

The Highland Council
No. 3 2024/2025

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 9 May 2024 at 10.05am.

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

Present:

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

In Attendance:

Chief Executive
Assistant Chief Executive - Corporate
Assistant Chief Executive - People
Assistant Chief Executive - Place

Head of Legal and Governance
Joint Democratic Services Managers

Apologies for absence were intimated on behalf of Mrs T Collier, Mr A Graham, Mr A MacDonald and Ms M Nolan.

Mr B Lobban in the Chair

Preliminaries

Prior to the commencement of formal business, the following points were made:

- appreciation was expressed to Mr J McCreath for the Defibrillator training that had been provided to Members immediately prior to the commencement of the meeting; and
- 5 – 11 May 2024 was Lyme Disease Awareness Week. It was explained that the Highlands was a hotspot for Lyme Disease with a survey indicating 70% of participants had been infected in the Highlands. Of this 70%, 42% had been unaware of Lyme Disease prior to infection. Members were urged to promote awareness of Lyme Disease in their Ward to help prevent infection.

2. Declarations of Interest / Transparency Statements Foillseachaidhean Com-pàirt / Aithris Fhollaiseachd

The Council also **NOTED** the following Transparency Statements:-

Item 9 – Mr M Cameron and Mr A Christie
Item 10 – Mr A Christie
Item 11 – Mr C Munro
Item 14.viii – Mrs M Reid

3. Confirmation of Minutes Daingneachadh a' Gheàrr-chunntais

The Council **AGREED** the Minutes of Meeting of the Council held on 14 March 2024 (and continued on 15 March 2024) as contained in the Volume which had been circulated separately.

4. 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 following Minutes of Meetings of Committees as contained in the Volume which had been circulated separately as undernoted:-

Climate Change Committee	20 March 2024
Audit Committee	21 March 2024
Gaelic Committee	28 March 2024
Comataidh na Gaidhlig	28 Màrt 2024
Housing and Property Committee	1 May 2024
*Economy and Infrastructure Committee	2 May 2024

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

Economy and Infrastructure Committee, 2 May 2024

***Starred Item: Item 22 - Appointment to the Flow Country Partnership**

The Council **AGREED** the appointment of Mr R Bremner as a Trustee of the Flow Country Partnership.

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

- i. Redesign Board held on 28 March 2024 which were **APPROVED**.

**5. Question Time
Àm Ceiste**

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

Member Questions

(1) Mr A Christie

To the Leader

Please could the leader detail the key decisions taken at CoSLA Leaders Meetings from 1st January to 30th April 2024 and how he, or the Council representative if not him, voted on the item under consideration in the event there was a vote?

The response had been circulated.

In terms of a supplementary question, given the rising importance of CoSLA in recent years, what system of briefing could the Leader introduce that would enable Members to be kept informed of the Highland position at CoSLA meetings.

In response, this was on the mind of many Leaders at CoSLA and, if these briefings were in line with CoSLA's policies regarding confidentiality, then they would be considered for briefing.

(2) Mr A Christie

To the Leader

Please could the leader detail the individual posts that are currently vacant within the Health and Social Care Department and the length of time they have been vacant?

The response had been circulated.

In terms of a supplementary question, considering the critical nature of the roles listed, it was queried what harm was caused to children and families across Highland with these roles having been not filled.

In response, it was indicated that the service and provision was not seeking to cause any harm to children across the Highlands. This would be followed up on regarding the figures provided to Cllr Christie. It was reiterated that the Leader was very proud of the service being provided.

(3) Mr M Reiss

To the Chair of Health, Social Care and Wellbeing

Overnight Respite Services have been removed from Thor House Thurso without the consent of Local Members. This facility was purpose built to provide respite care. When will the former excellent service be reinstated?

The response had been circulated.

In terms of a supplementary question, it was queried the Chair would come north to meet the members of Caithness and Sutherland Respite Campaign.

In response, while it would be considered, it was suggested that a Members' workshop could take place to consider this action before taking things forward.

(4) Mrs I MacKenzie

To the Leader

Several residents, mainly from our older population, who use private car parks in Inverness, have raised various issues. This included "poor signage, unreasonable terms, exorbitant fines, aggressive demands for payment and an opaque appeals process.

At the moment there's no specific legislation dealing with parking on private land in Scotland.

The Scottish Government should look at creating a code of conduct which would reassure drivers that private car park operators would treat them in a "fair and proportionate" manner. The RAC and the AA have said the code would increase standards for private parking operators and improve drivers' experiences of private parking. The International Parking Community also said the implementation of the code would help the sector to "address the doubt and scepticism that has plagued the industry's public perception for far too long".

Can Highland Council raise the matter with the Scottish Government to seek action to establish a regulatory framework for the industry?

The response had been circulated.

There was no Supplementary Question.

(5) Mr C Ballance

To the Leader

Given the Government's commitment to consult this summer on introducing a Carbon Emissions Land Tax, could the Leader give the date for the seminar on this proposal which was promised a full year ago in May 2023?

The response had been circulated.

In terms of a supplementary question, given that the John Muir Trust had suggested that the Carbon Emissions Land Tax Proposal could be worth £20 million per annum to the Council, it was queried if there would be value in organising a workshop to examine these proposals to see whether the Council would support and lobby for it before it became a Scottish Government consultation.

In response, the Leader indicated the Senior Leadership Group and Senior Officers were actively looking at the Carbon Emissions Land Tax. The Leader would communicate with Cllr Ballance about progress. The Leader had recently met with the John Muir Trust. This will be monitored going forward to make sure the proposal fitted with the way the Council was looking forward.

(6) Mrs H Crawford

To the Chair of Education

In line with the Attendance Management Guidance, can you please provide an analysis of staff absences from the past year, including the rate of absence (days lost), the cost of these absences, a breakdown of the absences into categories of long-term and short-term, the most prevalent reason for absence, any link to health and safety breaches, and the percentage of return-to-work interviews that have been successfully conducted?

The response had been circulated.

There was no Supplementary Question.

(7) Mr S Mackie

To the Leader

On the 23rd April, SNP spokesperson and Member of Parliament for West Dunbartonshire, Martin Docherty-Hughes stated that funds allocated for decommissioning by The Department for Energy and Net Zero (DESNEZ) should not be put towards the clean-up of Scotland's nuclear sites, labelling them "unnecessary nuclear projects".

Martin Docherty-Hughes MP attests that funding for sites such as Dounreay, Hunterston or Chapelcross should instead be redirected to fund public services such as "Hospitals, Doctors, Nurses, Teachers and Police Officers", with zero detail on his party's plans for the nuclear communities that host legacy sites.

Given the importance of the civil nuclear industry to Caithness and North Sutherland, does the Leader of the Highland Council recognise:

- The c.£220 million annual spend allocated to decommissioning in Highland (funded wholly through the NDA, a subsidiary of the Department of Energy and Net Zero?
- The 1,232 locals employed by Nuclear Restoration Services in Caithness and North Sutherland?
- The 700 jobs directly supported in the nuclear decommissioning supply chain?

- The £487,000 of direct socio-economic support from the Dounreay site (that funds initiatives like Focus North, STEM activities for young people and the PSO Officer for the Wick to Aberdeen airlink)?
- And the £8.4 million of NDA of grant support that has seen investments into key projects like Caithness ports, the Sutherland Spaceport and Nucleus?

If these facts are recognised, will the Leader of the Highland Council formally correct the SNP's spokesperson in Westminster? And will he outline that the decommissioning industry is integral to the tax-take of not only this local authority but in providing funds that sustain public services across this region?

The response had been circulated.

In terms of a supplementary question, the Scottish Parliament recently had convened a cross party group on the civil nuclear industry which would include Elected Members and stakeholders and the Council Leader was asked to explore how the Highland Council could be represented at the table and ensure that one on the area's largest industrial sectors would have a Highland voice at a forum that would explore skills, diversification and waste policy.

