

**The Highland Council
No. 6 2014/2015**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 12 March 2015 at 10.35 am.

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

Present:

Dr D Alston	Mr J McGillivray
Mr R Balfour	Mrs D Mackay
Mrs J Barclay	Mr D Mackay
Mr A Baxter	Mr W MacKay
Mr D Bremner	Mr G MacKenzie
Mrs C Caddick	Mr A Mackinnon
Mrs I Campbell	Ms A MacLean
Miss J Campbell	Mr T MacLennan
Mrs H Carmichael	Mr K MacLeod
Mr A Christie	Mrs B McAllister
Mr B Clark	Mrs I McCallum
Dr I Cockburn	Mr D Millar
Mr J Crawford	Mr H Morrison
Mrs M Davidson	Ms L Munro
Mr N Donald	Mr B Murphy
Mr A Duffy	Mr F Parr
Mr D Fallows	Mrs M Paterson
Mr G Farlow	Mr G Phillips
Mr B Fernie	Mr T Prag
Mr M Finlayson	Mr M Rattray
Mr C Fraser	Mr M Reiss
Mr L Fraser	Mr I Renwick
Mr H Fraser	Mr G Rimell
Mr J Gordon	Mr A Rhind
Mr B Gormley	Mrs F Robertson
Mr K Gowans	Mr J Rosie
Mr A Graham	Ms G Ross
Mr J Gray	Mr G Ross
Mr M Green	Mr R Saxon
Mr R Greene	Dr A Sinclair
Mr A Henderson	Ms M Smith
Mr D Hendry	Ms K Stephen
Mr D Kerr	Mr J Stone
Mr R Laird	Mr B Thompson
Mr B Lobban	Mrs C Wilson
Mrs L MacDonald	Mr H Wood
Mr N MacDonald	

In Attendance:

Chief Executive	Director of Care and Learning
Depute Chief Executive/Director of Corporate Development	Director of Finance
Director of Development & Infrastructure	Director of Community Services

Mr J Gray in the Chair

Apologies for absence were intimated on behalf of Mr I Brown, Mrs G Coghill, Ms J Douglas, Mr J Ford, Mr C Macaulay, Mrs G Sinclair and Mrs J Slater.

2. Declarations of Interest Foillseachaidhean Com-pàirt

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

Item 13 – Dr D Alston (non-financial)

Item 14 – Mr A Christie, Mrs D MacKay, Mr W MacKay, Mrs A MacLean (all non-financial)

Item 16 – Mr K Gowans (financial and non-financial)

Item 17 – Mr K Gowans and Mr F Parr (both non-financial), Mr K Gowans (financial)

Item 18 - Mr K Gowans, Mrs F Robertson, Mr G MacKenzie and Mrs M Paterson (all non-financial), Mr K Gowans (financial)

Item 21 – Mr K Gowans (non-financial), Mr B Murphy and Mr K Gowans (both financial)

Item 25 – Mr K Gowans and Mr F Parr (both non-financial), Mr K Gowans (financial)

Also, and in terms of the general dispensation granted by the Standards Commission, Mr D Kerr declared a financial interest in any items which might arise during discussion in regard to Council housing on the grounds of being a Council House tenant.

3. Membership of the Council Ballrachd na Comhairle

It was **NOTED** that Mr Colin Macaulay had tendered his resignation as a Member of the Council with effect from 15 March 2015. In this regard, a By-Election for Ward 19 (Nairn) had been arranged for 7 May 2015.

On behalf of the Council, the Convener paid tribute to Councillor Macaulay's commitment to public life and to the people of Nairn and especially to his dedication to achieving fair decisions which had been particularly respected during his service on the South Planning Applications Committee.

4. Presentation – New Start Highland Taisbeanadh – New Start Highland

A Presentation was undertaken at the meeting on the work of New Start Highland by its Chief Executive, Mr James Dunbar, during which it was confirmed that the aim of the third sector was to provide social value in addition to making money and in this regard it was noted that, for every £1 invested, £7-£10 of social value could be delivered. A key reason for the existence of New Start Highland was to transform the lives of those in crisis and this was achieved through partnership working with the Council and other organisations in the public, private or third sectors. The Christie Commission had recognised that Local Authorities should move away from being both the 'architect' and the 'provider' of all services and in this respect the role of social enterprise companies had been acknowledged.

Following a summary of the current activities undertaken by New Start Highland, it was highlighted that the Procurement Reform Bill included reference to the usefulness of community benefit clauses and the Council was urged to consider implementing such clauses when putting services out for tender in future.

During discussion, Members expressed their appreciation of the work which was undertaken by New Start Highland and raised the following issues:-

- more direct involvement in Community Planning Partnerships and District Partnerships would be beneficial in regard to empowering communities;
- staff and volunteers from New Start Highland were always helpful and efficient and this was greatly appreciated;
- there was a need for more consideration to be given to the value of social welfare in future, particularly when tenders were awarded, and it was hoped that this could perhaps be addressed through the Community Empowerment Bill;
- complex tendering procedures (which sometimes held back implementation of local projects) caused frustration in smaller communities and it was suggested that this could perhaps be avoided if community representatives could participate in Community Planning Partnerships;
- it was hoped that New Start Highland would continue with current activities across the Highlands and perhaps also expand into the provision of training wherever possible;
- there was a need to provide longer-term grants and contracts to social enterprise companies; and
- the value of public and third sector partnerships being based on shared understanding and respect was emphasised.

Having thanked Mr Dunbar for his extremely informative presentation, the Council otherwise **NOTED** the position.

5. 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 18 December 2014 as contained in the Volume which had been circulated separately which were **APPROVED**.

6. 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:

Education, Children and Adult Services Committee, 14 January
Skye, Ross & Cromarty Area Committee, 4 February
Community Services Committee, 5 February
Caithness & Sutherland Area Committee, 10 February
Education, Children and Adult Services Committee, 11 February
Planning, Development & Infrastructure Committee, 18 February
Gaelic Implementation Group, 19 February
Pensions Committee, 19 February
Resources Committee, 25 February
Lochaber Area Committee, 26 February
City of Inverness Area Committee, 5 March

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

Education, Children and Adult Services Committee, 14 January

***Starred Item* Item 8: Page 743: Sustainable School Estate Review – North Skye**

It was **NOTED** that two additional representations (received since the meeting of the Committee on 14 January 2015) had been circulated.

Following discussion, the Council **AGREED**:

- i. to discontinue education provision at the existing Dunvegan, Struan, Knockbreck and Edinbane Primary Schools;
- ii. to establish a new amalgamated community Primary School for North West Skye on a new site in the village of Dunvegan;
- iii. to combine the existing school catchments of Dunvegan, Struan, Knockbreck and Edinbane Schools to form the catchment of the new amalgamated Primary School; and
- iv. to initiate a new consultation to consider dual zoning for any family who may wish to consider attending Carbost or MacDiarmid Primary Schools.

