if it was felt that the Leader’s written answer complied with ECHR legislation in reference to the recent court of session decision regarding closure of a council care home in Hawick?

In response, the Leader of the Council confirmed that, if the answer did not comply, the Leader would add to it for further clarification.

**10. Notices of Motion
Brathan Gluasaid**

Declaration of Interest: Mr M Green declared an interest in item 10.iii as Chair of Inverness Ice Centre, a music hosting venue with a capacity of 2000, and, in accordance with paragraph 5.6 of the revised Code of Conduct, he left the meeting for that item.

Transparency Statement: Mr A Christie made a Transparency Statement in respect of item 10.i as a Non-executive director of NHS Highland and as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau. However, having applied the objective test, he did not consider that he had an interest to declare.

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

(i) “Council recognises:

- we are in the middle of the worst cost of living crisis for 50 years. Inflation is forecast to hit 18% next year.
- The Highlands is already one of the worst areas in the country for fuel poverty with 1 in 3 of our households already in it, double the national average.
- Many households are already at the brink and will struggle to pay their heating bills with prices as they are, even if the October price increase is frozen.
- As well as heating and electricity costs, the costs of the daily commute have increased with active travel and public transport being non-viable options for many Highland residents given the distance they have to travel.

Therefore council shall write to the UK Government with the following asks:

Urgently provide details of the support scheme for households reliant on heating oil and other domestic fuels previously excluded from their proposed plans

Extend the Rural Fuel Duty Relief Scheme to 10p a litre, and expand the scheme to cover all postcodes in the Highland area

Reduction in the standard rate of VAT to 17.5%, saving the average Highland household £600 a year

A re-introduction of the pensions triple lock to support the Highland’s pensioners, saving elderly residents an additional £300.

Restore the Universal Credit supplement of £20, which was cancelled by the UK Government in September 2021, and double to £40/week

Write to the Scottish Government with the following asks:

Cancel the 3.8% rise in rail fares, and expand coverage of the Highland Railcard Scheme to all Highland postcodes and all Highland rail services

Increase disability benefits to the maximal allowable amount as opposed to the current plan to copy the UK Government which will leave benefits lagging up to 4% behind inflation

Fund urgent insulation schemes to help keep people warm this winter, and protect them from massive price rises, noting even the pre-pandemic rate of insulation in Scotland would take 164 years to insulate every vulnerable household”

Signed: David Gregg Angela MacLean Alex Graham

The motion, detailed above, was tabled as an amended motion, as issues contained in the original motion and which had already been discussed at Item 11, had been removed.

During discussion, the amended motion was welcomed, as were the terms of the motion, as long as there were no financial implications. Reference was made to the particular benefits of restoring the Universal Credit supplement and increasing disability benefits to the maximum allowable amount.

Decision

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

(ii) “Hundreds of thousands of young people across Scotland have signed up for free bus travel since the Young Persons Free Bus Travel Scheme launched in April this year. Registration is higher in some local authority areas than others, and Highlands ranks very low with a registration rate of only 28%, compared to a high of 91% in Inverclyde, and 78% in Western Isles (data from 20th June). This Council wants to ensure that all young people under 22 in Highland can access their right to free bus travel, and has identified that more young people are accessing free bus travel in areas where local authorities are working closely with schools and public libraries to facilitate registration. This Council recognises that many young people and families need help to register, especially if they do not have easy access to the required ID documents to apply for free bus travel. This Council recognises it needs to provide information and support for young people and their families to apply online and offline, and will work further with schools, Council support services, and public libraries to help facilitate registration so that all young people, including refugees and those seeking asylum, can access the free bus travel scheme. This Council undertakes to encourage greater take-up rates of the under 22s free bus passes in Highland”.

Signed: Kate Willis Ryan MacKintosh

During discussion, Members raised the following issues:-

- the motion was welcomed and consideration given to the possible reasons for variation in take-up rates;
- several Members made reference to inadequate, irregular and unreliable bus services and timetabling across the Highlands, and suggested that a review of bus services would be beneficial. HITRANS was proposed as a possible organisation to take this forward;
- the free bus travel scheme should be extended to under-25s;
- it was reported that some people had found the administrative and identification requirements for the concession card to be complex and it was hoped this could be streamlined in future, and possibly undertaken in schools at the same time as Young Scot cards were issued; and
- it would be useful if there was a reliable way of knowing in advance if a bus was going to be accessible.

Thereafter, Ms K Willis, seconded by Mr R MacKintosh, **MOVED** the terms of the Notice of Motion as detailed above.

Ms R Gale, seconded by Mr A Graham, moved as an **AMENDMENT** that the Council commit to carrying out a review of all bus services across the Highlands to ensure that they were fit for purpose for all communities.

On a vote being taken, the **MOTION** received 34 votes and the **AMENDMENT** received 28 votes, with no abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion: Ms S Atkin, Mr A Baldrey, Mr C Balance, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr A MacDonald, Mr W MacKay, Ms K MacLean, Mr R MacKintosh, Mr T MacLennan, Mr D Millar, Ms P Munro, Ms L Niven, Mrs M Reid, Mr K Rosie and Ms K Willis

For the Amendment: Mr C Aitken, Mr M Baird, Mr J Bruce, Ms B Campbell, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr R Gunn, Ms B Jarvie, Mr S Kennedy, Mr P Logue, Ms M MacCallum, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr D MacPherson, Mrs B McAlister, Ms J McEwan, Mr J McGillivray, Ms M Nolan, Mrs M Paterson, Mr M Reiss, Mr A Sinclair and Mr R Stewart.

Decision

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

(iii) "Council notes that, following the planning decision of 18th August 2022, the Ironworks in Inverness will be forced to suspend a number of its operations, including live music performances, unless it can secure a new venue. Council further notes that failure to find a new home for the Ironworks will leave the Highlands without a purpose-use live events venue with a capacity of over 1000 attendees. Council affirms its support for the Ironworks to continue its operations in Inverness. It agrees that cultivating the Highlands as a cultural hub is both desirable and necessary for the retention and recruitment of the working-age population, as well as being key for mental health and wellbeing across the Highlands.

Council directs the administration to work with the management of the Ironworks to ensure that this cultural asset is not lost to the Highlands".

