

The Highland Council  
No. 5 2024/2025

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday 19 September 2024 at 9.35am and reconvened on Monday 30 September 2024 at 2.00pm.

**Mr B Lobban in the Chair**

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

***Meeting on Thursday 19 September 2024***

**Present:**

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

***Meeting on Monday 30 September 2024***

Mr M Baird	Mr S Kennedy
Mr A Baldrey	Ms E Knox
Mr C Ballance	Ms L Kraft
Dr C Birt	Mr B Lobban
Mr B Boyd	Mr D Louden
Mr R Bremner	Mr W MacKay

Mr I Brown  
 Mr M Cameron  
 Mrs G Campbell-Sinclair  
 Mr A Christie  
 Mrs M Cockburn  
 Ms T Collier  
 Ms H Crawford  
 Ms L Dundas  
 Ms S Fanet  
 Mr J Finlayson  
 Mr D Fraser  
 Mr L Fraser  
 Mr R Gale  
 Mr K Gowans  
 Mr J Grafton  
 Mr A Graham  
 Mr M Green  
 Mr D Gregg  
 Mrs J Hendry  
 Ms M Hutchison  
 Mr A Jarvie  
 Mrs B Jarvie  
 Ms L Johnston  
 Mr R Jones  
 Mr G MacKenzie

Mrs I MacKenzie  
 Mr A MacKintosh  
 Mr R MacKintosh  
 Mrs A MacLean  
 Ms K MacLean  
 Mr D Macpherson  
 Mr D McDonald  
 Ms J McEwan  
 Mr J McGillivray  
 Mr D Millar  
 Mr H Morrison  
 Mr C Munro  
 Mr P Oldham  
 Mrs M Paterson  
 Mrs M Reid  
 Mr M Reiss  
 Mrs T Robertson  
 Mr K Rosie  
 Ms M Ross  
 Mrs L Saggars  
 Mr A Sinclair  
 Ms M Smith  
 Mr R Stewart  
 Ms K Willis

**In Attendance:**

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

Apologies for absence, for 19 September 2024, were intimated on behalf of Mr J Bruce, Mrs I Campbell, Mr R Gunn, Ms M MacCallum, Ms J McEwan and Ms L Niven and, for 30 September 2024, on behalf of Ms S Atkin, Mrs I Campbell, Dr M Gregson, Mr R Gunn, Mr P Logue, Mr W Mackay, Mr S Mackie, Mr T MacLennan and Mr A Sinclair.

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

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

Items 4.a and 4.b – Ms H Crawford, Mr J Finlayson, Mr C Munro and Mr M Reiss.

The Council also **NOTED** the following Transparency Statements made on 19 September 2024:-

Items 4.a and 4.b – Mr B Lobban  
 Item 5 – Mr A Christie and Mr D Gregg  
 Item 7 - Mr A Christie and Mr D Gregg  
 Item 8 – Mr K Gowans  
 Item 11.v – Mr A Christie  
 Item 20 – Mr A Christie  
 Item 22 (4) – Mr I Brown and Mr K Gowans

*And on the 30 September 2024:-*

Item 22 (4) – Mr S Coghill and Mr D Gregg

### **3. Recess Powers Cumhachdan Fosaidh**

Members **NOTED** that the recess powers granted at the meeting on 27 June 2024 had not been required to be used in relation to the full Council.

### **4. Notice of Amendment (Planning) – Planning Applications Brath Atharrachaidh (Dealbhadh) – Iarrta Dealbhaidh**

**Declarations of Interest – the undernoted Members made Declarations of Interest in items 4.a and 4.b and, in accordance with paragraph 5.6 of the revised Code of Conduct, they left the meeting for these items:-**

**Ms H Crawford – as a close family member was engaged in the fish farming sector**

**Mr J Finlayson – as he had a business and friendship relationship with one of the Directors of Organic Sea Harvest**

**Mr C Munro – in relation to 4.a, as a former director of Flodigarry Township Trust in 2019 when a letter of opposition to Planning Application Ref. No: 19/03093/ FUL, the initial application for this site, had been submitted to Highland Council and, in relation to 4.b, again as a former director of Flodigarry Township Trust, had been party to a letter of objection for the initial planning application on this site**

**Mr M Reiss – as one of the Directors of the planning application was a friend**

**Transparency Statement – Mr B Lobban declared a connection to items 4.a and 4.b as Commissioner of the Northern Lighthouse Board which was a consultee on these applications but, having applied the objective test, did not consider that he had an interest to declare.**

A video was shown that related to items 4a and 4b.

#### **a. Planning Application (23/05927/FUL) (PLN/061/24)**

**Applicant:** Organic Sea Harvest (23/05927/FUL) (PLN/061/24)

**Location:** Land 1520M NE Of Bridgend Cottage, Flodigarry, Portree, Isle of Skye (Ward 10).

**Nature of Development:** Marine Fish Farm - Atlantic Salmon, comprising 10 x 120m circumference pens with 14m x 14m feed barge and ancillary equipment.

**Recommendation:** GRANT

The North Planning Applications Committee (NPAC) refused planning permission for the above application at its meeting on 7 August 2024. The following Notice of Amendment had then been received on 12 August 2024:

“We the undersigned, being Elected Members of the Highland Council, hereby declare our wish that the decision of the North Planning Applications Committee at its meeting on 7 August 2024 on the above applications (Agenda Item 6.6) be reviewed at the next scheduled meeting of the full Council.

**Signed:** Mr R Stewart      Mrs A MacLean      Mr K Rosie      Ms J McEwan  
Mr M Reiss      Mr A Christie      Mr M Baird      Mrs I MacKenzie  
Mr J Grafton      Mr A Jarvie      Mr S Mackie      Mr A Sinclair  
Mr A Graham      Mrs L Saggars      Mrs T Robertson      Mr P Logue  
Ms M MacCallum      Mr J McGillivray      Mr D Gregg      Mrs I Campbell  
Mr J Bruce      Mr A MacKintosh

In this context, there had been circulated separately in Booklet A the following:

- i. report No PLN/061/24, by the Area Planning Manager – North; and
- ii. copy of the draft Minute from the meeting of the North Planning Applications Committee held on 7 August 2024.

A presentation was provided, after which clarification was sought on the following issues:-

- in terms of environmental responsibility, the plans for cage rotation;
- in terms of the numbers of people using the coastal path, the assessment of the viewpoints;
- how the support of economic development factored into the planning assessment, with particular reference to NPF Policy 4;
- in relation to the reduction from 12 to 10 cages, clarification was sought on the size, biomass, operation, orientation and anchorage of the new proposal;
- the impact of the proposal on the biodiversity of nearby rivers and the wider environment, and any mitigation planned;
- assurance that the length of the fallow period was covered by condition;
- noting that £2.5m had been paid in salaries, the number of fish farms this referred to and the time period covered;
- the predicted maximum wave height and the impact of backwash and/or extreme weather events on the proposed development;
- the proposals for tackling sea lice;
- mitigation planned to protect populations of migratory species;
- responsibility for the repair of storm damage;
- data used to assess the impact on the seabed and habitat;
- clarification on the NPF policy change in relation to emphasis on socio-economic factors;
- the deployment and use of the barge, and the impact of navigational and operational lighting; and
- the definition of a 'receptor'.

During debate, the following issues were raised in support of the proposal:-

- the importance of the project for community wealth building, to tackle population decline, and to boost the economy, which were key aspects of NPF Policy 4;
- the need to ensure rural communities remained viable, sustainable and diverse;
- the number of permanent jobs that would be created;
- the visual impact was minimal, only affected a small number of walkers, and was a typical sight in the area;
- the environmental impact was acceptable, as evidenced by the recommendation to approve the application; and
- it was important to only consider material planning considerations.

Issues raised against the application included the following:-

- there was a lack of community support for the proposal in the immediate locality;
- the original decision of the North Planning Applications Committee should be respected;
- the application had been refused on previous occasions and did not differ significantly;
- the importance of the seascape in this location was emphasised and it was considered the visual impact of the development would be significant. In addition to the people walking the entire coastal path, many people walked smaller sections to enjoy the unspoilt view;
- this type of fish farm created pollution;
- although NPF Policy 4 placed more emphasis on economic development, it was intended to be balanced against other considerations;
- there was insufficient information on how the applicant would deal with rising levels of sea lice and rising water levels;
- there were alternative commercial opportunities for rural communities; and
- the damage caused to the seabed beneath fish farms was highlighted.

Mr R Stewart, seconded by Mr K Rosie, **MOVED** the Notice of Amendment as detailed in the papers.

Mr D Millar, seconded by Mr R Gale, moved as an **AMENDMENT** to uphold the decision of the North Planning Applications Committee to refuse the application for the following reasons:-

While it is noted that the proposed scheme may offer economic and social benefits, such benefits are not considered sufficient to outweigh the adverse visual impacts on the special Qualities of the Special Landscape Area and in particular its substantial adverse impact in respect of VP03 (Coast path at Galta Mor), VP04 (Coast Path south of Steall a'Ghreip) and VP07 (A855 at Dunans), With adverse visual impacts being experienced in relation to VP07 most notably by motorists and walkers. Furthermore, it is noted that the coastline adjacent to the proposed development, particularly to the south of the Local Landscape Character Area would suffer significant effects as a result of the development. Given the extent of such adverse impacts this development is considered contrary to policy 32(d)(i) and 32(d)(iii) of NPF4 and policies 50, 57 and 61 of the Highland-wide Local Development Plan.

On a vote being taken, the **MOTION** received 22 votes and the **AMENDMENT** received 28 votes, with 5 abstentions. The **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

**For the Motion:**

Mr M Baird, Mr A Baldrey, Dr C Birt, Mr A Christie, Mr D Fraser, Mr A Graham, Mr A Jarvie, Mr S Kennedy, Ms L Kraft, Mr P Logue, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr T MacLennan, Mr D Macpherson, Mrs I MacKenzie, Mr D McDonald, Mr J McGillivray, Mrs T Robertson, Mr K Rosie, Mrs L Sagers, Mr R Stewart.

**For the Amendment:**

Ms S Atkin, Mr C Ballance, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr L Fraser, Mr R Gale, Mr K Gowans, Mr M Green, Mr D Gregg, Ms M Hutchison, Mrs B Jarvie, Ms L Johnston, Mr R Jones, Ms E Knox, Mr D Louden, Mr R MacKintosh, Ms K MacLean, Mr D Millar, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Ms M Ross, Mr K Willis.

**Abstentions:**

Mrs G Campbell-Sinclair, Mr J Grafton, Mrs J Hendry, Mr B Lobban, Mr H Morrison.

**Decision**

The Council agreed to **REFUSE** planning permission for the reasons provided by Mr Millar.

**b. Planning Application (23/05931/FUL) (PLN/062/24)**

**Applicant:** Organic Sea Harvest (23/05931/FUL) (PLN/062/24)

**Location:** Land 1600M East of Balmaqueen, Isle of Skye (Ward 10).

**Nature of Development:** Marine Fin Fish Farm - 10no, 120m circumference plastic pens in 2 x 5 configuration with associated feed barge and ancillary equipment.

**Recommendation:** GRANT

The North Planning Applications Committee (NPAC) refused planning permission for the above application at its meeting on 7 August 2024. The following Notice of Amendment had then been received on 12 August 2024:

“We the undersigned, being Elected Members of the Highland Council, hereby declare our wish that the decision of the North Planning Applications Committee at its meeting on 7 August 2024 on the above applications (Agenda Item 6.7) be reviewed at the next scheduled meeting of the full Council.

<b>Signed:</b>	Mr R Stewart	Mrs A MacLean	Mr K Rosie	Ms J McEwan
	Mr M Reiss	Mr A Christie	Mr M Baird	Mrs I MacKenzie
	Mr J Grafton	Mr A Jarvie	Mr S Mackie	Mr A Sinclair
	Mr A Graham	Mrs L Siggers	Mrs T Robertson	Mr P Logue
	Ms M MacCallum	Mr J McGillivray	Mr D Gregg	Mrs I Campbell
	Mr J Bruce	Mr A MacKintosh		

In this context, there had been circulated separately in Booklet A the following:

- i. report No PLN/062/24, by the Area Planning Manager – North; and
- ii. copy of the draft Minute from the meeting of the North Planning Applications Committee held on 7 August 2024.

Following a presentation, Members referred to the many points of clarification that had been addressed during item 4a. Issues raised during debate included the following:-

In support of the application:

- there was a clear choice between the visual enjoyment of a small number of people versus the economic prosperity of the area, with the application being supported by Planning policies;
- the consideration of a Notice of Amendment by the Council was part of the agreed democratic policy;
- the decision to refuse the application at item 4a was disappointing and inconsistent, given the recommendation by Planning experts to approve it. The need to attract businesses to the Highlands, especially to remote and rural areas, was highlighted along with the need for consistent decision-making. As an example, attention was drawn to the many windfarms that were approved despite their detrimental visual impact;
- the visual impact of the proposed development was outweighed by the much needed economic development opportunities it presented;
- the value of the salmon industry to Scotland was emphasised;
- it was suggested that some Members were opposed to fish farms in general and were therefore prejudiced against individual applications, which should be considered on their merits;
- the level of regulation and scrutiny of fish farms to minimise environmental damage had increased greatly over the years; and
- of importance was not only the direct employment of people by the applicant, but the indirect benefits to the local economy.

Against the application:-

- only one letter of support had been received from a local resident, and the Community Council had objected to the application;
- it was important to respect the democratic decision of the North Planning Applications Committee;
- approval of the application, given the visual impact, would impact negatively on the tourist industry;
- attention was drawn to the exposed location of the development, and the increasing amount of severe weather;
- there were alternative means of creating jobs and promoting economic development through the green economy; and
- although the application was recommended for approval, it was part of the valid democratic process for Members to scrutinise, consider and come to a different opinion.

Mr R Stewart, seconded by Mr K Rosie, **MOVED** the Notice of Amendment as detailed in the papers.

Mr D Millar, seconded by Ms E Knox, moved as an **AMENDMENT** to uphold the decision of the North Planning Applications Committee to refuse the application for the following reasons:-

While it is noted that the proposed scheme may offer economic and social benefits, such benefits are not considered sufficient to outweigh the adverse visual impacts on the special qualities on the Special Landscape Area and in particular its substantial adverse impacts between Flodigarry and Balmaqueen to the north, in respect of VP02 (Radar Station), VP03 (Coast Path at Galta Mor), VP04 (Coast Path south of Steall a'Ghreip). Furthermore, it is noted that the coastline adjacent to the proposed development, particularly to the north of the

Local Landscape Character Area would suffer significant effects as a result of the development. Given the extent of such adverse impacts this development is considered contrary to policy 32(d)(i) and 32(d)(iii) of National Planning Framework 4 and policies 50, 57 and 61 of the Highland-wide Local Development Plan.

On a vote being taken, the **MOTION** received 25 votes and the **AMENDMENT** received 23 votes, with 3 abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr M Baird, Mr A Baldrey, Dr C Birt, Mr A Christie, Mr K Gowans, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr A Jarvie, Mr S Kennedy, Ms L Kraft, Mr P Logue, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr T MacLennan, Mr D Macpherson, Mr D McDonald, Mr J McGillivray, Mr H Morrison, Mrs T Robertson, Mr K Rosie, Mrs L Saggars, Mr R Stewart.

**For the Amendment:**

Ms S Atkin, Mr C Ballance, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr R Gale, Ms M Hutchison, Mrs B Jarvie, Ms L Johnston, Mr R Jones, Mr D Louden, Ms E Knox, Mr R MacKintosh, Ms K MacLean, Mr D Millar, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Ms K Willis.

**Abstentions:**

Mr D Fraser, Mrs J Hendry, Mr B Lobban.

**Decision**

The Council agreed to **GRANT** planning permission as detailed in the report.

**5. Annual Corporate Performance Report 2023/24  
Aithisg Choileanaidh Chorporra Bhliadhnail 2023/24**

**Transparency Statements: the undernoted Members declared connections to this item but, having applied the objective test, did not consider that they had an interest to declare:-**

**Mr A Christie – as General Manager of Inverness Badenoch and Strathspey Citizens Advice Bureau and as a Non Executive Director of NHS Highland  
Mr D Gregg – as a Board member of Inverness Citizens Advice Bureau and an employee of NHS Highland**

There had been circulated Report No. HC/26/24 by the Chief Executive.