Community Services Committee, 5 February

***Starred Item* Item 2a: Page 761: Winter Maintenance**

The Council **AGREED** that re-consideration of the Winter Maintenance Pre-Treatment Savings Proposal would be undertaken.

Notice of Amendment – Corran Ferry Brath Atharrachaidh – Aiseag a' Chorrain

With reference to the Minutes of Meeting of the Community Services Committee of 5 February 2015 as contained in the Volume and circulated separately, the following Notice of Amendment had been received in accordance with Standing Order 10.3 –

“We, the undersigned, wish to challenge the Community Services Committee decision to defer any decision on Corran Ferry fare levels to the Highland Council meeting on 12 March 2015 to enable Officers to –

- 1) prepare a full business plan for the next five years, including an assessment of potential savings in operational costs and the impact this would have on passengers;
- 2) bring forward options for the long-term sustainability of the ferry service and a plan for the assessment of alternative fixed crossing options;
- 3) obtain independent legal opinion on the risk to Highland Council of breaking State Aid rules, the potential liability to the Council for breach of these rules and options for presenting a robust case that these rules should not apply to this lifeline service; and
- 4) carry out an assessment that the Council is complying with all equalities legislation.

We seek to reverse the decision of the Community Services Committee and urge Council to agree the recommendations in the original paper as follows –

- 1) agree that the option to transfer the operation of the ferry to Transport Scotland is given no further consideration;

- 2) approve a 4% per annum increase in Corran Ferry fares from 1 April 2015;
- 3) note that annual increases of 4% are likely to be required for the following two years (2016/17 and 2017/18);
- 4) agree that any requirement to consider increases beyond 4% be brought back to the Committee for immediate consideration; and
- 5) note the information provided on a long term strategy.

Signed: Mr G MacKenzie, Ms M Smith, Mr R Laird, Ms L Munro, Dr D Alston, Mr J Gray, Mr D Fallows, Mr T Prag

In this connection, there had been re-circulated Report No. COM/11/15 dated 26 January 2015 by the Director of Community Services.

There had also been circulated Letter from Councillor T MacLennan which proposed a way forward (following consultation between Local Members and community representatives) and Letter from the Chair of the Committee (in response) in which he welcomed the proposals to reduce fare increases on 1 April 2015 from 4% to 2%, suggested a timetable for activities associated with assessing alternative cost savings and supported the need for clarity and openness on a range of points.

Thereafter, and following discussion, the Council:

- i. **AGREED** that the option to transfer the operation of the Ferry to Transport Scotland be given no further consideration;
- ii. **APPROVED** a 2% per annum increase in the Corran Ferry fares from 1 April 2015;
- iii. **AGREED** the following five actions – (a) clarity being received on what specifically was the State Aid block to this crossing being subsidised (by 31 May 2015), (b) the carrying out of a full analysis of the financial costs – in initially with the Lochaber Members (by 30 June 2015), (c) community consultation being undertaken on alternative ways to reduce costs (by 31 August 2015), (d) production of a robust Business Plan which in the short term focused on savings and efficiencies and in the longer term – 5 years plus – explored the potential of renewable energy in a fixed crossing (by 31 December 2015) and (e) completion of an Equalities Impact Assessment with independent confirmation that Highland Council was complying with European Equalities legislation 2010 (by 31 December 2015); and
- iv. **AGREED** that a report go back to the first Community Services Committee meeting in 2016 detailing the outcomes of these actions and recommending the fares to be applied for 2016/17.

Education, Children and Adult Services Committee, 11 February

***Starred Item* Item 7: Page 796: Sustainable School Estate Review – Tain**

The Council **AGREED** to:

- i. discontinue education provision at the following campuses – Craighill Primary School, Knockbreck Primary School and St Duthus Special School – and relocate provision to a new 3 to 18 campus to be established on the site of the existing Tain Royal Academy;
- ii. as an interim measure, until the proposed 3 to 18 campus was available, relocate current pre-school provision from St Duthus School campus (English medium) and Knockbreck Primary School campus (Gaelic medium) to temporary modular accommodation on the current Craighill Primary School campus;

- iii. establish a new 3 to 18 community campus on the site of the existing Tain Royal Academy comprising Early Years, Primary, Secondary, Additional Support Needs and Gaelic Medium provision to replace all other local authority education provision within Tain, including the existing Tain Royal Academy and Community Complex; and
- iv. combine the existing school catchment areas of Craighill Primary School and Knockbreck Primary School to become the catchment area of the new combined Primary School within the 3 to 18 campus.

***Starred item* Item 19: Page 805: Appointment of Representative to the Board of Partnerships for Wellbeing**

The Council **AGREED** that Miss J Campbell be appointed to the Board of Partnerships for Wellbeing.

Resources Committee, 25 February

***Starred Item* Item 10: Page 850: Carbon CLEVER Community Grant Fund**

The Council **AGREED** that decision making for all applications be delegated to Area Committees and that the Scheme of Delegation be amended accordingly at the next opportunity.

Item 18b: Page 857: Website Review Report

The Council **NOTED** clarification that, whilst the report for this item had contained an inaccuracy at Paragraph 2.2.2, the correct information had been included in the Appendix to the report.

City of Inverness Area Committee, 5 March

Item 9: Page 10: Draft Old Town Conservation Area Management Plan

The Council **AGREED** to amend the wording within the Minute as follows:

“A new designated area was being proposed for the west side of the River Ness which incorporated Merkinch, but due to capacity issues it was not being progressed in the immediate future, there being around 30 already designated areas which required review”.

Item 16: Page 16: Developing Inverness as a “Coach Friendly” City

The Council **AGREED** to amend the wording within the Minute as follows:

*“In view of the decision to promote a Permanent Traffic Order to designate the use of Ardross Street as the permanent coach drop-off /pick-up location for the City of Inverness being made on 2 December 2014, and because inaccurate information had been presented at that meeting regarding Traffic Orders, the Committee **AGREED** unanimously to suspend Standing Order 20 in order to reconsider the matter.”*

**7. Highland and Western Isles Valuation Joint Board
Co-Bhòrd Luachaidh na Gàidhealtachd is nan Eilean Siar**

There had been circulated Minutes of Meeting of the Highlands and Western Isles Valuation Joint Board held on 13 November 2014 - which were **NOTED**.

**8. Customer Services Board
Bòrd Sheirbheisean Luchd-ceannach**

There had been circulated Minutes of Meetings of the Customer Services Board held on 17 February 2015 - which were **NOTED** – subject to the following addition –

“That a further report should be submitted to the Board on the potential for the outsourcing of work from Council Services to Service Points”.

**9. Community Challenge Fund Applications Panel
Maoin Dùbhlain Coimhearsnachd – Geàrr-chunntas Coinneimh**

There had been circulated Minutes of Meeting of the Community Challenge Fund Applications Panel held on 25 February 2015 - which were **APPROVED**.

**10. Membership of Strategic Committees, etc
Ballrachd air Comataidhean Ro-innleachdail, msaa**

It was **NOTED** that Mr D Millar had now been appointed as Leader of the Highland Alliance – with Mr T MacIennan as Depute Leader.