Signed: Molly Nolan Morven-May MacCallum

During discussion, Members raised the following issues:-

- the first sentence of the motion was inaccurate as it suggested the decision of the South Planning Applications Committee had resulted in the Ironworks being unable to continue in operation. In fact, the owners of the building occupied by the Ironworks had sold the premises to a company that wished to build a hotel, which had been granted planning permission in accordance with policy;
- the social, cultural and economic benefits of having a live music venue like the Ironworks for Inverness and the wider Highlands were emphasised;
- caution was urged in relation to supporting individual private enterprises, including possible staff time required;
- some Members spoke in support of establishing a Working Group with stakeholders and partners to review the creative and cultural importance of music and creative arts in all of the Highlands, while others felt that this could be too long term for the specific and urgent need to help to source an alternative venue for the Ironworks. It was also proposed that a Working Group could work in parallel to the more urgent need to rehome the Ironworks; and
- it was pointed out that discussions about the future of the Ironworks were also being undertaken at Area level.

Ms M Nolan, seconded by Ms M MacCallum, **MOVED** the terms of the Notice of Motion as detailed above, but amended by Mr A MacKintosh as follows: the words, 'The Council notes that...new venue,' be deleted from the first sentence, and the word "further " be deleted from the second sentence.

Mrs M Reid, seconded by Mrs G Campbell-Sinclair, moved as an **AMENDMENT** that Highland Council agrees to assist with the formation of a Stakeholder Group and invite partners and stakeholders to review the creative and cultural importance of music and creative arts in all of the Highlands towards sustainable outcomes.

On a vote being taken, the **MOTION** received 20 votes and the **AMENDMENT** received 37 votes, with 5 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion: Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr R Gunn, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mr A MacDonald, Mr A MacKintosh, Mrs A McLean, Mr D Macpherson, Ms J McEwan, Ms M Nolan, Mr M Reiss and Mr A Sinclair.

For the Amendment: Ms S Atkin, Mr A Baldrey, Mr C Ballance, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs B Campbell, Mrs G Campbell-Sinclair, Ms M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W Mackay, Ms K MacLean, Mr T MacLennan, Mr R MacKintosh, Mr D Millar, Ms P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie and Ms K Willis.

Abstentions: Ms B McAllister, Mr R Stewart, Mr S Mackie, Ms H Crawford

Decision

The Council **AGREED** the terms of the Amendment as detailed.

(iv) "This council notes that tax-payers of Highland pay the fifth highest council tax as a percentage of average annual average income out of all 32 Scottish local authorities and recognises that The Highland Council are failing to meet its key performance targets as outlined in the customer service charter. In the interest of providing an acceptable level of service to taxpayers this Council instructs the Executive Chief Officer for Performance and Governance to present a Customer Service improvement plan to the next full Council Meeting outlining what action must be taken to meet these targets and what monitoring will be in place to continually measure performance. This Council instructs that a new customer charter is drafted to reflect the level of service that can be expected in the interim period".

Signed: Ruraidh Stewart Helen Crawford Isabelle MacKenzie

During discussion, Members raised the following issues:-

- some Members expressed concern at the tone of the motion and voiced support for staff who had dealt with customers to the best of their abilities during extraordinary circumstances and with limited resources. Other Members pointed out the motion was not a criticism of any staff but of the systems and resources in place to deal with customers;
- particular reference was made to the long waits experienced by some customers for phone calls to be answered and it was important this was addressed, noting the stress caused by this to both customers and staff;
- attention was drawn to the digital reorganisation project being considered by the Council's Redesign Board, which would improve customer care; and
- in relation to the use of the word 'instruct', it was clarified that the Council was responsible for making policy decisions which the Chief Executive would instruct staff to follow.

Mr R Stewart, seconded by Mr J Bruce, **MOVED** the terms of the Notice of Motion as detailed above.

Mr K Gowans seconded by Mrs G Campbell-Sinclair, moved as an **AMENDMENT** to reject the motion.

On a vote being taken, the **MOTION** received 22 votes and the **AMENDMENT** received 39 votes, with 2 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr A Graham, Mr D Gregg, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mr A MacDonald, Mrs I MacKenzie, Mr S Mackie, Mr D Macpherson, Mrs B McAllister, Ms J McEwan, Mr M Reiss, Mr A Sinclair and Mr R Stewart.

For the Amendment

Ms S Atkin, Mr A Baldrey, Mr C Ballance, Mr B Boyd, Mr I Brown, Mr R Bremner, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr L Fraser, Mr K Gowans, Mr J Grafton, Mr M Green, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W MacKay, Ms K MacLean, Mr A MacKintosh, Mr R MacKintosh, Mr T MacLennan, Mr J McGillivray, Mr D Millar, Ms P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie and Ms K Willis.

Abstentions: Mr S Kennedy, Ms M Nolan

Decision

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

(v) "It is Council policy to achieve more efficient business practices, and to work towards reaching net zero carbon pollution across its operations by 2025.

"Previous Council practice of providing printed paper copies of all committee papers and associated documents to all members was halted a few years ago. Up until then some half a million sheets of paper were printed out for members each year at a significant cost to council tax payers.

"To reduce consumption in this current climate emergency, save staff time, and save money, this Council therefore reaffirms the policy that officers will not print out papers for members where the material is available online.

"Recognising that some members will be less computer literate than others, this Council agrees that ICT runs a workshop, or series of workshops, on navigating, annotating and working with PDFs, the SharePoint facility and other Council software and Council smartphones to help members transition from paper'.

Signed: Chris Ballance Bill Lobban

During discussion, Members raised the following issues:-

- the financial and carbon cost of paper production was explained;
- whilst acknowledging the need to reduce the use of paper, some Members considered it discriminatory to deny Members paper copies of reports when requested, particularly for

medical reasons. Reference was made to the need to restrict screen time, and the need for Members to have papers available in the format they required to allow them to properly undertake their duties as councillors to scrutinise reports;

- the use of recycled paper for printing committee reports was suggested;
- the production of high quality, glossy leaflets and brochures was highlighted as potentially more detrimental than plain print outs of committee papers;
- attention was drawn to the difficulties of scrutinising A3 plans for planning committees on an A4 size screen;
- Members felt that additional ICT training was urgently required, including one to one if necessary. The availability of ICT training information on YouTube was also highlighted, as was occupational health assistance to ensure workstations were appropriately set up;
- the ability to make notes on confidential committee papers was hampered because they could not be downloaded from SharePoint; and
- Members were able to print papers at their own cost if they wished.