During discussion, the following issues were raised:-

- staff across the Council were commended on the number of actions completed and on target with only one action requiring significant progress to be made;
- the improvements in performance in processing times for housing benefit, Council tax reduction and planning applications were highlighted as was progress made with Home to Highland, increase in modern apprentices and performance on the Council's procurement spend on local enterprises;



- concern was expressed at HC-One's plans to close Moss Park Care Home, Fort William and clarity was sought on future care planning in Lochaber in terms of the Adult Services Strategic Plan. It was confirmed this matter was being taken forward with NHS Highland, as lead agency, and the Joint Monitoring Committee, and that Members would be provided with updates going forward;
- the model of medical health care offered to Council staff for mental health should be rolled out for physical health to improve staff health and reduce absences;
- concern was expressed that the review High Life Highland Service Delivery Contract had been further extended to September 2024 and it was suggested it should have a RAG status of red;
- there was concern in relation to rent arrears, and the ongoing work to engage with tenants at an early stage to provide support in reducing high level rent arrears was supported;
- it was suggested the Academy Street scheme be removed from the report given the independent consultant's assessment that the project failed to deliver best value and the legal position in relation to the proposal;
- it was questioned why specific indicators in relation to attainment had a RAG status of green despite being below target or there having been a reduction in performance. There was also a need to explore in more depth some of the indicators such as positive destinations;
- the RAG status in relation to attainment was based on the Council's position relative to national attainment levels and the need for more clarity on targets and scrutiny at strategic committees was acknowledged. New targets based on revised methodology were also to be set, details of which would be reported to the Education Committee;
- information provided by the Scottish Government showed the figures achieved for positive destinations in Highland were in line with the national average;
- updated data around attainment, achievement and positive destinations for children and young people would be reported to the Education Committee in November 2024;
- there was concern that the indicator in relation to personal care at home and direct payments had a RAG status of red and there was a need to explore the issues around these indicators in more depth at the Health, Social Care and Wellbeing Committee;
- there was a need for care at home staff to be paid well above the living wage to attract more recruits and provide for a more sustainable career path. The UK Government needed to be lobbied on the case for special visas for the Highlands given the workforce challenges in this sector;
- an assurance was sought that the Council continued to make representations to CoSLA and Scottish Government in relation to care at home in Highland and direct payments. This had also been raised at the Convention of the Highlands & Islands and the relevant paper could be circulated to Councillor Christie;
- performance in respect of Looked After Children was a good news story and Members were encouraged to access the Performance Reporting Management System for more information on trends on this and other indicators;
- there was potential for more robust measures to be implemented to enforce 20mph zones in Highland, including the use of technology piloted by other local authorities;

- Police Scotland's decision at a national level not to monitor 20mph limits in communities was unacceptable given they had been implemented by the Council on safety grounds and this issue required to be urgently addressed going forward;
- in response to a query on street cleanliness with specific reference to the City of Inverness, it was explained this was a pan-Highland indicator and there might be differences between areas;
- the indicator 'road network to be considered for maintenance' needed reworded to make it more comprehensible;
- it was questioned how much of the data in the report was current and it was hoped the Council's new financial systems would improve the timeliness of information. It was explained quarterly performance reports presented to strategic committees provided an update on progress on the relevant indicators;
- information was sought, and provided, on the action being taken with private and public sector partners to bring the 'Percentage of Unemployed People Assisted into work' up to the national average;
- it was queried if the performance indicator for access to broadband included households who had access to all types of high speed broadband. It was confirmed a response would be provided directly to Mr Jarvie on this matter; and
- confirmation was sought, and provided, that work would continue to identify funding for the project to map Highland carbon resources, that this would not impact on the Strategy and that updates would be provided to the Climate Change Committee.

### **Decision**

The Council **NOTED**:-

- i. the report at Appendix 1 which outlined the performance for the period 1 April 2023 to 31 March 2024;
- ii. that any data not yet available, including the Local Government Benchmarking Framework (LGBF), would be reported to Council at a later date once published; and
- iii. that a number of actions were now being addressed through projects and workstreams within the Delivery Plan portfolios.

## **6. Community Wealth Building Strategy Ro-innleachd Togail Beairteas Coimhearsnachd**

There had been circulated Report No. HC/27/24 by the Assistant Chief Executive – Place.

During discussion, the following issues were raised:-

- the consultation responses, positive impact assessments and key interlinked objectives outlined in the report were highlighted, and the Strategy would benefit everyone in Highland. In addition, officers were thanked for the clear and accessible presentation of the Strategy;
- it was proposed that updates on progress against the action plan be reported bi-annually to the Economy and Infrastructure Committee;

- the Strategy required to have an overarching objective of sustainability in relation to community and third sector initiatives to ensure there was not a single point of failure if an individual or organisation could no longer take them forward;
- a key issue was the importance of building community capacity to ensure projects continued into the longer term and the opportunity to encourage the third sector to consider succession planning;
- care needed to be taken in terms of the language used to promote the opportunities around the Social Value Charter for Renewables given reservations within communities that this might be a vehicle to take wealth out of communities;
- in addition to funding, the Council had to consider how to create an environment, through legislation and its policies, to enable businesses to set up and thrive in Highland;
- further clarity was sought, and provided, on how the Strategy could enhance opportunities for small local businesses and medium sized enterprises in relation to procurement;
- information was sought, and provided, on how the Strategy was interlinked with other elements of community empowerment to provide support and co-production of initiatives, if required;
- the importance of local projects being developed in conjunction with public and private sector partners and being ready to go forward to take advantage of funding when it became available were highlighted;
- the Strategy sought to support the wellbeing of communities in meaningful and sustainable ways at a time when funding for local authorities and other services in communities was challenging;
- the Strategy could deliver benefits across Highland that local communities might find difficult to achieve on their own, and how it was promoted to communities was the responsibility of all Members;
- transport and childcare solutions were required to support fair access to employment in rural communities, and information was provided on the different models of childcare being piloted by the Council and partners in communities;
- inclusive ownership in respect of transport and bus services was key to bringing varied solutions adapted to local circumstances, specific reference being made to congestion challenges in Fort William;
- information was sought, and provided, on the engagement undertaken with Highlands and Islands Enterprise and other partners to support businesses, repopulation and investment in rural areas such as Sutherland. Further work was required in this regard, including seeking funding from the UK and Scottish Governments;
- it was suggested that, in future updates on the Strategy, examples of successful models and projects in communities be provided so learning could be shared with other communities in Highland; and
- further clarity was sought, and provided, that communities would benefit from the Highland Investment Plan with a form of hub being developed in different communities to provide access to public services, and this would sit alongside the opportunities presented by the Social Value Charter and Strategy.

### **Decision**

The Council **AGREED** the Community Wealth Building Strategy found at Appendix 2 of the report and **NOTED** that updates on progress against the action plan would be reported bi-annually to the Economy and Infrastructure Committee.

**7. Chief Social Work Officer Annual Report 2023/24  
Aithisg Àrd-Oifigear Obrach Sòisealta 2023/24**

**Transparency Statements: the undernoted Members declared connections to this item but, having applied the objective test, did not consider that they had an interest to declare:-**

**Mr A Christie – as a Non Executive Director of NHS Highland  
Mr D Gregg – as an employee of NHS Highland**

There had been circulated Report No. HC/28/24 by the Chief Social Work Officer and Executive Chief Officer Health and Social Care.

During discussion, the following issues were raised:

- progress on the Families First strategy, underpinned by The Promise and the United Nations Convention on the Rights of the Child, was welcomed, with particular reference to the direct engagement being undertaken with children and families, in addition to considering data;
- in relation to the Mental Health Officer Service, the focus on succession planning and the development of a postgraduate mental health award, had led to the Highland mental health team having the lowest level of vacancies in Scotland;
- in relation to the wider workforce, staff were praised for their work during difficult circumstances;
- there were 62 Care Homes in Highland, 46 of which were independent and 16 of which were NHS Highland. Closures in recent years had resulted in the loss of 200 beds and 85% of Highland Care Homes had fewer than 50 beds, which was the level at which the funding model was aimed. It was important to continue lobbying for changes to the Care Home funding model, which was not suitable for Highland demographics;
- the workshop on 1 November 2024 was welcomed;
- the challenges in Adult Social Care had been detailed as part of the Annual Corporate Performance report, and the need for bespoke visas to aid recruitment was emphasised;
- the roll out of the National Care Service was welcomed, although some reservations were expressed about the suitability of the model. It was hoped Highland voices would be heard during the consultation process;
- various successes were praised, including the Home to Highland project, the GIRFEC (Getting It Right For Every Child) refresh and the Grow Your Own initiative;
- career opportunities and higher salaries would be beneficial in attracting people to work in the care sector;
- the increased data on guardianship orders was welcomed and thanks were extended to all emergency call workers for their assistance and advice;
- it was hoped the Adults with Incapacity practice lead initiative would continue;
- attention was drawn to the imminent ageing population crisis (known as the 'silver tsunami'), with reference made to concerning data around the numbers of people waiting for care packages and/or guardianship orders. Members were urged to ensure guardianship and Power of Attorney were discussed with their families;
- it was suggested representations should be made to CoSLA in relation to Care Home contracts, which required a refresh;

- with reference to the pursuit of early intervention initiatives, the source of funding for this was queried;
- the need to urgently address the vacancies that were at risk of causing harm was emphasised and information was provided on strategies being employed to address this;
- being delayed in an acute hospital unnecessarily was a health risk in itself, and the higher cost of keeping someone in an acute hospital rather than a Care Home was highlighted;
- improvements in Mainstay and Oakwood residential homes were welcomed, and information was sought, and provided, on the situation at The Orchard, Inverness, which would be reported on in due course;
- the recent help and support received from a large independent care home was welcomed, and attention was drawn to the need to develop more mixed housing solutions for older people to create an age-friendly environment, in addition to encouraging healthy lifestyles;
- information was sought, and provided, on work to tackle Care at Home delays and staff shortages, with some initiatives around this being managed by NHS Highland;
- it was disappointing that families were being forced to travel significant distances to visit relatives in Care Homes;
- information was sought, and provided, on a house that had been acquired by the Council for Looked After Children, with further information to be provided to Mr Macpherson outwith the meeting if required; and
- the policies around unaccompanied asylum seeker children were queried.

### **Decision**

The Council **NOTED** the issues raised in the Annual Report and the implications for Social Work and Social Care Services within Highland Council and NHS Highland.

### **8. Resetting the Highland Outcome Improvement Plan (HOIP) Ag ath-shuidheachadh Plana Leasachaidh Buil na Gàidhealtachd**

**Transparency Statement: Mr K Gowans declared a connection to this item as an employee of UHI but, having applied the objective test, did not consider that he had an interest to declare.**

There had been circulated Report No. HC/29/24 by the Chief Executive.

During discussion, the following main points were raised:-

- thanks were expressed for the report and the work and consultation that had gone into it;
- the importance of partnership working to address some of the key challenges facing communities in Highland was emphasised. It was vital to have a shared and targeted approach and to align resources and efforts to deliver better outcomes and the HOIP, as well as the Council's Delivery Plan, provided a clear framework for joint work over the next three years;
- the three strategic priorities were appropriate but, if they were to be achieved, a healthy population was essential, and that was something that needed to be worked on in close partnership with NHS Highland;
- delivery of the HOIP would require total buy-in from all Community Partnerships and the Community Planning Partnership Board;

- the HOIP captured many of the themes and topics discussed at Full Council, such as low-income families, adult social care, housing, depopulation and the drift of young people away from Highland;
- given the importance of the HOIP, concern was expressed regarding the recommendation that updates on progress be considered by the Council annually, and it was proposed that at least two reports a year were needed. Other Members suggested that interim reports should be presented to Strategic Committees, and this was accepted;
- most young people left Highland to do degree-level education elsewhere and then stayed where they graduated, and it was necessary to have discussions with UHI as to how that could be addressed. For example, it was questioned why UHI could not enter into arrangements with other universities so young people could live and study in Highland but still take degree courses being offered elsewhere. It was added that it was important to take into account developments such as the Inverness and Cromarty Firth Green Freeport, and to ensure that tertiary education was joined up with primary and secondary education;
- the only reference to climate change in the HOIP was about supporting communities to adapt to it. However, adaptation was not as important as preventing it in the first place, and information was sought, and provided, on what was being done to encourage Community Partnerships to understand the importance of and support the move to Net Zero, and to embed the work of the Green Health Partnership into the HOIP;
- in relation to prevention, the uptake of free school meals was not as high as it could be and it was suggested this was something the Council could work on that would make a significant difference in terms of inequality, health, ability to learn and closing the attainment gap. In response, it was confirmed that there was a specific action in that regard within the Poverty Reduction Delivery Group and the Child Poverty Action Plan;
- demand for housing, such as affordable housing, did not always align with developer provision, and the holistic approach being taken to housing, particularly the action regarding developing a shared understanding of housing needs demand, was welcomed;
- given the aging population, it was necessary to create age-friendly housing and communities, with integrated and responsive healthcare systems and services, that would meet the needs of older people;
- reference was made to the Healthy Aging Decade 2021-2030, and it was questioned why this had not been picked up on and incorporated into the HOIP;
- it was questioned whether the right action was being taken to stem depopulation, whether the Council had the right tools to do so, and whether there was enough support from the Scottish and UK Governments;
- it was queried why the number of young people in Highland going on to higher education was considerably lower than the national average, and whether the right action was being taken in that regard;
- the seven partnership behaviours set out in the HOIP were key; and
- it was important to consider how best to communicate with communities, and to use language that was relatable.

**Decision**

The Council:

- i. **NOTED** the final Highland Outcome Improvement Plan for 2024-2027 which could be found at Appendix 2 to the report;
- ii. **NOTED** the actions agreed for the HOIP Delivery Plan; and
- iii. **AGREED** that updates on progress against the HOIP be considered by the Council annually, and that an interim report be presented to the Communities and Place Committee.

**9. Protocol Governing School Visits by Elected Representatives  
Pròtocal a' Riaghladh Thadhalan Sgoile le Buill Thaghte**

There had been circulated Report No. HC/30/24 by the Assistant Chief Executive – People.

**Decision**

The Council **APPROVED** the revised Protocol Governing School Visits by Elected Representatives.

**10. Annual Review of Standing Orders Relating to the Conduct of Meetings  
Ath-sgrùdadh Bliadhna de Ghnàth-riaghailtean a' Buntainn ri Stiùireadh Choinneamhan**

There had been circulated Report No. HC/31/24 by the Head of Legal and Governance.

During discussion, the following issues were raised:-

- in terms of the recommendation to remove paragraph 2.6 of Standing Orders and adherence of section 50.B of the Local Government Scotland Act 1973, it was clarified that all agendas giving notice of meetings were published on the Council's website at least four days in advance of the meeting along with the accompanying reports and this would continue. Assurance was provided that if a member of the public attended Headquarters to inspect an agenda and/or reports then a copy of this documentation would be provided;
- although recognising the need for a minimum threshold to raise a Notice of Amendment, it was felt that a quarter of the Members of that Committee was sufficient and that Standing Order 13.2 should be amended to remove the need for a minimum of three signatories for Area Committees, particularly since some of these were a single ward with only four Members;
- disappointment was expressed regarding the proposal for Standing Order 14.5 Notice of Amendment (Planning) to be amended from '*the next meeting*' to '*a meeting*'. Reference was made to the need for timely governance, particularly in respect of planning matters, and it was requested that the original wording should be retained to ensure that these matters were not unduly delayed. However, the Convener indicated that this suggestion was counterproductive and not changing this wording could result in potential further delays. He explained that changing Standing Order 14.5 as proposed in the report would enable such matters to be considered in a timelier manner, i.e. at a special meeting of the Council rather than having to wait until the next scheduled meeting;

- a request was made for a grammatical change to the start of the third sentence of Standing Order 20.1 to be amended to read '*A Point of Order is an appeal to the Convener...*' and this was accepted;
- it was very disrespectful to members of the public to have the Notices of Motion at the end of the agenda as the webcast was stopped for an unknown length of time to deal with confidential items. It was noted that the order of business of the Council (Standing Order 1.4) was subject to a three month trial and it was hoped that at the conclusion of this the positioning of Notices of Motion on agendas would be reconsidered;
- a number of views were expressed that Standing Order 11.3 should not be amended as proposed within the report and that members of the public should be entitled to attend and ask their question in person at the meeting. The Convener indicated that, including this meeting, only seven members of the public had attended out of a potential 27 meetings to ask their question in public. However, it was suggested that this might be due to a lack of public awareness and there was a need to inform the people of the Highlands that this opportunity was available to them; and
- in regard to Standing Order 12 Notices of Motion, it was explained that there was a requirement for these to be accompanied by an Integrated Impact Assessment and it was not feasible to remove this. In addition, concern was expressed that a Motion would fall if the mover was not in attendance. It was felt that there was a need for an emergency provision to enable the Motion to be heard in the event that the mover of the Motion was not present at the meeting in which it was being considered.