The Council also **AGREED** the following changes to membership of Committees –

Resources Committee – Mrs I McCallum to replace Mr N Donald
Pensions Committee – Mr M Green to replace Mr N Donald

Planning Review Body

It was **NOTED** that, following the resignation of Mr N Donald, nominations had been sought from the Inverness, Nairn, Badenoch and Strathspey area for the vacant place and had been received as follows –

Mr R Balfour Mr B Lobban

At this point in the meeting, Mr R Balfour withdrew his nomination.

Thereafter, the Council **AGREED** to appoint Mr B Lobban to the Planning Review Body as detailed.

**11. Question Time
Àm Ceiste**

The following Questions had been received by the Depute Chief Executive/Director of Corporate Development in terms of Standing Order 42 –

(i) Mr A Henderson

To the Leader of the Council

“What communications have Highland Council had with the Scottish Government Transport Minister in the past six months regarding the missing summer link – the Mallaig to Lochboisdale ferry?”

The response had been circulated.

In terms of a supplementary question, Mr Henderson queried what work had been done in the last six months by the Highland Council, in conjunction with the Scottish Government, and namely the Transport Minister, over the request for a summer link.

In response, the Leader of the Council confirmed that the Council had worked with the Scottish Government on the Ferries Plans. He had followed up on issues raised by Councillor Henderson and there had been no specific requests made on this matter over the last six months. He was more than happy, as were others involved in this subject, to take forward any matters Mr Henderson felt important in terms of ferry issues. There had been no specific actions undertaken outside the Ferries Plan.

(ii) Mr A Mackinnon

To the Leader of the Council

“In light of the recent announcement of the Scottish Government to enforce teacher number levels and pupil/teacher ratios on Local Authorities and the acceptance of Highland Council of this stance, there would appear to be uncertainty over £1.68 million of savings that were agreed in December that cannot be taken for 2015/16 because they would negatively impact on teacher numbers. Scottish Government have agreed approx. £460,000 to offset this however there is still a gap in 2015/16 of approx. £1.2 million.

So, can the Leader confirm that, in line with the Highland Council core values of listening, openness, valuing, improving, supporting, partnering and delivering, there will be a clear and transparent debate and decisions in public around how to close this gap for 2015/16. Decisions on such a large budget gap cannot be taken in isolation or private and it is the right of the public to expect transparency over £1 million of alternative savings that will have to be found”.

The response had been circulated.

In terms of a supplementary question, Mr Mackinnon queried what assurances the Council could have that the Service could manage Teacher numbers whilst achieving the agreed savings.

In response, the Leader of the Council confirmed that all 32 Scottish Councils had signed up to the agreement on Teacher numbers and it was absolutely correct to protect the financial position of the Council. As outlined in the original response, in the meantime there was no budget gap. The Council would continue to work to protect Teacher numbers and protect the services within the Council; Officers would keep a close eye on what was needed to maintain this position. The fact that the Council was getting additional money to help to support this was welcomed, as was the fact that the Council would not be penalised by the failure of other Councils to maintain Teacher numbers.

(iii) Mrs H Carmichael

To the Leader of the Council

“The role of a Councillor is wide ranging, demanding and time consuming if they are to properly and effectively represent the views and voices of their constituents and also fully play their part in the smooth and efficient running of the business of the Council.

Does the Leader agree that any Councillor who is elected to another office such as MP or MSP or MEP should immediately resign from their Council post to ensure their constituents have equal and effective representation and that the business of the Council continues efficiently?"

The response had been circulated.

In terms of a supplementary question, Mrs Carmichael queried as to whether consideration had been given to how, at this time of austerity and when the Administration had cut budgets in every department, employees who were under the threat of compulsory redundancy or who had already been made redundant would feel about any Elected Member of the Council taking two salaries under any circumstances.

In response, the Leader of the Council confirmed that it was his opinion that all politicians should consider the job as a vocation and as such any decisions should be to the benefit of the public and constituents.

(iv) Mr H Morrison

To the Chair of the Community Services Committee

"During periods of recent snowfall, the hard work of our local staff on the frontline has been hampered by the breakdown of equipment from pavement ploughs to gritter lorries. This has led to delays in clearing snow from our vital local routes and resulting in some places of residents being housebound and unable to venture out of their homes, due to pavements/roads not being treated. The breakdowns appear to be the result of a lack of preparatory work to ensure the vehicles and machinery are winter ready.

Can I please have details of the maintenance schedule in advance of winter, of all relative machinery and plant, details of all breakdowns in the Highland area for December and January, and the time it took to get vehicles/equipment back in service"

The response had been circulated.

In terms of a supplementary question, Mr Morrison queried why, given that so many workshops and depots were not running to their full staffing levels, the Council could not recruit apprentices into these workshops and fill vacancies at depots.

In response, the Chair of the Community Services Committee confirmed that, as part of the ongoing work in regard to the Workforce Action Plan for Community Services, it had been agreed to review staffing levels and the skills required to deliver services and responsibilities and to develop competent and well trained staff at all times.

(v) Mrs I McCallum

To the Leader of the Council

"Is it not misleading to state that "Carbon Clever projects have spent one million of Capital and brought in two million?"

The response had been circulated.

In terms of a supplementary question, Mrs McCallum referred to the £2m which it was claimed had been brought in and specifically the UHI Low Carbon Institute Project of £1.2m which was not a Council project. In this regard, she queried whether the figure of £2m would be revised to £792,000, with costs of £750,000.

In response, the Leader of the Council confirmed that the Council had worked very closely with UHI on the Science Skills Academy project and this had been the subject of reports to Committees on several occasions. He absolutely stood by the work which had been undertaken by the very effective and hard-working Carbon CLEVER Team who had brought in additional money to the Council to ensure that the facilities across the Highlands were moved forward exponentially with the investment received.

(vi) Mrs I McCallum

To the Leader of the Council

"The Smith Commission agreement states that "Responsibility for the management of the Crown Estate's economic assets in Scotland, and the revenue generated from these assets, will be transferred to the Scottish Parliament." It further states that "Following this transfer, responsibility for the management of those assets will be further devolved to local authority areas such as Orkney Shetland, Comhairle nan Eilean Siar or other areas who seek such responsibilities."

Can you confirm that those responsibilities will also be devolved to Highland?"

The response had been circulated.

In terms of a supplementary question, Mrs McCallum referred to the number of years over which a case had been made for the Crown Estate to be devolved to communities and queried whether, based on this information, it was ironic that Orkney, Shetland and the Western Isles were a step ahead of Highland Council and how had this happened.

In response, the Leader of the Council confirmed that the Council had worked in tandem with all of the Highlands and Islands Authorities both at the Convention of the Highlands and Islands and at meetings with the Scottish Government in terms of the representations they've taken forward. At the moment no powers had been transferred and nothing had been devolved, either to the Scottish Government or to communities.

(vii) Mrs C Wilson

To the Leader of the Council

"In the light of budget pressures and possible job losses what actions will Highland Council be taking to protect fragile communities and rural jobs in relation to the Council's current Policy on Compulsory Redundancy?"