In response, the Leader agreed to do this and drew attention to the impact that the longer decommissioning period for Dounreay would have on the availability of a skilled workforce for the Green Freeport.

(8) Mr A Graham

To the Leader

Charleston Academy: please provide details of the extent of areas within the school for which renewal or precautionary works e.g. support beams, repairs, replacement ceilings etc have been required due to the presence of RAAC (Reinforced Autoclaved Aerated Concrete)?

The response had been circulated.

There was no supplementary question.

(9) Mr R Stewart

To the Leader

In light of the independent assessment concluding that the Academy Street Regeneration Project provides 'poor' value for money and will deliver a negative return on investment will this administration now agree to scrap this scheme?

The response had been circulated.

In terms of a supplementary question, it was queried whether the Council would agree to undertake a local economic impact assessment that did not only focus on transport economics.

In response, the Council Leader confirmed that he would consider Mr Stewart's request.

(10) Mr D Macpherson

To the Leader

In 2009, 6.5% of learners had an additional support need. In 2024, it is 37% - yet teacher numbers are falling!

Between 2010 and 2022, the number of ASN teachers in Scotland fell by 19% - when the number of pupils with ASN increased by almost 24%.

Do you agree with the Educational Institute of Scotland and the need for more, not fewer teachers and more qualified specialist teachers to help our children with Additional Support Needs?

The response had been circulated.

In terms of a supplementary question, the Leader was asked if he agreed that considerable investment was needed to ensure that the Council was 'Getting it Right for Every Child' and that sustained effort was needed to enable teachers to work safely, effectively and with the right support to do their job well.

In response, the Leader confirmed the Council wanted to Get it Right for Every Child first time and to employ the appropriate level of resource to be able to achieve that.

(11) Mr R Mackintosh

To the Chair of Communities & Place

Fly-tipping is a blight on our Highland landscape and affects both rural and urban areas. How many reports of fly-tipping is made annually to the Highland Council?

The response had been circulated.

In terms of a supplementary question, it was queried, how many fly tipping incidents were investigated resulting in the issuing of fines.

In response, the Council staff were engaging with the Scottish Government and local SEPA teams to increase work in this area to act as a deterrent to fly-tipping and litter. Environmental Health and Waste Management within the Council were continuing to work together to support and respond to community concerns by undertaking patrols, providing signage and reviewing waste bin provision.

6. Membership of the Council Ballrachd na Comhairle

The Convener paid tribute to the late Mr A Rhind (Ward 7 - Tain and Easter Ross) who had been serving his fifth term as a Local Member. A number of tributes were made to Mr Rhind, a Highland gentleman, during which reference was made to his, care, compassion and hard work for constituents and the help and support he provided to fellow Councillors. The Council's condolences were extended to his family and friends at this sad time.

Following the sad passing of the late Mr A Rhind, Members **NOTED** that a By-Election had now been arranged and would be held on 13 June 2024.

Also, the Council **NOTED** that, following the By-Election for Ward 19 (Inverness South) held on 11 April 2024, Mr Duncan Cameron McDonald had been elected as a Member of the Council.

**7. Membership of Committees etc
Ballrachd Chomataidhean msaa**

The Council **NOTED** that as a result of the By-Election the political make-up of the Council was now as follows:-

SNP – 21 / Highland Independent – 17 / Scottish Liberal Democrats – 14 / Scottish Conservative and Unionist – 8 / Highland Alliance – 5 / Scottish Green Party – 4 / Labour – 2 / Alba Party – 1 / Non-Aligned - 1.

It was also **NOTED** that the formula in respect of the number of places on Strategic Committees remained as 5/5/4/2/2.

The Council **NOTED** the following changes to Committee memberships:-

Economy and Infrastructure – Mrs M Ross
Housing and Property – Mr R Jones
Corporate Resources – Mrs M Paterson

**8. Appointments to Companies - Highland Opportunity (Investments) Limited
Cur an Dreuchd gu Companaidhean - Cothrom dhan Ghàidhealtachd
(Tasgaidhean) Earranta**

The Council **AGREED** the appointment of Mrs J Hendry as a Director for Highland Opportunity (Investments) Limited.

**9. Establishing the Highland Investment Plan and Mechanisms to Fund and
Deliver It
Plana Tasgaidh na Gàidhealtachd**

Transparency Statements: the undernoted Members declared connections to this item but, having applied the objective test, reviewed their position in relation to the items and any personal connection, did not consider that they had an interest to declare:-

**Mr M Cameron as his wife was a teacher at Charleston Academy
Mr A Christie as a Non-executive director of NHS Highland**

There had been circulated Report No. HC/13/24 by the Chief Executive.

In moving the recommendations, the Council Leader advised that the Highland Investment Plan provided hope to communities by delivering capital financing solutions in response to the challenges the Council faced in relation to capital funding. The Plan provided confidence in relation to roads being continually resurfaced, repaired and maintained over a sustained period of time. The Plan would realise investment in many schools with an immediate focus on those in most urgent need and would enable the assessment and appraisal of projects in order to

plan at pace preparation of options, planned works and to start delivering improvements in the school estate with immediate effect. The Plan provided opportunities for other capital investment and also future projects to generate income streams to potentially replace the need to ring fence Council tax.

The Convener stated that the Highland Investment Plan would remove the Council's reliance on funding from central government, albeit it would continue to engage with government, other third parties and private developers to secure its fair share of funding to improve roads, school estate, infrastructure, and public buildings. The Plan would boost the economy and the Council was taking the lead in providing the infrastructure that communities needed and deserved and in making the Highlands a better place in which to live.

During discussion, Members raised the following main points:

- the Chief Executive and officers were thanked for the considerable amount of time and effort involved in the production of the Highland Investment Plan;
- the Plan was ambitious and aspirational and would deliver transformational change through a strategic, evidenced based and real data approach;
- the Plan was worth £2billion over the next twenty years and reflected the key priorities of communities with a high level of investment in schools and roads while ensuring projects were affordable, prudent and sustainable;
- the creation of community points of delivery for a range of public services in one location that could meet community needs as part of a strategic plan for communities was innovative and was welcomed;
- delivering the Highland Investment Plan would be challenging due to the impact of unforeseen factors and circumstances that might arise over the period such as recent changes in interest rates and construction costs;
- engagement with the public and community involvement was key to the success of the Plan as a whole;
- projects had to be sustainable, achievable and time managed to avoid delays and, as a next step, Members be provided with details of start dates and timescales;
- it was important methodology was used to prioritise school projects and the Plan recognised that some schools had reached the point of critical need;
- a proposal was made that St Clements School and Dingwall Primary School be reclassified as Phase One Projects, and setting out a funding proposal to allow work to start on a replacement St Clement's School;
- an assurance was sought there would be full engagement with parents, staff and pupils on a new St Clement's School and confirmation be provided on a start date and timescales for delivery;
- further clarity was required on the implications of the proposal to evolve policy around additional support needs;
- a holistic approach to educational need in locations was sensible and enhanced additional support needs provision might allow more pupils to remain in mainstream learning;
- there was potential to improve engagement processes with parent councils on school projects through their community liaison groups;
- it was also proposed Culloden Academy be reclassified as a Phase One Project due to capacity issues, lack of social spaces, plans for housing expansion within the ward and future demand associated with the Inverness and Cromarty Firth Green Freeport;

