

Agenda Item	7
Report No	HC/38/24

The Highland Council

Committee: Highland Council

Date: 31 October 2024

Report Title: Review of the Scheme of Delegation

Report By: Chief Officer Legal and Corporate Governance

1. Purpose/Executive Summary

1.1 This report contains proposed amendments to the Scheme of Delegation and Administration to Committees and Sub Committees. The Scheme reflects the following changes:

- i. Changes to the role and remit of the Housing and Property Committee to move responsibility for Housing Development, Industrial Investment and Estates & Tenancy Management from Economy and Infrastructure Committee and consideration of policy relating to and applications for Community Asset Transfers from Communities and Place Committee.
- ii. amendments to include reference to the Insurance Fund in Corporate Resources as well as a number of minor updates and deletions.

1.2 In this regard, an electronic link to the current version of the Scheme is highlighted here https://www.highland.gov.uk/a_to_z/service/388/scheme_of_delegation.

2. Recommendations

2.1 Council is invited to **agree**:

- i. the changes to the Scheme of Delegation to Committees and Sub-Committees as detailed in **Appendix 1** to this report;
- ii. that the Scheme of Delegation including its format will be reviewed brought forward and be reported to March 2025 Council;
- iii. that amendments to post titles can continue to be made without recourse to Council as long as the level of delegation remains unchanged; and

to **note**:

- iv. that the authority currently delegated to Executive Chief Officers within the current Scheme will be exercised principally by Chief Officers and, when necessary, Assistant Chief Executives; and
- v. page references will be updated once the substantive changes to the Scheme have been approved.

3. Implications

- 3.1 **Resource Implications:** there are no direct resource implications as a consequence of this report.
- 3.2 **Legal:** The revised Scheme will support the Council to meet its legal duties and enhance the Council's governance arrangements. All amendments are consistent with the Local Government (Scotland) Act 1973 and the legislative and regulatory framework governing the delivery of Council services.
- 3.3 **Community (Equality, Poverty, Rural and Island):** there are no direct community implications arising as a consequence of this report.
- 3.4 **Climate Change / Carbon Clever:** there are no direct implications arising as a consequence of this report.
- 3.5 **Risk:** there are no direct risk implications arising as a consequence of this report.
- 3.6 **Health and Safety** (risks arising from changes to plant, equipment, process, or people): there are no direct health and safety implications arising from this report.
- 3.7 **Gaelic:** there are no direct Gaelic implications arising as a consequence of this report.

4. Impacts

- 4.1 In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.
- 4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.
- 4.3 This is an update report which does not impact upon any policy, strategy or service and therefore an impact assessment is not required.

5. Background

- 5.1 The Council's Scheme of Delegation and Administration to Committees and Officers is subject to an annual review. The Governance Review Steering Group considered the format and content of the Council's current Scheme of Delegation and have instructed that officers undertake a full review of the Scheme to be reported to Council in March 2025. This work is underway currently.
- 5.2 In advance of presentation of the revised Scheme in March 2025, approval is being sought to a number of changes that have been identified following the recent reconfiguration of services linked to the senior management structure. The changes being brought to Council for approval relate solely to the functions delegated to Committees and Sub-Committees. The work being undertaken to

review the full Scheme and its format will update and amend the officer element of the Scheme to reflect the changes following the creation of the new structure. In the interim, Council is asked to note that all powers delegated to an Executive Chief Officer within the current Scheme will be exercised principally by the respective Chief Officers and, if necessary, Assistant Chief Executives.

- 5.3 The most significant change proposed is to move responsibility for Housing Development and Industrial Property from Economy and Infrastructure Committee and consideration of Community Asset Transfers from Communities and Place Committee to the Housing and Property Committee. These changes reflect the Council's previous agreement to establish a single property service with responsibility for these functions.
- 5.4 Further changes sought are to include reference to the approval of the Service Delivery Contract within the authority of Education Committee, inclusion of reference to the Insurance Fund within Corporate Resources; and a number of more minor changes including a number to remove duplication.
- 5.5 Further changes are anticipated, and a number of amendments are likely to be brought forward to the Scheme in respect of development control. Currently it is anticipated that any proposals to amend this element of the Scheme will be reported to the December Council meeting.
- 5.6 Full detail of all the proposed amendments to the Scheme of Delegation are contained in **Appendix 1**. Where there is any change or addition proposed, this is shown highlighted in yellow. The functions being moved to Housing and Property Committee are shown highlighted in turquoise. Deletions are shown as struck-through.

Designation: Chief Officer, Legal and Corporate Governance (Monitoring Officer)

Date: 12 October 2024

Author: Stewart Fraser, Chief Officer, Legal and Corporate Governance

Background Papers:

Appendices: Appendix 1 – Proposed Scheme of Delegation to Committees
October 2024

The Highland Council

**Scheme of Delegation and Administration
to Committees and Sub-Committees and to Officers**

October 2023

Scheme of Delegation and Administration

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Scheme of Delegation and Administration

Introduction

This Scheme was made by the Highland Council on **31 October 2024** under Section 56 of the Local Government (Scotland) Act 1973.

It sets out the terms of reference of business of the Council's Committees and Sub-Committees, throughout the authority, as well as defining the decisions which Committees and Sub-Committees and Officers can make without any further reference to Committees or to the Council.

The Council will review the Scheme each year, normally in the Autumn.

- (1) The Scheme provides the framework and guidance for and the powers given to Committees and Sub-Committees and to Officers.
- (2) There are limits to the powers which can be delegated by the Council. There are also certain decisions which the Council must (by law) take itself e.g. setting the Council Tax or making this Scheme. Others it may choose to keep to itself e.g. approving the formulation of major policies.
- (3) Throughout this Scheme, reference is made to delegated powers and to full delegated powers. The difference between the two is:-
 - (i) Where a decision is taken with **delegated powers**, the Council's Standing Orders Relating to the Conduct of Meetings (see Paragraphs 13 and 14) allow for that decision to be looked at again, provided a Notice of Amendment is sent to the **Chief Officer - Legal & Corporate Governance** within 3 working days of the meeting when the decision was taken and by 5pm on the final day. No action will be taken on the decision until it has been considered again by the full Council. If the 3 working days pass without submission of such a Notice, the decision will be implemented as a final decision.
 - (ii) Where a decision is taken with **full delegated powers** that is a final decision which will be implemented after the meeting and cannot be affected by the Notice of Amendment procedure.

The **Chief Officer - Legal & Corporate Governance** also has powers to refer for further consideration by the Council any item of business on which a decision has been made but which he may consider as being a contravention of law or any Code of Practice under any enactment, or maladministration leading to injustice. (Notice of Referral – See Paragraph 15 of Standing Orders)

- (4) A Member may bring any matter before the Council by way of a Notice of Motion in accordance with the procedure set out in Standing Order 12.

Part I

Powers Reserved to The Highland Council

1. The following powers are reserved to the Council:-

- 1.1 To define the Council's Goals and Values and main objectives and decide on its priorities.
- 1.2 To allocate resources between the functions and activities of the Council to reflect its priorities.
- 1.3 To approve the annual Revenue and Capital budgets, and to set the Council Tax.
- 1.4 To approve the Council's Programme including its contribution to the Highland Outcome Improvement Plan.
- 1.5 To make policies or substantially extend or modify any policies not otherwise delegated to Committee.
- 1.6 To make Schemes to regulate the work and performance of the Committees and Sub Committees.
- 1.7 To evaluate, co-ordinate and review the work and performance of all Committees.
- 1.8 To elect the Convener, Leader of the Council, Depute Leader of the Council and both Vice Conveners.
- 1.9 To fix the constitution, membership, functions and powers of the Council's Committees, to amend them from time to time, to appoint the Chairs and Vice-Chairs of Committees and to confirm the appointment of the Leader of the Opposition following nomination by the largest political group in opposition to the Administration.
- 1.10 To establish, and appoint Members to represent the Council on, Companies and/or other bodies and to oversee their operation, including the receipt of Financial Reports and Accounts, where such power is not expressly delegated to a Committee or Sub Committee.

- 1.11 To incur expenditure, including capital expenditure, not otherwise budgeted for.
- 1.12 To promote or oppose Parliamentary Bills.
- 1.13 To consider and respond to proposed amendments to the Authority's boundaries or boundaries of the Electoral Wards of the Council.
- 1.14 To deal with all matters relating to the election of Members to the Council.
- 1.15 To make Schemes for Members' Allowances and for Approved Duties.
- 1.16 To change the name of the Council.
- 1.17 To authorise the use of the Common Seal and any Coat of Arms or logo.
- 1.18 To admit honorary Freemen.
- 1.19 To make, amend or revoke this Scheme, the Standing Orders relating to the Conduct of Meetings, the Financial Regulations and the Contract Standing Orders.
- 1.20 All elected members of the Highland Council are responsible for the management of Common Good funds and to act as Trustees for the Charities and Trust Funds in relation to determining and delivering investment policy, including purchase and disposal of assets, subject to administration of these funds being delegated to City/Area Committee or to Officers in terms of this Scheme.
- 1.21 To approve the Treasury Management Policy Statement, Annual Strategy Statements and Out-Turn Reports.
- 1.22 To adopt the Council's Decentralisation Scheme and to amend it as required.
- 1.23 In relation to the Infrastructure, Environment and Economy Service

- (a) to approve the Evidence Report for, approve the Proposed Plan and Proposed Plan Delivery Programme for and to adopt Local Development Plans under the Town and Country Planning (Scotland) Act 1997 (as amended); and -
 - (b) to make schemes for Simplified Planning Zones under the Town and Country Planning (Scotland) Act 1997 (as amended).
- 1.24 To make formally Byelaws, Regulations, Management Rules and Schemes where not otherwise dealt with by Strategic Committees and/or City/Area Committees.
- 1.25 To make Compulsory Purchase Orders, recommended by Committees.
- 1.26 To make Resolutions under Section 9 of the Civic Government (Scotland) Act 1982.
- 1.27 To appoint and fix the salary of and ~~to dismiss~~ the Chief Executive, Assistant Chief Executives and any Chief Officers unless any of these powers are specially delegated to any Committee or Officer.
- 1.28 To hear misconduct issues raised by, and in relation to, the Chief Executive and Assistant Chief Executives.
- 1.29 To approve any review of staffing structures at Assistant Chief Executive and Chief Officer level.
- 1.30 To appoint the Proper Officer of the Council for specified roles and the Council's Monitoring Officer.
- 1.31 To appoint the Parliamentary Returning Officer.
- 1.32 To consider any report prepared by the Council's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989 and to comply with the requirements of that Section.
- 1.33 To agree the delegation of functions in line with Requests from Local Committees based on statements of intent and risk assessments (including criteria for improvement, targets, financial management, resources and governance).