The response had been circulated.

There was no Supplementary Question.

(viii) Mr M Reiss

To the Leader of the Council

“The establishment of Police Scotland in April 2013 has resulted in the centralisation of services and now we have widespread and ongoing concerns regarding the routine arming of Police officers, stop and search of minors, the significant loss of data and overall damage to the morale of hard working Highland officers (of all ranks including civilian Police Support Staff). This has created an ebbing of public confidence in the leadership of Police Scotland by the people of the Highlands.

In light of these concerns, will the Leader of Highland Council accept that the decision to relocate call handling for Highland (and the three Island Authorities, the former Grampian Police and Tayside Police areas) from the existing Inverness Control Room to Glasgow and/or Bilston scheduled to be implemented later in 2014 should be reviewed *urgently* given the crucial nature of this front line emergency service; the risks of geographical errors in emergency call handling and the escalating costs of centralisation including I.T. provision recently graded by the SPA as being at “maximum” for both likelihood and impact. And, will he lobby Scottish Government on behalf of the Highlands for a reversal in the centralisation agenda and bring local policing back”.

The response had been circulated.

In terms of a supplementary question, Mr Reiss expressed the view that there was more to measuring public confidence than simple statistics and the broader evidence from the media and the public pointed to a different conclusion. In this regard, he queried whether the Leader still had full confidence in Sir Stephen House.

In response, the Leader of the Council confirmed that the statistics for the region were particularly impressive and this had been evidenced through Ward Forums, particularly in relation to detection and reported crime rates. He had limited experience of working directly with Sir Stephen House and as such was not in position to provide a view in this regard.

(ix) Mrs I McCallum

To the Chair of the Education, Children and Adult Services Committee

“There are areas within the Public Sector in Highland where it is difficult to recruit staff. In the Council within Education over a number of years there has been a worrying shortage of candidates coming forward for Headteacher Posts in Primary Schools. Would the Chair take a report to this Council exploring why this is the case and hopefully recommend solutions to the situation?”

The response had been circulated.

In terms of a supplementary question, Mrs McCallum queried whether it would be possible to have a timescale for a report to be presented to the Education, Children & Adult Services Committee on this matter.

In response, the Chair of the Education, Children and Adult Services Committee confirmed that an update would be presented to the next meeting of the Committee and that a more detailed report would be submitted to the following meeting.

(x) Mr M Reiss

To the Chair of the Community Services Committee

“Can I have clarity on how the gap will be filled that was created after the £120,000 pre gritting saving was rightly removed from the 2015/16 budget after a huge public outcry?”

The response had been circulated.

There was no Supplementary Question.

(xi) Mrs M Davidson

To the Leader of the Council

“I was pleased to see that Cllr Hendry was meeting with the secretary of State for Scotland to discuss Tugs in the Minch, did he take the opportunity to discuss Highland Council’s Housing debt and the possibility of a scheme such as that agreed for Shetland. Could he also tell us what other meetings or correspondence he has had with UK or Scottish Government in the past 6 months to discuss housing debt?”

The response had been circulated.

In terms of a supplementary question, Mrs Davidson queried whether the Leader would seek to ensure that the write-off of housing debt would be in his Party’s manifesto for the Westminster Elections.

In response, the Leader of the Council confirmed that there was a necessary degree of separation between his personal view and his view as Leader of the Council. In this regard, the policy of the Council was absolutely consistent in terms of seeking the write-off of housing debt and in going forward, in any role he would occupy, he would remain committed to pursuing the write-off of the housing debt for the Local Authority.

(xii) Mrs M Davidson

To the Chair of the Education, Children and Adult Services Committee

“There have been several sources of new funding to NHS Highland over recent weeks, many of which will be targeted at adult services. Can Cllr Christie give us a full list of those funds plus how much will be allocated to integrated adult services and also how Highland Council intends to improve the public scrutiny and governance of the finance that we delegate to NHS Highland for adult services?”

The response had been circulated.

In terms of a supplementary question, Mrs Davidson queried as to whether the Chair of the Education, Children and Adult Services Committee would ask for a clear plan on how NHS Highland intended to move its money into community services over the next year in addition to recent additional financial allocations.

In response, the Chair of the Education, Children and Adult Services Committee undertook to take this issue on board and confirmed that it was his intention to track money holistically across both services in order to meet the needs of communities.

Decision

The Council **NOTED** the position.

12. Notices of Motion Brathan Glusaid

The following Notices of Motion had been received in accordance with Standing Order 10.1 –

i. Notice of Motion

“This Council congratulates the electricity providers in our area for the prompt and efficient restoration of power to the areas affected by the storms in the period of inclement weather we have had but, considering the cost of carrying out this work and the losses occasioned by commercial enterprises and the general public by that loss of power, urges the electricity providers to consider a planned programme of undergrounding transmission cabling over a sensible period where it is practical to do so”.

Signed: Mr K MacLeod Mr R Balfour

During discussion, Members raised the following issues:-

- in terms of the recent prolonged electricity outages caused by extreme weather conditions, the impact on householders, schools and commercial activity in the Highlands would be considerably lessened if ageing electricity infrastructure could be upgraded;
- prolonged loss of electricity for rural communities (where the water supply was pumped by electricity) had been particularly dangerous for residents;
- whilst it was recognised that it was significantly more expensive to provide underground cables, there was now less of a cost differential than at the time when the overhead lines had been installed in the 1940s and 1950s when it would have been prohibitively un-economic;
- whilst welcoming the effort which had been put into restoring electricity after the recent severe weather conditions, electricity providers should have a planned programme of undergrounding cables and it was hoped that there could be support for such a programme from other areas outwith the Highlands which were similarly affected by prolonged electricity outages, such as Orkney, Shetland and Western Isles and Argyll;
- undergrounding was possible over large areas as had been carried out in protected landscapes owned by the National Trust;
- removal of overhead lines would add to the tourist experience in Highland; and
- additional maintenance was required to prevent trees being blown over onto electricity lines during severe gales as this was the main cause of power loss and in this regard it was suggested that representatives from Scottish and Southern Electricity should be invited to make a presentation on transmission and community resilience issues to the full Council or an appropriate Committee.

Decision

Thereafter, the Council **AGREED** the Notice of Motion as detailed and that an invitation should be extended to Scottish and Southern Energy to undertake a presentation to either the full Council or an appropriate Committee.

ii. Notice of Motion

The Equalities Act 2010 places a Public Sector Equality Duty on Councils to give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act;
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

Elected Members have a responsibility to ensure that their conduct reflects the requirements of this Duty at all times. The Council therefore agrees that all Members must attend Equalities & Diversity training before the end of 2015 and annually thereafter and that Seminars will be arranged to enable Members to meet this requirement. Completion of the training will be necessary for Members to continue to sit on a Strategic Committee.