Thereafter, Mr R Bremner, seconded by Mr J Finlayson, **MOVED** the recommendation in the report to approve the revised wording and layout of Standing Orders Relating to the Conduct of Meeting as set out in Appendix 1 to the report.

As a **FIRST AMENDMENT**, Mr R Stewart, seconded by Ms H Crawford, moved that:-

- Standing Order 2.6 be retained;
- the words '*(subject to a minimum of 3)*' be deleted from Standing Order 13.2; and
- Standing Order 14.5 be retained in its original format.

As a **SECOND AMENDMENT**, Mr C Ballance, seconded by Mr R MacKintosh, moved that the proposed change as set out in paragraph 5.3 of the report should not be approved.

On a vote between the **MOTION** and the **FIRST AMENDMENT**, the **MOTION** received 39 votes and the **FIRST AMENDMENT** received 19 votes, with 3 abstentions and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:

**For the Motion:**

Ms S Atkin, Mr A Baldrey, Mr C Ballance, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs M Cockburn, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr R Gale, Mr K Gowans, Mrs J Hendry, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr D Loudon, Mr W MacKay, Mr G MacKenzie, Mr R MacKintosh, Ms K MacLean, Mr T MacLennan, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr C Munro, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Ms M Ross, Ms M Smith, Ms K Willis.



**For the First Amendment:**

Mr M Baird, Mr A Christie, Ms H Crawford, Mr J Grafton, Mr A Graham, Mr D Gregg, Ms M Hutchison, Mrs B Jarvie, Mr P Logue, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Mr D McDonald, Mr K Rosie, Mrs L Siggers, Mr A Sinclair, Mr R Stewart.

**Abstentions:**

Mr B Lobban, Mr M Reiss, Mrs T Robertson.

In a vote between the **MOTION** and the **SECOND AMENDMENT**, the **MOTION** received 38 votes and the **SECOND AMENDMENT** received 19 votes, with 2 abstentions and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:

**For the Motion:**

Ms S Atkin, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mr A Christie, Mrs M Cockburn, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr R Gale, Mr K Gowans, Mr J Grafton, Mr D Gregg, Mrs J Hendry, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr D Loudon, Mr G MacKenzie, Mr A MacKintosh, Ms K MacLean, Mr T MacLennan, Mr D McDonald, Mr D Millar, Mr H Morrison, Mr C Munro, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Ms M Ross, Ms M Smith.

**For the Second Amendment:**

Mr M Baird, Mr A Baldrey, Mr C Ballance, Ms H Crawford, Mr A Graham, Mrs B Jarvie, Mr P Logue, Mrs I MacKenzie, Mr S Mackie, Mr R Mackintosh, Mrs A MacLean, Mr D Macpherson, Mr M Reiss, Mrs T Roberston, Mr K Rosie, Mrs L Siggers, Mr A Sinclair, Mr R Stewart, Ms K Willis.

**Abstentions:**

Ms M Hutchison, Mr B Lobban.

**Decision**

The Council **APPROVED** the revised wording and layout of Standing Orders Relating to the Conduct of Meetings as set out in Appendix 1 to the report subject to the start of the third sentence of Standing Order 20.1 being amended to read '*A Point of Order is an appeal to the Convener...*'

**11. Question Time**

**Àm Ceiste**

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

**Public Questions**

**i. Mr E Hall**

To the Leader of Council

The caravan sites and control of development act includes motorhomes and campervans within the legal definition of "caravan", and the same act defines a caravan site as "any land upon which a caravan is stationed for human habitation".

So how can anyone provide overnight parking for occupied motorhomes without such a place being legally a caravan site?

The response had been circulated.

**ii. Ms L Redfern**

To the Leader of Council

The Highland Council are currently operating overnight motorhome parking in several council car parks around the Highland region. These car parks are unlicensed and unregulated but were allowed in 2021 due to a temporary relaxation of planning controls due to the covid pandemic. This temporary relaxation of rules was in place until September 2022 only. Planning permission was to be obtained after this date in order to keep operating overnight parking in these car parks. Could the Highland Council please confirm that planning permission and relevant licenses have been obtained in order to continue running their establishments after 2022?

The response had been circulated.

**iii. Mr R Thompson**

To the Leader of Council

In the midst of a funding crisis, will individual councillors take responsibility for their decision to use taxpayers' money to appeal the Judicial Review of the unfair and unlawful Academy Street redevelopment plans, instead of using those funds for supplying essential services cut from the most recent budget?

The response had been circulated.

**iv. Mr D Redfern**

To the Chair of Economy and Infrastructure

The Northern Times Quoted Cllr Gowans on 4th September as saying "It wasn't all the campsites in the north present, so we don't really know a true representation of feelings." (<https://www.northern-times.co.uk/news/we-are-asking-the-highland-council-to-scrap-their-scheme-s-360189/>)

In 2022 campsites across the Highlands met with the Highland Council and voiced their concerns about the opening of several car parks to "overnight motorhome parking."

At the beginning of July this year the Highland Council received an open letter (now signed by 32 different campsite owners) demonstrating our anger at the new motorhome scheme for £40 per week.

There was a meeting on 29th August where 8 different campsite owners attended (some had travelled over 2 hours to attend) along with a representative from Nairn BID and the Director of the BH&HPA for Scotland and Northern Ireland.

The campsites that attended were of all different sizes and the East Coast, North Coast, West coast along with a campsite south of Inverness and one from Nairn represented.

Assuming The Highland Council carried out a robust and thorough consultation prior to implementing the scheme, can Cllr Gowans justify this statement?

The response had been circulated.

**v. Mr E Doorley**

To the Leader of Council

Given that the planning system does not favour one applicant over another, how should the planning authority balance current Development Plan policies, such as those in the National Planning Framework 4 (NPF4) supporting rural housing and addressing ongoing depopulation in the Highlands, with potential future infrastructure projects that have not yet reached the public consultation or formal application stage, to ensure a fair and unbiased decision for all applicants?

The response had been circulated.

**Member Questions**

**Transparency Statement – Mr A Christie declared a connection to Question (v) in his capacity as a Non-Executive Director of Inverness Business Improvement District (BID) but, having applied the objective test, did not consider that he had an interest to declare.**

**i. Mr A Christie**

To the Leader of Council

At Council on the 9th May and 27th June 2024 respectively I asked what processes and briefings you could put in place to ensure that all Councillors were up to date with what is happening at Cosla and what the Cosla position was on key service areas and policies. I appreciate that you sent a letter on the 17th June to the President. However, to date little to no progress has been made on ensuring that Councillors are informed of the Cosla view on matters like Teacher Numbers, National Care Service, Fiscal Framework and Verity House Agreement. Please could the Leader detail on these four topics the current Cosla policy including the process whereby the Cosla views will be discussed at our strategic committees?

The response had been circulated.

There was no supplementary question.

**ii. Mr A Christie**

To the Leader of Council

At Council on the 9th May and the 27 June I asked you to detail the vacancies across two of our service areas Education and Learning and Health and Social Care. Below is a list of the vacancies at that time.

Please could the Leader detail the individual posts that are currently vacant across the two departments identifying which of the posts listed below are still vacant including the length of time they have been vacant?

Job Title	Location	Contract Type	Position Type	Job Closing Date
Teacher (Secondary), Drama, 14 hours per week Start date 19/08/2024	Culloden Academy	Permanent	Part Time	24/06/2024
Principal Teacher (Secondary), Guidance,	Culloden Academy	Permanent	Full Time	24/06/2024
Teacher (Primary), (ASN), 21 hours per week, Fixed Term from 19/08/2024 until 03/07/2025	Glenurquhart Primary School	Fixed Term	Part Time	24/06/2024
Teacher (Secondary) English and ASN, Maternity Cover	Golspie High School	Fixed Term	Full Time	24/06/2024
Teacher (Secondary), Mathematics	Grantown Grammar School	Permanent	Full Time	24/06/2024
Teacher (Secondary), Maths, Inverness High School, Start date 19/08/2024	Inverness High School	Permanent	Full Time	24/06/2024
Teacher (ASN), Fixed Term from 19/08/24 until June 2025	Kingussie High School	Fixed Term	Full Time	24/06/2024
Teacher (Secondary), History	Kinlochleven High School	Permanent	Full Time	24/06/2024
Teacher (Secondary), English	Kinlochleven High School	Permanent	Full Time	24/06/2024
Teacher (Secondary), Mathematics,	Kinlochleven High School	Permanent	Full Time	24/06/2024
Teacher (Secondary), Gaelic	Lochaber High School	Permanent	Full Time	24/06/2024
Teacher (Secondary) History or History/Modern Studies,	Mallaig High School	Permanent	Full Time	24/06/2024
Teacher (Secondary) ASN, Fixed Term from 19/08/2024 to 03/07/2025	Millburn Academy	Fixed Term	Full Time	24/06/2024
Teacher (Secondary), Pupil Equity Outreach Teacher, Fixed Term until June 2025	Nairn Academy	Fixed Term	Full Time	24/06/2024
Teacher (Secondary), Gaelic Medium, 17.5 hours per week, Fixed	Nairn Academy	Fixed Term	Part Time	24/06/2024

Term from 19/08/2024 until 02/06/2025				
Teacher (Secondary), Chemistry	Plockton High School	Permanent	Full Time	24/06/2024
Teacher (Secondary) Physical Education, 21 hours per week,	Plockton High School	Permanent	Part Time	24/06/2024
Principal Teacher (Secondary) Mathematics & Numeracy	Portree High School	Permanent	Full Time	24/06/2024
Teacher (ASN), Additional Support Needs, Fixed Term from 19/08/2024 until 03/07/2025	Portree High School	Fixed Term	Full Time	24/06/2024
Principal Teacher (Secondary), English,	Tain Royal Academy	Permanent	Full Time	24/06/2024
Teacher (Secondary) Maths	Tain Royal Academy	Permanent	Full Time	24/06/2024
Teacher (Secondary), Gaelic Medium, 21 hours per week	Tain Royal Academy	Permanent	Part Time	24/06/2024
Teacher (Secondary) Business Studies, Maternity Cover from 02/09/2024 until 30/05/2025	Thurso High School	Fixed Term	Full Time	24/06/2024
Teacher (Secondary), Modern Studies	Thurso High School	Permanent	Full Time	24/06/2024
Principal Teacher (Secondary), English, Modern Languages and Gaelic, 11.9 Hours per week, maternity cover for 1 year	Thurso High School	Fixed Term	Part Time	24/06/2024
Teacher (Secondary) English	Wick High School,	Permanent	Full Time	24/06/2024

<b>SCHOOL</b>	<b>VACANCY FTE / HOURS</b>	<b>PERM / FIXED TERM</b>	<b>FIXED TERM END DATE</b>
Ballachulish Primary	0.5FTE / 17.5 hrs	Fixed Term	03/07/2025
Beaully Primary	0.4FTE / 14 hrs	Fixed Term	03/07/2025
Bridgend Primary	0.5FTE / 17.5 hrs	Fixed Term	03/07/2025
Caol Primary	1.5 FTE	Fixed Term	Until return of teachers
Cradlehall Primary	0.5fte / 17.5 hrs	Fixed Term	Until return of teacher
Culbokie Primary	0.2 / 7 hrs	Fixed Term	03/07/2025
Duror Primary	0.1fte / 3.5hrs	Fixed Term	03/07/2025
Glencoe Primary	0.8FTE/ 28 hrs	Fixed Term	03/07/2025
Golspie Primary	0.4 fte / 14hrs	Fixed Term	03/07/2025
Grantown Primary	2.5 FTE	Fixed Term	03/07/2025
Inshes Primary	0.4fte / 14 hrs	Fixed Term	03/07/2025
Inver Primary	1.1 FTE	Fixed Term	03/07/2025
Inverlochy Primary	1 / 35 hrs	Fixed Term	03/07/2025
Kinmylies Primary	0.1fte / 3.5hrs	Fixed Term	03/07/2025
Lundavra Primary	1 FTE / 35 hrs	Fixed Term	Until return of teacher
North Kessock	0.5fte / 17.5hrs	Fixed Term	03/07/2025
Noss Primary	0.5fte / 17.5hrs	Fixed Term	13/10/2024
Obsdale Primary	0.7 FTE / 24.5 hrs	Fixed Term	03/07/2025
Raigmore Primary	0.4 fte / 14hrs	Fixed Term	03/07/2025
South Lodge	1fte / 35 hrs	Fixed Term	03/07/2025
Spean Bridge Primary	0.3fte / 10.5hrs	Fixed Term	Until return of teacher
St Brides	0.4 fte / 14hrs	Fixed Term	03/07/2025
Staffin Primary	0.2fte / 7hrs	Fixed Term	03/07/2025
Tarradale Primary	0.2fte / 7hrs	Fixed Term	03/07/2025
Tore Primary	0.2fte / 7hrs	Fixed Term	11/10/2024

## Family Teams and Health

Teams	Post Desc	FTE	Grade
FT - Caithness	Practice Lead	1.00	HC10
FT - Caithness	Social Worker	2.00	HC9
FT - Caithness	Childrens Servcies Worker (Schools)	0.50	HC5
FT - Caithness	School Nurse	0.13	6
FT - Caithness	Health Visitor	0.20	7
FT - East Ross	Practice Lead	1.00	HC10
FT - East Ross	Social Worker (35)	1.80	HC9
FT - East Ross	Childrens Servcies Worker (Schools)	1.00	HC5
FT - Health & Disability	Social Worker	0.08	HC9
FT - Health & Disability	Family Key Worker	1.00	HC8
FT - Health & Disability	Childrens Servcies Worker (Schools)	0.50	HC5
FT - Inv Central, B&S	Social Worker (35)	4.00	HC9
FT - Inv Central, B&S	Childrens Servcies Worker (Schools)	0.87	HC5

FT - Inv Central, B&S	Health Visitor	0.64	7
FT - Inv Central, B&S	School Nurse	1.96	6
FT - Inv Central, B&S	CEY Practitioner	0.59	HC6
FT - Inv East & Nairnshire	Social Worker	2.68	HC9
FT - Inv East & Nairnshire	CEY Practitioner	1.00	HC6
FT - Inv West	Social Worker	2.37	HC9
FT - Inv West	Childrens Servcies Worker (Schools)	0.45	HC5
FT - Inv West	Health Visitor	1.66	7
FT - Inv West	School Nurse	1.55	6
FT - Lochaber	Practice Lead	2.00	HC10
FT - Lochaber	Social Worker	5.79	HC9
FT - Lochaber	Childrens Servcies Worker (Schools)	2.63	HC5
FT - Lochaber	CEY Practitioner	0.80	HC6
FT - Lochaber	Support Worker - Disability	0.95	HC3
FT - Lochaber	Community Children's Worker	1.00	HC6
FT - Mid Ross	Social Worker	1.75	HC9
FT - Mid Ross	Staff Nurse	0.80	5
FT - Mid Ross	Childrens Servcies Worker (Schools)	0.60	HC5
FT - Skye & West Ross	Social Worker	1.00	HC9
FT - Skye & West Ross	Health Visitor	0.20	7
FT - Skye & West Ross	Community Children's Worker	1.00	HC6
FT - Sutherland	Autism Practitioner	1.00	HC9
FT - Sutherland	Social Worker	1.46	HC9
FT - Sutherland	School Nurse	1.00	6
FT - Sutherland	Health Visitor	2.00	7
INBS C&F Support Workers	Support Worker C&P	1.04	HC3
Nursing Management Team	Associate Lead Nurse	0.20	8A
Nursing Management Team	Team Lead (Health)	0.04	7
CPA Highland Wide	Child Protection Adviser	1.00	7
LAC Nurse	Clinical Nurse Specialist	1.00	6
LAC Nurse	School Nursing Services 6	1.00	6
LAC Nurse	School Nurse Trainee Band 5	3.00	6
Family Nurse Partnership	FNP Supervisor Band 8A	0.60	8A
Family Nurse Partnership	FNP Nurse	1.00	7