- 1.34 To oversee and approve any changes to the Scheme of Establishment for Community Councils.
- 1.35 To receive the Council's Annual Accounts and approve these for audit (annually by 30 June).
- 1.36 To approve the Redesign of Council services as progressed and delivered through the Redesign Board and to receive the minutes of the Redesign Board.
- 1.37 To consider the Audit Committee Annual Report.

ADD IN

- 1.38 That updates on progress against the Highland Outcome Improvement Plan be considered by the Council annually.

2. Delegation to Committees and Sub Committees

There shall be delegated to the Committees and Sub Committees of the Council the powers and duties set out in this Scheme subject to the limitations and conditions stated. Decisions taken by Committees and Sub Committees exercising powers delegated to them shall be deemed to be actings and proceedings of the Council, except as otherwise provided by Statute or by this Scheme.

3. Right of Reference to Committees and Council

Nothing shall prevent a Committee, Sub Committee, Chair, Vice Chair or an Officer from referring any matter to the Council or any Committee for decision where that matter could otherwise be dealt with under delegated powers in terms of this Scheme.

4. Interpretation

In any situation of uncertainty, it is for the Chief Officer – Legal and Corporate Governance to determine which Committee is empowered to exercise authority which has been delegated (to a Committee) by the Council.

Part II

Terms of Reference of Headquarters Committees (and Sub Committees Acting with Full Delegated Powers)

Strategic Committees

General

The following powers/duties shall be exercisable by all the Headquarters Strategic Committees.

1. To develop and review a Service Plan and associated policies and strategies for the delivery and promotion of the services within the Committee's remit and to scrutinise performance in implementation of the Service Plan.
2. To review the effectiveness of the standard and level of services provided in accordance with the Council's commitment to Best Value and continuous improvement.
3. To enter into liaison and partnership and consult with other agencies and organisations, including the Voluntary Sector, as appropriate to achieve a co-ordinated approach to the provision of services.
4. To scrutinise the management of the Revenue and Capital Budgets for the Services included in the Committee's remit and monitor and control these budgets, including dealing with over- expenditure.
5. To decide grant applications of Highland wide significance to outside bodies/agencies.
6. To consider issues relevant to the operation of the Council's Contracts Standing Orders.
7. To consider significant staffing structure issues for the Service(s) covered by the Committee's remit for referral to the Corporate Resources Committee.
8. To deal with representations, consultations, etc from Government and statutory bodies and to make representations to Ministers and those bodies regarding services included in the Committee's remit.
9. To respond to Green Papers, Parliamentary Bills, Statutory Instruments and pre-legislative consultation by a Scottish Parliamentary Committee, as appropriate.

10. To act as client in relation to any activities within the Committee's remit being submitted to competitive tendering with particular regard to the level of service to be provided.
11. To promote sustainable development in the conduct of Council business and the provision and delivery of services.
12. To consider the impact of policies and decisions on communities, specifically taking into consideration the issues of equality poverty and rurality and ensure that in carrying out Council functions due regard is given to:-
 - i) the needs of the Public Sector Equality Duty to eliminate discrimination, advance equality of opportunity and promote good relations and
 - ii) the Fairer Scotland Duty to reduce inequalities in outcomes caused by socio-economic disadvantage
13. To have regard to island communities and the Islands (Scotland) Act 2018 in carrying out Council functions.
14. Ensure that all decisions take into account the resource, legal, community (equality, poverty, rural and island), climate change/Net Zero, Health and Safety, Gaelic and Risk implications that need to be considered.
15. Ensure all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.

Corporate Resources Committee

1. General

The powers/duties set out in Section C, Part II on pages 11-12 shall be exercisable by all the Headquarters Strategic Committees.

2. Specific

Responsibility for:-

- 2.1 All financial affairs of the Council including corporate monitoring of the Revenue and Capital Budgets.
- 2.2 Treasury management (including the scrutiny of policy and strategy statements, outturn and performance monitoring reports and practices).
- 2.3 Charges, rebates and allowances not linked to the functions of any other Committee.
- 2.4 Applications for loans and grants, not linked to the functions of any other committee and which are included in the budget.
- 2.5 Local Government Pension Scheme discretionary policies in respect of the Council's role as an employer within the Pension Fund.
- 2.6 All matters relating to the administration of local taxation, including Council Tax and non-domestic rates, and Council Tax reduction and all welfare-related matters.
- 2.7 Collection and recovery of debts owed to the Council.
- 2.8 Determination of appeals against non-domestic rates assessments and the disposal under any enactment of all other claims or applications for relief.
- 2.9 Procurement and the review and monitoring of compliance with Contract Standing Orders.
- 2.10 The review and monitoring of the superannuation of employees under the Local Government Superannuation (Scotland) Acts but excluding the management and investment of the superannuation and other funds.
- 2.11 Matters relating to the workforce including equal opportunities in employment, employee learning and development, human resource management and the health, safety and well-being of employees.

- 2.12 Improving employee engagement and partnership working, ensuring good relations through effective consultation and communication in partnership with the trade unions.
- 2.13 Digital and Strategic Improvement to support efficient and effective design, transformation and access to the Council and services.
- 2.14 ICT Services (corporate and curriculum) including services delivered in-house and those delivered in partnership and through contractual arrangements with external organisations.
- 2.15 A financial strategy which focuses on service outcomes and performance standards which are linked to the Council's strategic priorities and target operating models.
- 2.16 Budget governance and accountability to further improve annual performance and to support earlier identification of budget opportunities.
- 2.17 Investment including a robust commercial investment strategy enabling self-funding projects to be fast tracked for approval.
- 2.18 Funding/Funds Governance to maximise the reach and spread of funding.
- 2.19 Effective administration of, and to ensure appropriate resources for, the licensing function including the Highland Licensing Committee and Board.
- 2.20 To oversee the fulfilment of the Council's obligations under the requirements of the Islands (Scotland) Act 2018.
- 2.21 Responsibility for consumer protection, including Trading Standards, Consumer Advice and the enforcement of Civic Government Licensing.
- 2.22 Functions of the Council, as the statutory authority, in relation to Weights and Measures and Consumer Safety, storage of petrol and explosives. (Ref Health and Safety at Work Act 1974/ Petroleum (Consolidation) Regulations 2014 & Explosives Regulations 2014 respectively); all year round supply of fireworks (Ref. Fireworks Regulations 2004 made under the Fireworks Act 2003 and by sections 11(3) and 27(2) of the Consumer Protection Act 1987).

ADD IN

- 2.23 Responsibility for ensuring there are effective arrangements in place for the administration of insurance. This will include receiving annual reports on the management and operation of the Insurance Fund, and annual activity reports detailing the number, type and outcomes of the

claims covered by the Council's appointed Insurer.

2.24 Appointments to Committees/Sub-Committee with the remits detailed below, acting with full delegated powers, to deal with Appeals, Disputes and Early Retirement. **

3. Other General Business

Relating to the effective and legal operation of the Council and not covered by other Committees.

Powers and Duties Delegated to the Committee

All of the powers and duties detailed above other than those specifically reserved under Part 1 of the Scheme and those fully delegated to the following -

** (a) Appeals and Disputes Committee

To conduct formal Appeals Hearings in accordance with Council policy relating to dismissals, disciplinary sanctions taken by an ~~Executive Chief Officer~~ Assistant Chief Executive or his/her nominated representative, ~~grievances and claims of harassment or discrimination.~~

To conduct formal hearings in accordance with procedures laid down by the Council to enable the settlement of differences and disputes between the Council and its employees.

** (b) Employment Release Sub-Committee

To agree early retirement or redundancy for any post which is considered to be out-with the authority delegated to the Chief Executive and relevant Assistant Chief Executive.

To consider exceptional circumstances applying to transfers into the Local Government Pensions Scheme from occupational pension schemes or personal pension schemes.

** (c) Non Domestic Rates Appeal Committee

To consider and determine appeals by ratepayers on non-Valuation aspects of rates administration".

** Full delegated powers

Education Committee

1. General

The powers/duties set out in Section C, Part II on pages 11-12 shall be exercisable by all the Headquarters Strategic Committees.

2. Specific

Responsibility for:-

2.1 ** Carry out the functions of the Council as the statutory authority in relation to the following:-

- Additional Support for Learning; Children's Services Planning;
- Community Learning and Development;
- Early Learning and Childcare;
- Gaelic Education;
- Educational Psychology;
- Primary and Secondary Education;
- Getting it right for every child;
- Quality Improvement in Schools;
- Statutory School Consultations;
- Additional school services such as Gypsy Traveller Education;
- Home Education
- Health and Nutrition
- Culture and Leisure

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

- Learning and Teaching Strategy;
- Play strategy;
- Early intervention and preventative services for children;
- Developing the young workforce; skills for learning, life and work;
- School counselling and family wellbeing services supporting and working with parent/carers; and
- Professional learning and development including careers, professional update and review and employee review and development.

2.3 Set service standards and approve policy and overall priorities for the delivery of Education Service functions to comply with the Council's legal, regulatory and financial responsibilities.