Signed: Mr D Hendry Dr D Alston Mr J Gray Mrs C Wilson Mr D Millar

During discussion, Members raised the following issues:-

- this Motion would send a strong signal to challenge inequalities and support continual education;
- the Council should be an exemplar of equalities;
- the Community Safety, Public Engagement and Equalities Committee had received presentations from groups and individuals who had been affected by equalities issues in their everyday lives and these had been extremely informative and helpful;
- training seminars should be held as soon as possible and should be supported and attended by all Members of the Council; and
- the Disabled Access Panel should be invited to review access arrangements for the Council Chamber.

Decision

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

13. **Integration Scheme – Public Bodies (Joint Working)(Scotland) Act 2014 Sgeama Amalachais – Achd Bhuidhnean Poblach (Co-obrachadh) (Alba) 2014**

Declaration of Interest - Dr D Alston declared a non-financial interest in this item as a Board Member of NHS Highland but, in terms of the dispensation granted by the Standards Commission, remained to participate in discussion.

There had been circulated Report No. HC/1/15 by the Chief Executive which introduced the Integration Scheme which was required to meet the new statutory

duties in accordance with the Public Bodies (Joint Working)(Scotland) Act 2014 and in this regard it was confirmed that the Scheme would supersede the Partnership Agreement which had been signed in 2012.

During discussion, Members raised the following issues:-

- the Partnership Agreement had worked well to date and it was hoped that the new Scheme would allow progression and the flexibility to remain current and focused in meeting the needs of services. The inclusion of a wide-range of Members and Officers, as well as NHS Board members, was also welcomed, with emphasis being placed on the need to commence the governance review without delay. With all Scottish Local Authorities moving towards integration, Highland should push ahead with their lead agency model, having had the advantage of the Partnership Agreement for the last 3 years, including the increased opportunities it had created for community engagement and empowerment;
- the subtle changes in the tone of the new Scheme were praised and any further minor changes made by the Chief Executives should be reported to Members in due course. Specifically, the inclusion of a meaningful Strategic Plan, with an appropriate balance of resources to meet community based needs, was welcomed and should be correctly maintained. There was also a need to acknowledge the strength and potency of improvements at a local level with regard to health and social care services;
- with regard to the governance review, it was vital that Members from across the political spectrum were involved on the basis of their qualifications and knowledge;
- since the transfer of Social Services to the NHS, the Council's Housing Service had been providing a notable level of health-related support to tenants and this required to be addressed, particularly in relation to adult social care;
- barriers to local residents remaining within their communities should be investigated and Local Members kept informed of any difficult cases;
- much of the information in the report was technical in nature and concerned fitting the existing Partnership Agreement into a new framework which was more succinct and it was stressed that the valuable work that had been undertaken prior to and during the partnership would remain in place, with the agreement still available for guidance; and
- the governance review had been driven by the need to clarify strategic requirements and as such the importance of communities and the partnership element had been emphasised, with both the NHS and the Council scrutinising on behalf of the common interest.

Decision

The Council **AGREED**:

- (i) the draft Integration Scheme, subsequent to any necessary final changes which were delegated to the Chief Executives of Highland Council and NHS Highland;
- (ii) to a review of governance arrangements, involving Members from across the Council; and
- (iii) to work with NHS Highland to determine a timescale and process.

**14. Affordable Warmth Campaign for the Highlands & Islands
Iomairt Blàths Neo-chosgail airson na Gàidhealtachd & nan Eilean**

Declarations of Interest – the following Members declared non-financial interests in relation to this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that their interests did not preclude their involvement in the discussion -

Mr A Christie - General Manager of Inverness and Badenoch and Strathspey Citizen’s Advice Bureau

Mrs A MacLean - Board Member of Ross and Cromarty Citizen’s Advice Bureau

Mrs D Mackay - Director of East Sutherland Citizen’s Advice Bureau

Mr W MacKay - Director of Caithness Citizen’s Advice Bureau

There had been circulated Report No. HC/2/15 dated 24 February 2015 by the Director of Community Services which detailed the current call for support from the Highlands & Islands Affordable Warmth Campaign and asked Members to support the campaign and the issues being highlighted.

During discussion, Members raised the following issues:-

- fuel poverty, which was caused not only by electricity prices but those of heating oil and liquefied petroleum gas too, was being addressed by a number of organisations. Prices could vary from one area to another and work was required at all points of the fuel supply chain to ensure equity, especially for remote and rural areas where mains gas was not available;
- a warm dry home was a basic human right and families were being forced to make difficult decisions with their budgets which was not acceptable. As such, there was a need to improve energy efficiency, especially in rural areas, but it was recognised that improvements to insulation and external cladding could be expensive. Scarcity of houses in rural areas also meant it could be difficult to attract community efficiency programmes and it was therefore imperative that contact was made with companies and other organisations in this regard, such as Energy Trust Scotland, Historic Scotland and Conservation Architects;
- there was a need to highlight that people in tied or rented accommodation were often wary of home improvements in case they led to rent rises;
- awareness of microgeneration schemes should be increased so that alternative supplies were more accessible;
- reference was made to the problems experienced with the Ayrshire system which had been installed in many Council properties in recent years but which had subsequently been found not to be fit for purpose and this had to be taken into consideration when choosing future heating systems;
- there was need for the Leader of the Council to discuss the subsidising of Wind Farms with the Energy Minister;
- consideration should be given to the setting up of a Hardship Fund which could be utilised in emergency situations, such as power-cuts;
- statistics in regard to the number of private homes affected by fuel poverty would be useful;
- some fuel providers currently offered discounted rates for people in financial hardship and discussion should be undertaken on the possibility of extending the criteria in this regard;
- community fuel schemes should be considered for remote and rural areas where fuel could cost significantly higher than across the rest of the Highlands;

- it had to be recognised that many dwellings in Inverness and elsewhere had passed the quality standard inspection for heating renewal but nonetheless remained on the borderline; and
- a review of what had been undertaken over recent years would be helpful in order to highlight lessons learned in terms of what had been successful and what needed to be improved or amended in future.

Decision

The Council **AGREED** to confirm support for the Affordable Warmth Campaign and the issues detailed in Section 2 of the report.

It was also **NOTED** that support for this campaign did not set a precedent for future lobbying activity.

15. Major Infrastructure Investment - Inverness Moladh Deagh-chuid Baile

There had been circulated Joint Report No. HC/3/15 dated 23 February 2015 by the Director of Development & Infrastructure which outlined information work which had been progressed with the Scottish Futures Trust and Scottish Cities Alliance to investigate new methods of funding which would enable major infrastructure investment to take place in Inverness.

During discussion, Members raised the following issues:-

- this was a 'game changing' project which could provide opportunities for capital investment on a much wider scale than just the City boundaries;
- being part of the Scottish Cities Alliance had enabled the Leader of the Council to write to the Prime Minister in July and November 2014 to ensure that the area was considered and, with the backing of the UK and Scottish Governments, Scottish Cities Alliance and Scottish Futures Trust, it was hoped that the necessary papers would be exchanged in the coming few weeks;
- this complex yet flexible project was an example of the benefits which could be derived from having vision and aspiration for the future and as such would provide £182m for infrastructure projects to help the economy;
- there were numerous examples from around the world of Cities driving the success of an entire region;
- it was important for all political parties to work together to ensure success; and
- it was reassuring to be able to confirm that this had the potential to free up future capital funding for other schemes in remoter parts of the Highlands.