Mr C Ballance, seconded by Mr B Lobban, **MOVED** the terms of the Notice of Motion as detailed above, with amended wording from Mr T MacLennan for the last paragraph to read, 'ICT runs a workshop, or series of workshops, *or one to one training...*'

Mr R Gale, seconded by Mr M Reiss, moved as an **AMENDMENT** to replace the second half of paragraph three with, 'when papers are available online officers will provide printed copies of papers only when requested by individual members.'

On a vote being taken, the **MOTION** received 32 votes and the **AMENDMENT** received 31 votes, with 1 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion

Ms S Atkin, Mr A Baldrey, Mr C Ballance, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs B Campbell, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr D Fraser, Mr K Gowans, Mr M Green, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Loudon, Mr W MacKay, Mr R MacKintosh, Ms K MacLean, Mr D Millar, Ms P Munro, Ms L Niven, Mr P Oldham, Mrs M Reid, Mr K Rosie and Ms K Willis.

For the Amendment

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr J Finlayson, Mr L Fraser, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr S Kennedy, Mr P Logue, Mrs M Paterson, Ms M MacCallum, Mr A MacDonald, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mr T MacLennan, Mr D Macpherson, Mrs B McAllister, Ms J McEwan, Mr J McGillivray, Ms M Nolan, Mr M Reiss, Mr A Sinclair and Mr R Stewart.

Abstention: Mrs G Campbell-Sinclair

Decision

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

- (vi) "Council recently gave the President of Ukraine the Freedom of the City of Inverness as a mark of solidarity with the struggle of the Ukrainian people. This Council now wishes to offer further, more practical, support for Ukrainian people in Inverness. This Council therefore instructs E & I committee to investigate a study into the feasibility and cost of offering a free one year bus pass to all refugees and asylum seekers who have arrived in Highland Region

since March 2022, and to report on this to the next full Council meeting for a decision then on whether to implement the scheme.

Signed: Ryan MacKintosh Chris Ballance

During discussion, Members raised the following issues:-

- the motion was welcomed but considered restrictive for being only applicable to one group of refugees; and
- it was noted that a minor amendment would be required as the next meeting of the Economy and Infrastructure Committee would be after the next Council meeting.

Decision

The Council **AGREED** the terms of the Notice of Motion as detailed, with the following amendments:

- the motion was remitted to appear as an item at the next meeting of Economy and Infrastructure Committee and, in preparation for this, the Chair of Economy and Infrastructure would collaborate with the movers of the Motion to determine the recommendations to be presented at the committee; and
- reference to Inverness would be replaced with the Highlands.

(vii)“This Council restates its acceptance of a climate and ecological emergency, as agreed in May 2019. The success of the Archimedes screw on the River Ness has demonstrated the potential to produce renewable energy using Council-owned assets and funding streams such as Salix. In July National Grid announced a £7bn upgrade in transmission systems in the north of Scotland to deal with the expected growth in renewable electricity. (National Grid ESO ‘Pathway to 2030’ July 2022). It is vital that the Council maximises its involvement in the growth of renewables to ensure that the benefits of increased renewable generation support the council tax-payer, rather than the shareholders of multinational developers. It is time for the Council to develop an ambitious, bold and courageous strategy, to match Tom Johnston’s visionary Power from the Glens project of the 1940’s, by using Council land and resources to maximise income to the Council. In recognition of the need to move to Net Zero as quickly as possible, Council agrees that, working with the ongoing outsourced review into income possibilities from renewables, senior service leaders formulate a strategy, Power to the People, to maximise the use of Council-owned buildings, car-parks and land for the production of renewable energy, by solar, wind, water, and ground and water-source heating, a strategy which identifies all potential appropriate locations for power production, and outlines potential funding opportunities, for presentation to the Climate Change Committee for consideration at its first meeting in 2023”.

Signed: Chris Ballance Kate Willis

Decision

The Council **DEFERRED** consideration of this Notice of Motion, should the signatories so wish in terms of Standing Order 12, to the next meeting of the Council due to lack of time.

11. Financial Crisis – Our Council and Our Communities Èiginn Ionmhasail – Ar Coimhearsnachdan agus Ar Comhairle

Declaration of Interest: Mrs M Reid declared an interest in this as a commissioned partner of Highland Council who would be affected by ELC partner funded rates and, in accordance with paragraph 5.6 of the revised Code of Conduct, she left the meeting for this item.

Transparency Statement: Mr A Christie made a Transparency Statement in respect of this item as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau. However, having applied the objective test, he did not consider that he had an interest to declare.

There had been circulated Report No. HC/22/22 dated 14 September 2022 by the Chief Executive.

During discussion, Members raised the following issues:-

- there had never been a time of greater pressure on public finances, as the scale of the challenges were unprecedented an appeal was made for collaborative working in order to support Highland businesses and communities. Assurance was provided that work would be undertaken to increase income generation, reduce costs, manage workforce planning and asset rationalisation. There was also a need to demonstrate confidence. The Council had strong reserves and with the use of sustainable and flexible plans, that comprised of achievable budgets/targets and practical solutions, the Council could overcome the challenges ahead. The Chair of Corporate Resources indicated that all ideas/suggestions in regard to savings/efficiencies would be welcome;
- although collaborative working was welcome, there was a need for earlier engagement and a request was made to reflect on how this would be undertaken going forward to ensure it was meaningful. Confirmation was provided that efforts would be made to improve collaborative working. Attention was drawn to the change in Council policy i.e. to protect jobs where possible, which emphasised the seriousness of the current situation. However, concern was expressed regarding the recommendation to implement budget strategies as detailed in section 8 of the report and it was suggested this should be expanded with an update being provided to the next meeting of the Council. It was suggested that hundreds of posts would have to be deleted to close the budget gap and a plea was made for no compulsory redundancies. There was a lot of work to be undertaken and it needed to be worked through in a systematic and transparent manner;
- recognition was expressed of the invaluable collaborative working between the Welfare Team and the Citizens Advice Bureau (CAB);
- aside from the Workplace Parking Levy and the Transient Visitor Levy, further information was sought on the new areas of income generation and on the categories that would be regarded as no longer being a priority for the Council. Implementation of the Transient Visitor Levy was welcome and the importance of prioritising increasing income generation was emphasised;
- this was an extensive and complex report which set out the challenges being faced by the Council, Highland businesses, partners and residents. In view of this, it would have been helpful to have had separate reports on these key issues. It would also have been of benefit to have had an earlier report regarding addressing increasing energy prices given that winter was soon approaching but it was highlighted that this would not have been feasible without the knowledge of the UK Government support which had only recently been announced. A request was also made for future reports to be in plain English. The £3.224m Cost of Living Support package set out in the report, was in addition to the £3.429m welfare support package agreed at the meeting of the Council on 30 June 2022;