3. Education and Learning – Specific Duties:

- 3.1. Overview of curriculum rationale and design (ages 2-18)
- 3.2. Monitoring attainment and achievement for all young people, including Looked After Children and individuals from deprived backgrounds
- 3.3. Ensuring inclusion through monitoring of key outcomes especially the most vulnerable children
- 3.4. Scrutinise, support and monitoring educational KPIs.
- 3.5. Make recommendations to the Council on the outcomes of statutory consultation on school provision.
- 3.6. Undertake consultation with relevant agencies and organisations, including the voluntary sector, to achieve a co-ordinated approach to the provision of services within the Committee's remit.
- 3.7. Scrutinise and agree a 3 year plan for delivering Community Learning and Development provision.
- 3.8. Scrutinise and provide oversight of local area Children's Plans developed by Community Partnerships.

4. Sport, Youth Development and Culture Strategy

- 4.1 Receive reports on the performance and activity of High Life Highland and Eden Court.
- 4.2 Agree the Service Delivery Contract with High Life Highland.
- 4.3 Agree the Service Delivery Contract with Eden Court (Highlands) Limited.

Housing & Property Committee

1. General

The powers/duties set out in Section C, Part II on pages 11-12 shall be exercisable by all the Headquarters Strategic Committees.

2. Specific

Housing Services:- To make decisions relating to the functions of the Council in delivering services relating to the following:-

- 2.1 Determining Local Housing Strategy.
- 2.2 Approving Housing Management, Homelessness and Housing Repairs and Maintenance Policies.
- 2.3 Approving HRA Estimates and HRA Capital and Revenue budgets and associated rents and service charges (excluding garages which are determined at Local Committee).
- 2.4 Consider applications for housing development loans and grants and oversee the operation of the land bank fund (if not at E&I committee)
- 2.5 Consider applications for Scottish Government Infrastructure Loans Fund (if not at E&I committee)

Property & Facilities Management Services:- To make decisions relating to the functions of the Council in delivering services relating to the following:-

- 2.6. Capital Design and Delivery, Catering, Cleaning and Facilities Management, Corporate Landlord, Corporate Property Asset Management, School Hostels, Countryside Facilities, Estates Strategy & Capital Planning, PPP Contract Management, Property Maintenance, Property Management, Project Management and Quantity Surveying.
- 2.7 To set service standards and approve policy and overall priorities for the delivery of Housing & Property Service functions to comply with the Council's legal, regulatory and financial responsibilities, approve the distribution of operational budgets to Local Committees, scrutinise expenditure against local budgets and agree corrective action to ensure a balanced Service budget.
- 2.8 To monitor budgets, approve any variations (including those functions and budgets delegated to Local Committees) and consider changes to local service delivery arrangements proposed by Local Committees where these would have an impact on more than one Local Committee area.

- 2.9 To take over (at the request of any Committee) the management and maintenance of any land or property while it is not required by that Committee. To approve terms and conditions negotiated by the appointed Assistant Chief Executive for the acquisition, disposal or lease of land and property and to monitor the status of building projects appearing in the capital works and maintenance programmes.
- 2.10 To set policy for the management and maintenance of property and countryside facilities, including all facility lets.
- 2.11 To provide the Corporate Landlord/Property Client role to ensure that statutory compliance obligations of the Council for property related legislation are met and physical changes to Property/Built Environment Assets are effectively managed and controlled.
- 2.12 To agree and monitor the project management arrangements for Public Private Partnership schemes relating to building construction or maintenance programmes and the Service's role as Client and Principal Designer under the Construction (Design and Management) Regulations 2015 (CDM Regulations).
- 2.13 To monitor the purchase of fuels and energy (and agree such contracts), approve and maintain competed framework arrangements for minor and major works contracts and decide on grants of national significance which relate to the Service's responsibilities.

Economy & Infrastructure Committee

1. General

The powers/duties set out in Section C, Part II on pages 11-12 shall be exercisable by all the Headquarters Strategic Committees.

2. Specific

- 2.1 To carry out the functions of the Council as the statutory authority in relation to the following – Access, Building Standards, Coast Protection, Development Planning, Development Management, Environmental Protection, Flood Risk Management, Harbours, Trees and High Hedges, Planning Enforcement, Roads, Public and School Transport.
- 2.2 To make decisions relating to the functions of the Council in delivering services relating to Countryside Facilities, Economic Development and Regeneration, Energy, Europe, Ferries, Industrial Investment, Land Reform and Environment, Capital Design and Delivery, Oil Pollution, Parking Enforcement and Management, Recycling, Road Safety, Roads Network Management, Purchasing and Logistics, Town & Country Planning, Traffic Management, Transport Infrastructure, Housing Development, Bus Service Improvement Partnership, Safe Routes To School and Road Safety, and Winter Maintenance.
- 2.3 To set service standards and approve policy and overall priorities for the delivery of service functions to comply with the Council's legal, regulatory and financial responsibilities, approve the distribution of operational budgets to Local Committees, scrutinise expenditure against local budgets and agree corrective action to ensure a balanced Service budget.
- 2.4. To monitor budgets, approve any variations (including those functions and budgets delegated to Local Committees) and consider changes to local service delivery arrangements proposed by Local Committees where these would have an impact on more than one Local Committee area.

Specific

3. Infrastructure and Environment

Land Reform and Environment

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

Planning and Building Standards

- 3.2 To oversee the functions of the Council as the Planning Authority under the Town and Country Planning (Scotland) Act 1997 (as amended) and as the Buildings Authority under the Building (Scotland) Act 2003 (as amended).
- 3.3 Excepting the powers reserved to The Highland Council under Part 1, to approve the Development Plan Scheme for Highland and planning policy and guidance but only in so far as that policy or guidance is strategic in its content or application. In this context strategic is defined as policy or guidance affecting two or more City/Local committee areas. Within the parts of the Council area covered by the Cairngorms National Park Authority, responsibility for preparation of such documents is reserved to that authority.
- 3.4 To exercise all functions available to the Council under the High Hedges (Scotland) Act 2013, unless otherwise reserved to The Highland Council or delegated to Planning Applications Committees or Officers.
- 3.5 To determine applications referred to the Committee under the Council's Notice of Amendment procedures in respect of applications first considered at a Planning Applications Committee.
- 3.6 To respond to consultations from Scottish Ministers on energy developments under the Electricity Act 1989 (including those relating to s36 and s37 applications) referred to the Committee under the Council's Notice of Amendment (Planning) procedures in respect of applications first considered at a Planning Applications Committee.

- 3.7 To fulfil the functions of the Council under the terms of the Ancient Monuments and Archaeological Areas Act 1979 (as amended) and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) where such functions are not delegated to Officers (or where Officers have declined to exercise their delegated powers) or to Planning Applications Committee.
- 3.8 Planning etc (Scotland) Act 2006 – to determine under Part 9 (Business Improvement Districts) whether the Council should exercise its power of veto over a ballot held into a BID proposal.
- 3.9 Coast Protection – to set policy for the maintenance of existing coast protection schemes and the implementation of new schemes.
- 3.10 Ferries, Harbours, Piers and Slipways - To set policy for the management and maintenance of ferries, harbours, piers and slipways and to approve the scale of charges for those in Council control, to promote Harbour Orders and to receive the Minutes of the Harbours Management Board meetings.
- 3.11 Roads - To set policy for the management and maintenance of roads and bridges and to approve the scale of charges required under Roads legislation.

4. Economy

- 4.1 Carry out the functions of the Council in delivering services relating to the following:
- Economic Development and Regeneration
 - Tourism
 - Europe
 - City Region Deal
 - Industrial Investment
 - Estates and Tenancy Management
 - Housing Development
 - ~~Safe Highlander~~
 - Employability
 - Developing Scotland's Young Workforce
 - Inverness and Cromarty Firth Green Freeport

5. Housing Development, Estates and Investment

- 5.1 The management, lease and disposal of land and property of a capital value exceeding £250,000 or £50,000 pa: investigating and formulating proposals for joint venture utilising Council property assets.
- 5.2 The acquisition and lease of land and property of a capital value exceeding £250,000 for acquisitions or £20,000 pa for leases. *
- 5.3 The disposal of land at less than the best consideration than can reasonably be obtained with a market value of £10,000 or over or where marginal differences between proposed prices and best consideration prices is 25% or less and the marginal difference exceeds £10,000.
- 5.4 To consider all applications for housing development loans and grants and to oversee the operation of the Council's Landbank Fund.
- 5.5 To consider all applications for the Scottish governments Evergreen Infrastructure Loans Fund and to oversee the operation of the loan fund.

Powers and Duties Delegated to the Committee

All the powers and duties listed above - other than those specifically reserved under Part I of this Scheme and those fully delegated to the following:-

The Northern Roads Collaboration Joint Committee – following recommendation by the Northern Roads Collaboration Joint Committee, to consider and make recommendations to the Highland Council proposals for participation in Roads Collaboration activities.

Health, Social Care & Wellbeing Committee

1. General

The powers/duties set out in Section C, Part II on pages 11-12 shall be exercisable by all the Headquarters Strategic Committees.

2. Specific

Responsibility for:-

- 2.1 Carry out the functions of the Council as the statutory authority in relation to the following: Adult Social Care (Lead Agency Model); Allied Health (Children); Chief Social Work Officer; Child Protection; Children's Services Social Care; Corporate Parenting; Justice Social Work; Fostering and Adoption; Getting It Right For Every Child (GIRFEC); Health Visiting; Children's Rights; Kinship Care; Looked after Children; Mental Health Officers; NHS Commissioned Services; Out-of-hours Social Work; Residential Care; Scrutiny of Adult Social Care Services; Self Directed Support; Throughcare and Aftercare; Violence Against Women; Transitions; and Young Carers.
- 2.2 Carry out the functions of the Council in delivering services relating to the following: Prevention and Early Intervention services for children; Public Protection arrangements; School Nursing; Third Sector Interface; Provision of Justice social work services in accordance with the National Objectives and Standards, Dental Hygiene Strategy, Healthy Living and Lives Strategies relating to children eg healthy weight and diet.
- 2.3 Set service standards and approve policy and overall priorities for the delivery of Health and Social Care Service functions to comply with the Council's legal, regulatory and financial responsibilities.