- an analysis needed to be undertaken on the re-purposing of vacant buildings within industrial parks as schools, community led building of schools and whether the Council could facilitate either of those models if relevant communities considered that this was an option;
- it was hoped the Plan would address the condition of many Council depots and enable progress to be made on office rationalisation;
- the focus on retrofitting buildings identified as core assets was welcomed;
- it was questioned how the suitability ratings for schools were calculated, with specific reference to Inverness Royal Academy;
- there was a need to connect capital investment to revenue funding in relation to the continued operation of existing nurseries in communities;
- The Bridge, Inverness should be included in areas of future analysis given the essential support it provided to some of the most vulnerable pupils in Highland;
- the high level of debt the Plan would incur was highlighted and the legacy this would leave for future generations. A detailed report needed to be presented to a Corporate Resources Committee on the financial risks, logistical challenges and strategies that could be used to repay the capital element of any borrowing;
- further clarity was provided on the options around the costs of borrowing, the different mechanisms and the types of rates that might apply;
- the proposed level of borrowing would deliver social returns in terms of schools, roads and paths, low carbon public transport and public access to the services they required;
- investment in transport for all was essential for social inclusion and community points of delivery should be located on accessible public transport routes and provide access to partner organisations such as NHS Highland and the Police;
- it was important the Council made the right choices with regard to solutions that supported net zero and took advantage of funding avenues and the Climate Change Committee needed to be involved in decision making from the outset;
- achieving savings and income generation targets agreed as part of the budget would allow the Council to be more self-reliant and in control of finance to deliver community priorities;
- the Council should approach the renewable energy companies and other private sector organisations for interest free loans or other financial support to assist with the affordability of the Plan and provide the infrastructure and environment to develop a highly skilled workforce for the future;
- the lack of progress with the Stromeferry bypass and associated safety issues and the need for the Scottish Government to take responsibility for this project was highlighted. The Council Leader undertook to raise this matter with the Cabinet Secretary for Transport;
- it was questioned whether the Plan would meet on an annual basis the standstill figure required to maintain the roads in Highland in their existing condition;
- the significant additional investment in roads agreed by the Council in March 2024 and savings that would be generated in the procurement process through a longer term approach were recognised;
- concern was expressed in relation to progress with Inshes roundabout, Inverness and reference was made to an update provided on this issue to a recent City Region Deal Monitoring Group;
- lessons needed to be learned from the past under investment to ensure the proposals delivered longevity in the Council's assets;
- a capital project oversight review board as part of the Corporate Resources Committee needed to be established to take a high level strategic view of the projects coming forward;

- some elements within the Plan were overly optimistic and the Council continued to rely on an annual budget determined largely by government funding. The Plan should not be funded through reductions in services and it was not clear how it would tackle inequalities;
- assurance was sought that the ring fenced funding from Council Tax would be additional funding and the Scottish Government be lobbied on the issue of local authorities having the freedom to set Council Tax levels;
- it was queried what the impact on the Plan would be in the event a further Council freeze was imposed or given there was a near political consensus to abolish the tax;
- there was potential for information to be provided to the public's Council Tax annual statements on the projects being delivered through the ring fenced element; and
- Members were thanked for their constructive comments, many of which would be followed up on in due course or in future reports to Council.

Thereafter, and following summing up by the Council Leader and Leader of the Opposition, Mr R Bremner seconded by Mr B Lobban **MOVED** the recommendations detailed in the report.

Mr A Christie seconded by Mr R Stewart moved as an **AMENDMENT** that the Council:

- approve, with the reclassification of St Clements School and Dingwall Primary to Phase One Projects (per 5.3 and the consequent reclassification from Appendix 4 to Appendix 5), the Highland Investment Plan as set out in the paper, including the list of schools in scope for development, and the categories in which they will be prioritised (as seen in Appendices 2 to 9);
- approve the progression of work described in section 5.2 to prepare local masterplans and options appraisals;
- approve the initial list of projects described in Section 5.3 to be progressed to design and tender stage;
- approve the approach to place-based planning to deliver a sustainable estate, supported by integrated partnership working on behalf of communities;
- approve the strategic approach described to the furtherance of the programme of ASN base provision in section 4.15 to allow young people, where possible, to be educated in their local communities.
- approve the utilisation of £2.8 million of revenue funding in 2024/25, carried over from the budget setting process, for investment to initiate the programme and to commence the necessary works to ensure the replacement St Clements School in Dingwall is finally started.
- approve the policy to ring fence Council Tax income in future budget setting processes to sufficiently enable the Highland Investment Plan, with the actual council tax and budget setting decisions to be made on an annual basis;
- approve as a policy that the Council's ratio (percentage) of General Fund capital financing costs relative to its General Fund revenue budget funding stream should not exceed 10%, thus ensuring capital investment can remain affordable, prudent, and sustainable, and this percentage cap being adopted as a new local prudential indicator;
- approve, in recognition of the financial risks as referred to in section 3.5 and Appendix 1, that a detailed report be presented to a Corporate Resources Committee meeting no later than the 11 September 2024. This report should evidence clearly the financial assumptions contained in the Investment Plan together with an analysis of the logistical challenges associated with the implementation of the Plan. The report should also contain strategies that

could be used in order to repay the capital element of any borrowing. The Report should also include analysis of (1) possible re-purposing of vacant buildings within Industrial Parks as schools, and (2) community led building of schools such as Strontian Primary School and whether Council can facilitate either of those models if relevant communities consider that this is an option for them;

- x. note that future Treasury Management Strategy Statements will be revised to reflect the approved recommendations arising from this report, and the incorporation of the new local Prudential Indicator;
- xi. note the financial modelling, assumptions, risks and implications as described within the report;
- xii. note that the Highland Investment Plan will be underpinned by the ongoing process of medium-term financial planning and annual budget setting, being the process through which phases of the Plan will be released and specific funding allocations agreed;
- xiii. note that a further report will be brought to Council in June outlining place-based asset mapping to further refine the scope of projects, supported via an option appraisal process; and
- xiv. note that there will be further engagement with communities and partners on this plan over the coming months.

On a vote being taken, the **MOTION** received 44 votes and the **AMENDMENT** received 24 votes, with no abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mrs S Atkin, Mr A Baldrey, Mr C Ballance, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mrs M Cockburn, 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 Louden, Mr W MacKay, Mr G MacKenzie, Mr R MacKintosh, Ms K MacLean, Mr T MacLennan, Mr D McDonald, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr C Munro, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie, Mrs M Ross, Ms K Willis.

For the Amendment:

Mr M Baird, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr J Grafton, Mr D Gregg, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Mrs J McEwan, Mr M Reiss, Mrs T Robertson, Mrs L Saggars, Mr A Sinclair, Ms M Smith, Mr R Stewart.

Decision

The Council **APPROVED**:-

- i. the Highland Investment Plan as set out in the report, including the list of schools in scope for development, and the categories in which they would be prioritised (as seen in Appendices 2 to 9 of the report);
- ii. the progression of work described in section 5.2 of the report to prepare local masterplans and options appraisals;
- iii. the initial list of projects described in Section 5.3 of the report to be progressed to design and tender stage;

- iv. the approach to place-based planning to deliver a sustainable estate, supported by integrated partnership working on behalf of communities;
- v. the strategic approach described to the furtherance of the programme of ASN base provision in section 4.15 of the report to allow young people, where possible, to be educated in their local communities;
- vi. the utilisation of £2.8 million of revenue funding in 2024/25, carried over from the budget setting process, for investment to initiate the programme;
- vii. the policy to ring fence council tax income in future budget setting processes to sufficiently enable the Highland Investment Plan, with the actual council tax and budget setting decisions to be made on an annual basis;
- viii. as a policy that the Council's ratio (percentage) of General Fund capital financing costs relative to its General Fund revenue budget funding stream should not exceed 10%, thus ensuring capital investment could remain affordable, prudent, and sustainable, and this percentage cap being adopted as a new local prudential indicator;

and **NOTED**:

- ix. that future Treasury Management Strategy Statements would be revised to reflect the approved recommendations arising from the report, and the incorporation of the new local Prudential Indicator;
- x. the financial modelling, assumptions, risks and implications as described within the report;
- xi. that the Highland Investment Plan would be underpinned by the ongoing process of medium-term financial planning and annual budget setting, being the process through which phases of the Plan would be released and specific funding allocations agreed;
- xii. that a further report would be brought to Council on 27 June 2024 outlining place-based asset mapping to further refine the scope of projects, supported via an option appraisal process; and
- xiii. that there would be further engagement with communities and partners on this plan over the coming months.