Decision

The Council:

- (i) **NOTED** the work underway to identify and progress new innovative funding models for major infrastructure investment in Inverness;
- (ii) **APPROVED** a budget of up to £100k from the Strategic Change and Development Fund to progress this work; and
- (iii) **AGREED** to grant delegated authority to the Chief Executive and Director of Finance, in consultation with the Convener, Leader of the Council, Depute Leader of the Council and Leader of the Opposition to enter into any

agreement to progress a City Deal, or similar infrastructure agreement, should the opportunity arise prior to the next full Council meeting.

16. Inverness West Link – Scheme Update
Ceangal an Iar Inbhir Nis – Cunntas as Ùr mun Sgeama

Declaration of Interest - Mr K Gowans declared a non-financial interest in this item on the grounds of being a Director of High Life Highland and a financial interest on the grounds of a family member being an employee but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in the discussion.

There had been circulated Joint Report No. HC/4/15 dated 3 March 2015 by the Directors of Finance and Development and Infrastructure which summarised the progress made on the Inverness West Link since the report to the full Council on 5 September 2013.

During discussion, Members raised the following issues:-

- the presentation at the meeting, and in particular the 'fly-through' animation, had been very useful and informative;
- the benefits from the West Link had been discussed previously by the full Council and the City of Inverness Area Committee and it had been unanimously agreed that the Council should work with all relevant stakeholders to ensure enhancements of the recreational and sporting facilities around the Bught and Torvean areas;
- this was a remarkably important project which would benefit the whole of the Highlands;
- it should be highlighted that many people had expressed the hope that the project would commence as soon as possible;
- the sporting facilities which were to be built as part of the project offered huge potential for the area;
- the overall cost for the West Link project was £55m which included the additional enhancements;
- the costs of relocating Torvean Golf Course and Highland Rugby Club, which was necessary because they were being displaced by the West Link, were more than had originally been proposed due to the additional enhancements which had been included; and
- there was a separate process for dealing with the Great Glen Way and in this regard the Scottish Government had recently confirmed that this would not be dealt with until after completion of Compulsory Purchase Orders and Footpath Orders.

Decision

The Council:

- (i) **NOTED** progress made on the West Link Project as detailed;
- (ii) **AGREED** to the costs set out in the report; and
- (iii) **AGREED** to the continued progress of the West Link Road Scheme as detailed.

**17. Sports Facilities – Inverness West
Goireas Spòrs – Inbhir Nis an Iar**

Declarations of Interest -

Mr F Parr and Mr K Gowans declared non-financial interests in this item on the grounds of being Directors of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

Mr K Gowans declared a financial interest in relation to this item on the grounds of a family member being an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

There had been circulated Joint Report No. HC/5/15 dated 3 March 2015 by the Director of Development and Infrastructure which reminded Members that the decision to develop enhanced recreational and sporting facilities in the areas around the Bught and Torvean area of Inverness had been made by the full Council on 1 March 2012.

Since that time a number of projects had been deployed in tandem with the development of the West Link and the report therefore set out the context, current position and programmed delivery of enhanced facilities at Torvean Golf Course, Canal Parks and the Torvean Sports Hub/Regional Sports Facility.

During discussion, Members raised the following issues:-

- the enhanced facilities would make the area a more attractive location for sporting activities, with the proposed Velodrome representing something completely different which could be used by people within and outwith the Highlands for a number of different sports;
- there were many benefits which could be derived from participation in sport across a range of age groups and these would be enhanced through the delivery of additional facilities in the area;
- whilst the funding for Torvean Golf Course might appear to be disproportionate, it was important to recognise both the economic impact for the area and also that the Council would obtain land near the Canal which could now be developed for other purposes;
- there was a need to convey thanks to the Officials who had been involved with this project and who had dealt with the issues raised and the comments received over a period of time;
- these proposals represented a major step forward in the provision of sporting facilities for the Highlands which would benefit not just current athletes and coaches from the area but also future generations;
- these proposals for the west side of the City had the potential to create a significant number of new jobs and this would complement the current developments on the east side, which included health sciences and research encompassing Raigmore Hospital, Lifescan, the UHI Campus, training facilities for Nurses and the Life Science Centre;
- the provision of enhanced sporting facilities would enable teams from other areas to train in this area and would provide more opportunities for children who wished to become involved in a wide range of different sports;

- extension of the Inverness Leisure Centre's AAA rating to the whole area would be widely welcomed;
- in addition to Highland Rugby Club, it should be noted that Craig Dunain Rugby Football Club were in discussion with Officers in regard to the new Sports Hub;
- there were concerns that having a Regional Sports Hub (instead of localised Sports Hubs) might cut back on the number of local pitches available to local teams and this should be addressed;
- consideration should also be given to other suggestions which had come forward in regard to relocation of the Cricket Club, upgrading of the Aquadome and refurbishment of Inverness Ice Rink;
- a Regional Sports Hub would attract people from a much wider area and it was vital that a traffic assessment was undertaken in this regard;
- there was a need for clarification on whether the Regional Sports Hub would have the potential to support an event such as the Commonwealth Games in future;
- in terms of the future development of sports facilities in the area, reference was made to a recent Audit Scotland report on the legacy from the Olympics, Paralympics and Commonwealth Games which had shown that, whilst there had been a subsequent 11% increase in the uptake of sport, the biggest concern was the ability for everybody to be able to access sporting facilities and especially underprivileged families and low earners;
- it would be helpful if further information in relation to the work undertaken with sportscotland could be provided; and
- this was a major project for the whole of the Highlands and as such it was suggested that a further report should come back to the full Council (as opposed to the Education, Children and Adult Services Committee as had been proposed in the report).

Decision

The Council:-

- (i) **NOTED** progress with the development of sports facilities in the West of Inverness;
- (ii) **APPROVED** the ongoing development of Torvean Golf Course on the basis of the layout and cost set out in Section 2 and Appendix A of the report;
- (iii) **APPROVED** the development of the Canal Parks Enhancement Project on the basis of the layout and cost set out in Section 3 and Appendix B of the report; and
- (iv) **AGREED** to the continued development of the Regional Sports Facility on the basis of the context and costs set out in Section 4 of the report on the basis that a further report would be submitted to the full Council in due course.

18. Capital Programme Review: 10 year Capital Plan 2014/15 to 2023/24 Ath-sgrùdadh a' Phrògram Chalpa: Plana Calpa 10 bliadhna 2014/15 gu 2023/24

Declarations of Interest -

Mr K Gowans declared a non-financial interest in this item on the grounds of being a Director of High Life Highland and a financial interest on the grounds of a family member being an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of

Conduct, concluded that his interests did not preclude his involvement in the discussion.