3. Health, Social Care and Wellbeing – Specific Duties:

- 3.1. Make recommendations to the Council on the outcomes of statutory consultation on Children's Services.
- 3.2. Undertake consultation with relevant agencies and organisations, including the voluntary sector, to achieve a co-ordinated approach to the provision of services within the Committee's remit.
- 3.3. Contribute to the development and delivery of the strategic plan relating to Highland's provision of Community Justice Services, including appointing a member to the Highland Community Justice Partnership.

- 3.4. Contribute to the development and delivery of the strategic plan relating to Highland's provision of Mental Health Officers
- 3.5. Scrutinise and provide oversight of the integrated Children's Service Plan developed by the integrated Children's Services Board.
- 3.6. Oversee the scrutiny of Adult Social Care services delegated to NHS Highland.
- 3.7. Scrutinise and provide oversight of inspections, inspection reports and improvement action plans.
- 3.8. Contribute to the Strategic Plan for Adult Services which is overseen by the Joint Monitoring Committee.

Communities & Place Committee

1. General

The powers/duties set out in Section C, Part II on pages 11-12 shall be exercisable by all the Headquarters Strategic Committees.

2. Specific

Responsibility for:-

2.1 To set service standards, approve policy and overall priorities for the delivery of Communities and Place service functions to comply with the Council's legal, regulatory and financial responsibilities.

2.2 To set policy and carry out the functions of the Council as the statutory authority in relation to the following: Registration of Births, Deaths and Marriages and the licensing of approved places for Civil Marriages; Burials and Cremations; ~~Weights and Measures and Consumer Safety, storage of petrol and explosives and all year round supply of fireworks~~; Environmental Health; Harbours; Street Cleaning; Waste Strategy, Collection and Disposal; and Reporting against the Public Sector Equality Duty.

2.3 To approve policy and make decisions relating to the functions of the Council in delivering services relating to the following:

1. Community Asset Transfers where the market value exceeds £100,000 and scrutiny of quarterly monitoring and statutory annual reporting. Decisions on transfers where the market value of the asset is:

- Below £10,000 will be delegated to officers in consultation with Ward Members; and
- Between £10,000 and £100,000 will be delegated to Local Committees;

2. Environmental Health – public health, health and safety at work, pollution control, private water supplies, animal health and welfare, contaminated land, enforcement of Civic Government Licensing, **Firework Exclusion Zones** and food safety;

3. Council owned/operated Public Conveniences (with decisions on local provision delegated to Local Committees);

4. Fleet Management including compliance with the Operator Licence and Purchasing and Logistics;

5. Grounds Maintenance and Amenity Services;

6. Street Cleansing;

7. ~~Consumer Protection (including Trading Standards);~~

8. War Memorials (with decisions on individual Ward Memorials delegated to local committees);
9. Customer Services (Service Point Network, Service Centre and Registration);
10. Community Food Growing;
11. Burials and Cremations under the Civic Government (Scotland) Act 1982 to make Management Rules regulating the use and general conduct of persons within burial grounds and the crematorium.

- 2.4 To approve policy relating to poverty and child poverty.
- 2.5 Approve and monitor progress on the Council's Equalities Outcomes, equality mainstreaming reports and BSL Plan.
- 2.6 To approve the local plans for Police and Fire Services every three years and to provide twice yearly strategic scrutiny and engagement of these plans on the basis that regular scrutiny and engagement related to their delivery will be undertaken locally.
- 2.7 To provide strategic direction and oversight of the Council's Place Based Approach and to approve the Council's Place Based Strategy.
- 2.8 To provide strategic direction and oversight for the Council's participation, contribution and engagement to Community Planning, including the Council's contribution to the Highland Outcome Improvement Plan.
- 2.9 To approve policy relating to the work and development of Community Councils.
- 2.10 To approve policy relating to community participation, engagement and empowerment.
- 2.11 To set charges for relevant services, unless delegated to Local Committees or to Officers as set out in the Scheme of Delegation.
- 2.12 To scrutinise and approve the distribution of funds to external parties to assist in community-based projects, unless delegated to Local Committees.
- 2.13 To approve the distribution of any operational budgets to Local Committees, scrutinise expenditure against local budgets and agree corrective action to ensure a balanced Service budget.

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

ADD IN

2.15 That interim progress reports against the Highland Outcome Improvement Plan be presented to the Committee.

Audit Committee

General

- 1.1 The Audit Committee is a formal Committee of Highland Council and reports to the Council.
- 1.2 The Committee's purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.
- 1.3 The Committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.
- 1.4 To advise the Council on matters relating to the programme of internal and external audit work and findings and recommendations arising from audit reports.
- 1.5 To perform a scrutiny role through the work of the Committee and to deal with matters referred by the Council for scrutiny purposes, including continuous improvement, achievement of outcomes and value for money.
- 1.6 To advise the Council on matters arising from complaints to the Ombudsman and other complaints systems relevant to Council services.
- 1.7 To advise the Council on the implementation of, and matters arising from the Code of Conduct of Councillors and matters arising from the Ethical Standards in Public Life Etc (Scotland) Act 2000 and other relevant legislation.
- 1.8 To scrutinise actions agreed by Strategic Committees in response to the findings and recommendations arising from national reports by scrutiny bodies.
- 1.9 To co-opt on a temporary basis non-voting Member(s) to support the work of the Committee where skills or knowledge gaps are identified.

Specific

- 2.1 To consider the annual Audit Plan and programme of internal audit work, including any revisions to the Audit Plan during the year. To also consider, in this context, any impairments to the independence

or objectivity of the Chief Auditor Executive arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments.

- 2.2 To consider (for the Committee's interests) the outcomes and action plan arising from internal audit reports together with assurance that audit recommendations are satisfactorily implemented.
- 2.3 To consider all matters relating to anti-fraud activities including Whistleblowing.
- 2.4 To consider the annual Action Plan produced by the External Auditor in respect of The Highland Council.
- 2.5 To consider (for its interests) the management and audit reports produced by the External Auditor.
- 2.6 To consider (for its interests) the implications, outcomes and action plans, for the Highland Council of reports produced by Audit Scotland and other inspection and scrutiny bodies.
- 2.7 To consider and advise the Council on the review of Financial Regulations.
- 2.8 To identify any special investigations required in relation to matters of particular concern relating to internal controls, risk management, corporate governance or value for money.
- 2.9 To oversee the Council's risk management policies and strategies and receive reports, including an update on the Corporate Risks Register at every Committee meeting.
- 2.10 To deal with matters referred to the Committee by the Council or Strategic Committees for scrutiny purposes in relation to internal controls, risk management, corporate governance or value for money.
- 2.11 To receive an annual update on the Council's Code of Corporate Governance.
- 2.12 To advise the Council on matters arising from the annual report on Ombudsman's complaints, from any formal investigations carried out by the Ombudsman or from any other complaints system relevant to Council Services.
- 2.13 To advise the Council on matters arising from any formal investigations carried out by the Ombudsman or from any other complaints system relevant to Council services.

- 2.14 To receive reports on the Corporate Complaints process on a six monthly basis.
- 2.15 To advise the Council on matters arising from the Ethical Standards in Public Life Etc (Scotland) Act 2000, including the implementation and observance of the Code of Conduct for Councillors, and other relevant legislation.
- 2.16 To undertake an annual self-assessment of effectiveness in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance.
- 2.17 To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion. And to also consider whether the annual evaluation for the Annual Governance Statement fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.
- 2.18 To receive and agree the Audited Accounts and Auditor's Report to Members.
- 2.19 To report to those charged with governance on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.
- 2.20 To report to full Council on a regular basis on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.
- 2.21 To publish an annual report on the work of the Committee, including a conclusion on the compliance with the CIPFA Position Statement.

Powers and Duties Delegated to the Committee

All of the powers and duties detailed above other than those specifically reserved under Part 1 of the Scheme.

Pensions Committee

1. General

To exercise on behalf of the Council all the powers and duties of the Council in relation to its functions as Administering Authority of The Highland Council Pension Fund (the Fund) except where they have been specifically delegated by the Council to another Committee or to an officer(s).

2. Specific

2.1 To ensure that the Fund complies with best practice.

2.2 To ensure that the Fund complies with the relevant Local Government Pension Scheme Regulations and all other legislation governing the administration of the Fund.

2.3 To review the Annual Report and Accounts of the Fund

2.4 To review the results of the Triennial Actuarial Valuation of the Fund

2.5 To set the Funds' objectives and ensure appropriate strategies, policies and procedures are put in place and kept up to date with a view to achieving these objectives including:

- a) To set the Investments Strategy (including strategic asset allocation) and associated policies for the Pension Fund, Common Good, Charitable and Trust Funds, and oversee the Investment Sub-Committee in the implementation of Investment Strategy and policies;
- b) To set the Funding Strategy and associated policies, and to set the policy on funding matters for employers joining and leaving the Fund;
- c) To ensure consistency between the Fund's Investment Strategy and Funding Strategy and the implementation of those strategies;
- d) To set the Administration Strategy ensuring appropriate arrangements for the administration of benefits are in place and demonstrate the operational efficiency of the administration of benefits through the use of key performance indicators;
- e) To set the strategy for communicating with Scheme employers and employees in the Fund; and
- f) To agree the Fund's Governance Policy.