10. Highland Council Operational Delivery Plan 2024-27
Dreachd Dheireannach de Phlana Lìbhrigidh Chomhairle na Gàidhealtachd 2024–27

Transparency Statements: the undernoted Members declared connections to this item but, having applied the objective test, reviewed their position in relation to the items and any personal connection, did not consider that they had an interest to declare:-

Mr A Christie as a Non-executive Director of NHS Highland
Mr T MacLennan as Chair of Lochaber Care and Repair

There had been circulated Report No. HC/14/24 by the Chief Executive.

During discussion, the following main points were raised:-

- thanks were expressed to officers for the work that had gone into the preparation of the report and Operational Delivery Plan;
- in terms of service provision and investment, it was necessary to begin to look beyond a three-year period and particular reference was made to the need to work with partners and stakeholders to find sustainable solutions to the housing challenges that existed in Highland;

- given the Council's commitment to reach Net Zero by 2045, concern was expressed that Net Zero had been relegated to its own silo and there was no mention of it in several of the other portfolios. The need for cross-Council policy alignment having been emphasised, it was proposed that "To support our Net Zero Strategy" be inserted in the Responsibilities section of the Terms of Reference for each of the Portfolio Boards, and this was accepted;
- the proposals would affect staff at all levels and good communication was the key to change management. In that regard, it was queried why Trade Unions were not included in the Portfolio Boards, even in an advisory capacity, and what the plans were for keeping staff and Trade Unions informed;
- if Highland was to be an employment destination of choice, it was necessary to do more to support the arts and develop a vibrant cultural offering;
- whilst the Delivery Plan was starting to take shape, concern was expressed that there was still a lack of depth to it;
- disappointment was expressed regarding the detachment of Elected Members from much of the proposals and that they would not have the opportunity to robustly scrutinise the work taking place other than by drilling down through the Performance and Risk Management System. Members were actively encouraged to participate in Redesign Board workshops yet it was not expected that they would attend the proposed Portfolio Boards, and it was suggested that more thought needed to be given to Elected Member involvement;
- in relation to the proposed Portfolio Reporting Cycle, Shifting the Balance of Care, for example, would not be reported to the Health, Social Care and Wellbeing Committee until Quarter 4 2024/25, and it was questioned what the Strategic Chair would do if the associated savings were not achieved and how other Members would be kept informed. Similarly, it was questioned why the Pathways and Partnerships project would only be reported to the Education Committee once, in 2024/25, when the project was scheduled to be reviewed in 2025 and 2026, and concern was expressed that the Visitor Levy project, on which consultation was scheduled to commence in October 2024, would not be scrutinised by any Committee until 2026/27. In addition, attention was drawn to the number of items that would require to be added to already lengthy Committee agendas and, in relation to projects that reported to two Committees, it was queried what would happen if one Committee was content with a paper and the other wanted to make amendments;
- in relation to the Person Centred Solutions portfolio and enabling older people to live in their own homes for longer, it was necessary to gear the planning system towards developing a wider range of housing that was suitable for all ages. The Council should be looking to set specific targets for housing for older people, and such housing needed to be adaptable;
- the need for transport solutions in rural areas and to better communicate with community transport groups was emphasised, as was the importance of prevention and encouraging people to get fitter to live well for longer;
- it was questioned why the "Ask My GP" service was not available throughout Highland;
- with reference to Net Zero and a proposed new windfarm in North Berwick which, it was understood, would power 6 million homes, it was suggested that it was necessary to give more thought to what the position would be in a few years' time and how the Council could benefit;
- support was expressed for the concept of reusing existing buildings for schools or other purposes;
- in relation to improving the delivery of care to those who required it, there should be a theme running through the Delivery Plan that, wherever possible, care should be delivered locally;

- it was queried how the Delivery Plan linked with the Scottish Government's action planned to address depopulation;
- there was a great deal about heritage and arts in the Delivery Plan, and a request was made for a small section on the unique Norse heritage of Caithness;
- more information was requested to enable Members to do their job in terms of scrutinising and adding value. Particular reference was made to education delivery and whether Additional Support Needs base provision was the best way of doing things; tackling inequalities; and supported employment. It was added that it was necessary to change the delivery model to suit children and young people, not the other way around;
- with regard to the Workforce for the Future portfolio, support was expressed for the approach to employability, including the "Work Life Highland" brand, and information was sought, and provided, in relation to the mentoring programme and whether children were coming into it too late; how it was envisaged senior phase courses would be delivered online; and how to keep young people in school for longer to improve their chances of achieving a positive destination;
- the majority of young people would not aspire to go to university and Modern Apprenticeships were a fantastic alternative;
- the Council's commitment to achieving Net Zero by 2045 and the Net Zero, Energy Investment and Innovation portfolio were welcomed. However, Net Zero was about much more than renewable energy; it also included nature conservancy, biodiversity enhancement, forestry and woodland creation, community land management, carbon accounting, organic nature-friendly agriculture and sustainable tourism, to name a few. Achieving Net Zero was not just about producing more fossil-free fuel but protecting and restoring the natural environment, enriching communities and building resilience against the challenges to come for current and future generations, and it would not be achieved if the Council continued with business as usual;
- the Delivery Plan allowed Members to reflect on what they, and communities, had asked for and provided a methodology for assessment. It straddled every Strategic Committee, and it was important to closely monitor activity over the next few months;
- some staff/services were doing tremendous work and the Delivery Plan provided an opportunity to acknowledge and celebrate that;
- it was hoped that the ambitious Delivery Plan would succeed and Members looked forward to the opportunity to review it in 12 months' time;
- in relation to the Resilient and Sustainable Communities theme, improving access to services and support and providing good health and social wellbeing opportunities, it was highlighted that there was no public transport in many parts of Sutherland and people were being disadvantaged to the point where communities were implementing their own solutions and providing clinic cars to transport people to health services. It was added that the Scottish Ambulance Service did not provide patient transport if the person could walk to a car, regardless of what their ailment was, so many people were being denied access to health services, and Local Members had formed an organisation to address the issue;
- appreciation was expressed to officers for the considerable amount of work that had been done so far in respect of the Council's commitment to achieve Net Zero by 2045. However, Members voiced concern that the wider Highland economy was far from being in a position to achieve Net Zero and it was hoped that the Council might be able to lead a voluntary group of major players with a view to agreeing, together, how that might be addressed. This should be done in a way that was cost neutral to the Council, and other sectors of the economy should finance what they needed to do to reach the goal of Net Zero. However, it was recognised that some sectors, such as farmers and crofters, might need some help, and it was hoped that might be forthcoming by way of a Scottish Government

policy, similar to the agricultural policy recently approved by the Welsh Government. It was added that collectively dealing with climate change should be seen as the first priority amongst the Council's policies;

- the provision of separate measures for each of the portfolios was welcomed. However, in many cases they were not specific or measurable. For example, under the Capacity Building workstream and the Early Learning and Childcare (ELC) project, one of the proposed measures was "expand flexibility of childcare and ELC provision across Highland including addressing rural challenges", which was a restated aim as opposed to a measure, and it was questioned how Members would know whether the project had been successful. In contrast, under the Investment and Innovation workstream and the EV Infrastructure project, one of the measures was "increase of 150 charge sites across Highland", and it was easy for Members to know whether this had been achieved;
- in relation to the proposal to roll out an extended handy person scheme to support people to remain in their own homes for longer, Members spoke to the valuable and preventative services the handy person scheme provided and emphasised the need for it to be adequately funded, commensurate with the Council's expansion plans; the appointment of a responsible figurehead; and the scheme to be rebranded to reflect its importance;
- with regard to the Home to Highland programme, there were a large number of aims and project elements and Members looked forward to seeing how they would be broken down to make them manageable over the years to come; and
- with regard to the Supported Employment programme, it was queried whether this would be an expansion of what was already taking place and if it was envisaged that the Council would be an example to other employers.