Cradle to Grave Nurses	Staff Nurse	0.20	7
AHP - Dietetics	Dietetics Services Band 6	0.10	6
AHP - Occupational Therapists	Occupational Therapist (Children)	0.25	HC9
AHP - Occupational Therapists	AHP Support Practitioner	0.47	4
AHP - Physiotherapists	Physiotherapy Services Band 6	1.00	6
AHP - Physiotherapists	Physiotherapy Services 5	1.00	5
Speech Language Therapy	AHP Support Practitioner	0.10	4
PMHW Highland	Primary Mental Health Worker Trainee	0.05	6
QARO team	Quality & Reviewing Officer	1.00	HC9
Staffing -Training Section	Social Worker (35)	0.40	HC9
Youth Action Services	Forensic Psychologist in Training	1.00	HC9
Youth Action Services North	Social Worker (35)	3.00	HC9
Youth Action Services North	Youth Justice Practitioner	2.00	HC5
Youth Action Services South	Social Worker (35)	1.00	HC9
Principal Officer Social Work	Principal Officer (Social Care)	1.00	HC12
Family Centre Merkinch	Community Early Years Practitioner	0.54	HC6

H&SC Business Support	Office Services Band 3	0.07	3
H&SC Business Support	Administrative Assistant 2	0.80	HC5
H&SC Business Support	Administrative Assistant 2	0.10	HC5
H&SC Business Support	Administrative Assistant 1	0.80	HC4
H&SC Business Support	Clerical Assistant 2	0.50	HC3

### Looked After Children

Code Desc	Post Desc	FTE	Grade
F & A Team - HQ	Social Worker (35)	0.50	HC9
Staffin Children Respite Centre	Social Care Worker	0.57	HC6
The Orchard Child Special Need	Depute Unit Manager	0.14	HC8
The Orchard Child Special Need	Social Care Worker	0.72	HC6
The Orchard Child Special Need	Learning Disabilities Nursing Serv Band5	0.76	5
Child Residential 122 Ashton Rd	Social Care Worker	1.50	HC6
Linked House Broom Drive, Inv	Social Care Worker 2	1.85	HC6
Linked House Killen Old School, BI	Social Care Worker 2	0.50	HC6
Arach NWD Hub	Depute Unit Manager	1.00	HC8
Arach NWD Hub	Social Worker (35)	6.62	HC9
Culbokie Residential Unit	Clerical Assistant 2	1.50	HC3



## Criminal Justice and Mental Health

Teams	Post Desc	FTE	Grade
Justice Services			
CJS SBS	Clerical Assistant 2	2.50	HC3
MFMC	Social Worker (35)	1.00	HC9
Drug & Alcohol Action Team	Social Worker	1.00	HC9
North CJS	Social Worker (35)	1.00	HC9
UWO - Inverness	team manager	0.85	HC10
UWO - Inverness	Community Payback Supervisor	1.00	HC5
UWO - West	Community Payback Supervisor	0.40	HC5
MAPPA	Clerical Assistant 2	0.50	HC3
CommSent Persistent Offenders	Social Worker (35)	1.00	HC9
Caledonian System Women	Criminal Justice Officer	0.50	HC5
Porterfield Prison Social Work	Social Work Team Manager	0.15	HC10
Porterfield Prison Social Work	Social Worker (35)	1.00	HC9
Sec. 27 Justice SW Recovery	Criminal Justice Officer	1.00	HC5
HADP Non-Fatal OD IRP	Social Worker	1.00	HC9
MHO			
Mental Health Officer - HQ	Mental Health Officer	0.80	HC9

The response had been circulated.

In terms of a supplementary question, it was queried what message the Leader had to parents, children and families on the impact that the large number of vacancies across education and social work were having on young people's education and wellbeing.

In response the Leader acknowledged that this was a very important matter that was being discussed and recognised at various committees and that the Council was doing its utmost with all the challenges it faced in terms of resourcing and current financial issues. Going forward the Council would be applying itself as well as it could to make life better for the people of the Highlands, especially in the area of social work and in schools.

### iii. Ms K Willis

To the Chair of Communities and Place

There has been considerable public perception that there has been less grass cutting in many areas across the Council estate this year. What is the associated cost saving to Council due to the reduction in grass cutting this year?

The response had been circulated.

In terms of a supplementary question, surprise was expressed that £219,000 was saved by not mowing this year given that last year Members were advised that it would cost the Council £240,000 not to cut grass for a month during No Mow May, and it was queried if the Council would be participating in No Mow May next year and in following years given the costs savings it obviously brought.

In response, it was clarified that there had been no cost savings and all that had happened was that the housing department withdrew £219,000 which meant that the service had to reallocate its priorities and in this case priority was given to cemeteries and there was no guarantee that the Council would be able to participate in No Mow May in future years.

**iv. Mr C Ballance**

To the Chair of Economy and Infrastructure

Last month Edinburgh City Council agreed to start a consultation on introducing a Transient Visitor Levy as soon as the Act comes into force, with the intention of implementing the levy by July 2026, in order to maximise income to the Council. Does the Highland Council administration share this aspiration to introduce the levy as soon as possible?

The response had been circulated.

In terms of a supplementary question, it was highlighted that Edinburgh City Council had made a commitment to launch the scheme, if at all possible, by July 2026 and it was queried whether it was the Council's intention to introduce the scheme on the same timescale and, if so, would bringing a report to Full Council in Spring 2025 be adequate to ensure that the timescale was met and that income would be coming in by summer 2026.

In response it was confirmed that it was still the aspiration of the Council to introduce this scheme as quickly as possible given the projected economic benefits that it would bring. Bringing a paper to full Council in the springtime had been factored into timings and would keep on track with the implementation date. It was important to note that there would be an 18 month lead in period after the Council agreed to implement the Tourism Visitor Levy.

**v. Mrs I MacKenzie**

To the Leader of Council

Will you work with Nature Scot to allow Inverness Bid to continue next year and return to their previous level of egg removal as in previous years?

The response had been circulated.

In terms of a supplementary question, further details were requested on the pre-nesting activity to be undertaken by Inverness BID partners for consideration at the next City of Inverness Area Committee meeting, with a briefing paper prepared jointly with Inverness BID so that all Committee Members could be fully aware and understanding of the issues and possible additional requirements for full consideration, subject to funding for 2025.

In response the Council Leader agreed to discuss the matter with Chair of the Inverness City Area Committee.

**vi. Mr P Logue**

To the Chair of Economy and Infrastructure

How many Highland Campervan and Motorhome Scheme memberships have been sold to date?

The response had been circulated.

In terms of a supplementary question, confirmation was sought on whether the scheme was currently losing money for the Council, considering the administrative costs and costs to High Life Highland of providing the amenities that the scheme entitled people to.

In response it was clarified that the scheme was still in its infancy and it would continue to be monitored. The scheme was not expected to be profit-making straight away and would take time to bed in and the Council would continue to make changes based on information received from the industry going forward.

**vii. Mr J McGillivray**

To the Leader of Council

In view of the very limited uptake of the Motorhome Voluntary Levy Scheme up till now, and in view of the hostility engendered against the Scheme amongst our local licensed Caravan & Camping Parks, as reflected also in the views of their national Trade Association, will the Highland Council suspend the practice of allowing overnight parking in HC carparks and undertake a review of the outcomes of the Scheme thus far in order to establish if there is any substantive purpose to be gained in continuing with it in future seasons?

The response had been circulated.

In terms of a supplementary question, it was queried when an official figure for the uptake of levies so far would be released

In response the Council Leader confirmed that this figure would be released as soon as possible.

**viii. Mr M Baird**

To the Leader of Council

Since we have had a low uptake of the voluntary £40 for Motorhomes and Campervans. How does the Administration plan to ensure the budgeted Income is achieved?

The response had been circulated.

In terms of a supplementary question, it was queried whether there should be a review of the scheme.

In response the Council Leader clarified that the timing of a review would be a matter for the Economy and Infrastructure Committee.

**ix. Mr R Stewart**

To the Leader of Council

What has been the total cost to the Council for repairing and addressing damages related to antisocial behaviour and vandalism over the past year?

The response had been circulated.

In terms of a supplementary question, it was asked if the Leader of the Council would agree to record the cost of vandalism in the school estate.

In response it was clarified that this would likely incur a cost to the Council so would have to be reviewed before an answer could be provided.

**12. Membership of the Council**  
**Ballrachd na Comhairle**

The Council **NOTED** that Mr A MacDonald had resigned as a Member of the Council with effect from 31 August 2024 and that the date of the By-Election for Ward 21 (Fort William and Ardnamurchan) would be Thursday, 21 November 2024.

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

The Council **NOTED** that Mr D McDonald and Mr A Sinclair had joined Highland Alliance. On that basis, the political make-up of the Council was as follows:-

SNP – 21 / Highland Independent – 17 / Scottish Liberal Democrats – 12 / Scottish Conservative and Unionist – 7 / Highland Alliance – 7 / Scottish Green Party – 4 / Labour – 1 / Alba Party - 1.

As a result of recent resignations, the Council **APPROVED** the following replacements to Committees:-

Climate Change Committee – Mr C Munro

Education Committee – Ms L Dundas

Health, Social Care and Wellbeing Committee – Mrs M Ross

Housing and Property Committee – Mr D McDonald replace Ms M Smith

South Planning Applications Committee (Substitute Ward 19) – Mr D McDonald to replace Mr A Sinclair

**14. Appointment of Members to the Highland Licensing**  
**Cur Bhall an Dreuchd gu Comataidh Ceadachd na Gàidhealtachd**

Following the resignation of Mr D Millar from the Highland Licensing Committee, the Committee **AGREED** Mr R Stewart, from Ward 10, be appointed as one of the six representatives from Wards 1-10.

**15. Appointments to Sub-Committees, Working Groups and Outside Bodies etc  
Cur an Dreuchd gu Fo-Chomataidhean, Buidhnean-obrach agus Buidhnean  
on Taobh A-muigh is Eile**

**a. Inverness Cromarty Firth Green Freeport Monitoring Group**

The Council **AGREED** that Mrs M Reid replace Mrs P Munro on the Inverness Cromarty Firth Green Freeport Monitoring Group, as requested by the Highland Independent Group.

**b. Children's Hearings Scotland – Highland & Moray Area Support Team**

The Highland & Moray Area Support Team oversee the functions of the Highland and Moray Children's Panels.

The Council **AGREED** that Ms L Johnston be appointed to the Highland & Moray Area Support Team.

**16. Timetable of Meetings  
Clàr-ama Choinneamhan**

The Council **AGREED** that two additional Highland Licensing Committee meetings be held on 10 October and 3 December 2024.

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

The Council **NOTED** the list of deeds and other documents executed on behalf of the Council since the meeting held on 27 June 2024.

**18. Exclusion of the Public  
Às-dùnadh a' Phobaill**

The Council **RESOLVED** that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public should be excluded from the meeting for the start of item 20 and items 19 and 21 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act.

**19. Highland Investment Plan – Investment  
Plana Tasgaidh na Gàidhealtachd – Tasgaidh**

There had been circulated to **Members only** Confidential Report No. HC/32/24 by the Assistant Chief Executive – Place.

The Council **AGREED** the recommendations as set out in the report.

**20. Academy Street, Inverness: Update  
Sràid na h-Acadamaidh, Inbhir Nis: Cunntas às Ùr**

**Transparency Statement – Mr A Christie declared a connection to this item in his capacity as a Non-Executive Director of Inverness Business Improvement District (BID) but, having applied the objective test, did not consider that he had an interest to declare.**

There had been circulated to **Members only** Confidential Report No. HC/33/24 by the Assistant Chief Executive - Place.

Following initial discussion in private, the Council **AGREED** to take the remaining debate in public.

Turning to debate, the following issues were raised:-

- officers had worked hard to draw up Academy Street projects that would have attracted external funding and they were thanked, both for their professionalism and knowledge. The Judicial Review had found that they had in no way misled the Committee and, furthermore, Members had made decisions in good faith;
- the initial proposal was to use the Places for Everyone funding where improvements to Academy Street could tie in with enhancements elsewhere in Inverness and provide inclusive access to Academy Street. The impact this would have on vehicle movements in other areas was recognised and the data from the Traffic Regulation Order would have helped inform this;
- there had been support from individuals, organisations and businesses for the original proposal and it was only a majority of the businesses contacted by BID who had objected;
- the aim of the original proposal had not been the pursuit of money but to reduce the amount of traffic in the city centre, as agreed by the previous City of Inverness Area Committee Administration. If nothing was done, Academy Street would continue to deteriorate;
- funding for this had been lost in face of fierce opposition. Replacement funding was now both competitive and constrained and the likelihood of securing funding was challenging;
- the original proposal would have caused considerable upheaval;
- looking forward it was proposed that the City of Inverness Area Committee be asked to assess and review all options and solutions for improving the city centre, and beyond, progressed in collaboration with all stakeholders, to co-produce schemes that could be taken forward to consultation. They could then be progressed as and when, or if, money became available on projects that would demonstrate Best Value;
- it was suggested a City of Inverness Area cross-party Working Group be formed looking at a forward plan for the city centre, Academy Street and the city as a whole. Whilst welcoming this proposal it was questioned if a consensus would ever be reached given the groups that wanted to see a reduction of cars in the city centre against businesses who wanted traffic to remain;
- developing a methodology to go forward would take time and it needed to be outcome led. This would require a step back to reflect on what had taken place;
- the information gathered to date was valuable and should not be forgotten as it would still have currency;
- it was accepted that Academy Street needed to be improved but it was important to rebuild the trust and confidence with the public, communities and businesses;
- the city of Inverness was going through a transformational phase with many exciting and new projects. To build on these successes Academy Street needed to become more vibrant, clean and welcoming for businesses, cyclists, and pedestrians;

- many did not visit Academy Street and the city centre due to access issues and this had to be taken into account;
- the original proposal would have inhibited some access to the Rose Street car park, thus reducing the investment the Council could invest in other Council Services;
- innovative ideas such as dial-a-bus would make the city “green”;
- pollution on Academy Street had already been reduced with the introduction of electric buses;
- reducing the use of cars needed to be done by persuasion and encouragement; and
- a petition had been submitted by the Trustees for the Eastgate Unit Trust for Judicial Review of the decisions of the Highland Council taken in respect of Academy Street. This would not have been affordable for the smaller independent businesses affected.

At this stage, Mr A Christie, seconded by Mrs T Robertson, **MOVED** that that the City of Inverness Area Committee be requested to assess and review all options and solutions for improving the city centre. That this would be progressed in collaboration with all stakeholders (i.e. businesses, public, residents, community groups and representative organisations) with the aim of co-producing scheme(s) that could go to full consultation.

As a **FIRST AMENDMENT**, Mr I Brown, seconded by Mrs J Hendry, **MOVED** to abandon the Traffic Regulation Order and cease all activity on Academy Street as detailed in Section 6.2 of the report (Option 4).

As a **SECOND AMENDMENT**, Mr C Ballance, seconded by Mr R MacKintosh, **MOVED** to abandon the current Traffic Regulation Order for Academy Street, carry out a new consultation on Option A and the current proposal. If, following consideration, Members agreed to proceed with the current proposal, then the Traffic Regulation Order process would be restarted. If Members supported Option A following consultation, this would be brought back to Committee at a later date to decide where future funding could be identified from the Council’s Capital budget to proceed with further design and construction as detailed in Section 6.2 of the report (Option 3).

On a vote being taken between the **FIRST AMENDMENT** and the **SECOND AMENDMENT**, the **FIRST AMENDMENT** received 36 votes and the **SECOND AMENDMENT** received 5 votes, with 16 abstentions – the votes having been cast as follows:-

**For the First Amendment:**

Ms S Atkin, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr K Gowans, Mr A Graham, Mrs J Hendry, Ms M Hutchison, Mrs B Jarvie, Ms L Johnston, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Loudon, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr C Munro, Mr D McDonald, Mr H Morrison, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Ms M Ross, Mrs L Saggars, Mr A Sinclair, Ms M Smith.

**For the Second Amendment:**

Mr A Baldrey, Mr C Ballance, Mr L Fraser, Mr R MacKintosh, Ms K Willis.

**Abstentions:**

Mr M Baird, Mr A Christie, Ms H Crawford, Mr P Logue, Mr R Gale, Mr J Grafton, Mr D Gregg, Mr R Jones, Mrs I MacKenzie, Mrs A MacLean, Mr A MacKintosh, Mr D Macpherson, Mrs T Robertson, Mr K Rosie, Mr M Reiss, Mr R Stewart.