- 2.6 To ensure the delivery of the Funding Strategy ensuring the ongoing monitoring and management of the liabilities as appropriate.
- 2.7 To review, as appropriate, the Governance Structure of the Pension Scheme to set out the responsibilities of Elected Members, officers, investment managers, advisors, custodians and the actuary to the Scheme, including delegated powers and make recommendations to the Council for changes where necessary.
- 2.8 To ensure appropriate Additional Voluntary Contribution (AVC) arrangements are in place and review investment performance on such contributions.
- 2.9 To set and monitor progress against annual business plans for the Fund.
- 2.10 To develop and maintain a trustee training policy.
- 2.11 To develop and maintain a risk management strategy.
- 2.12 To exercise Pension Fund discretions on behalf of the Administering Authority.
- 2.13 To appoint, dismiss and assess the performance of advisors to the Fund including investment advisers and actuaries.
- 2.14 To agree where appropriate the Administering Authority responses to consultations by Central Government, professional and other bodies in relation to key consultations
- 2.15 The approval of Admitted Bodies.
- 2.16 To monitor and oversee the work of the Investment Sub-Committee and carry out any of that Sub-Committee's responsibilities if appropriate.
- 2.17 To approve the annual Audit Plan and consider the programme of internal audit work during the year.
- 2.18 To consider (for its interests) the outcomes and action plan arising from internal audit reports together with assurance that audit recommendations are satisfactorily implemented.
- 2.19 To consider the annual Action Plan produced by the External Auditor in respect of the Pension Fund.
- 2.20 To consider (for its interests) the management and audit reports produced by the External Auditor.

Powers and duties delegated to the Committee

All of the powers and duties detailed above other than those specifically reserved under Part 1 of the Scheme and those fully delegated to the following –

**** a) Investment Sub-Committee**

1. To exercise the delegated powers and duties of the Pension Committee in relation to the management and investment of the Fund's assets. This will include the following specific functions:

1.1 To ensure that the management and investment of assets complies with best practice;

1.2 To ensure that the Fund complies with the relevant Local Government Pension Scheme Regulations and all other legislation governing the administration of the Fund as they relate to the management and investment of the Fund's assets;

1.3 To ensure the delivery of the Funds' investment objectives, strategies and policies and that they are kept up to date;

1.4 To appoint, dismiss and assess the performance of investment managers, custodians and other advisers involved with the management and investment of assets and/or funding of liabilities; and

1.5 To undertake any task delegated to it by the Pensions Committee.

2. Also to exercise on behalf of the Council all the powers and duties of the Council in relation to the management and investment of the Common Good, Charitable and Trust Funds, except where they have been specifically delegated by the Council to another Committee or to an officer(s). This will include the following specific functions:

2.1 To ensure that the management and investment of assets complies with best practice;

2.2 To ensure that the investment of the Fund complies with the relevant legislation;

2.3 To ensure the delivery of the Funds' investment objectives, strategies and policies, ensuring procedures are put in place and kept up to date; and

2.4 To appoint, dismiss and assess the performance of investment managers, custodians and other advisers involved with the management and investment of assets.

**** Full delegated powers.**

Gaelic Committee

General

1. To promote and support the indigenous Gaelic language, heritage and culture of the Highlands and to oversee the implementation of the Council's Gaelic Language Plan.

Specific

- 2.1 To monitor, scrutinize, promote and approve the implementation of the Council's Gaelic Language Plan, including the delivery of Gaelic education;
- 2.2 To liaise with Bòrd na Gàidhlig on the strategic development of Gaelic language;
- 2.3 To work with Gaelic development agencies in promoting, developing and sustaining the Gaelic language, heritage and culture in the Highlands;
- 2.4 To work with the Scottish Government and Parliament with regard to legislation relating to Gaelic language;
- 2.5 To monitor the implications of legislation in respect of Gaelic language and advise the Council of its impact across the Highlands;
- 2.6 Budget monitoring and scrutiny of Gaelic specific funding, grants and expenditure.

Governance:

Committee minutes will be reported to Full Council.

Powers and Duties Delegated to the Committee

All of the powers and duties detailed above other than those specifically reserved under Part 1 of the Scheme.

Climate Change Committee

1. General

- 1.1 To provide advice and guidance on the climate, ecological and environmental sustainability agenda, and identify, support and champion climate and ecological progress across the Council whilst providing an appropriate level of critical challenge for the organisation.

2. Specific

- 2.1 Public Bodies Climate Reporting Duties - As set out in The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020 including emissions baselining and monitoring.

- 2.2 Oversight, of the Net Zero Strategy, Action Plan and Programme, including the development of related strategies, policies and approaches, including the setting and scrutiny of performance targets associated with the following Programme workstreams:

- Built Estate and Energy/Asset Management
- Social Housing (HRA)
- Sustainable Staff Travel
- Waste and Circular Economy
- Procurement and Community Wealth Building
- Planning, Land Use and Environment
- Capital Programme
- Net Zero Funding Strategy

- 2.3 Responses to external policies and consultations.

- 2.4 Policy considerations and project progress and achievements in relation to climate and environmental related matters such as Just Transition, Adaptation, Land Reform, Food Growing and Land Use, Biodiversity etc.

- 2.5 To support and champion Highland's high quality environment, air, land, water, food products and renewable energy resources to bring appropriate commercial opportunities, maximise income whilst raising awareness of the need to protect and enhance our critical environmental assets.

- 2.6 Review and monitoring of climate impact of Council policies.

- 2.7 Oversight of internal and external communication and engagement, and partnership building in relation to climate change mitigation and adaptation.

2.8 Promotion of Climate Change and Ecological issues and actions through the delivery of presentations at committee and oversight of development of internal and external facing events.

To consider and make recommendations to The Highland Council and / or any other appropriate strategic committee in relation to these matters, including any proposed changes or developments to Highland Council policy & strategy.

Membership

Membership of the Committee will be agreed by The Highland Council. The Chair and Vice Chair of the Committee will be decided by the Highland Council.

Governance

Committee minutes will be reported to Full Council.

Powers and Duties Delegated to the Committee

All of the powers and duties detailed above other than those specifically reserved under Part 1 of the Scheme and those otherwise fully delegated to Strategic Committees.

Part III

**Functions Referred/Powers and Duties Delegated to
Planning Applications Committees, Highland Licensing Committee,
Planning Review Body, City of Inverness Area Committee, Local
Committees and Joint Committees from the Council and
Headquarters Committees**

Planning Applications Committees from the Economy and Infrastructure Committee and from Council

1. To exercise delivery of the development management and enforcement functions under the Town and Country Planning (Scotland) Act 1997 (as amended) where such functions and powers: (i) are not reserved to the Highland Council; (ii) are not reserved to the Economy and Infrastructure Committee and (iii) are not delegated to Officers or where Officers have declined to exercise their delegated powers.
2. To receive reports on Proposal of Application Notices for national development (as designated by s3A(4)(b) of the Town and Country Planning (Scotland) Act 1997 (as amended) and major developments (designated as such by s26A(2) of the Town and Country Planning (Scotland) Act 1997 to allow Members to comment on issues related to the proposed developments (but not to discuss the merits or otherwise of the proposed developments).
3. To exercise building standards functions under the Building Standards (Scotland) Act 2003 (as amended) where such functions and powers are not delegated to Officers or where Officers have declined to exercise their delegated powers.
4. To exercise the statutory functions of the Planning Authority as set out in the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) and the Planning (Hazardous Substances)(Scotland) Act 1997 (as amended) where such functions and powers are not delegated to Officers or where Officers have declined to exercise their delegated powers.
5. To consider all proposals on behalf of the Council in relation to Part 6 (Enforcement), Part 7 (trees, amenity and advertisements) and Part 12 (Crown Land) all as set out in the Town & Country Planning (Scotland) Act 1997 (as amended).
6. To respond to consultations from Scottish Ministers on energy developments under the Electricity Act 1989 (including those relating to s36 and s37 applications), unless otherwise delegated to Officers. If, in the opinion of the **Assistant Chief Executive – Place**, following consultation with the Chairs of the relevant Planning Applications Committees, an application raises strategic and/or cross boundary issues then a joint meeting of the relevant Planning Application Committees will be held to respond to the consultation.

7. To exercise the responsibilities in respect of the repair of buildings under Section 87 of the Civic Government (Scotland) Act 1982 and in respect of planning and building certificates under the Licensing (Scotland) Act 1976.
8. To appoint the Chair and Vice Chair of the Committee.
9. In relation to the High Hedges (Scotland) Act 2013, and unless otherwise reserved by The Highland Council or to the Economy and Infrastructure Committee or delegated to Officers:
 - a. To determine, under Section 6, whether or not to take action following an application for a high hedge notice (and to specify what action, if any, should be taken);
 - b. To determine whether or not to vary and/or withdraw a high hedge notice under Section 10 of the Act;
 - c. To determine, in relation to an application determined by a Planning Applications Committee, whether the Council wishes an appeal to Scottish Ministers to be dealt with by way of Written Submissions, a Hearing or by Public Local Inquiry (or any means of determination available to Scottish Ministers);
 - d. To instruct the reporting of any offence under the High Hedges (Scotland) Act 2013 to the Procurator Fiscal;
 - e. To exercise any power normally delegated to Officers but where Officers have declined to exercise their delegated powers in relation to a particular matter or application.
10. To determine all applications for planning permission relating to 'national developments' (designated as such under s3A(4)(b) of the Town and Country Planning (Scotland) Act 1997 (as amended) irrespective of the recommendation. If, in the opinion of the **Assistant Chief Executive - Place**, following consultation with the Chairs of the relevant Planning Applications Committees, an application raises strategic and/or cross boundary issues then a joint meeting of the relevant Planning Application Committees will be held to determine the application.
11. To determine all applications for planning permission relating to 'major developments' (as designated by s26A(1)(b)&(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) which are considered to be significantly contrary to the development plan irrespective of the recommendation. If, in the opinion of the **Assistant Chief Executive - Place**, following consultation with the Chairs of the relevant Planning Applications Committees, an application raises strategic and/or cross boundary issues then a joint meeting of the relevant Planning Application Committees will be held to determine the application.