- contrasting views were expressed in regard to the Council providing warm spaces. Concern was expressed at the welfare issues that could arise as a result of elderly residents having to travel on public transport to get to a heat hub and then returning home to a cold space and also in regard to the potential for Covid and/or flu to be spread in these settings. Reference was made to the local solutions that had been adopted in response to the Covid pandemic and it was suggested that a similar approach should be taken with the Council supporting local groups to help people to stay warm at home. However, although the impacts of Covid were recognised, there were serious welfare issues if people were left in cold houses. It was therefore felt that there should be an alternative solution and it was suggested that the establishment of heat hubs should be investigated;
- although the allocation of £3.223m targeting those in need was welcome, concern was also raised regarding reserves being reduced to 1.5% of the annual revenue budget. It was suggested that a request should be made to the Scottish Government for more financial support and assurance was provided that the Council was lobbying for more assistance;
- a number of concerns were raised regarding the recommendation in the report proposing that there should be no change to the current hourly rate of £5.43 for the Early Learning and Childcare (ELC) partner rate. Concerns were expressed that if the rate remained at this level, then providers would not be able to continue and facilities would be closed. Reference was made to the wider economic impact of this, particularly on working families that utilised these essential wraparound services. Further concern was expressed that the hourly rate, had only received a small uplift (12p per hour) in August 2021 whilst providers had to cope with increasing energy and food costs. A survey had indicated that this rate should be £7.25 per hour to enable providers to pay the Living Wage and avoid the risk of losing staff. A request was made for further information on the amount of ELC funding the Council had received from the Scottish Government and how much had been allocated to partners. It was felt that there was a need for transparency in regard to this and to ensure that a fair rate was being paid. It was also queried what the risks on provision would be if the ELC partner funding rate was not increased. It was suggested that the Council should continue to work with providers and examine the funding rate options with a report on the outcome to the next meeting of the Council. However, it was explained that it was not feasible for the Council to provide a further uplift in recurring funding at this stage due to the current financial crisis and as set out in the report the review was continuing. The Council was also under pressure with significantly increasing costs and pay awards yet to be determined, therefore it could not make unaffordable financial commitments. Assurance was provided that the Council recognised this was an essential service for Highland communities and the contributions from partners were valued. Nonetheless, concern was expressed that third sector partners did not feel valued and it was therefore queried how this would be overcome and partner relations rebuilt. Confirmation was provided that there had been engagement with partners and the Chief Executive would provide a briefing on this;
- further information was sought on the initiatives being undertaken to close the budget gap and it was queried when Members would be engaged in regard to this. There was a need to make changes and increase efficiency, implementing a number of 'quick wins', with some examples provided, which could have an immediate impact on the budget gap. Concern was expressed that the report recommendations were too vague, particularly in regard to reviewing the Devolved School Management (DSM) scheme and whether this would be rolled forward to 2023/24 and the ELC partner rate. Further clarity was sought on their objective i.e. was it to cut these budgets or to ensure they were receiving a fair rate. Assurance was provided that the recommendations in the report had been developed with the aim of providing support to those most in need;
- regular promotion via social media of information on Energy Advice was welcome but the elderly was one of the most vulnerable groups in regard to this aspect and many of them did not have internet access. It was therefore queried what action would be taken to ensure access to information for these people. Referral pathways across the Council's

Directorates, with public sector partners and other organisations were in place to identify those in need of support;

- there was a need to ensure that the temporary suspension of green levies did not become a long term strategy and it would be resumed as soon as possible;
- there was no reference to support for students in the report and it was clarified that this was provided by their university/college;
- the need to review the Capital Programme was acknowledged but it was requested that changes were mindful that they did not impact those most in need. The Capital Programme currently had £75.8m assigned for new major road improvements and consideration should be given to reducing this to essential maintenance only in view of the Council's commitment to net zero. However concern was expressed at the impact this would have and the importance of procurement, particularly in the local economy across the Highlands, was stressed;
- further information was sought on the powers of the Section 95 Officer and the Chief Executive advised that details would be circulated to Members via email;
- the difficulties ahead were recognised and there was a need to be open and honest with the public and ensure that changes were fully communicated in advance;
- assurance was provided that the Welfare Team had mechanisms in place to connect with hard to reach groups and the expertise to navigate the complex welfare systems;
- the financial challenges had been looming for quite some time, in particular there should have been more foresight when making provision for the pay award;
- the Council had to mitigate against the financial challenges whilst retaining the ability to be agile to changing priorities; and
- Highland residents would be impacted more by the cost of living crisis, therefore there was a need to consider all available options and implement different solutions across the Highlands to support those most in need. There would be many constituents that would be struggling to cope that would not qualify for welfare support. Therefore, it was critical that there were community initiatives, similar to that implemented during Covid, which would ensure local resilience.

Thereafter, the Mr Louden, seconded by Mr R Bremner, **MOVED** the recommendations as set out in the report.

As an **AMENDMENT**, Mr A Christie, seconded by Mr D Gregg moved the following recommendations:-

- i. note the financial position for financial year 2022/23 and the forecast budget gap of £40.9m for 2023/24;
- ii. note the content of the letter from the Cabinet Secretary for Finance and Economy regarding the Spending Review as set out in Appendix 1 to the report;
- iii. note the Scottish Government's financial position with regard to the pay award as set out in the Depute First Minister's letter at Appendix 2 to the report, which includes "All areas of the public sector will have to make challenging savings to live within existing budgets";
- iv. work on reviewing both the DSM scheme and ELC partner rate to continue in light of the financial crisis facing the Council and a report be presented to the October Council Meeting on options available to be implemented;

And agree:

- i. to develop budget strategies as detailed in section 8 of this report and present the strategies to the next meeting of Council together with a detailed financial appraisal;
- ii. allocate £3.223m from the Council's non-earmarked reserves to:

- a. provide non-recurring cost of living support payments of £145 to each household in receipt of council tax reduction and specified council tax exemptions as set out in this report. This would require £2.523m to be provided;
- b. extend the existing Monday to Friday free school meal holiday payments to include weekend provision up to and including Easter 2023. This would require £0.200m to be provided;
- c. provide grants to individual organisations of up to £10k for community-led initiatives. Non-recurring funding of £0.450m was to be provided; and
- d. provide non-recurring funding of £0.050m to FareShare to purchase food for distribution across the Highlands;
- iii. that the Council collaborates with the Scottish Government with a view to engaging with utility companies to seek more preferential energy tariffs for social tenants;
- iv. that a Member workshop be held in October in order to consider future capital investment for council housing in more detail;
- v. that the council will investigate the feasibility of setting up 'heat hubs' in council owned and leased buildings to provide warm spaces for those struggling to heat their homes and bring an implementation plan back to Council in October;
- vi. that the council will facilitate local Emergency Cost-of-Living Summits to explore localised mitigation measures for the cost of living crisis with invites to all relevant parties including advice agencies, housing providers, food banks, local trade unions, public transport operators, NHS Highland, and MP/MSPs;
- vii. that the council will review its food waste strategy to reduce consumable food from council premises, including schools, that ends up in landfill;
- viii. that the council will, or identify an appropriate local partner organisation, to provide a clear route for anyone who wishes to return or donate support scheme money they have received e.g. Winter Fuel Payment; and
- ix. that the council will, or identify an appropriate local partner organisation, to coordinate the donation and collection of warm clothes to be distributed to households in extreme fuel poverty.

On a vote being taken, the **MOTION** received 37 votes and the **AMENDMENT** received 28 votes and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion

Ms S Atkin, Mr C Ballance, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs B Campbell, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr M Green, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Loudon, Mr W MacKay, Mr R MacKintosh, Ms K MacLean, Mr T MacLennan, Mr D Millar, Ms P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mr K Rosie and Ms K Willis.

For the Amendment

Mr C Aitken, Mr M Baird, Mr A Baldrey, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mr A MacDonald, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Mrs B McAllister, Ms J McEwan, Mr J McGillivray, Ms M Nolan, Mr M Reiss, Mr A Sinclair and Mr R Stewart.

Decision

The Council:

NOTED:-

- i. the financial position for financial year 2022/23 and the forecast budget gap of £40.9m for 2023/24;
- ii. the content of the letter from the Cabinet Secretary for Finance and Economy regarding the Spending Review as set out in Appendix 1 to the report;
- iii. The Scottish Government's financial position with regard to the pay award as set out in the Depute First Minister's letter at Appendix 2 to the report, which included "All areas of the public sector would have to make challenging savings to live within existing budgets";
- iv. that the current schools DSM scheme, and current ELC partner funding rate would apply, with work on reviewing both the DSM scheme and ELC partner rate to continue in light of the financial crisis facing the Council;
- v. that the Statutory Responsibilities of the Section 95 Officer would be circulated to Members via email;
- vi. that a Briefing would be circulated in response to the emails that Members had received regarding ELC partner funding rates; and
- vii. a response would be circulated to all Members in respect of answers to any questions raised that had been missed during the meeting;

and **AGREED:**

- viii. budget strategies be implemented as detailed in section 8 of the report;
- ix. £3.223m be allocated from the Council's non-earmarked reserves to:
 - a. provide non-recurring cost of living support payments of £145 to each household in receipt of council tax reduction and specified council tax exemptions as set out in the report. This would require £2.523m to be provided;
 - b. extend the existing Monday to Friday free school meal holiday payments to include weekend provision up to and including Easter 2023. This would require £0.200m to be provided;
 - c. provide grants to individual organisations of up to £10k for community-led initiatives. Non-recurring funding of £0.450m to be provided;
 - d. provide non-recurring funding of £0.050m to FareShare to purchase food for distribution across the Highlands; and
- x. that the Council collaborated with the Scottish Government with a view to engaging with utility companies to seek more preferential energy tariffs for social tenants and that a Member workshop be held in October in order to consider future capital investment for council housing in more detail.

12. Update on the Highland Response to the Ukraine Displaced Persons Scheme Cunntas às Ùr mu fhreagairt na Gàidhealtachd do Sgeama Dhaoine Fuadaichte an Ùcrain

Transparency Statement: Mr A Christie made a Transparency Statement in respect of this item as a Non-executive director of NHS Highland and as General Manager of Inverness, Badenoch and Strathspey Citizens Advice Bureau. However, having applied the objective test he did not consider that he had an interest to declare.

There had been circulated Report No. HC/**23**/22 dated 8 September 2022 by the Executive Chief Officer Housing and Property.

During discussion, Members raised the following issues:-

- reference was made to an instance of a refugee family being placed at the hotel at Inverness Airport where there was no access to school transport, shops etc, and it was suggested that refugees should be allocated to areas where there was a community. In response, it was explained that this was not within the gift of the Council, contingency hotel

contracts having been awarded by the Scottish Government. However, the issue was the subject of ongoing debate at COSLA;

- appreciation was expressed for the report and the dedication of education staff and the various other teams supporting refugees in Highland. It was necessary to continue to provide such support and welcome refugees into communities;
- it was important to be honest about the challenges and rewards in terms of educating Ukrainian children in Highland;
- it was difficult to recruit EAL (English as an Additional Language) teachers across such a large geographical area and it was queried whether there were any plans to provide EAL training to support staff so they could help refugee children integrate and learn English. In response, it was confirmed that information on supporting teachers and pupil support assistants would be brought to the Education Committee on 29 September 2022. Area Managers and Collaborative Leads were engaging with all schools where there were children from Ukraine and there was a commitment to continue to offer support where it was needed;
- some Members had become aware of refugees moving into their area by chance or through the local press. A call was made for better communication with Ward Members, and it was requested that a message be conveyed that Members were keen to help in whatever way they could. A lot of third sector groups would also be able to help. It having been queried why welcoming parties were not taking place, the Convener explained that, in the majority of cases, it was not known that refugees had arrived. It was added that refugees were traumatised, many of them not being ready to engage with communities, and it was suggested that Members get in touch with their local Resettlement Officer;
- it having been queried whether the Council was kept informed as to the location of contingency hotels, the Convener undertook to find out. However, it was understood that Members were not encouraged or advised to visit;
- whilst some of the frameworks that had been put in place might be frustrating, it was hard to criticise the pace at which they had been mobilised. The volume of refugees arriving in Highland, which had exceeded initial expectations, was an indication of what had happened in Ukraine, and continuously hearing the news of further atrocities being uncovered as Ukrainian forces reclaimed territory must be incredibly traumatic in addition to the trauma of having to leave their home country. Whilst it was fair to continue to emphasise that Members were here to help, support was best provided by the relevant partner agencies and it was of paramount importance that any funding was fully met by the UK or Scottish Government, through the schemes that were in place, with the hope that refugees that wanted to return home did so in the best possible condition and mindset;
- given recent news reports regarding the mobilisation of additional Russian troops, it appeared inevitable that Russia was going to try and make significant advances into Ukraine and that refugee numbers would continue to increase over a number of years. That being the case, it was hard to ignore that there was a surplus of Council housing in Caithness that could potentially be offered to refugee families rather than a hotel room, and it was queried what the route would be to do so;
- further to earlier comments regarding EAL teachers/training, it was suggested that there were probably volunteers that would be able to help and support schools with teaching English; and
- reference was made to an anonymous letter from a refugee mother who was moving to London for work but whose children were desperately sad to leave Highland and their school because of the huge effort local people had made to welcome them. Highland was doing a lot right and it was important to be proud of that.