Thereafter the Council:-

- i. **APPROVED** the Operational Delivery Plan – Appendix 1 to the report;
- ii. **APPROVED** the resource requirements as set out in Appendix 5 to the report;
- iii. **NOTED** the Portfolio Board Terms of Reference – Appendix 2 to the report, and **AGREED** to insert, in the Responsibilities section of the Terms of Reference for each of the Portfolio Boards, "To support our Net Zero Strategy";
- iv. **NOTED** the engagement activity that has been undertaken – Appendix 3 to the report; and
- v. **NOTED** the same Portfolio Report – Appendix 4 to the report.

11. **Communications Strategy 2024-27** **Ro-innleachd Conaltraidh Chorpóra 2024-27**

Transparency Statement: Mr C Munro made a Transparency Statement as a director of SkyeConnect. However, having applied the objective test, he did not consider that he had an interest to declare.

There had been circulated Report No. HC/15/24 by the Chief Executive.

Members supporting the recommendations in the report explained that the strategy set out a strategic approach to corporate communications for the next three years. It built on achievements of previous strategies such as building and developing the digital communication capacity on social media platforms; developing livestreaming of elections, Council meetings and other events to allow improved access and transparency to the public; improving customer contact methods; promoting community resilience and behavioural change for climate change initiatives; promoting the highland culture and Gaelic language. The strategy would support the strategic priorities of the Council and would provide effective communication for both

internal and external stakeholders and promote the area to help attract inward investment. Communications required to be accurate and accessible and therefore the strategy required to be flexible to respond to a dynamic environment on social, economic and political changes.

In discussion, the following main points were raised:-

- concern was expressed that the social media platform X (formally Twitter) was being used as part of engagement as it was becoming increasingly toxic. Also, given social media was becoming increasingly fragmented, it was queried if some other social media platforms were being considered for engagement. The number of Social media followers was being used as a measure of success and it was queried if other targets for success were being considered. Also, for those who did not engage in social media whether other platforms were being considered for engagement, such as communications being delivered direct to mailboxes;
- there was a lot to boast about in Highland culture and it was disappointing that, so far, there was no reference in the strategy to Eden Court Theatre which was a centre of excellence in Highland and more reference could have been given to Highland music groups. It was advised that Eden Court had its own communications and marketing team and the Council's communications team did support many events and festivals across Highland;
- the strategy offered no information on who the Council was communicating to, why were we doing it, how this was measured and how to build relationships to achieve this;
- plans for dedicated social media in the Gaelic language were welcomed. However, the Council's website was not bi-lingual and this needed to be improved;
- it was highlighted that the communications team did keep up to date with social media platforms being used and focused on the most popular platforms. The team also issued quarterly reports on the number of people reached and followers of Council communications. The team had very good relationships with the local media;
- there were service users who did not have internet access and it was queried if there was a strategy for communicating with them. Also, communications in different languages for the benefit of tourists was queried;
- there was a need for better focus on positive news stories from the Council;
- the work of the communications team was recognised in what was a very difficult job in challenging times;
- it was emphasised that the Council communications should be concise and in plain English where possible;
- the Council's website did need to be improved and, in particular, there were far too many pdf documents on the site, which were difficult to link to for sharing information. It was noted that there was a project on redeveloping the website;
- the strategy did not refer to responses to comments on social media and, where there were negative comments, positive responses on good news stories should be provided; and
- consideration would be given to public information being provided using British Sign Language videos.

Thereafter, the Council:-

- i. **NOTED** the achievements to date; and
- ii. **AGREED** the Communication and Engagement Strategy 2024-27.

**12. Decision of Standards Commission for Scotland – Hearing
Co-dhùnaidhean Coimisean Inbhean na h-Alba – Èisteachd**

There had been circulated Report No. HC/16/24 by the Head of Legal and Governance/Monitoring Officer.

Speaking to the findings of the Standards Commission, Mr A Jarvie felt it was a vindication of his actions on the day in question and that additional advice had been added to the Code of Conduct in regard to how Elected Members could challenge issues, taking into account the need to reflect the views and concerns of constituents.

The Council **NOTED** the decision of the Standards Commission of Scotland.

**13. Deeds Executed
Sgrìobhainnean Lagha a Bhuilicheadh**

There had been circulated a list of deeds and other documents executed on behalf of the Council since the meeting held on 14 December 2023 which were **NOTED**.

**14. Notices of Motion
Brathan Glusaid**

Transparency Statement: Mrs M Reid made a Transparency Statement in respect of item 14.viii as a respite provider. 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 Legal and Governance; –

- i. Council notes that in just a week, over 5000 people signed the petition to ban the Inverness march by the Apprentice Boys of Derry and the Apprentice Boys of Inverness, notes that Orange Order marches are founded on anti-Catholic sectarianism, believes that this has no place in the Highlands, and therefore asks officers to examine means by which they could refuse permission for any future Orange Order marches in the Highlands.

Signed: Mr C Ballance Mr A Baldrey

Section 95 Officer assessment of financial implications:

This motion was not anticipated to have a financial implication to the Council.

In speaking in support of the motion, Mr C Ballance summarised the philosophies of the Apprentice Boys of Derry and provided evidence to suggest their marches supported sectarianism and sought Officers to prevent the planned march. Other Members, whilst not necessarily agreeing with the sentiment of Orange Order marches, felt that there was a right to demonstrate peacefully on a case by case basis.

Mr C Ballance seconded by Mr A Baldrey **MOVED** the Notice of Motion as detailed.

Mr B Lobban, seconded by Ms L Niven, moved as an **AMENDMENT** that the Council agree to continue to work in collaboration with Local Members, Police

Scotland and others to consider applications to hold marches on a case by case basis.

On a vote being taken, the **MOTION** received 6 votes and the **AMENDMENT** received 54 votes, with 4 abstentions. The **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr C Ballance, Mr A Baldrey, Ms M Hutchison, Mr R MacKintosh, Mr D Macpherson, Ms K Willis.

For the Amendment:

Mrs S Atkin, Mr M Baird, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr J Bruce, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mr A Christie, Mrs M Cockburn, Mrs H Crawford, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr R Gale, Mr K Gowans, Mr M Green, Mr D Gregg, Mr R Gunn, Mrs J Hendry, Mr A Jarvie, Mrs B Jarvie, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Ms M MacCallum, Mr G MacKenzie, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Ms K MacLean, Mr T MacLennan, Mr D McDonald, Mrs J McEwan, Mr D Millar, Mr H Morrison, Mr C Munro, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr M Reiss, Mrs T Robertson, Mr K Rosie, Mrs L Saggars, Mr A Sinclair, Mr R Stewart.

Abstentions:

Ms S Fanet, Mr J Grafton, Mr P Logue, Dr C Birt.