All of the powers and duties of the Economy and Infrastructure Committee contained in 1 - 11 above, the powers in 7 being fully delegated.

Highland Licensing Committee

1. General

- a) To oversee the functions of the Council as licensing authority under the Civic Government (Scotland) Act 1982 (the '1982' Act)
- b) To carry out consultations on behalf of the Council under the 1982 Act
- c) To formulate and approve policy and approve standard conditions to which licences granted under the 1982 Act will generally be subject.
- d) To set fees and charges applicable to applications for licences under the 1982 Act.
- e) To approve or otherwise on behalf of the Council proposals in relation to contracts for service in relation to the Council's obligations in terms of the 1982 Act.
- f) To oversee the functions of the Council as the authority responsible for preparing and maintaining a register of private landlords under Part 8 of the Antisocial Behaviour etc (Scotland) Act 2004 (the 2004 Act).
- g) To oversee the functions of the Council as the authority responsible for the licensing of houses in multiple occupation under Part 5 of the Housing (Scotland) Act 2006 (the '2006' Act).
- h) To formulate and approve standard conditions to which licences under the 2006 Act will generally be subject.
- i) To set fees applicable under Section 161 of the 2006 Act.

2. To exercise full delegated powers, where not otherwise delegated to Officers, in respect of the following –

- a) To consider and determine applications for licences and exemptions under the 1982 Act and, in granting such licences (i) to impose the standards conditions approved under Paragraph 1.3 subject to such variations as are considered appropriate and (ii) to impose additional conditions where considered appropriate.
- b) To order the suspension of licences held under the 1982 Act, to determine the duration of any such suspension and to recall suspension orders.
- c) To conduct Hearings in respect of licences under the 1982 Act.
- d) To refuse or remove registration from private landlords or agents under Part 8 of the 2004 Act and to approve the service of rent penalty notices under Part 8 of that Act.

- e) To consider and determine applications for licences, relaxations and exemptions and to refuse to revoke rent suspension orders under Part 5 of the 2006 Act.
 - f) To conduct Hearings in terms of Part 5 of the 2006 Act.
 - g) To consider and determine applications for Dispensation in terms of the Fireworks (Scotland) Regulations 2004.
3. To grant council assent under Regulation 14 of the Explosives Regulations 2014 (Ref Health and Safety at Work Act 1974/ Explosives Regulations 2014).
 4. To hear applications, renewals or transfers of licences, registrations, approvals and other permissions sought (including variation thereof) relating to:-
 - a) The storage of petrol and explosives. (Ref Health and Safety at Work Act 1974/ Petroleum (Consolidation) Regulations 2014 & Explosives Regulations 2014 respectively).
 - b) The all year round supply of fireworks (Ref. Fireworks Regulations 2004 made under the Fireworks Act 2003 and by sections 11(3) and 27(2) of the Consumer Protection Act 1987).

where the Trading Standards Manager is not minded to grant the application.

5. From Environmental Health

To exercise full delegated powers, where not otherwise delegated to Officers, in respect of the following:

- To consider and determine applications, renewals or transfers of licences, provisional licences, registrations, approvals and other permissions sought (including variation thereof) relating to legislation listed below;
 - To revoke licences, provisional licences, registrations, approvals and other permissions granted (including variation thereof) relating to legislation listed below;
- a) Animal Boarding Establishments Act 1963
 - b) Breeding of Dogs Act 1973
 - c) Breeding of Dogs Act 1991
 - d) Caravan Sites and Control of Development Act 1960
 - e) Cinemas Act 1985

- f) Dangerous Wild Animals Act 1976
- g) Deer (Scotland) Act 1996
- h) Game Licenses Act 1860
- i) Guard Dogs Act 1975
- j) Performing Animals (Regulations) Act 1925
- k) Pet Animals Act 1951
- l) Riding Establishments Acts 1964/70
- m) Theatres Act 1968
- n) Zoo Licensing Act 1981
- o) Animal Health and Welfare (Scotland) Act 2006
- p) The Animal Welfare (Licensing of activities involving animals) (Scotland) Regulations 2021.

Planning Review Body Powers Delegated from the Council

To exercise full delegated powers on behalf of the Council in fulfilment of the provisions of s43A of the Town and Country Planning (Scotland) Act 1997 as amended and regulations made thereunder to review at the request of the applicant:

1. Any application belonging to the category of local developments (as defined in Regulation 2(2) of the Town and Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009 refused by the appointed Officer;
2. Any condition attached to an application belonging to the category of local developments (as defined above) approved by the appointed Officer; or
3. Any application belonging to the category of local developments (as defined above) that has not been determined by the appointed Officer within the period allowed for determination of the application.

City of Inverness Area Committee Powers Delegated from the Council

1. General

- 1.1 To appoint the Provost and Depute Provosts of Inverness and Leader and Depute Leader of Inverness and Area responsible for the running of the Committee and the management of its functions (the Provost and Depute Provosts roles being restricted to Civic Duties only).
- 1.2 To work with partners to achieve the effective promotion and future prosperity of the City/Area, facilitating opportunities for inward investment, regeneration and economic development of the City/Area. This includes the realisation of the “Inverness City Vision.”
- 1.3 To develop appropriate connections with, and ensure Council support for, the local Community Partnership for the area.
- 1.4 To ensure implementation of the Council’s approach to localism and place planning as it relates to the City/Area.
- 1.5 To scrutinise and monitor the local delivery of Council services, within approved resources and strategy.
- 1.6 To scrutinise the performance of, and engage with, Police Scotland and the Scottish Fire and Rescue Service.
- 1.7 To monitor the delivery of Capital Projects within the City/Area as agreed within the Council’s Capital Programme.
- 1.8 To approve delegated local functions e.g. Road Traffic Orders; Road Construction Consents; and Upholding Access Rights such as Notices applying to various sections of Part 1 of the Land Reform (Scotland) Act 2003.
- 1.9 To champion local initiatives which promote and support the traditional languages, heritage, and culture of the Highlands.
- 1.10 To deal with requests for and make nomination / appointments to local outside bodies not covered by the Council or Strategic Committees e.g. Local Access Forums. In the case of Local Access Forums, only where multiple nominations or appointments are necessary.
- 1.11 To agree methods and approaches for community engagement and participation, in relation to City/Area business.
- 1.12 To ensure that all decisions taken are within the terms of the legislation governing the work of the Council and the approved Scheme of Delegation to Committees and Officers and the Council’s Financial Regulations.

- 1.13 To adopt a participatory resourcing approach in order to support the greater involvement of communities in informing service design, delivery, priority setting and, where appropriate, deploying resources.
- 1.14 To consider and promote local initiatives which advance equality under the Equality Act and tackle socio-economic disadvantage.

2. Specific

Corporate, cross service and civic powers

- 2.1 To consider any proposals made by Council Services to review service delivery, other than annual revenue budget proposals, which would have a materially significant impact on the City / Area.
- 2.2 To agree any Bye-Laws and Management Rules etc. and their amendment or review.
- 2.3 To recommend to Council any proposals for Business Improvement Districts.
- 2.4 To encourage productive relations with Community Councils within the City/Area and to agree any Community Council boundary changes.
- 2.5 To support local youth forums and to promote the engagement of young people in local democracy.
- 2.6 To facilitate and, where appropriate, make arrangements in relation to Town Twinning and ceremonial matters.
- 2.7 To consider, and endorse, any Area Place Plan prepared for the area governed by the Committee.
- 2.8 To consider reports from external groups or bodies. Invite groups or local bodies to address the local committee on matters relevant to the local committee.

Finance Services

- 2.9 To allocate and monitor expenditure from any agreed and delegated localised funds and to allocate Ward Discretionary Grants of £10,000 and over (individual awards of up to and including £9,999 are delegated to the Ward Manager following consultation with local Ward members).
- 2.10 To oversee the management of any Common Good Fund (CGF) assets for the locality by:

- scrutinising CGF budget monitoring;
 - approving costs, project costs and grant applications for any local CGF as required up to 10% of the value of the CGF;
 - consider and agree the publication and any associated review of the Asset Register for the CGF;
 - as part of any change of use of Common Good assets, consider the outcome of any public consultation; and
 - to purchase and dispose or to the change of use of Common Good assets up to 10% of the value of the CGF. (For the avoidance of doubt, award of grant, project costs, grants and the purchase and disposal of Common Good assets of more than 10% of the value of the CGF is reserved for Highland Council).
- 2.11 To approve any Local Authority Trust costs associated with the locality and to approve grant applications of £10,000 and over as required and agreed within Council policy.
- 2.12 To receive annual reports on the following companies, including financial reports and accounts – Inverness Business Improvement District Ltd, Inverness City Heritage Trust and Loch Ness and Inverness Tourism Business Improvement District Ltd.
- 2.13 From the resources that are agreed to be delegated to the City and Area Committee, for the Committee to agree which resources are to be allocated through participatory budgeting and the methods to use.

Communities and Place

- 2.14 To agree local priorities within area operational budgets for Communities and Place, taking account of statutory requirements and Council policy and priorities.
- 2.15 To agree variations within local budgets between individual functional areas to meet local priorities as specified below.
- 2.16 To agree whether and to what extent non-statutory functions are delivered locally, and how these are funded within local budgets.
- 2.17 To recommend local service delivery arrangements, including whether particular services should be delivered by communities, by in-house staff or through local procurement, for consideration by the Communities and Place Committee in terms of the Council's overall legal duties relating to procurement.
- 2.18 To set and scrutinise local performance standards and monitor expenditure against local Communities and Place budgets.