Decision

The Council:-

- i. **NOTED** the responsibility that we had to Ukrainian refugees arriving in the Highlands to continue to support the effort in the way those fleeing conflict deserved;
- ii. **NOTED** the current support given and the costs incurred to date, however further clarification on grant conditions was still being sought to confirm that we would be recompensed appropriately for the costs incurred; and
- iii. **AGREED** that a letter be submitted to Scottish Government requesting clarification on the Grant spend conditions of the £1.037m Homes for Ukraine scheme and requesting that further funding be made available for spend set out in paragraph 11.3 of the report connected to the Super sponsor scheme.

13. Learning Estate Investment Programme (LEIP) Update Phase 3 Priorities Prògram Tasgaidh na h-Oighreachd Ionnsachaidh

There had been circulated Report No. HC/24/22 dated 12 September 2022 by the Executive Chief Officer Housing and Property.

During discussion, the following issues were raised:-

- Local Members expressed concern regarding the poor state of repair of St Clement's School, which it was suggested should be at the top of the list of priorities. Whilst the school was in Dingwall it was for vulnerable children throughout the area and it was the Council's duty to ensure the proposal to build a new school went ahead without further delay. Members were urged to visit the school to see it for themselves, and their support was sought to expedite matters. A number of other Members voiced their support for St Clement's School being prioritised;
- in response to a question as to why St Clement's School was back before Members yet again and when construction was going to begin, the Chair of the Education Committee highlighted that a paper relating to the statutory consultation exercise on the relocation of St Clement's School was on the agenda for the Education Committee on 29 September 2022. He went on to state that budgets for all the projects covered by the LEIP report had been agreed by the Council as part of the capital programme agreed in December 2021. However, things had changed significantly since then with the impact of the war in Ukraine, the lasting effects of Covid and the huge rise in construction costs that had been seen in recent months. In June, the Council had acknowledged the need to review the capital programme to identify projects that might need to be deferred or looked at differently in terms of how they might be funded and that was what had happened in terms of the LEIP 3 recommendations before Members today. It was important to keep as many as possible of the previously identified projects in the capital programme live as the communities where new schools had been promised still needed to be supported and their expectations realised as far as possible. What made the projects identified in the report the right ones was that work on them had been ongoing for some time and they were deliverable in the timescale expected by the Scottish Government, which was by December 2027, while of course taking away some of the financial burdens the Council would struggle to meet because of the many issues Members had already heard about today. Another key issue had to be getting the best value for money which would support being able to fund other projects the Council wanted to complete. Because of this, taking Beauly, Dunvegan and Park Primary Schools forward as a bundle made sense and, as the report highlighted, there were many benefits to this approach. In terms of St Clement's School, all Members were aware of the need for it to be replaced and, as such, it was a no brainer to include it in the LEIP 3 bid. Finally, the third project recommended was the new primary school at Tornagrain. While the approved capital programme currently had a delivery date of 2030/31 for this project it was likely to be required well before then and could be delivered before December 2027. Importantly, there was a significant amount of developer contributions to be drawn down which would help offset the capital cost of the project. In terms of issues around secondary school rolls in Inverness, officers had been looking at

roll forecasts and he had been assured that there were no capacity issues in terms of the LEIP 3 timescales and the extension work happening at Culloden Academy would provide space for any pressures in east Inverness. Should that change in any way it was hoped that LEIP 4 would support any issues that arose. Given the closeness of the date to submit the Council's recommendations, the work that had been ongoing and the commitment to deliver projects in the current capital programme, he asked Members to support the recommendations in the report;

- if the same level of indexation was applied to the Nairn Academy and Broadford Primary School projects as had been applied to the Tain 3-18 Campus project the costs would increase by some 50%. Similarly, the St Clement's School project would now cost significantly more than originally specified in the capital programme;
- in relation to the pressures on Inverness schools, including Culloden Academy, Inverness Royal Academy and Millburn Academy, it was necessary to get data back quickly and start working up the costs. It was important to keep a close eye on the situation and it was requested that update reports be brought forward in the future. Approving the capital programme was critical as, even if LEIP funding was awarded, none of the projects would become a reality without capital funding in place. It was hoped that a report on the capital programme would be brought forward in the near future so as not to delay the construction of much needed schools;
- in relation to Beaulieu Primary School, feedback from parents was that there had been a lack of communication and consultation, and the need to provide information and be clear about the decision-making process was emphasised. In addition, parents would like the stakeholder group to meet in person on occasion, and it was suggested this would help bring people along as difficult decisions had to be made;
- it was necessary to understand, and ensure parents and teachers understood, whether the recommended projects were dependent on LEIP funding;
- the importance of managing expectations and being fair and open was emphasised;
- it was queried when it was anticipated Beaulieu Primary School was now likely to be built;
- on the point being raised, it was confirmed that the projects listed in the recommendations were not in order of priority - the Council was bidding for all of them as a group. The Chief Executive apologised that the narrative in the body of the report was not clear and emphasised that the Council's ambition was to be successful with all five projects and not to separate them out;
- there was a real urgency to establish what was doable and what was not and communicate that to the public in simple and unambiguous terms;
- no one underestimated the challenge the Council faced in terms of its school estate, there being a large number of schools in condition category C, and it was necessary to remain coherent and united about taking forward the proposed package of projects;
- adding demountable classrooms at Culloden Academy created a mismatch between pupil numbers and facilities, and Charleston Academy had building fabric condition challenges that had to be addressed;
- in relation to stakeholder meetings, there had been a hiatus due to the local government elections and school holidays but officers were committed to them and there was an ongoing programme of delivery;
- the report was the result of the hard work of officers to put together a package of projects that were most likely to be successful and it was hoped Members would support the recommendations;
- the Council did not want to be in a position where projects became unaffordable due to increasing indexation. Officers had determined the strongest bids so that the Council could then look at its own funding options to supplement LEIP funding. There might be difficult decisions to face in the near future but at present it was important to commit to the five proposed projects;
- in response to a question, it was clarified that, of the six projects at pre-construction stage set out in section 4.7 of the report, Charleston Academy did not form part of the proposed LEIP bid; and

- acknowledging the ambition to submit a bid for five schools in total, an additional recommendation was proposed to the effect that, should the total bid not be successful, the replacement for St Clement's School would become the top priority. However, it was explained that the Scottish Government would determine which projects were funded and it was not within the gift of the Council to prioritise a specific project.