On a subsequent vote being taken between the **MOTION** and the **FIRST AMENDMENT**, the **MOTION** received 23 votes and the **FIRST AMENDMENT** received 30 votes, with 4 abstentions, and the **FIRST AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr A Baldrey, Mr M Baird, Mr C Ballance, Mr A Christie, Ms H Crawford, Mr R Gale, Mr J Grafton, Mr D Gregg, Mrs B Jarvie, Mr P Logue, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr T MacLennan, Mrs I MacKenzie, Mr D Macpherson, Mr M Reiss, Mrs T Robertson, Mrs L Saggars, Mr A Sinclair, Ms M Smith, Mr R Stewart, Ms K Willis.

**For the First Amendment:**

Ms S Atkin, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr A Graham, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr G MacKenzie, Ms K MacLean, Mr D Millar, Mr C Munro, Mr D McDonald, Mr H Morrison, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Ms M Ross.

**Abstentions:**

Mr J Finlayson, Mr R Jones, Mr S Kennedy, Mr K Rosie.

**Decision**

The Council **AGREED** to abandon the Traffic Regulation Order and cease all activity on Academy Street as detailed in Section 6.2 of the report (Option 4).

**21. Reconfiguration of the Senior Leadership Team Highland Council PHASE 2 Update**  
**Cunntas às Ùr mu CHEUM 2 de dh’Ath-rèiteachadh Àrd-Sgioba Ceannardais Chomhairle na Gàidhealtachd**

There had been circulated to **Members only** Confidential Report No. HC/34/24 by the Chief Executive.

The Council **AGREED** the recommendations as set out in the report.

**22. Notices of Motion**  
**Brathan Glusaid**

**Transparency Statements: the undernoted Members declared connections to item 22 (4) but, having applied the objective test, did not consider that they had an interest to declare:-**

**Mr I Brown – as member of Unite the Union Retired Members Section but not an active member.**

**Mr S Coghill – as a non-active member of Prospect Union.**

**Mr K Gowans – as a member of the EIS union.**

**Mr D Gregg – as a member of the British Medical Association Trade Union.**



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

- (1) At Communities and Place Committee held on September 5<sup>th</sup> 2024, Police Scotland's Divisional Commander informed Members that the public telephones outside police stations are to be withdrawn as the technology is obsolete and Police Scotland believe the expense of replacing them is prohibitive, given their current budgets.

Not everyone has a mobile phone and this decision seems retrograde, not taking account of the specific needs and risks of remoter communities.

This Motion calls on the Council Leader to urge Scottish Government and Police Scotland to review this decision and fund it adequately, to ensure public access to the police is not compromised and that lost/found property items can be efficiently handed in to Police Stations as has been the case up to now.

**Signed:** Mr M Reiss    Mr D McDonald    Mr M Baird

Following a summary of the Motion, the following main points were raised during discussion:-

- the Council should not tell Police Scotland how to spend its budget, and money spent on replacing public phones would need to be taken away from other areas of policing;
- concern was expressed about the loss of service caused by the decision not to replace the phone lines;
- many young people might not have known how to operate a public phone and a more modern technological solution such as video doorbells could be more suitable and less costly;
- lost property could be left in police station letter boxes without the need to contact anyone at the station;
- concern was expressed over the difficult situation faced by the emergency services due to budget pressures;
- the Council had a responsibility to give support and feedback to Police Scotland and therefore was able to suggest how its budget was spent;
- if even one life in Scotland was saved by having a public phone outside a police station then it would have been worth the investment of £1.5m;
- it was important to ensure that the public had as many ways to contact Police Scotland as possible; and
- in some areas of Highland it was difficult to get a mobile signal therefore phones outside police stations were essential.

Thereafter, Mr M Reiss, seconded by Mr D McDonald **MOVED** the Motion as set out above.

As an **AMENDMENT**, Mr D Loudon, seconded by Mr C Munro, **MOVED** that, given the Police Scotland estimate that replacing the analogue phones outside police stations with digital ones would cost £1.5m and that the average usage around Scotland was just under one call per week, the Council would not seek to impose a £1.5m burden on Police Scotland at a time when analogue phones were being discontinued, but rather would encourage them to allocate this resource to provide more comprehensive cover and adequate staffing in rural areas.

On a vote being taken, the **MOTION** received 33 votes and the **AMENDMENT** received 26 votes, with no abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Ms S Atkin, Mr M Baird, Mr A Baldrey, Mr C Ballance, Mr A Christie, Ms H Crawford, Mr L Fraser, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mrs B Jarvie, Mr S Kennedy, Mr P Logue, Mr G MacKenzie, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr T MacLennan, Mr D Macpherson, Mr D McDonald, Mr H Morrison, Mr M Reiss; Ms T Robertson, Mr K Rosie, Ms M Ross; Mrs L Saggars, Mr A Sinclair, Ms M Smith, Mr R Stewart, Ms K Willis.

**For the Amendment:**

Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs M Cockburn, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr K Gowans, Ms J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Ms K MacLean, Mr D Millar, Mr C Munro, Mrs M Paterson, Mr P Oldham, Mrs M Reid.

**Decision**

The Council **AGREED**:-

At Communities and Place Committee held on September 5th 2024, Police Scotland's Divisional Commander informed Members that the public telephones outside police stations are to be withdrawn as the technology is obsolete and Police Scotland believe the expense of replacing them is prohibitive, given their current budgets.

Not everyone has a mobile phone and this decision seems retrograde, not taking account of the specific needs and risks of remoter communities.

This Motion calls on the Council Leader to urge Scottish Government and Police Scotland to review this decision and fund it adequately, to ensure public access to the police is not compromised and that lost/found property items can be efficiently handed in to Police Stations as has been the case up to now.

- (2) The Council notes the importance of the Pension Age Winter Heating Payment in safeguarding the health and well-being of older people in the Highlands. Notes the potential cuts to these essential payments by both the UK and Scottish Governments.
- Notes the Winter Fuel Payment and the Pension Age Winter Heating Payment are lifelines for older people, especially those living in the Highlands, where the cost of living is up to 40% higher compared to other regions.
  - Notes these payments are crucial in alleviating the worst impacts of fuel poverty, in a region where approximately 33% of households are living in fuel poverty and 22% of households are in extreme fuel poverty, (nearly double the national average)
  - Notes the removal of the universal approach to the scheme by the Scottish Government will have a disproportionately detrimental impact on the lives of older people living in the Highlands and that the reduction or removal of these

- payments will lead to increased fuel poverty, worsening health outcomes, and greater pressure on local health and social care services.
- Agrees the Council leader will write on behalf of the Council to the Scottish Government, urging them to maintain the current eligibility for the Pension Age Winter Heating Payment.
  - Agrees the letters should specifically highlight the unique challenges faced by older people in the Highlands and the potentially devastating consequences of any reduction in financial support during the winter months.

**Signed:** Mr R Stewart    Mrs I MacKenzie    Mrs B Jarvie

Following a summary of the Motion, the following main points were raised during discussion:-

- amendments were proposed to the Motion that the UK Government be also written to on this matter. This was accepted by the proposer of the Motion;
- not all pensioners were struggling financially and there were many of them that could afford their winter fuel and were not dependent on the Winter Fuel Payment and the Pension Age Winter Heating payment. These payments would not alleviate fuel poverty. People in fuel poverty in Highlands were in fuel poverty in the summer as well as in winter. Successive Governments had failed to alleviate fuel poverty. Both the UK and Scottish Governments should be asked to alleviate fuel poverty; and
- Highland was a unique area and landscape that had coastal villages that got the full force of the weather. Energy bills were generally higher in this area particularly given the high number of older houses, and many communities were not connected to the gas system for cheaper heating. There were many people who lived alone and were elderly who struggled to afford energy bills. There was a danger that they would turn down their heating and become ill as a result. The removal of the winter fuel payment would therefore be a false economy and a drain on other services, such as the care sector and NHS.

Thereafter, Mr R Stewart, seconded by Mr B Lobban **MOVED** the Motion as set out above, with the addition that the UK Government be also written to on this matter.

As an **AMENDMENT**, Mr R MacKintosh, seconded by Ms K Willis, **MOVED** that the Council write to the Scottish and UK Governments requesting that they take immediate steps to alleviate fuel poverty in the Highlands of Scotland.

On a vote being taken, the **MOTION** received 45 votes and the **AMENDMENT** received 11 votes, with 1 abstention. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Ms S Atkin, Mr M Baird, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mr A Christie, Ms H Crawford, Mr D Gregg, Ms L Dundas, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr R Gale, Mr M Green, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Loudon, Mr G MacKenzie, Mrs I MacKenzie, Mr S Mackie, Mrs A MacLean, Ms K MacLean, Mr T MacLennan, Mr D McDonald, Mr D Macpherson, Mr H Morrison, Mrs M Paterson, Mr P Oldham, Mr M Reiss, Mrs T Robertson, Mr K Rosie, Ms M Ross, Mrs L Siggers, Mr A Sinclair, Mr R Stewart.

**For the Amendment:**

Mr A Baldrey, Mr C Ballance, Mrs M Cockburn, Ms T Collier, Mr J Grafton, Mr A Graham, Mrs B Jarvie, Mr P Logue, Mr A MacKintosh, Mr R MacKintosh, Ms K Willis.

**Abstention:**

Mr C Munro.

**Decision**

The Council **AGREED**:-

The Council notes the importance of the Pension Age Winter Heating Payment in safeguarding the health and well-being of older people in the Highlands. Notes the potential cuts to these essential payments by both the UK and Scottish Governments.

- Notes the Winter Fuel Payment and the Pension Age Winter Heating Payment are lifelines for older people, especially those living in the Highlands, where the cost of living is up to 40% higher compared to other regions;
- Notes these payments are crucial in alleviating the worst impacts of fuel poverty, in a region where approximately 33% of households are living in fuel poverty and 22% of households are in extreme fuel poverty, (nearly double the national average);
- Notes the removal of the universal approach to the scheme by the Scottish and UK Governments will have a disproportionate and detrimental impact on the lives of older people living in the Highlands and that the reduction or removal of these payments will lead to increased fuel poverty, worsening health outcomes and social care services;
- Agrees the Council Leader writes on behalf of the Highland Council to both Scottish and UK Governments urging them to maintain the current eligibility for the Pension Age Winter Heating Payment;
- Agrees the letters should specifically highlight the unique challenges faced by older people in the Highlands and the potentially devastating consequences of any reduction in financial support during the winter months.

At this point, the Convener, seconded by Mr R Bremner, **MOVED** that the meeting be adjourned to a time and date to be advised in accordance with Standing Order 24. As an **AMENDMENT**, Ms E Knox, seconded by Ms H Crawford **MOVED** that the meeting continue.

On a vote being taken, the **MOTION** received 30 votes and the **AMENDMENT** received 20 votes, with 2 abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr M Baird, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Ms T Collier, Ms L Dundas, Mr J Finlayson, Mr L Fraser, Mr R Gale, Mr K Gowans, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr R Jones, Mr S Kennedy, Mr B Lobban, Mr D Loudon, Mr G MacKenzie, Mr A MacKintosh, Mrs A MacLean, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr C Munro, Mr P Oldham, Mrs M Paterson, Mrs T Robertson, Mr K Rosie, Ms M Ross.

**For the Amendment:**

Ms S Atkin, Mr C Ballance, Dr C Birt, Mr A Christie, Ms H Crawford, Ms S Fanet, Ms M Hutchison, Mr A Jarvie, Ms L Johnston, Ms E Knox, Ms L Kraft, Mrs I MacKenzie, Mr R MacKintosh, Mr D Macpherson, Mr D McDonald, Mr H Morrison, Mrs M Reid, Mr M Reiss, Mrs L Sagers, Ms K Willis.

**Abstentions:**

Mrs J Hendry, Mr D Fraser.

**Decision**

The Council **AGREED** that the meeting be adjourned at this point to a time and date to be advised.

**(3) Major Electricity Development Applications & Community Engagement**

*(Considered on 30 September 2024)*

This Council:

**NOTES** there are a number of major proposed electricity generation, storage and transmission developments, which have been or are likely to be presented to The Highland Council for planning permission, or for a response as a Consultee, in the near future.

**ACKNOWLEDGES** that, without prejudice to future determinations, such major infrastructure developments are very likely to have significant scheme specific and cumulative environmental and socio-economic impacts upon communities and landscapes within the Highlands.

**RECOGNISES** it is desirable that communities across Highland are fully engaged in the consultation and planning process and are suitably empowered to respond on an equal basis given the resources deployed by the developers, SSEN and statutory consultees.

**NOTES** that currently these major development applications are not considered in a Highland wide context, rather they are lodged individually in a piecemeal, fragmented fashion and therefore considered individually, without reference to the effects from the entirety of developments across Highland being considered and therefore with a lack of understanding as to what the totality will mean for our communities and our environment.

**THEREFORE**, this Council **AGREES**:

- i. **REAL TIME MAPPING** - To produce a real time map, publicly available online, showing all the major renewable energy related developments within Council's knowledge, existing and proposed, including those which are or will come to Council for planning and or the Energy Consents Unit, be they operational, permitted developments or otherwise. In so far as legally permissible, the map will also include an indication of anonymised approaches made to Highland Council for pre-planning advice. This map will therefore present a holistic overview of the applications that are currently in the pipeline, including but not limited to, all proposed electricity generation, storage and transmission developments, grid connection, energy generation stations, BESS, and wind farms.

ii. **THE APPROACH TO APPLICATIONS**

- (i) The Leader will continue dialogue with the Scottish Government to ensure that the full cumulative aspect of developments, including the potential grid connection, is considered within the submission of an application under S36 of the Electricity Act for an energy generation station, and for all BESS applications of whatever scale, and the Leader to report regularly to Group Leaders regarding progress, and
- (ii) If an increase in the MW threshold for applications under S36 of the Electricity Act is implemented so that some additional generating stations would fall within the Town and Country Planning Acts, the Council will update its Planning Guidance for such developments to ensure that the cumulative impacts are considered in full, including the grid connection aspects of a development.

iii. **COMMUNITY COUNCIL MAJOR APPLICATION PLANNING TRAINING**

To take urgent action to better equip communities regarding the planning process and how to present their case, by providing planning training to Community Councils by the Planning Advisory Service and external experts specifically regarding such major applications.

iv. **COMMUNITY ENGAGEMENT**

Without ever expressing a prior opinion on the determination of any application, to engage with our communities regarding the anticipated environmental and socio-economic impacts, given that some within our communities are concerned about a wide range of issues, and to review what actions the Council can legally take to further ensure that local community views are considered in the planning process and for Officers to present a paper to the next Full Council for consideration.

**Signed:** Ms H Crawford   Mr D McDonald   Ms K Willis   Mr M Reiss  
Mr M Baird   Mrs I MacKenzie   Mrs B Jarvie   Mr R Stewart   Mrs L Siggers

Following a summary of the Motion, the following main points were raised during discussion:-

- 62 Community Councils across Highland supported the Motion which aimed to enhance public knowledge and improve democratic input from communities on energy developments in Highland. They wanted proper oversight over these developments so that they could give proper consideration to what was being proposed;
- the strength of feeling on this issue in communities was acknowledged given they wanted to protect the natural environment of the area from unnecessary industrialisation. The pressure Community Councils were under in facing expansive and contentious major electricity development planning applications was acknowledged. While the Motion was supported and work had been undertaken by the Administration to introduce the measures Community Councils had been asking for this was not sufficient to meet Community Councils' needs in determining these applications. Therefore additions to the Motion as detailed at the meeting were proposed to enhance what was already being delivered;

- there were many positive benefits from the Motion that had professional advice in its formation, and it would be very popular with the public and Community Councils. It would give the public and Community Councils vital knowledge about planning applications. A publicly available real-time map would show a holistic overview of applications that were currently in the pipeline, including all proposed electricity generation, storage and transmission developments, grid connection, energy generation stations, battery energy storage sites and wind farms;
- it was anticipated that by 2050 Scotland would be producing around 8 times as much energy as the country consumed at peak times. In order to supply this energy to other areas a number of new pylons or underground cables would be required. The plans for these should be supplied so that the overall cumulative effects of the developments could be understood;
- communities were facing unprecedented interrelated renewable energy applications that could have multiple stages of consultation which could leave people confused and struggling to engage effectively on these applications. The Motion and subsequent Amendment sought to address some of these issues;
- the proposal to provide more information on planning applications was in the applicant, developer and Council's interests. It was felt there would not be a significant cost to developing a map showing all major energy planning applications, as the Council already had a map that showed all energy developments in the Highlands to date;
- the burden on Community Councils in dealing with energy planning applications was highlighted, and the need to provide training for them was key;
- communities were not against energy developments, but they wanted to be informed of what developments were being proposed in their communities so that they could make representations and help the Council in its decision-making;
- it was felt that all the actions in the Motion should already be in place. For example, there should already be a plan of the energy infrastructure requirements for Scotland and a comprehensive map of existing and planned renewable developments, and Community Councils should receive support to present their cases on major energy developments in their areas; and
- the proposer of the Motion highlighted that they had not had the opportunity to properly consider the Amendments to the Motion within a reasonable timeframe, and objected to this. They were therefore unable to accept the proposed Amendments.