- 2.19 To decide whether to have Council owned/operated public conveniences within the local area and overall service.
- 2.20 To approve Community Asset Transfers – by lease or sale - where the market value of the asset is between £10k and £100k. To align with the review process, including the ability of Community Bodies to appeal a Council decision to the Scottish Government, where the Local Committee's decision is contrary to officer recommendations, the decision will be referred to the strategic committee. All Common Good assets, regardless of value, will be considered at the relevant Local Committee, subject to paragraph 2.9. Where Council assets to transfer - by lease or ownership - are valued below £10k or the lease is less than 10% of the market sale value, this will be delegated to Officers, in consultation with Ward Members, and those valued above £100k will be delegated to the Strategic Committee.
- 2.21 To approve local priorities for grounds maintenance in accordance with overall Council policy, and to increase or reduce the local service within the overall local budget, in accordance with the Council's policies on grounds maintenance, legislation and good practice guidance.
- 2.22 To agree local priorities for street cleansing in accordance with legislation and Council policy and within the overall local budget.
- 2.23 To approve local initiatives to encourage waste minimisation, reduce litter and increase recycling within the strategy and budget agreed by Communities and Place Committee.
- 2.24 To agree the naming of buildings within the Council's control.
- 2.25 In accordance with the revised procedure for street naming, where no agreement between local Members and Community Councils can be reached, or where a Community Council is not in existence, a decision on street naming will be made by the City Committee.

Housing and Property

- 2.26 To engage with tenants on local housing service standards and priorities and on enabling tenants to have a meaningful input to monitoring service quality.
- 2.27 Declare individual land and property held on the HRA surplus and available for disposal.
- 2.28 Set rents for local HRA garages.
- 2.29 To scrutinise housing service quality, cost and performance and taking into account tenant feedback.
- 2.30 To agree local priorities for housing capital and planned maintenance expenditure in line with overall Council priorities and within the local budget.

Economy and Infrastructure

- 2.31 To approve maintenance programmes for roads and bridges; approve surfacing and surface dressing schemes within the overall local budget; and to increase or reduce the local service within the overall local budget, in accordance with the Council's road maintenance policies, legislation and good practice guidance.
- 2.32 To prioritise between the various reactive and planned cyclic road and bridge maintenance activities in accordance with Council Policy and the national Code of Practice (CoPHMM).
- 2.33 To promote Road Traffic Orders, where there are statutory objections.
- 2.34 To approve the stopping up of roads and private means of access and the deletion of roads from the list of public roads and the adoption of roads (that are not constructed under the Road Construction Consent procedure) onto the list of public roads.
- 2.35 To approve the local winter road maintenance service in accordance with the Council's overall Winter Maintenance Policy and to increase or reduce the local service within the overall local budget, in accordance with the Council's overall Winter Maintenance Policy.
- 2.36 To approve any changes to local Parking Services, including introducing and varying charges, commissioning new car park provision and increasing or reducing the local service – all in accordance with the Council's Parking Policy, approach to engagement and the disaggregated budget for car parking.
- 2.37 In accordance with the Council's Parking Policy, agree the prioritisation of spend of the local allocation of income generated as a result of car parking charges.
- 2.38 To monitor the status of construction projects and environmental works in the agreed Capital and maintenance programmes.
- 2.39 Excepting the powers reserved to The Highland Council under Part I and delegated to the Economy and Infrastructure Committee under Part II, to approve planning policy and guidance but only in so far as that policy or guidance is place-specific in content or application. In this context, place-specific is defined as policy or guidance affecting only the City of Inverness Area or a community within that area.
- 2.40 To review the Core Path Plan and approve amended and/or modified plans for public consultation. Adopt core path changes into the plan where there are no objections, to recommend modifications or to accept Scottish Government recommendations following a PLI. To make recommendations to the Economy and Infrastructure Committee where there are outstanding objections

to an amended or modified amended core path plan.

- 2.41 To identify property which is non-operational or which may be declared surplus to requirements for referral to Asset Management Project Board.
- 2.42 To approve Section 11 orders of 6 days or more for advertisement as required by Section 11(2)(b) of the Land Reform (Scotland) Act 2003 and where there are no outstanding objections to confirm such orders. Where objections are outstanding to a proposed order the area/local committee shall make a recommendation to the Economy and Infrastructure Committee.
- 2.43 To allocate all revenue to local projects and initiatives according to the criteria determined by the relevant strategic committee and delegated to the City/Area Committee.
- 2.44 To approve local Safer Routes to Schools projects within the strategy and budget agreed by Economy and Infrastructure Committee.

Education

- 2.45 To monitor the local delivery and outcomes from Curriculum for Excellence, including performance of schools within the City/Area.
- 2.46 To consider an annual report on the attainment of young people from deprived backgrounds.
- 2.47 To scrutinise and monitor area Education Scotland school inspection reports for the City/Area.

Local Committees Powers Delegated from the Council

1. General Powers

- 1.1 To appoint the Chair and, where appropriate, a Vice Chair of the Local Committee, responsible for the running of the Committee and the management of its functions. To appoint a Civic Leader where appropriate.
- 1.2 To work with partners to achieve the effective promotion and future prosperity of the Area, facilitating opportunities for inward investment, regeneration and economic development of the Area.
- 1.3 To develop appropriate connections with, and ensure Council support for, the local Community Partnership for the area covered by the Local Committee.
- 1.4 To support implementation of the Council's place-based approach to service design and delivery, including the involvement and participation of the community and to adopt any place plan as it relates to the area.
- 1.5 To scrutinise and monitor the local delivery of Council services, within approved resources and strategy.
- 1.6 To scrutinise the performance of, and engage with, Police Scotland and the Scottish Fire and Rescue Service.
- 1.7 To monitor the delivery of Council Capital Projects within the local area, as agreed within the Council's Capital Programme.
- 1.8 To approve delegated local functions e.g. Road Traffic Orders; Road Construction Consents; and Upholding Access Rights such as Notices applying to various sections of Part 1 of the LandReform (Scotland) Act 2003.
- 1.9 To champion local initiatives which promote and support the traditional languages, heritage and culture of the Highlands.
- 1.10 To deal with requests for and make nominations/ appointments to local outside bodies not covered by the Council or Strategic Committees e.g. Local Access Forums. In the case of Local Access Forums, only where multiple nominations or appointments are necessary.
- 1.11 To agree methods and approaches for local community engagement and participation in relation to local resource prioritisation.

- 1.12 To ensure that all local decisions taken are within the terms of the legislation governing the work of the Council and the approved Scheme of Delegation to Committees and Officers and the Council's Financial Regulation.
- 1.13 To adopt a participatory resourcing approach in order to support the greater involvement of communities in informing service design, delivery, priority setting and, where appropriate, deploying resources.
- 1.14 To consider and promote local initiatives which advance equality under the Equality Act and tackle socio-economic disadvantage.

2. Specific Powers

Corporate, cross service and civic powers

- 2.1 To consider any proposals made by Council Services to review service delivery, other than annual revenue budget proposals, which would have a materially significant impact on the Locality.
- 2.2 To agree any Bye-Laws and Management Rules etc. and their amendment or review.
- 2.3 To recommend to Council any proposals for BusinessImprovement Districts.
- 2.4 To ensure productive relations with Community Councils within the locality and to agree any Community Council boundary changes.
- 2.5 To support local youth forums and to promote the engagement of young people in local democracy.
- 2.6 To facilitate and, where appropriate, make arrangements in relation to Town Twinning and ceremonial matters.
- 2.7 To consider reports from external groups or bodies. To invite groups or local bodies to address the local committee on matters relevant to the local committee. To develop productive working relations with local community bodies in public service delivery.
- 2.8 For the Local Committee to consider how to adopt a participatory budgeting approach in order to support the greater involvement of communities in informing service design, delivery, priority setting and, where appropriate, deploying resources.

Finance Services

- 2.9 To allocate and monitor expenditure from any agreed and delegated localised funds and to allocate Ward Discretionary Grants of £10,000 and over (individual awards of up to and including £9,999 are delegated to the Ward Manager following consultation with local Ward members).

- 2.10 To oversee the management of any Common Good Fund (CGF) assets for the locality by:
- scrutinizing CGF budget monitoring;
 - approving costs, project costs and grant applications for any local CGF as required up to 10% of the value of the CGF;
 - consider and agree the publication and any associated review of the Asset Register for the CGF;
 - as part of any change of use of Common Good assets, consider the outcome of any public consultation; and
 - to purchase and dispose or to change the use of Common Good Fund assets up to 10% of the value of the CGF. (For the avoidance of doubt award of grant, project costs and disposal of CGF assets of more than 10% of the value of the CGF is reserved to the Highland Council.)
- 2.11 To approve any Local Authority Trust costs associated with the locality and to approve grant applications of £10,000 and over as required and agreed within Council policy.
- 2.12 To allocate all revenue to local projects and initiatives according to the criteria determined by the relevant strategic Committee and delegated to the Area Committee.

Communities and Place

- 2.13 To agree local priorities within area operational budgets for Communities and Place, taking account of statutory requirements and Council policy and priorities.
- 2.14 To agree variations within local budgets between individual functional areas to meet local priorities as specified below.
- 2.15 To set and scrutinise local performance standards and monitor expenditure against local Communities and Place budgets.
- 2.16 To decide whether to have Council owned/operated public conveniences within the local area and overall service.
- 2.17 To approve local priorities for grounds maintenance in accordance with overall Council policy, and to increase or reduce the local service within the overall local budget or other local resources, in accordance with the Council's policies on grounds maintenance, legislation and good practice guidance.
- 2.18 To approve local priorities for play areas in accordance with overall Council policy and to increase or reduce the local service within the overall local budget or other local resources, in accordance with

the Council's policies on play areas, legislation, health and safety and good practice guidance.