Decision

The Council:-

- NOTED** the award of the contract for the LEIP Phase 1 Tain 3-18 Campus project as per paragraph 4.5 of the report;
- NOTED** the Council's commitment to the LEIP Phase 2 projects at Broadford Primary School and Nairn Academy as per paragraph 4.6 of the report;
- NOTED** the approach to reviewing the roll pressures across the school estate in the Inverness area and the progress made to date as outlined in section 5 of the report; and
- AGREED** the recommended priorities to be nominated for consideration by the Scottish Government for Phase 3 of the LEIP as set out in section 6 of the report, namely:
 - A single bid consisting of a bundle of three primary schools; Beauly, Dunvegan and Park;
 - An ASL school, St Clement's; and
 - Tornagrain Primary.

14. Best Value Assurance Report (BVAR) Improvement Plan Progress Report 2021/22 Aithisg Adhartais Plana Leasachaidh Aithisg Bharantais an Luaich as Fheàrr 2021/22

There had been circulated Report No. HC/**25**/22 dated 31 August 2022 by the Chief Executive.

Decision

The Council:-

- NOTED** the progress reported; and
- AGREED** the revisions to timelines required to complete the delivery of the improvement plan as detailed in *Appendix 1 in italics*.

15. Annual Corporate Performance Report 2021/22 Aithisg Choileanaidh Chorporra Bhliadhnaidh 2021/22

There had been circulated Report No. HC/**26**/22 dated 6 September 2022 by the Chief Executive.

Decision

The Council **NOTED**:-

- the report on the final year of the current Corporate Plan for the period 1 April 2021 to 31 March 2022;
- a further report on Statutory Performance Indicators (SPIs) and the Local Government Benchmarking Framework was awaited no later than March 2023;
- that the Annual Performance and Attitudes Survey (APAS) would be carried out over Autumn 2022 using a hybrid approach to securing public opinion; and
- that Service Plans would be updated to reflect the new Corporate Plan and submitted to the first cycle of Strategic Committees in 2023/24.

16. The Highland Council Programme Development Update Cunntas às Ùr mu Leasachadh Prògram

There had been circulated Report No. HC/27/22 dated 14 September 2022 by the Chief Executive.

During discussion, Members raised the following issues:-

- there would be opportunities for engagement and collaboration with Members, staff and communities on the Council Programme prior to it being submitted to the Council on 27 October 2022 for approval and on ongoing basis to inform priorities going forward. Dates for engagement sessions would be confirmed following the meeting;
- the Programme had to be affordable, deliverable, sustainable and ambitious and there was confidence this could be delivered through sound financial management and a focus on redesign and continual improvement. There was a need to be clear about the outcomes that the Programme aimed to achieve and to measure delivery over the lifetime of the document;
- concern at the use of corporate language in relation to the Programme and the need for more clarity and focus on the issues that mattered in terms of changing and delivering improvements to Council services;
- concern that the climate and ecological crisis was not a central focus of the Programme and had not been identified as a key consideration and a higher priority. The Council had declared a climate and ecological emergency in May 2019 and urgent mitigating action was required to achieve net zero carbon targets as early as possible;
- the Administration's commitment to climate change formed a fundamental part of the Council's Programme and was referenced throughout the document;
- the opportunity for further Member engagement and scrutiny as the Programme was developed and refined was welcomed and it was hoped this would be carried out in early course;
- the importance of people in the Highlands being at the heart of the Council's Programme and it being tailored to meet the unique needs of communities in the area;
- commending the use of the research data being gathered as part of the development of the Programme including from other local authorities across the UK; and
- the Programme should be respected as being a work in progress and it was suggested that a longer timeframe be allowed for the engagement sessions with Members, staff and communities to achieve a more meaningful consultation.

Decision

The Council **NOTED**:-

- i. the approach and work to date in developing the Programme;
- ii. the next steps and the approach to engagement;
- iii. that the final Programme would come back to Council for approval on 27 October 2022; and
- iv. that the Corporate Plan would come forward for approval later in the year, and Directorate Service Plans would be updated thereafter, aligning outcomes with the Programme priorities.

17. Business Intelligence Vision Ro-innleachd Innleachd Gnothachais

There had been circulated Report No. HC/28/22 dated 15 August 2022 by the Executive Chief Officer Performance and Governance.

During discussion, Members raised the following issues:-

- the importance of business intelligence and linking systems across the Council to provide the data by which to make informed strategic decisions with all the relevant information;
- business intelligence had a crucial role in terms of achieving best value and in making the Council more efficient and delivering continual improvements;
- clarification was sought, and provided, as to how business intelligence would be taken forward within the Council and within Service and Corporate Plans and the Council's Programme and how it would be used at senior officer level to inform reports; and
- the Council's data should be regarded as an asset and the need in the first instance to look at weighting the reliability and useability of all of the Council's data and from that develop a single version of the truth.

Decision

The Council:-

- i. **APPROVED** the priorities and principles set out in the Business Intelligence Vision as outlined in Appendix 1 to the report and in the report; and
- ii. **AGREED** to the development of a detailed and costed implementation plan for business intelligence for submission to a future meeting of the Council.

18. Draft Remit - Climate Change Committee Dreachd Raon-ùghdarras – Comataidh Atharrachadh na Gnàth-shìde

There had been circulated Report No. HC/29/22 dated 12 September 2022 by the Acting Depute Chief Executive and Executive Chief Officer Performance and Governance.

During discussion, Members raised the following issues:-

- appreciation was conveyed to Members and officers who contributed to the climate change workshop;
- it was crucial that the Council maintain focus to achieve net zero as a priority;
- it was felt that the Climate Change Committee was just a continuation of the Climate Change Working Group with zero decision making powers; and
- it was requested that the term 'Net Zero' be replaced and reviewed for future Climate Change Committee meetings.