At this point the meeting was adjourned for a short period of time to allow newly elected Members of the Council to be provided with paper copies of the Amendments to the Motion as they had not yet been issued with IT devices.

The meeting resumed at 2.55 pm.

Ms H Crawford, seconded by Mr D McDonald, **MOVED** the Motion as set out above.

As an **AMENDMENT**, Ms E Knox, seconded by Mr D Fraser, **MOVED** this Council agrees:-

(1) REAL TIME MAPPING

To develop and extend the existing publicly available online map to include up-to-date information to include, showing all the major renewable energy related developments within Council's knowledge, existing and proposed, including those which are or will come to Council for planning and or the Energy Consents Unit, be they operational, permitted developments or otherwise. In so far as legally permissible, the map will also include an indication of anonymised approaches made to Highland Council for pre-planning advice. This map will therefore present a holistic overview of the applications that are currently in the pipeline, including but not limited to, all proposed electricity generation, storage and transmission developments, grid connection, energy generation stations, BESS, and wind farms.

To further explore ways to extend the existing map to include transmission lines, substations, and battery storage facilities, along with relevant associated infrastructure so that communities can visualise what is planned across the Highlands in context.

(2) THE APPROACH TO APPLICATIONS

- (i) The Leader will continue dialogue with the Scottish Government to ensure that the full cumulative aspect of developments, including the potential grid connection, is considered within the submission of an application under S36 of the Electricity Act for an energy generation station, and for all BESS applications of whatever scale, and the Leader to report regularly to Group Leaders regarding progress, and
- (ii) If an increase in the MW threshold for applications under S36 of the Electricity Act is implemented so that some additional generating stations would fall within the Town and Country Planning Acts, the Council will update its Planning Guidance for such developments to ensure that the cumulative impacts are considered in full, including the grid connection aspects of a development.

This Council notes that officers are already involved in national level discussions through Heads of Planning Scotland on all matters related to renewable energy developments. This will continue to ensure that planning policy reflects the changing technologies and cumulative impacts associated with these types of developments. The over-arching guidance on all forms of development is set out in the recently adopted National Planning Framework 4.

(3) COMMUNITY COUNCIL MAJOR APPLICATION PLANNING TRAINING

To take urgent action to better equip communities regarding the planning process and how to present their case, by providing planning training to Community Councils by the Planning Advisory Service and external experts specifically regarding such major applications.

This Council reaffirms its support for the initiative already underway to provide enhanced planning training for Community Council members within the area. Engagement is taking place with PAS (formerly Planning Aid Scotland) to ensure appropriate Community Council training is made available for all Highland Community Councils for all planning applications including major applications.



**(4) COMMUNITY ENGAGEMENT**

Without ever expressing a prior opinion on the determination of any application, to engage with our communities regarding the anticipated environmental and socio-economic impacts, given that some within our communities are concerned about a wide range of issues, and to review what actions the Council can legally take to further ensure that local community views are considered in the planning process and Officers will report progress on all aspects of this motion via the E&I Committee.

This Council notes that engagement with all Highland communities on planning policy relating to renewables is part of the preparation of the Highland Local Development Plan. The Council considers all representations made on planning applications, and as set out in legislation, it is the responsibility of any and all prospective developers to engage communities in the pre-applications process.

In order to support Community Councils in their duty to represent the broad spectrum of opinion and interests of all sections of their community, the Council will undertake to explore with Scottish Government the creation of an additional planning fee payable by applicants for major infrastructure projects. This fee would help to fund community engagement led by community councils to inform the development of their response in relation to major applications.

On a vote being taken, the **MOTION** received 33 votes and the **AMENDMENT** received 31 votes, with no abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr M Baird, Mr A Baldrey, Mr C Ballance, Mr B Boyd, Mr J Bruce, Mr S Coghill, Ms H Crawford, Mr A Christie, Ms L Dundas, Mr J Edmondson, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr A Jarvie, Mrs B Jarvie, Mr R Jones, Ms M MacCallum, Mrs I MacKenzie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D Macpherson, Mr D McDonald, Ms J McEwan, Mr J McGillivray, Mr M Reiss, Mrs T Robertson, Ms M Ross, Mrs L Saggars, Ms M Smith, Mr R Stewart, Ms K Willis.

**For the Amendment:**

Dr C Birt, Mr R Bremner, Mr I Brown, Mrs G Campbell-Sinclair, Mr M Cameron, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr M Green, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr G MacKenzie, Ms K MacLean, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie.

**Decision**

The Council **AGREED**:-

This Council:

**NOTES** there are a number of major proposed electricity generation, storage and transmission developments, which have been or are likely to be presented to The Highland Council for planning permission, or for a response as a Consultee, in the near future.

**ACKNOWLEDGES** that, without prejudice to future determinations, such major infrastructure developments are very likely to have significant scheme specific and cumulative environmental and socio-economic impacts upon communities and landscapes within the Highlands.

**RECOGNISES** it is desirable that communities across Highland are fully engaged in the consultation and planning process and are suitably empowered to respond on an equal basis given the resources deployed by the developers, SSEN and statutory consultees.

**NOTES** that currently these major development applications are not considered in a Highland wide context, rather they are lodged individually in a piecemeal, fragmented fashion and therefore considered individually, without reference to the effects from the entirety of developments across Highland being considered and therefore with a lack of understanding as to what the totality will mean for our communities and our environment.

Therefore, this Council **AGREES**:

- i REAL TIME MAPPING - To produce a real time map, publicly available online, showing all the major renewable energy related developments within Council's knowledge, existing and proposed, including those which are or will come to Council for planning and or the Energy Consents Unit, be they operational, permitted developments or otherwise. In so far as legally permissible, the map will also include an indication of anonymised approaches made to Highland Council for pre-planning advice. This map will therefore present a holistic overview of the applications that are currently in the pipeline, including but not limited to, all proposed electricity generation, storage and transmission developments, grid connection, energy generation stations, BESS, and wind farms.
- ii THE APPROACH TO APPLICATIONS
  - (a) The Leader will continue dialogue with the Scottish Government to ensure that the full cumulative aspect of developments, including the potential grid connection, is considered within the submission of an application under S36 of the Electricity Act for an energy generation station, and for all BESS applications of whatever scale, and the Leader to report regularly to Group Leaders regarding progress, and
  - (b) If an increase in the MW threshold for applications under S36 of the Electricity Act is implemented so that some additional generating stations would fall within the Town and Country Planning Acts, the Council will update its Planning Guidance for such developments to ensure that the cumulative impacts are considered in full, including the grid connection aspects of a development.
- iii COMMUNITY COUNCIL MAJOR APPLICATION PLANNING TRAINING  
To take urgent action to better equip communities regarding the planning process and how to present their case, by providing planning training to

Community Councils by the Planning Advisory Service and external experts specifically regarding such major applications.

iv COMMUNITY ENGAGEMENT

Without ever expressing a prior opinion on the determination of any application, to engage with our communities regarding the anticipated environmental and socio-economic impacts, given that some within our communities are concerned about a wide range of issues, and to review what actions the Council can legally take to further ensure that local community views are considered in the planning process and for Officers to present a paper to the next Full Council for consideration.

**(4) Right to Strike**

*(Considered on 30 September 2024)*

**Transparency Statements: the undernoted Members declared connections to this item but, having applied the objective test, did not consider that they had an interest to declare:-**

**Mr I Brown – as a member of the Unite the Union retired members section  
Mr K Gowans – as a member of the Educational Institute of Scotland  
Mr S Coghill – as a non active member of the Prospect trade union  
Mr D Gregg – as a member of the British Medical Association trade union**

Council notes the passage of the Strikes (Minimum Service Levels) Act 2023,

- i. This enables employers including those in the public sector to issue work notices to trade unions naming workers required to work to maintain minimum service levels. That workers subject to such a notice who refuse to work lose protection against dismissal for not working.
- ii. Trades Unions whose members subject to such a notice who refuse to work lose immunity from being sued in for damages to the employer for economic loss.
- iii. That the Act could be extended in future to other services for which the Council or ALEO such as High Life Highland are an employer, including education and bus services.

Council believes that all workers have the right to strike and any attempt to force workers to work against their will and against a legally called strike is an infringement of human rights.

Council therefore resolves that it will not issue work notices to any staff employed by the Council.

**Signed:** Mr R MacKintosh      Mr A Baldrey

Following a summary of the Motion, the following main points were raised during discussion:-

- the Council and Trade Unions partnership arrangement was valued and respected. The Council had a responsibility for safe service provision in communities. These included adult and children's protection services, justice, homelessness, welfare and emergencies. It was the intention of the UK Government to repeal the Strikes (Minimum Service Levels) Act 2023 as part

of the Employment Rights Bill. The Government had also stated that employers should seek alternative mechanisms for dispute resolution, including voluntary agreements rather than imposing minimum service levels. An amendment to the Motion was therefore proposed as follows:-

“Council notes the passage of the Strikes (Minimum Service Levels) Act 2023. Pending the repeal of the Strikes (Minimum Service Levels) Act 2023, and where strike action has been notified to the Council, we will enter into discussions with our trade union colleagues to reach a voluntary agreement on minimising the risk area of service activity that give rise to concern for the Council”.

- the right to strike was the most important right for any employee to protect their position and the Council should ensure this right was protected and never threatened. Also, employees knew the parts of their roles that were critical to service provision and it was insulting to suggest those workers would go on strike on areas of dispute. Employees knew that strike action was a last resort. Therefore, the Amendment should be rejected; and
- Trade Unions had a long history of ensuring safety was maintained during periods of strike action. It was questioned what would happen if no voluntary agreement was reached between the employer and Trade Unions, and whether anti-strike notes would then be issued. The right to strike was a fundamental right and the Motion should be supported.

Thereafter, Mr R MacKintosh, seconded by Mr A Baldrey, **MOVED** the Motion as set out above.

Mr D Fraser, seconded by Ms K MacLean, **MOVED** an **AMENDMENT** as set out above.

On a vote being taken, the **MOTION** received 20 votes and the **AMENDMENT** received 39 votes, with no abstentions. The **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr M Baird, Mr A Baldrey, Mr S Coghill, Mr A Christie, Mr J Edmondson, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mrs B Jarvie, Mr R Jones, Ms M MacCallum, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Mrs T Robertson, Mrs L Saggars, Ms K Willis.

**For the Amendment:**

Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr J Bruce, Mrs G Campbell-Sinclair, Mr M Cameron, Mrs M Cockburn, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr M Green, Mrs J Hendry, Ms M Hutchison, Mr A Jarvie, Ms L Johnston, Mr S Kennedy, Ms E Knox, Mr B Lobban, Mr D Loudon, Ms L Kraft, Mr G MacKenzie, Ms K MacLean, Mr D McDonald, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie, Ms M Ross, Ms M Smith.

**Decision**

The Council **AGREED**:-

Council notes the passage of the Strikes (Minimum Service Levels) Act 2023. Pending the repeal of the Strikes (Minimum Service Levels) Act 2023, and where strike action has been notified to the council, we will enter into discussions with our trade union colleagues to reach a voluntary agreement on minimising the risk area of service activity that give rise to concern for the Council.

**(5)** *(Considered on 30 September 2024)*

Since agreement by Council in January to write to the UK Govt ministers responsible for the UK Govt 4G digital connectivity programme, the Shared Rural Network (SRN), there had been a change in UK Govt, therefore this motion asks that Council resend the letter to the new UK Govt Ministers asking that they pause and review the SRN programme.

The SRN aims to achieve 95% mobile phone coverage across Britain focusing on geographical coverage rather than population coverage. This makes little sense in the Highland's uninhabited mountain and upland landscapes. There has also been very little, or no, consultation with communities in Highland to understand their connectivity needs and to identify appropriate locations for SRN masts so that connectivity is improved for rural communities.

In support of the coalition of community groups and conservation and outdoor recreation organisations in Scotland, this Council agrees to write to the new UK Government Ministers to ask that they pause and review the SRN programme and improve it by:

1. Consulting with rural communities across Highland to establish their digital connectivity needs first;
2. Avoiding the Highland's designated and other environmentally sensitive wild areas;
3. Avoiding construction of new access tracks unless no other method is possible;
4. Adequately resourcing Local Planning Authorities; and
5. Insisting that mobile operators share existing mast infrastructure, rather than building adjacent masts.

**Signed:** Ms K Willis    Mr C Ballance

During discussion, it was said that mobile coverage of the Highlands was currently very limited and there were a number of areas with no coverage at all. An important aspect of coverage was the safety of the many people who used the hills for recreation. Emergency services, the Police and Mountain Rescue in particular, used mobile signals to locate lost walkers and climbers in some of the most remote parts of the Highlands. Without that option, searches would be longer and often could result in a tragic outcome.

The suggestion of restricting coverage by way of limiting the number of masts was not supported by some, but it was felt that mast sharing was the right thing to do. This would allow users the choice of service providers without the need for multiple masts.

Not only would maximising coverage enhance the safety of those who enjoyed the remote Highlands but it would offer essential means of connectivity that might attract businesses and individuals to relocate to the Highlands, and as such could be one of the key drivers to reduce the de-population that many more-rural communities were experiencing.

Mr R Gale proposed an amendment to conditions 1 and 2 of the Motion as follows:-

1. Consulting with rural communities across Highland to establish appropriate siting of masts to ensure maximum coverage.
2. Ensure the sensitive siting of masts in the Highland's designated and other environmentally sensitive wild areas.

During discussion, the following further points were raised:-

- Members were asked to reflect back to their frustration when the targets for internet rollout had been focused on reaching a percentage of the population rather than a percentage of the land mass. The previous way of measuring signal rollout had been by population which had left large sections of trunk road with no signal at all, because there was nobody living near it, even though it was frequently traversed. There were still many areas on the A9 with no signal;
- phone masts were erected as emergency services changed reception providers, for example to provide 4G;
- while the desire to avoid erecting masts in environmentally sensitive areas was appreciated, it was felt that making an emergency call if needed was more pressing;
- connecting communities and trunk roads should not be achieved by erecting masts upon every bit of wild land in the Highlands; and
- there were those who enjoyed visiting remote areas for the precise reason of having no signal.

Members were asked to recognise that the footprint of a mast was generally small. The damage of having them erected across the Highlands was huge, but it was felt that service providers would not erect masts where no money would be made. To ensure the safety of people and to encourage people to invest, live and work in the Highlands, maximum coverage was the best way forward.

It was stated that the objective was 95% geographical coverage. At the moment, the programme was not consulting with rural communities. Emergency services were already operating in mountainous regions and while it was acknowledged that not all areas were covered, emergency services still managed to rescue people in these areas.

Regarding the footprint, while the site of the mast might be small, the masts could be located miles from the road, therefore a track must be made. The masts might then be serviced by helicopter, potentially causing a large environmental and carbon footprint.

Ms K Willis accepted Mr R Gale's Amendment and so the revised Motion was supported.

## **Decision**

The Council **AGREED**:-

Since agreement by Council in January to write to the UK Govt ministers responsible for the UK Govt 4G digital connectivity programme, the Shared Rural Network (SRN), there has been a change in UK Govt, therefore this motion asks that Council resend the letter to the new UK Govt Ministers asking that they pause and review the SRN programme.

The SRN aims to achieve 95% mobile phone coverage across Britain focusing on geographical coverage rather than population coverage. This makes little sense in the Highland's uninhabited mountain and upland landscapes. There has also been very little, or no, consultation with communities in Highland to understand their connectivity needs and to identify appropriate locations for SRN masts so that connectivity is improved for rural communities.

In support of the coalition of community groups and conservation and outdoor recreation organisations in Scotland, this Council agrees to write to the new UK Government Ministers to ask that they pause and review the SRN programme and improve it by:

1. Consulting with rural communities across Highland to establish appropriate siting of masts to ensure maximum coverage;
2. Ensure the sensitive siting of masts in the Highland's designated and other environmentally sensitive wild areas;
3. Avoiding construction of new access tracks unless no other method is possible;
4. Adequately resourcing Local Planning Authorities; and
5. Insisting that mobile operators share existing mast infrastructure, rather than building adjacent masts.