- 2.19 To agree local priorities for street cleansing in accordance with legislation and Council policy and within the overall local budget.
- 2.20 To approve local initiatives to encourage waste minimisation, reduce litter and increase recycling within the strategy and budget agreed by Communities and Place Committee.
- 2.21 To approve Community Asset Transfers – by lease or sale - where the market value of the asset is between £10k and £100k. To align with the review process, including the ability of Community Bodies to appeal a Council decision to the Scottish Government, where the Local Committee's decision is contrary to officer recommendations, the decision will be referred to the strategic committee. All Common Good assets, regardless of value, will be considered at the relevant Local Committee, subject to paragraph 2.9.
 - Where Council assets to transfer - by lease or ownership - are valued below £10k or the lease is less than 10% of the market sale value, this will be delegated to Officers, in consultation with Ward Members, and those valued above £100k will be delegated to the Strategic Committee.
- 2.22 To decide any changes in the arrangements for individual War Memorials.
- 2.23 To scrutinise an annual report on burial grounds in the locality.
- 2.24 To scrutinise an annual report on Environmental Health activity in the locality.
- 2.25 To agree the naming of buildings within the Council's control.
- 2.26 In accordance with the revised procedure for street naming, where no agreement between Local Members and Community Councils can be reached or where a Community Council is not in existence a decision on street naming will be made by the Local Area Committee.

Housing and Property

- 2.27 To engage with tenants on local housing service standards and priorities and on enabling tenants to have a meaningful input to monitoring service quality.
- 2.28 Set rents for local HRA garages.
- 2.29 To scrutinise housing service quality, cost and performance and taking into account tenant feedback.
- 2.30 To agree local priorities for housing capital and planned maintenance expenditure in line with overall Council priorities and within the local budget.

Economy and Infrastructure

- 2.31 To approve maintenance programmes for roads and bridges; approve surfacing and surface dressing schemes within the overall local budget; and to increase or reduce the local service within the overall local budget, in accordance with the Council's road maintenance policies, legislation and good practice guidance.
- 2.32 To prioritise between the various reactive and planned cyclic road and bridge maintenance activities in accordance with Council Policy and the national Code of Practice (CoPHMM).
- 2.33 To promote Road Traffic Orders, where there are statutory objections.
- 2.34 To approve the stopping up of roads and private means of access and the deletion of roads from the list of public roads and the adoption of roads (that are not constructed under the Road Construction Consent procedure) onto the list of public roads.
- 2.35 To approve the local winter road maintenance service in accordance with the Council's overall Winter Maintenance Policy and to increase or reduce the local service within the overall local budget, in accordance with the Council's overall Winter Maintenance Policy.
- 2.36 To approve any changes to local Parking Services, including introducing and varying charges, invitation to pay parking schemes, and commissioning new car park provision and increasing or reducing the local service – all in accordance with the Council's Parking Policy, approach to engagement and the disaggregated budget for car parking.
- 2.37 To approve Section 11 orders of 6 days or more for advertisement as required by Section 11(2)(b) of the Land Reform (Scotland) Act 2003 and where there are no outstanding objections to confirm such orders. Where objections are outstanding to a proposed order the area/local committee shall make a recommendation to the Economy and Infrastructure Committee.
- 2.38 In accordance with the Council's Parking Policy, agree the prioritisation of spend of the local allocation of income generated as a result of car parking charges.
- 2.39 To monitor the status of construction projects and environmental works in the agreed Capital and maintenance programmes.
- 2.40 Excepting the powers reserved to The Highland Council under part I and those delegated to the Economy and Infrastructure Committee under Part II, to approve planning policy and guidance but only in so far as that policy or guidance is place specific in content or application. In this context, place specific is defined as policy or guidance affecting only a single City/Local committee area or community within that area.

- 2.41 To review the Core Path Plan and approve amended and/or modified plans for public consultation. Adopt core path changes into the plan where there are no objections, to recommend modifications or to accept Scottish Government recommendations following a PLI. To make recommendations to the Economy and Infrastructure Committee where there are outstanding objections to an amended or modified amended core path plan.
- 2.42 To identify property which is non-operational or which may be declared surplus to requirements for referral to Asset Management Project Board.
- 2.43 To approve local Safer Routes to Schools projects within the strategy and budget agreed by Economy and Infrastructure Committee.

Education

- 2.44 To monitor the local delivery and outcomes linked to the National Improvement framework in line with local school improvement plans and standards and quality annual reports, including performance of schools within the locality.
- 2.45 To scrutinise secondary school leavers data within the locality and in relation to:-
- Percentage of leavers attaining literacy;
 - Percentage of leavers attaining numeracy;
 - Attainment for All across the 3 cohorts (Highest 20%, Middle 60% and Lowest 20%);
 - Leaver Initial Destinations; and
 - Breadth and Depth analysis (Percentage of pupils achieving SCQF level awards)
- 2.46 To monitor area Education Scotland school inspection reports.
- 2.47 To monitor and scrutinise ASG attainment over time in relation to numeracy, literacy and positive destinations.

The Northern Roads Collaboration Joint Committee

The Northern Roads Collaboration Joint Committee is a Joint Committee established by Aberdeen City Council, Aberdeenshire Council, Angus Council, Argyll and Bute Council, Comhairle nan Eilean Siar, The Highland Council, and The Moray Council (the “Constituent Authorities”) under sections 56 and 57 of the Local Government (Scotland) Act 1973.

The Joint Committee undertakes to appoint two named representatives from each Constituent Authority to its membership.

The creation of the Joint Committee represents the joint commitment of the Constituent Authorities to work collaboratively for the joint discharge of road and road-related functions, including ports and harbours (the “Roads Collaboration”).

In particular it shall have the following powers:

1. To identify suitable projects and initiatives for Roads Collaboration and to make recommendations to Constituent Authorities.
2. To make recommendations to Constituent Authorities in respect of resource contribution, funding arrangements and budget setting for projects and initiatives for Roads Collaboration.
3. To manage resources and approve operational expenditure within agreed Joint Committee budgets for Roads Collaboration.
4. To monitor the effectiveness of the Roads Collaboration and to identify potential improvements and efficiencies.
5. To approve an annual performance report and financial statement for the reporting year on Roads Collaboration.
6. To approve and amend Standing Orders for the Joint Committee and any of its Sub-Committees.
7. To appoint the Chair and Vice Chair of the Joint Committee and any of its Sub-Committees.
8. To make arrangements for the provision of business support services for the Joint Committee and any of its Sub-Committees.

The Highland Partnership Joint Monitoring Committee

This Joint Committee has oversight of both Integrated Adult Services and Integrated Children's Services.

Role and Function

- To monitor the carrying out of integrated functions (both delegated and conjoined).
- In the above connection, to receive reports from the Integration Authorities on such aspects of integrated service delivery, and in such form, as the Joint Committee may direct from time to time.
- To report to the Integration Authorities on any aspect of the carrying out of integrated functions, which may include recommendations as to how those functions should be carried out in the future.
- To receive and, as it sees fit, publishing, its reports to the Integration Authorities and the Integration Authorities written responses to it.
- To receive and consider quarterly performance reports from the Integration Authorities.
- To receive and consider performance exception/early warning reports and remedial plans.
- To receive and consider proposals to change performance targets.
- To consider the application of relevant local performance indicators and outcomes.
- To receive and consider annual performance reports from the Integration Authorities.
- To receive and consider complaints monitoring reports from the Integration Authorities.
- To ensure recommendations, and responses from the Integration Authorities, relating to performance reporting are considered, appropriately acted upon and progressed.
- To receive and consider reports from the Project Board on workstreams that have been developed.

- To oversee the continuing implementation of the Integration Scheme and associated risks.
- To review the Integration Scheme including financial commitments, delegated and conjunction services, and make recommendations to THC and NHS.
- To consider, within 14 days of receipt, disputes regarding the Integration Scheme that have been escalated to it, with a view to resolving such disputes.
- To ensure that the participation and engagement strategies of the Integration Authorities deliver the required involvement of stakeholders throughout the development and review process for their Strategic Plans.
- To make and amend from time to time as it sees fit, Standing Orders, for the regulation of its procedure and business, in line with applicable regulations.
- To agree annually a forward schedule of meeting dates for the following calendar year, which meetings shall be a minimum frequency of quarterly.

Membership

Membership of the Committee is set out within the Public Bodies (Joint Working) (Integration Joint Monitoring Committees) (Scotland) Order 2014, and comprises:-

- 4 elected members nominated by THC and 4 members nominated by NHS (2 Non-Executive Directors and 2 other appropriate persons).
- officers of both THC and NHS, who are members by virtue of the statutory roles that they perform:
 - THC's Chief Social Work Officer and s95 Officer;
 - NHS's Director of Finance;
 - A registered medical practitioner whose name is included in the list of primary medical services performers prepared by the Health Board, and nominated by the Health Board;
 - A registered nurse who is employed by the Health Board or by a person or body with which the Health Board has entered into a general medical services contract, and nominated by the Health Board;
 - A registered medical practitioner employed by the Health Board and not providing primary medical services, and nominated by the Health Board;

- staff (both local authority and health board), third sector, carer and service user representatives, recruited by the Committee, following Scottish Government Guidance, and ensuring representation in relation to both children's and adults' services.
- such additional members appointed by the Committee as it sees fit.
- additional officers nominated by both THC and NESH:
 - THC's Chief Executive and **Assistant Chief Officer - People**.
 - NESH's Chief Executive and Director of Adult Social Care.

Chairperson

The Chair of the Joint Monitoring Committee will be rotated on an annual basis so that it shall be held in alternate years by:

- a. The Chair of the Highland Council's Health, Social Care and Wellbeing Committee; and
- b. The Chair of NHS Highland

Whilst the Chair of the Joint Monitoring Committee is held by the Chair of the Council's Health, Social Care and Wellbeing Committee the Vice Chair shall be the Chair of NHS Highland and vice versa.

Deputies

If a nominated member is unable to attend a meeting, the Health Board or local authority which nominated the member, is to use its best endeavours to arrange for a suitably experienced deputy, who is either a councillor or, as the case may be, a member of the Health Board, to attend the meeting.

If any other member is unable to attend a meeting, that member may arrange for a suitably qualified deputy to attend the meeting.

Administrative Support

This will be provided by THC. This will include preparation and arrangement of all meetings and reports, taking and circulation of minutes and settling of expenses.