Decision

The Council **AGREED** the **AMENDMENT** as follows:-

“The Council agree to continue to work in collaboration with Local Members, Police Scotland and others to consider applications to hold marches on a case by case basis”.

ii. “Dangers of Spiking Drinks

That the Council requests:

- That licenced venues include drink and injection spiking training to all staff to improve public safety, ideally with yearly refresher courses. This would give staff the knowledge to identify victims, to spot potential acts of spiking, to know how to protect members of the public and get them to safety and, if needed, to call the police and/or an ambulance.
- That with Partners the Council produces a training video to be used by venues rather than rely solely on face to face training.
- That licenced premises carry testing kits, so that if a member of the public reports a suspicion of being spiked, that their drink can be tested and the offending drink kept for police investigation.
- That if a suspicion of spiking is reported to a member of staff, that the venue retain that nights CCTV for 6 months on a memory stick or disc (this is requested at minimal expense for the venue as there will be no addition cost to upgrading CCTV systems but will vastly assist police investigation). The reason for 6 months is at the request of the police - as that is often how long it can take victims to come forward. That posters

- raising awareness of spiking are displayed on the premises - especially during freshers weeks
- For PSE to review the curriculum to ensure an adequate awareness of drink and injection spiking."

Signed: Ms M M MacCallum Mr A Christie Mrs J McEwan Mr J Grafton
Mr P Logue Mr A Graham Mr R Gunn

Section 95 Officer assessment of financial implications:

This motion was not anticipated to have a financial implication to the Council.

In discussion, it was said that the Scottish Women's Rights Centre described drink and injection spiking to be at epidemic levels. In a survey of 23,000 students, it was found that 11% of them had been spiked, with 8% having reported the incident to police or doctor. Of the 1,840 women who had reported being spiked, only seven of those women's perpetrators were convicted of a spiking offence. It was confirmed that the issue of drink, injection and vape spiking was not exclusive to women alone, and Members shared personal experiences where either they, or a family member, had experienced being spiked.

In her role as Licensing Board Convener, Mrs J Hendry had the opportunity to liaise with key partners that the motion referred to, such as Police Scotland via their Licensing Representative, and it was confirmed that in addition to CCTV footage at the premises or surrounding area being held, the glass and liquid would be held for evidence, with the customer's drink being replaced without question.

Thereafter, Mrs J Hendry, in support of the motion, suggested an alteration to the motion as follows:

"That the Council recognises the criminal activity of drink spiking in Highland Licensed establishments. That the Licensing Board will continue to support Police Scotland in their work to mitigate these incidents, in their bystander training, reviews to the Board, publicity, reporting of incidents, including seizure of CCTV, and care of the victims involved. That the Board will liaise with the Highland Licensing Forum, including calling on the expertise of NHS Highland representatives, to discuss ways in which awareness can be raised by a multi-partnered approach of further training and knowledge for out in the community and any premises not already supported. The partners to source additional posters for licensed premises and explore future, simplified reporting methods, including a new Highland-wide app for Licensee use. For schools to continue to include awareness of drink and vape spiking as part of their PSE programme."

It was asked if the point pertaining to testing kits in the motion could be added to the amendment and Mrs J Hendry agreed. Thereafter, Ms M M MacCallum was happy to accept this. It was understood that testing kits would be inadmissible in Court and that the glass and liquid must be retained as evidence.

Decision

The Council **AGREED** the following:-

“That the Council recognises the criminal activity of drink spiking in Highland Licensed establishments. That the Licensing Board will continue to support Police Scotland in their work to mitigate these incidents, in their bystander training, reviews to the Board, publicity, reporting of incidents, including seizure of CCTV, and care of the victims involved. That the Board will liaise with the Highland Licensing Forum, including calling on the expertise of NHS Highland representatives, to discuss ways in which awareness can be raised by a multi-partnered approach of further training and knowledge for out in the community and any premises not already supported. That licenced premises carry testing kits, so that if a member of the public reports a suspicion of being spiked, that their drink can be tested and the offending drink kept for police investigation. The partners to source additional posters for licensed premises and explore future, simplified reporting methods, including a new Highland-wide app for Licensee use. For schools to continue to include awareness of drink and vape spiking as part of their PSE programme.”

- iii. We are aware of further reductions in banking services with the closure of the Royal Bank of Scotland in Inverness and particularly the loss of the Mobile Bank Service by the Bank of Scotland covering rural areas of Sutherland including Lairg, Bonar Bridge, Dornoch and Helmsdale at the end of May 2024.

This is evidence of a further erosion of vital services across the Highlands with a significant detrimental impact on our elderly population. Quite simply if you live in any of the areas affected and you don't have access to the Internet you are effectively denied access to anything other than the most basic banking services and even then, only if you can access a post office.

That being the case this Council asks that the Leader write to the Scottish Government to express our concerns, particularly relating to age discrimination, about the removal of this most important service and ask for the First Minister to intervene and plead the case in the strongest possible terms for the retention of the mobile banking service across the rural Highlands.

Signed: Mr M Baird Mr R Gale

Section 95 Officer assessment of financial implications:

This motion was not anticipated to have a financial implication to the Council.

Decision

The Council **AGREED** the Motion.

- iv. The New School visit protocol that has been introduced has driven a wedge between local Council Members and their schools. To introduce a protocol that insists that Members have to have prior approval from the Education ECO is totally unnecessary and overly bureaucratic.

The burden that this places not only on Members but also on Teaching Staff is excessive and unnecessary. It also prevents Teachers being able to have an

open and frank discussion on the needs of any particular school without senior managers being party to that conversation.

While it is agreed that Head Teachers should have the right to sanction or deny a school visit as they see fit, it is not appropriate to mandate that Members should have to go through the ECO in order to arrange a school visit.

Most members will have a good working relationship with the schools in their ward and this protocol hampers that relationship.

That being the case the Council will amend the protocol to allow Head Teachers total control of school visits. In addition, Council Members will only visit a school once prior approval has been agreed by the Head Teacher and at a suitable time that will not cause any disruption to the staff or pupils.

Signed: Mr R Gale Mrs H Crawford Mr D Gregg Mr M Baird Mrs J McEwan Mr J McGillivray Mr A Graham Mrs T Roberston Mr J Grafton Mr R Gunn

Section 95 Officer assessment of financial implications:

This motion was not anticipated to have a financial implication to the Council.

During discussion the following main points were raised:-

- Members had special relationships with the schools in their Wards and would do their best to support them, therefore being denied direct access to schools without prior agreement from the Assistant Chief Executive would be detrimental to the relationships and trust already built between Members and Head Teachers;
- as schools were publicly funded and publicly accountable institutions and Elected Members had a responsibility for all the premises run and owned by the Council, access to these buildings was a basic democratic principle;
- school visits needed to be organised for times that were convenient and caused minimal disruption and the appropriate person to liaise with on that matter was the Head Teacher;
- a workshop would give all Members a chance to express their points of view and ensure that a suitable protocol was put in place;
- if Members were restricted from visiting schools they would be unable to bring matters, such as unsuitability of buildings, to the attention of officers;
- it was queried whether help was being turned away by not allowing Members and MSPs to visit schools and how many disruptive visits there had been to schools;
- disappointment was expressed at seeing this issue covered by the press;
- it was queried whether a workshop was necessary and highlighted that workshops were often not accessible to all Members;
- FAQs had been sent to Members highlighting that nothing had really changed concerning school visits;
- a protocol was needed so that Members could visit school and to ensure that schools and pupils were protected;
- it was highlighted that not all visits had been carried out in a responsible and appropriate manner and that some Head Teachers felt the need for a protocol due to having had bad experiences, including Members bringing unexpected visitors with them to arranged visits; and

- it was suggested that a survey or email request might be more appropriate than a workshop in this situation.

Thereafter, Mr R Gale, seconded by Mr D Gregg, **MOVED** the Notice of Motion as detailed.

Ms S Atkin, seconded by Mr D Millar, moved as an **AMENDMENT**:-

“Mindful of the need for a Schools’ Visits protocol, this Council proposes that a workshop involving all Members be held to review and propose a revised protocol that is then agreed at Full Council. That the revised protocol will recognise the principle that Elected Members should have access to schools and that the Head Teacher is the point of contact to arrange and manage visits, at a time convenient to them and to the smooth running of the school”.