Mrs F Robertson declared a non-financial interest in this item on the grounds of being the Vice Chair of Tain Royal Academy Parent Council but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that her interest did not preclude her involvement in the discussion.

Mr G MacKenzie and Mrs M Paterson declared non-financial interests in this item on the grounds of being Directors of the Highland Football Academy but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

There had been circulated Report No. HC/6/15 dated 3 March 2015 by the Director of Finance which set out the funding proposals and an outline long term General Fund Capital Plan for 10 years from 2014/15 to 2023/24. In this regard, Annex 2 of the report, as it referred to individual Services, had been circulated separately as Booklet A.

During discussion, Members raised the following issues:-

- the effect of severe weather on the condition of roads across the Highlands was a major concern and in this regard it was suggested that the Council should seek additional ring-fenced funding from the Scottish Government as a matter of urgency, not least in view of the fast approaching tourist season;
- it would be helpful if in future the Capital and Revenue reports could both be presented at the same time and in the same format for clarity;
- there was a need for clarification on whether community contributions of £304,000 could be realised for Aviemore Primary School;
- in terms of the inclusion of other projects within the Capital Plan, it was hopeful that a successful "City Deal" would make a considerable difference to the funding package available;
- there was a need to convey thanks to the Director of Finance and his team for the work undertaken in this regard, not least because the report had alleviated previous concerns expressed about reductions to budget lines and priorities for core services;
- this was a very in-depth financial document which affected the whole of the Highlands over a long period of time and as such it would be helpful if the Budget Leader could give consideration to involving the Independent Group in future discussions;
- it was noted that further detail on the future provision for flood prevention works and the allocation of funding for waste strategy would be provided by the relevant Service;
- clarification was required on the funding for the project in relation to the Kinnairdie Link Road in Dingwall; and
- the Council was committed to working with the Scottish Government wherever possible in terms of progressing the delivery of funding for specific projects, such as Stromeferry.

Thereafter, Mrs I Campbell, seconded by Mrs M Davidson, **MOVED** that, in addition to the recommendations outlined in the report, the Council should ask the Scottish Government for ring-fenced funding to improve the Highland road network.

As an **AMENDMENT**, Mr D Hendry, seconded by Dr D Alston, moved the recommendations as outlined in the report.

On a vote being taken, the **MOTION** received 24 votes and the **AMENDMENT** received 36 votes, with no abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Barclay, J; Baxter, A; Campbell, I; Campbell, J; Carmichael, H; Davidson, M; Fernie, B; Fraser, H; Fraser, L; Green, M; Greene, R; Kerr, D; Mackay, D (W2); MacKay, W; Mackinnon, A; MacLennan; T; McCallum, I; Millar, D; Morrison, H; Paterson, M; Rattray, M; Ross, G (W14); Sinclair, A; Thompson, B.

For the Amendment:

Alston, D; Caddick, C; Christie, A; Clark, B; Cockburn, I; Duffy, A; Fallows, D; Farlow, G; Fraser, C; Gormley, B; Gowans, K; Graham, A; Gray, J; Hendry, D; Laird, R; Lobban, B; MacDonald, L; MacDonald, N; Mackay, D (W5); MacKenzie, G; MacLean, A; McAllister, E; Munro, L; Murphy, B; Parr, F; Phillips, G; Prag, T; Renwick, I; Rimell, G; Rosie, J; Ross, G (W3); Saxon, R; Smith, M; Stephen, K; Stone, J; Wood, H.

Decision

The Council:

- (i) **AGREED** the funding envelope outlined at Annex 3 for a 10 year Capital Plan from 2014/15 to 2022/23 and that the revenue budget would contain an annual uplift of £2.5m for the loan charge budget for the 10 year period;
- (ii) **AGREED** to incorporate within the Capital Plan the costs agreed at Item 16 in respect of the West Link project;
- (iii) **AGREED** to incorporate within the Capital Plan the costs agreed at Item 17 in respect of Torvean Golf Course and the Canal Parks;
- (iv) **AGREED** to restore the reductions outlined at Annex 7 within the Capital Plan and remove the contingency amount of £40m should the Council decide to progress a Regional Sports Facility and a Cultural Hub;
- (v) **NOTED** the discussions surrounding a potential "City Deal" and the need to re-assess planning assumptions should an award be made to Inverness;
- (vi) **NOTED** the funding required for a Regional Sports Facility and a Cultural Hub, subject to the decision at Item 17 but **DEFERRED** any formal decision on the allocation of funding until the result of the "City Deal" was known;
- (vii) **NOTED** the outline detailed Capital Plan attached at Annex 2 but subject to the changes required to reflect recommendations (iv) and (vi) above. This outline detailed plan demonstrated that the priorities of the Council could be funded. The plan would be the subject of further review by Members and would be presented for approval to a future meeting of the Council. Any additions to the outline plan would require outline business cases if not previously considered and must be affordable within the overall funding envelope; and
- (viii) **NOTED** the list of unfunded desirable projects which had been set out at Annex 5 and which were not being progressed within the plan at this time.

19. Response to the Scottish Government Consultation on Implementing the EU Public Procurement Directive 2014 and the Procurement Reform (Scotland) Act 2014
Freagairt do Cho-chomhairleachadh Riaghaltas na h-Alba mu Chur an Gnìomh Òrdugh Solarachaidh Phoblach an Aonaidh Eòrpaich 2014 agus Achd Athleasachaidh Solarachaidh (Alba) 2014

There had been circulated Report No. HC/7/15 dated 2 March 2015 by the Director of Finance which presented a suggested response from the Council to the above consultation which was required by 31 March 2015.

During discussion, and with specific reference to the response to Question 7 (which concerned reserving contracts for mutual and other non-public sector bodies in Scotland), it was suggested that support should be given to social enterprises and on that basis the right to reserve contracts to this type of organisation might be useful as long as the contracting authority could justify it.

In relation to the response to Question 15 (which concerned public bodies being able to make direct payments to sub-contractors), it was suggested that direct payments should be made on this basis if the main contractor failed to carry out this responsibility.

Finally, in response to Question 55 (which concerned continuation of the arrangement for public bodies in Scotland to sue central purchasing bodies), it was suggested that this should be continued.

Decision

The Council **APPROVED** the draft response to the consultation as contained within the report – subject to the answer to Question 55 being amended to read ‘Agreed’ (as opposed to ‘Yes’ as had been detailed in the report).

20. Treasury Management
Rianachd Ionmhais

a) Strategy Statement and Investment Statement 2015/16
Aithris Ro-innleachd agus Aithris Tasgaidh 2015/16

It was noted that the Council had adopted the Chartered Institute of Public Finance and Accountability (CIPFA) Code of Practice on Treasury Management in Local Authorities and a requirement of the Code was for an annual Treasury Management Strategy Statement and Investment Statement to be approved by the Council for the forthcoming financial year.