Decision

The Council **AGREED** the Terms of Reference for the Climate Change Committee.

19. National Care Service for Scotland Consultation Co-chomhairle mu Sheirbheis Cùraim Nàiseanta airson Alba

Transparency Statement: Mr A Christie made a Transparency Statement in respect of this item as a Non-executive director of NHS Highland. However, having applied the objective test he did not consider that he had an interest to declare.

There had been circulated Report No. HC/30/22 dated 7 September 2022 by the Executive Chief Officer Health and Social Care.

During discussion, Members raised the following issues:-

- the Council's response to the consultation was supportive of many of the findings of the independent review of adult care which had led to the Bill. The response also identified a number of areas of concern. These concerns were shared by COSLA and Social Work Scotland;
- the Council was seeking assurances that care would be provided as close as possible to where it was needed and for it to be person centred and community based;
- concern that a National Care Service would result in the centralisation of services and that solutions would be applied across remote and rural areas of Scotland in a one size fits all approach;
- the centralisation of NHS, Police and Fire and Rescue services had resulted in a loss of local autonomy, budget, scrutiny and accountability and therefore the need to safeguard against the loss of local services in communities in terms of the proposals;
- there was a lack of clarity and detail as to how a National Care Service would deliver improvements and concern it might introduce further problems into the system, reference being made to the transition point between children's and adult services and outcomes for looked after children and others;
- the need for more recognition and support for young and unpaid carers in the proposals;
- a National Care Service would deliver benefits for all members of society in terms of care at home. There were currently issues within the NHS around delayed discharges and the elderly and others having access to local services;
- there was a shortage of care workers locally and a need to change the narrative about how care workers were described. Care workers were highly valued and skilled and core to the ageing population in the Highlands;
- issues around transparency and lack of scrutiny in relation to the fact the Bill was to be introduced by secondary legislation;
- while the Administration was supportive of the concept and principles set out in the Bill, it was actively making representations to COSLA on the areas of concern detailed in the report. Many other local authorities had expressed similar concerns;
- the balance of care had shifted and the current system was unsustainable and a fundamental change was required in how services were delivered to improve the standard and quality of care and support provided in communities in Highland;
- the report was part of an ongoing consultation on the Bill following on from the independent review of adult care. A workshop for Members with professional input would be held going forward;
- the issues around how to provide care to a rapidly ageing population were extremely difficult and reference to a professional officer view in the report that the proposals would not improve services; and
- in the context of the ongoing financial crisis, it was not the right time to take a risk with vulnerable people's care and the proposals should be resisted on that basis.

Decision

Having considered the terms of the consultation, the Council:-

- i. **NOTED** and **APPROVED** the terms of response which had been issued to the consultation; and
- ii. **AGREED** that there be continuing engagement with CoSLA and SOLACE in terms of the impact the proposals might have on local authority functions going forward.

**20. Community Asset Transfer Request – Playing Fields at Inverness Royal Academy
Iarrtas Gluasad So-mhain Coimhearsnachd – Raointean-cluiche aig Acadamaidh
Rìoghail Inbhir Nis**

There had been circulated to Joint Report No. HC/**31**/22 dated 12 September 2022 by the Executive Chief Officer Communities and Place Executive Chief Officer Infrastructure, Environment & Economy.

One of the proposals from Caledonian Thistle Community Development Trust was that Inverness Royal Academy (IRA) would have dedicated daily use from 10am-12 noon and 1-3 pm Monday to Friday but, to make this more flexible for the school, it was suggested that discussion take place as to the possibility of extended the afternoon session.

Decision

The Council **AGREED** the transfer of the playing fields at Inverness Royal Academy by lease to Caledonian Thistle Community Development Trust, noting the Council would retain ownership, subject to:-

- i. the conditions set out in the report being met; and
- ii. negotiation surrounding the possible extension of the dedicated daily times for use by IRA.

**21. Timetable of Meetings 2022/23
Clàr-ama Choinneamhan 2022/23**

Decision

The Council **AGREED** the:

- i. following changes to the current timetable:
 - North Planning Applications Committee from 13 September to 27 September
 - City of Inverness Area Committee from 14 September to 26 September
 - Education Committee from 15 September to 29 September
 - South Planning Applications Committee from 20 September to 4 October
 - Pensions Committee/Board from 29 September to 30 September
 - Planning Review Body from 4 October to 5 October
 - Sutherland Area Committee from 31 October to 7 November
- ii. Timetable of Meetings for 2023 as circulated.

**22. State Funeral – Monday 19 September 2022
Tìodhlacadh Stàite – Diluain 19 Sultain 2022**

There had been circulated Report No. HC/**32**/22 dated 13 September 2022 by the Acting Depute Chief Executive.

Decision

The Council **AGREED** to **HOMOLOGATE**:-

- i. that as a mark of respect, the Council observed the state funeral of her Majesty The Queen Elizabeth on Monday 19 September 2022 and designated the day as a bank holiday for all staff;

- ii. that Offices, Schools and Service Points were closed to the public on 19 September;
- iii. that time off was given only for staff due to work on 19 September; and
- iv. that staff who were required to work that day were recompensed with an enhanced payment.

23. Deeds Executed
Sgrìobhainnean Lagha a Bhuilicheadh

Members **NOTED** a circulated list of deeds and other documents executed on behalf of the Council since the meeting held on 30 June 2022.

24. Exclusion of the Public
Às-dùnadh a' Phobaill

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

25. Care Home Provision
Solar Dhachannan-Cùraim

Transparency Statement: Mr A Christie made a Transparency Statement in respect of this item as a Non-executive director of NHS Highland. However, having applied the objective test he did not consider that he had an interest to declare.

There had been circulated to Members only Report No. HC/**33**/22 dated 6 September 2022 by the Executive Chief Officer Health and Social Care.

Decision

Following private discussion, the Council **AGREED** the recommendations as detailed in the report subject to the amendment of the second recommendation detailing the total cost of purchase.

26. Awards of Contract for Public and School Transport
Duaisean cùmhnaint airson còmh-dhail phoblach is sgoile

There had been circulated to Members only Report No. HC/**34**/22 dated 13 September 2022 by the Executive Chief Officer Infrastructure, Environment & Economy.

Decision

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

The meeting was concluded at 7.05 pm.