**(6)** *(Considered on 30 September 2024)*

With the launch of the Highland Investment Plan and the significant proposed investment across the Highlands it is incumbent on the Council that all expenditure is done in a responsible and prudent fashion.

Given that this Council has current debt liabilities of £1.142B which is an increase of some £60M in Q4 alone and with a projected expenditure of £2B over the next 20 years this council will request that the Section 95 officer carries out an investigation into options on how future borrowing can be done in a fashion that will ensure, where possible, that all borrowing is repaid within the lifetime of the loan period. The findings and proposals of this to come back to a future Full Council meeting within this financial year.

The aim of this is to ensure that future borrowing by this Council will not result in a debt burden being left for future Councils and residents of the Highlands to address many years into the future.

**Signed:** Mr R Gale    Mr A Christie

Following a summary of the Motion, Mr D Loudon proposed an Amendment as follows:-

“This Council recognises that the Highland Investment Plan seeks to restore the built environment to provide safe schools for our children to learn in, safe roads for our residents to drive on and safe buildings for our staff to work in.

It was widely supported by Members from all parties across this Chamber only a few months ago.

The Highland Investment Plan has been assessed by the Section 95 officer and found to be responsible, affordable and prudent in its present form.

Consequently, the Council rejects this Motion from Cllrs Gale and Christie which would reduce spend each year by up to half and increase the timeline before schools are improved, roads are repaired and depots & offices get sorted.

This Council will proceed with the Highland Investment Plan as budgeted, and not return to inadequate funding levels which are what caused these problems in the first place.”

The following main points were raised during discussion:-

- it was felt that the Motion threatened to derail the Highland Investment Plan. Financial responsibility should not come at the cost of delaying much needed improvements to our infrastructures;
- the Highland Investment Plan had been carefully crafted to ensure that funds could be raised through the right investments and it presented an opportunity to transform the school estate, upgrade essential infrastructure, and tackle neglected issues;
- the proposed investigation into borrowing options risked sending a message of hesitation when it was felt that decisive action was needed now, and the notion that all borrowings must be repaid within the lifetime of the loan overlooked the reality of public sector financing;
- the immediate needs of communities should be balanced against the future burden of debt and it was said that the Plan did just that;
- reflecting back to the Scottish and UK Governments’ financial challenges of last year, and the affect the uncertainty caused for the Council, the Highland Investment Plan provided the means for the Council to solve the problem itself, recover roads and infrastructure and provide a stable basis over many years to come. It was said that the Council could restrict investment to the grants received, or restrict the amount of borrowing. However, this would restrict the Highland Investment Plan and there needed to be flexibility to do what was planned. The Plan had been considered in detail, which included a S95 costed plan to pay for it, and the ability to review the Highland Investment Plan had been offered when Members were briefed on the Treasury plans. As that time had passed, and the Highland Investment Plan had been adopted, it was asked that Members support the Plan;
- financial prudence was welcomed but Members were asked to consider the cost to future generations if investment was not given now to schools in need of repairs and roads facing damage through climate change. Examples were provided such as the breakdown of the Corran Ferry and landslides which had caused major restrictions to roads in Lochaber and it was suggested that the reality of failing to invest now might cost millions of pounds over the next 20 years. It was said that the Highland Investment Plan was the transformative answer to ensure that the Council could move from fire-fighting problems to preventing them. In response, it was explained that the Motion did not say it would not invest in schools and roads, rather it was asking how the Council planned to repay £3B worth of debt in 20 years’ time. Examples were provided such as a demolished school that the Council was still repaying debt for, and Members were asked to think about how the



- Council might finance the Plan going forward;
- the finances, debts and borrowing could not be compared to personal finances;
  - confusion was expressed as it was felt that the basis of Mr Louden's Amendment was that the Motion would get rid of the Highland Investment Plan when this was not the case, nor did it suggest that the Council was to commit to never borrowing in a way that extended over the lifetime of a loan;
  - on 9 May 2024, Members had voted for the Highland Investment Plan because it was credible, affordable and sustainable. Both the Council and the public wanted to see further investment in schools (such as St Clements), roads and communities, and it was felt the Motion might undermine that happening; and
  - concern was raised that the Motion gave the impression that the S95 Officer had not fully considered the Highland Investment Plan in full detail.

In summing up, Mr Louden stated that irradicating the entire debt was the aim of Mr Gale's Motion and if that was the case, spending would have to fall.

In his summing up, Mr Gale stated the Motion had never suggested that the Highland Investment Plan should be stopped, nor had it said not to repair schools or roads. It was said that when businesses borrowed money, they were expected to pay money back, and the Council was still paying back money borrowed over 50 years. Comparison was made between investment and borrowing and Mr Gale asked Members to recognise that the funds they were discussing were borrowed. Mr Gale provided examples of previous borrowing and current spending then urged Members to review the borrowing and discuss any options in a future meeting of the Council.

Thereafter, Mr R Gale, seconded by Mr A Christie, **MOVED** the Motion as set out above.

Mr D Louden, seconded by Ms M Ross, **MOVED** an **AMENDMENT** as set out above.

On a vote being taken, the **MOTION** received 23 votes and the **AMENDMENT** received 36 votes, with 2 abstentions. The **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr M Baird, Mr A Baldrey, Mr A Christie, Mr S Coghill, Ms H Crawford, Mr J Edmondson, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mrs B Jarvie, Ms M MacCallum, Mrs I MacKenzie, Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Mr D McDonald, Ms J McEwan, Mr J McGillivray, Mrs T Robertson, Mr K Rosie, Mrs L Sagers, Mr R Stewart.

**For the Amendment:**

Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mrs G Campbell-Sinclair, Mr M Cameron, Mrs M Cockburn, Ms T Collier, Ms L Dundas, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr M Green, Mrs J Hendry, Ms M Hutchison, Mr A Jarvie, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr G MacKenzie, Ms K MacLean, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Ms M Ross, Ms K Willis.

**Abstention:**

Mr J Bruce, Ms M Smith.

**Decision**

The Council **AGREED**:-

With the launch of the Highland Investment Plan and the significant proposed investment across the Highlands it is incumbent on the Council that all expenditure is done in a responsible and prudent fashion.

Given that this Council has current debt liabilities of £1.142B which is an increase of some £60M in Q4 alone and with a projected expenditure of £2B over the next 20 years this council will request that the Section 95 officer carries out an investigation into options on how future borrowing can be done in a fashion that will ensure, where possible, that all borrowing is repaid within the lifetime of the loan period. The findings and proposals of this to come back to a future Full Council meeting within this financial year.

The aim of this is to ensure that future borrowing by this Council will not result in a debt burden being left for future Councils and residents of the Highlands to address many years into the future.

**(7) Nature Restoration Fund**

*(30 September 2024)*

This Council notes that Highland Council has been a major beneficiary of the Nature Restoration Fund (NRF), disbursing £676,000 in the last year alone to community groups, and notes that;

Highland Council itself received over £21,000 to deliver biodiversity enhancement and habitat restoration projects such as replacing trees killed by ash dieback; the nature and biodiversity crisis particularly affects rural and wildland areas such as Highland; Scotland is one of the most nature-depleted countries in the world, as highlighted in the 2023 State of Nature Report, with 1 in 9 species threatened with extinction, 75% of our peatlands degraded, swift, curlew, lapwing and kestrel populations declined by more than 50% in the last 30 years; action to tackle the ecological crisis and reverse biodiversity loss is urgently needed.

Whilst recognising the right of public service workers to receive a fair pay settlement, this Council therefore condemns the Scottish Government decision to divert money from this capital fund to revenue spending, and asks the Council leader to write to the Cabinet Secretary to the Treasury Kate Forbes MSP to request that the Nature Restoration Funding be reinstated from other Scottish Government income.

**Signed:** Mr C Ballance      Ms K Willis

**Decision**

The Council **NOTED** that this Motion fell in accordance with Standing Order 12.9.

**(8) Since the regionalisation of local government in 1973, Community Councils form the most local tier of statutory representation in the Highland region.**

Bridging the gap between the local authority and the 156 communities they represent, Community Councils provide a vital forum for putting forward local opinions and community needs.

Although the vast majority of Community Councillors make positive contributions and represent their community to a standard befitting public office, it is regrettable that the local authority must deal with infrequent incidents where that is not the case.

Despite publishing a cohesive Code of Conduct within the Highland Council's scheme of establishment, instances of improper interactions with the local authority (its elected Councillors and Staff), community groups and the general public have and will continue to arise.

When an issue of Community Councillor conduct (either collectively or as an individual) is raised, the guidance refers the matter to the Community Council to address in the first instance, with the only recourse in escalating the matter through the Ward Management structure (now Local Community Development Manager). Even where clear breaches of the Code of Conduct can be demonstrated, there is no such mechanism for the local authority to exert enforcement action.

It is evident that these isolated, but no less significant, incidents therefore present significant challenges to the cohesiveness of Community Council groups, the reputation and credibility of Community Councils with un-resolved standards matters and the likelihood of members of the public putting forward their names for future consideration.

This Council therefore agrees to make representation to the Minister for Local Government, asking that Community Councillors be considered within the Ethical Standard in Public Life (Scotland) Act.

**Signed:** Mr S Mackie    Mr R Stewart    Mr M Reiss    Mr A Christie

**Decision**

This Motion was **WITHDRAWN** at the meeting held on 19 September 2024.

**23. Confirmation of Minutes**

**Daingneachadh a' Gheàrr-chunntais**

There had been submitted for confirmation as a correct record the Minutes of Meeting of the Council held on 27 June 2024 as contained in the Volume which had been circulated separately – which were **APPROVED**.

**24. Minutes of Meetings of Committees**

**Geàrr-chunntasan Choinneamhan Chomataidhean**

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

	<b>Date</b>
Black Isle and Easter Ross Committee	5 August 2024
Nairnshire Committee	5 August 2024
Caithness Committee	12 August 2024
Dingwall and Seaforth Area Committee	12 August 2024
Wester Ross, Strathpeffer & Lochalsh Committee	12 August 2024
Housing and Property Committee	14 August 2024
City of Inverness Area Committee	19 August 2024
Economy and Infrastructure Committee	22 August 2024
Badenoch and Strathspey Area Committee	26 August 2024
Isle of Skye and Raasay Committee	26 August 2024
Lochaber Committee	27 August 2024
Sutherland County Committee	27 August 2024
Climate Change Committee	28 August 2024
Health, Social Care and Wellbeing Committee	29 August 2024
Gaelic Committee	4 September 2024
Comataidh na Gaidhlig	4 An t-Sultainn 2024
Communities and Place Committee	5 September 2024
Corporate Resources Committee	11 September 2024
Education Committee	12 September 2024

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

#### **Economy and Infrastructure Committee, 22 August 2024**

##### **\*Starred Item 14 – Membership of the Harbours Management Board**

The Council **AGREED** that Ms M Hutchison be appointed to the Harbours Management Board.

#### **Lochaber Committee, 27 August 2024**

##### **\*Starred Item 8 – Fort William Business Improvement District**

The Council **AGREED** that Highland Council support the Fort William BID Proposal.

##### **\*Starred Item 5 – Net Zero – Communications and Engagement**

The Council **APPROVED** the Net Zero Communications and Engagement Strategy.

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

- i. Recruitment Panel held on 8 August (approved by the Panel on 28 Augst 2024) – which were **NOTED**, and 21 August, 28 August and 9 September 2024 – which were **APPROVED**.

#### **URGENT ITEM**

(Considered on 30 September 2024)

**Membership of the Council  
Ballrachd na Comhairle**

The Council **NOTED** that, following By-Elections for Wards 6 and 14 held on 26 September 2024, the undernoted were elected as Members of the Council:

Ward 6: Mr S Coghill and Mr J Edmondson

Ward 14: Dr M Gregson

The meeting concluded at 7.00pm on 19 September 2024 and at 4.00pm on 30 September 2024.

## The Highland Council

Minutes of Meeting of the **Audit Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 26 September 2024 at 10.30am.

### **Present:**

Mr M Baird	Mr P Oldham (remote)
Mr C Ballance (remote)	Mrs T Robertson
Mr B Boyd (remote)	Ms M Reid (substitute)
Mr L Fraser	Ms M Ross
Mr S Kennedy	Mr R Stewart
Ms J McEwan (remote)	

### **Non-Members also present:**

Mr R Gale (remote)

### **Officials in Attendance:**

Mr A Gunn, Assistant Chief Executive – Corporate  
Mr P Nevin, Interim Executive Chief Officer, Performance and Governance  
Mr B Porter, Chief Officer – Corporate Finance  
Mr S Fraser, Chief Officer – Legal and Corporate Governance  
Mr J Shepherd, Chief Officer – Business Solutions  
Mr M Watters, Corporate Performance and Information Governance Manager  
Miss D Sutherland, Strategic Lead (Corporate Audit and Performance), Performance and Governance  
Mr J Thurlbeck, Corporate Audit Manager, Performance and Governance  
Mr P Hankinson, Senior Auditor, Internal Audit, Performance and Governance  
Mr J Campbell, Senior Auditor, Internal Audit, Performance and Governance  
Mr A Denovan, Emergency Planning and Business Continuity Manager, Corporate Communications  
Ms M Mackenzie, Strategic Commercial Manager, Commercial and Procurement Shared Service  
Ms E Barrie, Head of People, Resources and Finance  
Ms T Urry, Head of Roads & Infrastructure  
Miss J MacLennan, Joint Democratic Services Manager, Performance and Governance  
Mrs G MacPherson, Committee Officer, Performance and Governance

### **Also in attendance:**

Ms E Scoburgh, Audit Scotland  
Ms C Gardiner, Audit Scotland

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

**Mrs T Robertson in the Chair**

### **1. Apologies for Absence Leisgeulan**

Apologies for absence were intimated on behalf of Mr A Jarvie, Mr R Jones, Mr G MacKenzie and Mr A Sinclair.

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

There were no declarations of interest or transparency statements.

**3. Recess Powers  
Cumhachdan Fosaìdh**

The Committee **NOTED** that the Recess Powers granted by the Council at its meeting on 27 June 2024 had not been exercised in relation to the business of the Audit Committee.

**4. External Audit Best Value Thematic Report 2023-24 – Workforce Innovation  
Aithisg Chuspaireil Luach as Fheàrr on Sgrùdadh on Taobh A-muigh 2023–  
24 – Ùr-ghnàthachas Feachd-obrach**

There had been circulated Report No. AC/19/24 by the Council's External Auditors (Audit Scotland)

During discussion, the following points were raised:-

- it was appreciated that updates to some policies and strategies would be required, whilst also recognising that the Council's management structure was in a period of change;
- in terms of key message number 4 in the report, it was asked when the assessment of flexible and hybrid working would take place and it was confirmed that progress assessments would be reported to Strategic Committees as well as an audit date of 31 May 2025;
- in terms of Appendix 1, recommendation 2, the alignment of strategic workforce planning documents was commended;
- it was asked when statistics for casual and bank staff would be available to Members. This information required to be extracted from pay systems, however the turnover rate for last year was 13%; and
- information was sought, and provided, regarding digital champions and Members welcomed the upcoming digital support network.

The Committee scrutinised, considered and **NOTED** the report findings, in particular the key messages on pages 4-5 and the action plan at Appendix 1 of the report.

**5. Annual Report of Scottish Public Services Ombudsman Cases determined  
in 2023/2024  
Aithisg Bhliadhnail Chùisean Ombudsman Seirbheisean Poblach na h-Alba  
air an dearbhadh ann an 2023/2024**

There had been circulated Report No. AC/20/2024 by the Assistant Chief Executive – Corporate.

Clarification was sought regarding the ranking in Appendix 1 of the report and it was confirmed that the ranking was in order of the number of complaints received.

It was asked if examples of the type of complaints received could be provided, specifically regarding housing and roads, and it was confirmed that the Corporate Performance and Information Governance Manager would provide a summary outside of the meeting.

The Committee:-

- i. scrutinised, considered and **NOTED** the information provided by Scottish Public Services Ombudsman with regard to the number and types of complaints received about the Council during 2023/24; and
- ii. **NOTED** the low number of complaints that were made against the Council and that only 2 were partially upheld during the year.

## 6. Review of Corporate Risks Ath-Sgrùdadh air Cunnartan Corporra

There had been circulated Report No. AC/21/24 by the Assistant Chief Executive – Corporate.