On a vote being taken, the **MOTION** received 30 votes and the **AMENDMENT** received 33 votes, with 1 abstention, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr M Baird, Mr C Ballance, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr J Grafton, Mr D Gregg, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D Macpherson, Mr D McDonald, Mrs J McEwan, Mr H Morrison, Mr M Reiss, Mrs T Robertson, Mr K Rosie, Mrs L Sagers, Mr A Sinclair, Ms M Smith, Mr R Stewart, Ms K Willis.

For the Amendment:

Mrs S Atkin, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms S Fanet, Mr J Finlayson, Mr D 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 Louden, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr C Munro, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid.

Abstentions:

Mr L Fraser.

Decision

Mindful of the need for a Schools’ Visits protocol, this Council proposes that a workshop involving all members be held to review and propose a revised protocol that is then agreed at Full Council. That the revised protocol will recognise the principle that elected members should have access to schools and that the Head Teacher is the point of contact to arrange and manage visits, at a time convenient to them and to the smooth running of the school.

- v. Noting that Highland Council has a record of showing solidarity to groups who endure great struggles and highlighting their plight, such as the action of flying the Ukraine flag in sympathy with the people of Ukraine against Putin’s Russia. This Council agrees to fly the Palestinian flag for a period of one week to demonstrate the Highlands support for the Palestinian people.

Signed: Mr R MacKintosh Mr C Ballance

Section 95 Officer assessment of financial implications:

This motion was not anticipated to have a financial implication to the Council.

The proposer of the Motion stated that the Palestinian people had faced decades of conflict, displacement and struggle and that flying the Palestinian flag would provide visual representation of the Council's unwavering support of the Palestinian people.

It was acknowledged that the Motion did not condone or endorse any form of violence or extremism and that the Council's support for the Palestinian people was not an endorsement of Hamas or any other extremist group.

Referencing the challenges faced by the Israeli people who have also endured acts of violence and terror, it was said that security and stability was required for all parties involved.

Thereafter, Mr R MacKintosh, seconded by Mr C Ballance, **MOVED** the Notice of Motion as detailed.

Mr B Lobban, seconded by Mr K Gowans, moved as an **AMENDMENT** that the Council continue with the existing Flag Flying Protocol.

On a vote being taken, the **MOTION** received 6 votes and the **AMENDMENT** received 54 votes, with 3 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr A Baldrey, Mr C Ballance, Mr D Gregg, Ms M Hutchison, Mr R MacKintosh, Ms K Willis.

For the Amendment:

Mr M Baird, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr J Bruce, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mr A Christie, Mrs M Cockburn, Mrs H Crawford, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr R Gale, Mr K Gowans, Mr J Grafton, Mr M Green, Mr R Gunn, Mrs J Hendry, Mr A Jarvie, Mrs B Jarvie, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Ms M M MacCallum, Mr G MacKenzie, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Ms K MacLean, Mr T MacLennan, Mr D Macpherson, Mr D McDonald, Mrs J McEwan, Mr D Millar, Mr H Morrison, Mr C Munro, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mr M Reiss, Mrs T Robertson, Mr K Rosie, Mrs L Siggers, Mr A Sinclair, Mr R Stewart.

Abstentions:

Dr C Birt, Mr P Logue, Ms M Smith.

vi. Rewilding Nation Charter Motion

Scotland now ranks as one of the most nature depleted countries on Earth. In 2019, the Highland Council declared a climate and ecological emergency, and in 2022 the ecological emergency was added to the Council's Corporate Risk Register. In 2023, the Council became a signatory to the Edinburgh

Declaration, underlining on the world stage its commitment to tackle the ecological emergency and reverse biodiversity loss.

This Council recognises that we have a key role to play in tackling the ecological emergency in Highland and agrees to sign the Rewilding Nation Charter urging the Scottish Government to declare Scotland a Rewilding Nation, committing to nature recovery across 30% of our land and seas, to benefit nature, climate and people.

<https://www.rewild.scot/charter>

Signed: Ms K Willis Mr C Ballance

Section 95 Officer assessment of financial implications:

This motion was not anticipated to have a financial implication to the Council.

The proposer of the Motion highlighted that the latest state of nature report showed that Scotland was one of the most nature depleted countries in the world. Restoring nature's landscapes and habitats had clear benefits for nature and it would also help mitigate and adapt to climate change. The importance of ecosystems was emphasised and the impact of climate change would have unprecedented implications for our way of life and that of future generations. Rewilding offered the chance to breathe new life into the land, sea and building resilience to environmental challenges to come. It would also align with the Scottish Government's biodiversity strategy. Therefore, the Council was asked to support the Motion as presented.

Those not in favour of the Motion were concerned that it was likely to undermine the Council's neutrality as a planning authority. This area already had a significant number of national and international designations such as National Scenic Areas, National Parks and Sites of Special Scientific Interest. These designations were supported through the National Planning Framework 4 and the various policies contained therein. Further, the Council already supported rewilding opportunities and continued to do so without formal membership of any lobbying body, so it showed the Council could be trusted and objective on planning matters and grant awards.. Therefore, an amendment to the Motion was proposed as follows:-

"This Council recognises that we have a key role to play in mitigating climate and ecological challenges on land, in lochs and seas, throughout the Highland Council Area. We will work with our local communities and partners towards maximising nature recovery, continuing to encourage community involvement in a targeted way that will be adapted to our geographic circumstances."

Continuing, everyone understood the importance of biodiversity and nature to the climate. There was also a need to be mindful of the depopulation emergency and other emergencies and it was not felt that the Council could sign every charter that came along. In addition to the amendment, it was requested that when consulting with communities, this includes land managers.

Further, the public consultation on the Motion had not taken place and it would not be appropriate for the Council to sign up to this Charter. Also, it would have a much more significant effect on coastal communities given the significant area sought for rewilding. There was also a very fragile rural community in Highland

that had considerable difficulty in retaining young people in rural areas, part of which was caused by an extreme lack of sites for house building. This should be considered prior to signing up to the Charter.

Also, rewilding the seabed would not be easy and not all sites were suitable and there was concern about meeting arbitrary targets. Rewilding should take place in a targeted way, where it worked.

Thereafter, Ms K Willis, seconded by Mr C Ballance, **MOVED** the Notice of Motion as detailed.

Mr K Gowans, seconded by Mr R Stewart, moved as an **AMENDMENT**:-

“This Council recognises that we have a key role to play in mitigating climate and ecological challenges on land, in lochs and seas, throughout the Highland Council Area.

We will work with our local communities, and partners towards maximising nature recovery, continuing to encourage community involvement in a targeted way that will be adapted to our geographic & economic circumstances”.

On a vote being taken, the **MOTION** received 5 votes and the **AMENDMENT** received 57 votes, with 2 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr A Baldrey, Mr C Ballance, Mr D Gregg, Mr R MacKintosh, Ms K Willis.

For the Amendment:

Mr M Baird, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr J Bruce, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mr A Christie, Mrs M Cockburn, Mrs H Crawford, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr R Gale, Mr K Gowans, Mr J Grafton, Mr M Green, Mr R Gunn, Mrs J Hendry, Ms M Hutchison, Mr A Jarvie, Mrs B Jarvie, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr P Logue, Mr D Loudon, Ms M M MacCallum, Mr G MacKenzie, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Ms K MacLean, Mr T MacLennan, Mr D McDonald, Mrs J McEwan, Mr D Millar, Mr H Morrison, Mr C Munro, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mrs T Robertson, Mr K Rosie, Mrs L Saggars, Mr A Sinclair, Ms M Smith, Mr R Stewart.

Abstentions:

Mr D Macpherson, Mr M Reiss.