Concern was raised regarding the 5-14 days recovery period in terms of Risk HCR5, Civil Contingencies – National Power Outage, and it was asked if this was good enough. Further, it was felt that there was a risk in terms of staff being unable to carry out their employment duties without the use of a computer or laptop.

In response, the Emergency Planning and Business Continuity Manager stated that the 5-14 day period was part of a national assessment and something that the Council must be prepared for. It was stated that there was much work going on behind the scenes, both locally and nationally, some of which required significant government support.

Information was sought regarding emergency action plans, such as when they would be fully complete and signed off. Local arrangements were in place, however, national arrangements which included the provision of food, fuel, water and communications were yet to be resolved by the government.

Members took comfort from the fact that the Covid epidemic was handled well but it was recognised that by becoming more and more dependent on computers, a power outage would be a problem and it was good to hear that plans were being worked on.

In relation to Risk HCR6, Civil Contingencies – Flooding, it was asked what work was being carried out as, while the risk details referred to coastal, river and flash flooding, there were drains in the public infrastructure clogged with litter and vegetation. Further, an added complication was that some drains were not big enough to cope with the increased amount of rainfall. In response, it was said that the Council carried out inspections regularly, and following severe weather, which were based on priorities given to certain water courses.

The Committee:-

- i. scrutinised and **NOTED** the Corporate Risk Register provided at Appendix 1 of the report; and
- ii. considered and **NOTED** the risk profile at Appendix 2 of the report.

## 7. Internal Audit Reviews and Progress Report Ath-sgrùdaidhean In-sgrùdaidh agus Aithisg Adhartais

There had been circulated Report No. AC/22/24 by the Strategic Lead (Corporate Audit and Performance).



The update included copies of the following final reports issued:-

a) Corporate – Business Continuity Planning (Reasonable Assurance)

The importance of having Business Continuity Plans held as a hard copy and centrally was welcomed.

b) Corporate - Procurement Arrangements and Governance (Substantial Assurance)

Information was sought, and provided, as to the extenuating circumstance where contracts might be extended without uplift.

c) Place – Review of Roads Maintenance (Limited Assurance)

Disappointment was expressed that some Council Roads Maintenance depots appeared to work independently from others and not all to the same structure. Improvements had been made to address this, as was detailed to Members, and it was hoped that, where concerns had been raised, further audits would take place to ensure improvements were being made and that appropriate assurances could be provided. It was unfortunate that a significant percentage of delivery tickets had not been in place but this was down to processes at that time and which now had been reviewed. The hard work of employees was recognised and the issues raised during the audit related more to procedure.

Turning to the Ross and Cromarty depot, given that there was still a lot of road maintenance work to be carried out, Members were assured that, although there were a couple of staff absences, there were no vacancies being held.

The Committee:-

- i. considered and **NOTED** the final reports referred to in section 5.1 of the report; and
- ii. scrutinised and **NOTED** the current work of the Internal Audit Section outlined in sections 6 and 7 of the report, and the status of work in progress detailed at Appendix 1 of the report.

## 8. Internal Audit Action Tracking Tracadh Ghnìomhan In-sgrùdaidh

There had been circulated Report No. AC/23/24 by the Strategic Lead (Corporate Audit and Performance).

During discussion, the following issues were raised:-

- the number of revised dates was still too high. It was important action was taken timeously;
- concern was expressed at some extensions of revised dates, with one being 16 months on from the original target date. Action dates needed to be tightened and it was questioned, where target dates were not met, if they should be reported to the relevant Strategic Committee; and
- with regard to the Council's climate change plans and implementation and the Highland Adapts report, given that it detailed economic impacts, it was suggested that it should be considered at Full Council or at a Strategic Committee as well as the Climate Change Committee.

The Committee scrutinised and **NOTED** the action tracking information provided, including the revised target dates for the completion of outstanding actions.

**9. The National Fraud Initiative (NFI) in Scotland 2022/23  
An Iomairt Foill Nàiseanta ann an Alba 2022/23**

There had been circulated Report No. AC/24/24 by the Strategic Lead (Corporate Audit and Performance)

The Committee considered and **NOTED** the Audit Scotland NFI report, the key messages and the associated commentary set out in section 6 of the report.

**10. Regulation of Investigatory Powers (Scotland) Act  
Achd Riaghladh Chumhachdan Sgrùdaidh (Alba)**

There had been circulated Report No. AC/25/24 by the Chief Officer - Legal and Corporate Governance.

The Committee **NOTED** that the Council continued to make appropriate use of the powers and that a further report would be forthcoming to the March 2025 meeting.

**11. Commissioner for Ethical Standards in Public Life/Standards Commission:  
Councillors' Code of Conduct – Investigation into Complaints  
Coimiseanair airson Inbhean Beusail ann am Beatha Phoblach/Coimiseanair  
nan Inbhean: Còd Giùlain nan Comhairlichean – Sgrùdadh mu Ghearanan**

There had been circulated Report No. AC/26/24 by the Chief Officer - Legal and Corporate Governance.

The Committee **NOTED**:-

- i. the ESC had investigated one complaint and, following investigation, the Standards Commission decided to take no further action;
- ii. following investigation by the ESC the Standards Commission decided to hold a hearing in respect of :-
  - a) Councillor Maxine Smith in February 2024. On conclusion of the hearing the Commission found that Councillor Smith had breached the Code and imposed a sanction of suspension for one month and ;
  - b) Councillor Andrew Jarvie in April 2024. On conclusion of the hearing the Commission a formal finding of a breach of paragraphs 3.1, 3.8 and 3.10 of the Code could not be made.

The meeting ended at 11.40 am.

## The Highland Council Pensions Committee and Pension Board

Minutes of Meeting of the **Pensions Committee and Pension Board** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on **Wednesday 9 October 2024 at 10.30 am.**

### Present:

#### **Pensions Committee**

Mr C Ballance (remote)  
Mr R Gale  
Ms L Kraft  
Mr B Lobban (remote)  
Mr D Louden  
Mr P Oldham  
Mrs M Paterson  
Mr R Stewart

#### **Pension Board**

Mr B Boyd, The Highland Council (substitute)(remote)  
Mr K MacLeod, Comhairle nan Eilean Siar (substitute)  
(remote)  
Mr R Fea, representative for the other Employers  
(remote)  
Ms E Johnston, GMB

### **Officials in attendance:**

Mr B Porter, Chief Officer Corporate Finance, Corporate Service  
Ms C Strachan, Pension Fund Manager, Corporate Service  
Mr J Thurlbeck, Corporate Audit Manager, Corporate Service  
Ms J MacLennan, Joint Democratic Services Manager, Corporate Service  
Mr A MacInnes, Senior Committee Officer, Corporate Service

### **Also in attendance:**

Ms L McInroy, Hymans Robertson, Fund Actuary  
Mr C Gardner, Senior Audit Manager, Audit Scotland

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

**Mr D Louden in the Chair**

### **Business**

#### **1. Apologies for Absence Leisgeulan**

Apologies for absence were intimated on behalf of Mrs T Robertson, Mr T MacLennan of the Pensions Committee and Mr G MacKenzie, Mr C Munro, Mr N MacDonald of the Pension Board.

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

There were no declarations of interest or transparency statements.

#### **3. Recess Powers Cumhachdan Fosaidh**

The Committee **NOTED** that the recess powers granted by the Council at its meeting on 27 June 2024 had not been exercised in respect of this Committee.

**4. Governance Policy Statement 2024/25  
Aithris Poileasaidh Riaghlaidh 2024/25**

There was circulated Report No. PC/10/24 by the Chief Officer, Corporate Finance which set out the governance policy statement that applied to the Highland Council Pension Fund.

Following a summary of the report by the Pension Fund Manager, it was highlighted that the Chair of the Pension Board was now rotated between the employer and employee representatives every 2 years and not annually as set out in the covering report. It was confirmed that this was correctly reflected in the constitution of the Pension Board in Appendix 2 to the report.

The Committee **APPROVED** the Highland Council Pension Fund Governance Policy Statement.

**5. Training Policy and Training Plan 2024/25  
Poileasaidh Trèanaidh agus Plana Trèanaidh 2024/25**

There was circulated Report No. PC/11/24 by the Chief Officer, Corporate Finance which set out the training policy for the Highland Council pension fund applying to both officers responsible for supporting the Fund and members of the Pensions Board, Committee and Investment Sub Committee.

Following commentary on the report by the Pension Fund Manager, it was highlighted that the pensions training and training resources for Members had been excellent. The importance of Members completing the training skills questionnaire was highlighted as there were legislative and regulatory requirements for Members to undertake pensions training.

The Committee:-

- i. **NOTED** the LGPS Skills and Knowledge Statement (Appendix 1) which was adopted by the Fund in September 2022 in accordance with the CIPFA Code of Practice Knowledge and Skills (2021);
- ii. **NOTED** the Fund's approach to training (section 7) which incorporated the CIPFA Knowledge and Skills Framework core areas (Appendix 2) and the CIPFA self-assessment matrix (Appendix 3);
- iii. **NOTED** the training resources provided by The Pensions Regulator (TPR) alongside the recommendation from the Scottish Public Pensions Agency (SPPA) that Board and Committee Members should be required to complete TPR training as part of their induction (section 9);
- iv. **NOTED** the requirements of TPR General Code of Practice (GCoP) and that there will be a questionnaire issued to Members and officers as part of a formal audit to assess skills/knowledge and experience against the Knowledge and Skills Framework and schedule appropriate training, in accordance with best practice (section 9);
- v. **NOTED** the training delivered to date on pension fund matters (section 10 and Appendix 4) and that details of attendance were included in the Annual report and accounts (section 12); and
- vi. **AGREED** the training policy and programme for 2024/25 set out within the report (section 11).

**6. Highland Council Pension Fund: Monitoring of Retirements  
Maoin Peinnein Chomhairle na Gàidhealtachd: Sgrùdadh Cluaineis**

There was circulated Report No. PC/12/24 by the Chief Officer, Corporate Finance which provided information relating to retirements from The Highland Council Pension Fund for the year ending 31 March 2024.

In discussion, it was not felt there was sufficient granularity relating to details of Highland Council retirements in Appendix 2 to the report and therefore an expanded analysis of retirement information be provided in future reports.

The Committee **NOTED**:-

- i. the details of the retirements as outlined in the appendices to the report; and
- ii. that an expanded analysis of information on retirements within the Highland Council would be provided in future reports.

**7. Pension Fund Contributions and Administration  
Tabhartasan agus Rianachd Maoin Peinnein**

There was circulated Report No. PC/13/24 by the Chief Officer, Corporate Finance which provided an update on matters relating to the administration of the Highland Council Pension Fund.

Following commentary on the report by the Pension Fund Manager, it was noted that in England and Wales there were examples of pooled funds for investments having been set up and it was queried if the Scottish Government had considered this. It was advised that nothing specific had been heard about this, but Officers would keep up to date on any developments in this respect.

Progress on the revised staffing structure was welcomed as was meeting the statutory deadlines for the annual report and accounts and the annual benefits statements. Member Self Service and weekly team meetings to monitor statistics to prioritise work would help manage significant increases in volumes of new entrants, early leavers, retirements and benefits estimates to process.

There had been a delay in the pensioner payroll project timescales. The plan continued to be for the pensioners payroll to go live in November with a “go-no-go” decision meeting scheduled for 15 October. There were contingency plans in place should a “no-go” decision be made.

In terms of the Annuity factors relating to early retirement strain costs, it was surprising to see a gender division included. It was explained that this was to ensure employers in the scheme met the costs of the benefits that arise from their portion of the scheme. This calculation took account of gender as there was historical data that suggested women lived longer than men. It was in the employers’ best interests that this difference was allowed when calculating the cost of these benefits. However, the individual receiving benefits were not discriminated against. The benefits they received and the employee contributions took no account of gender.

Also, an explanation was provided in relation to a possible change in the amount of additional contributions that might be required to take account of early retirements. This was based on assumptions in the actuarial valuations that estimated a loss of potential future investment returns from scheme members retiring early.

The Committee **NOTED** the following:-

- i. progress in implementing the staffing structure from the Service Plan (section 6);
- ii. the use of the revised index factors for calculating strain on fund (section 7 and Appendix 1);
- iii. update on the Member Self Service and Altair Pensioner Payroll projects (section 8); and
- iv. action being taken by officers to review the Fund's compliance with the Pension Regular General Code of Practice (section 9).

**8. Internal Audit  
In-Sgrùdadh**

**8a. Pension Fund Internal Audit Annual Report 2023/24  
Aithisg Bhliadhnail In-Sgrùdaidh Maoin Peinnsein Chomhairle na Gàidhealtachd  
2023/24**

There was circulated Report No. PC/14/24 by the Strategic Lead (Corporate Audit & Performance). The report included an assessment of the Pension Fund's framework of governance, risk management and control, and associated opinion which provided information for the Fund's Annual Governance statement.

The audit opinion was that reasonable assurance could be placed upon the adequacy and effectiveness of the Pension Fund's framework of governance, risk management and control for the year to 31 March 2024.

In terms of assurances from Fund Managers and Global custodian, no assurance report was provided by one of the Fund Managers, but there were compensatory internal controls within that Fund Manager's organisation that the audit could gain some assurance from. It was requested that an assurance report should be requested from the Fund Manager still to submit one.

In relation to the contract for the Pension Fund's Investment Advisor, this was long overdue for renewal and an assurance was sought this would be actioned. It was advised that there had been a number of competing priorities that had resulted in this delay and an assurance was given that the procurement exercise for the Fund's Investment Advisor would be completed by a revised target date of 31 May 2025.

The Pensions team were thanked for their hard work and professionalism. There had been a number of changes across the Council that had significantly impacted on staff. It was recognised that there had been staff shortages in the team which thankfully had now been addressed. It was hoped that the new staff structure and full staff complement was now coming into effect which would be of benefit to all involved with the Pension Fund including beneficiaries.

The Committee **NOTED**:-

- i. the content of the report and the audit opinion provided; and
- ii. that an assurance report would be requested from the Fund Manager that had still to submit one.

**8b. Internal Audit Report – Pension Fund Investments**  
**Aithisg In-Sgrùdaidh**

There was circulated Report No. PC/15/24 by the Strategic Lead (Corporate Audit & Performance) which provided a report on the audit of Pension Fund investments. The conclusion from the report was that key controls for the Council's Pension Fund investments were operating effectively and ensured that investments complied with relevant legislation and guidance.

It was highlighted that the audit opinion was of full assurance on Pension Fund investments and this was a tribute to the work undertaken by staff to be able to deliver that level of assurance.

The Committee **NOTED** the content of the report and the audit opinion provided.

**9. Risk Management Update**  
**Fios às Ùr mu Rianachd Chunnairt**

There was circulated Report No. PC/16/24 by the Head of Corporate Finance which provided an updated risk register.

The Pension Fund Manager highlighted key points from the report. In terms of the risk relating to systems failures, it was reassuring to see that due to actions being taken, these had reduced this risk which was good work and very welcomed.

In response to questions, it was confirmed that the risk management policy would be submitted to the next Pension Committee meeting. Fund Managers had been circulated the Risk Management Policy for feedback from them that they were in compliance with the policy. Controls would be updated to reflect what action was being taken against the risk that the Fund did not comply with statutory reporting requirements on Climate Change Related Disclosures. It was still to be confirmed if there would be a requirement for climate related disclosures in the 2024/25 annual accounts.

The Committee **NOTED**:-

- i. the updated risk register extract and compliance with the Pensions Regulator (TPR) requirements. Controls would be updated to reflect what action was being taken against the risk that the Fund did not comply with statutory reporting requirements on Climate Change Related Disclosures; and
- ii. that TPR had issued a new General Code of Practice (GCoP). Officers were reviewing the current risk assessment strategy, policy and risk management processes against GCoP and Highland Council corporate risk processes and would report back to next Pensions Committee (section 5).

**10. Investment Sub Committee Membership**  
**Ballrachd Fo-Chomataidh Tasgaidh**

The Committee **AGREED** that Ms L Kraft replace Mr D Loudon on the Investment Sub Committee to fill the vacant SNP group position on the Sub Committee.

**11. Investment Sub Committee: Minutes of Meeting**  
**Fo-chomataidh Tasgaidh: Geàrr-chunntas na Coinneimh**

The minutes of the meeting of the Investment Sub-Committee held on 6 September 2024 were circulated and **APPROVED**.

The meeting ended at 11.30 a.m.