Decision

This Council recognises that we have a key role to play in mitigating climate and ecological challenges on land, in lochs and seas, throughout the Highland Council Area.

We will work with our local communities, and partners towards maximising nature recovery, continuing to encourage community involvement in a targeted way that will be adapted to our geographic & economic circumstances.

vii. We the undersigned move the HC to agree to a full review over the closure of the Avonlea Children's facilities for the following reasons:-

1. Given the recent information on the STV news and newspapers regarding a manager at the centre were senior officers aware of this users complaint?
2. Were senior officers open and transparent with local councillors on the facts and circumstances surrounding their reasons for the closure of Avonlea.
3. At the time senior officers had the capacity, time and resources to improve the Avonlea management care issues raised in the first Care Inspector report to the final report and nothing was improved.
4. Highland Council have broken " The Promise" to the children of Caithness by not listening to children in their care and their decision making.

Signed: Mrs J McEwan Mr J Grafton Mr R Gunn Mr M Reiss Mrs T Robertson Mr A Graham Ms M M MacCallum

Section 95 Officer assessment of financial implications:

This motion was not anticipated to have a financial implication to the Council. It was assumed that a review would be undertaken within existing resources/officer time.

Following a summary of the motion by Mrs J McEwan, Members raised the following issues:

- attention was drawn to the Family First strategy demonstrating commitment to the Promise, which set out the new approach to looking after children, including residential accommodation being small and homely, resembling a family home and with a maximum of four bedrooms. Avonlea did not align with the new policy. The Council was committed to supporting children to stay at home with their families whenever possible, which reduced the need for residential homes;
- a summary of the Promise was provided and it was suggested that institutional care was not the way to achieve the aims of the Promise;
- some Members called for an independent review, ideally with the involvement of the Chief Executive, and attention was drawn to the local controversy and contradictory media information that had circulated about the closure of Avonlea, which had been purpose built as a children's home in 2014. In contrast, Thor House had been built 30 years earlier as an overnight respite centre, and it was queried why Thor House was being used for residential care, when Avonlea, which had been designed for residential care and was more homely than Thor House, was not. Concern was expressed at the lack of information that had been provided to residents and their families, to local Members, and to the local community about decisions taken relating to Avonlea. A review would help to understand and learn lessons from the process that had been undertaken, including follow up actions from the Care Inspectorate reports;
- the sensitive nature of the issue and the importance of trusting the professional multi-disciplinary teams working on it were highlighted, as was the need to keep the needs of young people at the heart of all decisions, noting Members' role as corporate parents; and

- some Members suggested a review was important to provide a sense of completeness for the people of Caithness, while others called for a workshop first.

Ms J McEwan, seconded by Mr J Grafton, **MOVED** the Notice of Motion as detailed, with the addition of the word ‘independent’ between the words ‘full’ and ‘review.’”

Mr D Fraser, seconded by Mrs M Cockburn, moved as an **AMENDMENT**, that the Highland Council remained committed to the Family First Strategy as this was enabling the Promise to be delivered across Highland. A Members’ workshop would be arranged to describe the changing picture in Highland and improve understanding of the Family First strategy. The Council recognised that our commitment to our children, young people and families, and with the support of our staff, we would ensure the ethos of the Promise was at the heart of what we were doing.

On a vote being taken, the **MOTION** received 31 votes and the **AMENDMENT** received 31 votes, with no abstentions. In accordance with Standing Order 29, the Convener used his casting vote in favour of the amendment, and the **AMENDMENT** was **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr M Baird, Mr C Ballance, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr L Fraser, Mr R Gale, Mr J Grafton, Mr M Green, Mr D Gregg, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M M MacCallum, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D McDonald, Mrs J McEwan, Mr H Morrison, Mr C Munro, Mr M Reiss, Mrs T Robertson, Mrs L Sagers, Mr A Sinclair, Ms M Smith, Mr R Stewart, Ms K Willis.

For the Amendment:

Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms S Fanet, Mr J Finlayson, Mr D 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 Loudon, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie.

viii. We, the undersigned, call on Highland Council to reinstate the former Respite Services at Thor House, Thurso which were stopped, without consultation, during 2019 and 20220. The background reasons for this Motion include:

1. at present no similar service is available in Highland except, possibly, in Inverness.
2. This unacceptable situation harms both children and their families who find themselves in an impossible and stressful situation.
3. Thor House is being partially converted into a Childrens Home but is a building that does not conform to Scottish Government guidance or The Promise. It was specifically built to a design to provide overnight respite care for young people with additional needs.
4. There is a purpose built Childrens Home in Wick that is only 9 years old but this, too, has been closed without the consent of local Members”.

Signed: Mr M Reiss Mr R Gunn Ms M Smith Mr D Macpherson

Section 95 Officer assessment of financial implications:

This motion was anticipated to have a financial implication to the Council.

Following a summary of the motion, Members raised the following issues:

- the Convener reminded Members that the financial advice of the Section 95 Officer should not be questioned;
- following cessation of respite care services due to the pandemic, work was being undertaken regarding respite care provision across Highland, including extensive work with communities and the third sector to establish patterns of use and demand;
- the increasing use of Self Directed Support (SDS) reduced the need for traditional respite, but overnight respite remained a priority for many families Highland-wide and this was being tackled by the professional review which would be reported to the Health, Social Care and Wellbeing (HSCW) Committee;
- the traditional model for respite care had changed since the Covid pandemic, and SDS was the new model for respite care in many situations, to provide families and carers with funding for flexible assistance, noting that some parents sought a break from caring but preferred to keep their children in their home rather than in residential care. However, it was acknowledged that for some families, true respite required residential care;
- the situation with Avonlea and Thor House was complex, with attention drawn to the wide variety of care children required. It was important that resources were being used for appropriate purposes;
- attention was drawn to the two campaign groups in Caithness who were highlighting the lack of respite care in the area and who represented many of the families who needed assistance and a return of the services that had previously been available;
- concern was expressed that in remote and rural areas such as Caithness, even if SDS funding was available, it was often challenging for families to source any services due to lack of appropriately skilled staff. Full-time staff in the local community were required;
- the lack of overnight respite care was disappointing and the immense need for overnight respite services in Caithness was emphasised;
- it was suggested that a motion to the Council was not the most appropriate means of tackling this issue, which should have been considered in the first instance by Local Members at Ward and Area Committee meetings;
- it was considered that communication with local Members about key decisions had not been sufficient; and
- the importance of completing the review for all of the Highlands, not only Caithness, was emphasised.

Mr M Reiss, seconded by Mr R Gunn, **MOVED** the Notice of Motion as detailed.

Mr D Fraser, seconded by Mrs M Cockburn, moved as an **AMENDMENT**, that the Council asked that officers complete their respite review and report back to the HSCW Committee. The aim should be to ensure that the short break provision met the level of Highland need, and was financially viable, ensuring best value to the council and the community.

On a vote being taken, the **MOTION** received 29 votes and the **AMENDMENT** received 33 votes, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr M Baird, Mr C Ballance, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr J Grafton, Mr R Gunn, Mr D Gregg, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M M MacCallum, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D McDonald, Mrs J McEwan, Mr H Morrison, Mrs P Munro, Mr M Reiss, Mrs T Robertson, Mrs L Saggars, Mr A Sinclair, Mr R Stewart, Ms M Smith, Ms K Willis.

For the Amendment:

Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs I Campbell, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr M Green, Mrs Jackie 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 G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie.

15. Additional Urgent Item

At this point in the meeting, and in line with Standing Order 8, it was advised that the Convener had agreed that the following should be considered as an urgent item of business due to the timescales involved:-

The Council **AGREED** that a Special Meeting of the Economy and Infrastructure Committee be held on 11 June 2024.

The meeting ended at 6.15pm.