In compliance with the Code, there had therefore been circulated Report No. HC/8/15 dated 2 March 2015 by the Director of Finance which presented the Treasury Management Strategy Statement and Investment Statement for 2015/16, as submitted to the Resources Committee for scrutiny on 25 February 2015.

During discussion, and in respect of diligence and prudence, Members commended the terms of the report as circulated.

It was also noted that responsibility for treasury management decisions remained with the organisation at all times (with steps being taken to ensure that undue reliance was not placed upon external service providers) and that consideration would be given to more in-house training being provided wherever possible.

Decision

The Council **AGREED** the Treasury Management Strategy Statement and Investment Statement for 2015/16 as detailed.

b) Mid-year Review Report 2014/15 Aithisg Ath-sgrùdadh Meadhan-bliadhna 2014/15

There had been circulated Report No. HC/9/15 dated 2 March 2015 by the Director of Finance which contained details of the Treasury Management Mid-Year Review Report for 2014/15 in compliance with CIPFA's Code of Practice on Treasury Management in Local Authorities and as submitted to the Resources Committee for scrutiny on 25 February 2015.

Decision

The Council **APPROVED** the Mid-Year Review Report for 2014/15 as detailed.

21. Local Statutory Performance Indicators 2013/14 Comharran Coileanaidh Reachdail 2013/14

Declaration of Interest

Mr B Murphy declared a financial interest in this item on the grounds of being the provider of homeless accommodation and left the room.

Mr K Gowans declared a non-financial interest in this item on the grounds of being a Director of High Life Highland and a financial interest on the grounds of a family member being an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in the discussion.

There had been circulated Report No. HC/10/15 dated 26 January 2015 by the Chief Executive which provided details of Local Statutory Performance Indicators for 2013/14 and highlighted some changes nationally to the approach to reporting and publishing locally and nationally determined Indicators in future.

During discussion, Members welcomed the level of detail within the report but stressed that there was a need for systematic and regular improvement on performance in order to provide the best possible services for the Highlands.

In this regard, it was helpful that reports would be submitted to Strategic Committees in the next cycle of meetings which allow detailed analysis of Performance Indicators and further consideration of improvement actions/possible efficiencies.

Decision

The Council **NOTED** the out-turn of Statutory Performance Indicators for 2013/14 and where relevant their national benchmark position and **AGREED** that reports should be submitted to Strategic Committees in the next cycle to provide detailed analysis of Statutory Performance Indicators and improvement actions.

The Council also **NOTED** that refreshed performance web pages would improve stakeholder access to performance information and strengthen public performance reporting in meeting statutory duties.

22. Local Government Pension Scheme (Governance) (Scotland) Regulations 2015
Riaghailtean Riaghlaidh Ùr Peinnsein 2015

There had been circulated Report No. HC/11/15 dated 3 March 2015 by the Director of Finance which provided detail on new legislation around the governance of the Local Government Pension Scheme which would take effect on 1 April 2015 and recommended a change in the Committee structure to meet the new obligations.

In this regard, Members were asked to note that the Local Government Pension Scheme required changes to the governance arrangements for the Highland Council Pension Fund.

Decision

The Council **NOTED** that the Local Government Pension Scheme (Governance) (Scotland) Regulations 2015 required changes to the governance arrangements for the Highland Council Pension Fund.

The Council **AGREED** to revise the Committee structure as follows:

- (i) membership of the Pensions Committee – 11 Highland Council Elected Members;
- (ii) membership of the Pension Board – 2 Highland Council Elected Members, 1 representative from Comhairle nan Eilean Siar, 1 representative for the other Employers and 4 Trade Union representatives;
- (iii) membership of the Investment Sub Committee – 7 Highland Council Elected Members, 1 non-voting representative from Comhairle nan Eilean Siar and 1 non-voting representative from the Trade Unions;
- (iv) the remit for the Pensions Committee and Investment Sub Committee to remain as previously agreed and detailed at Appendix 1 within the report; and
- (v) the remit for the Pension Board to follow the regulations as described in Section 5 of the report with a constitution for the Board being discussed at the first meeting.

The Council also **APPROVED** the Head of Corporate Governance as the Scheme Manager's nominated Joint Secretary.

23. Shared Parental Leave
Fòrladh Co-roinnte Phàrant

There had been circulated Report No. HC/12/15 dated 2 March 2015 by the Depute Chief Executive/Director of Corporate Development which outlined detail on the introduction of Shared Parental Leave and made recommendations regarding the provision of Shared Parental Leave Pay.

Decision

The Council **AGREED**:-

- (i) the provision of Shared Parental Leave as set out in the report; and

- (ii) the payment of occupational Shared Parental Pay as detailed in Section 3 of the report.

24. Review of Area Committees Comataidhean Sgìre

There had been circulated Report No. HC/13/15 dated 2 March 2015 by the Head of Policy and Reform which described the drivers for change affecting a review of Area Committees and proposed that Members locally should identify options to improve local decision-making and accountability for public services that would also enable greater participation of Highland residents in decisions affecting them.

During discussion, Members raised the following issues:-

- there was a need to recognise the considerable opportunities available in terms of future consultation and discussion with Highland communities and as part of this it had to be recognised that there could be different solutions for different areas;
- the review of the Area Committee structure had to be comprehensive and as such should include issues such as the size of Committees, whether they could be maintained/improved, arrangements with Ward Forums/Ward Business Meetings, duplication of reporting arrangements, potential for delegation of local budgets, etc;
- a full Survey of all Members should be undertaken to assess views on what currently worked well or could be improved;
- an initial 'brainstorming session' could allow for flexibility in terms of suggestions and new ideas/ways of working although it would have to be appreciated that any new arrangements could require additional resources/finance;
- there was a need for the Council to lead by example in terms of taking proposals forward and as such it would be important to examine whether there was currently duplication in terms of services being provided across a range of organisations in the area;
- a survey of Highland people/communities to ascertain their needs and expectations would be an important first step;
- in terms of local democracy, there was a need to consider how local people could be involved in local budgeting for the services they required;
- it would be helpful if the review could be undertaken and completed in as short a time as possible in order to enable recommendations to be made to the next Council in the new term;
- consultation should be undertaken with Community Councils in order to receive their views on the current arrangements and ideas for the future;
- there was a need to also consult with the Officers within the Council who had been involved with the Area Committees;
- the specific and detailed costs associated with the introduction and running of the Area Committees had to be clarified for Members;
- consideration should be given as to whether it would be feasible to retain Area Leaders (but not Area Committees) who could work more closely in future with District Partnerships;
- it was important to consider the right geographies to be used for community planning;
- a review of the current Area Committees should be undertaken in the first instance and thereafter consideration could be given as to how any new arrangements could be used to promote and support the proposals from the Commission on Strengthening Local Democracy; and

- local solutions (which might be different in different areas) should be explored which would put decision making and budgets in local control.

Decision

The Council **AGREED** that a review of Area Committees be undertaken which would:

- (i) be mindful of not only Ward Forums and Business Meetings but also other local Community Planning Forums and District Partnerships in terms of business covered and the resources involved;
- (ii) take forward the Council's response to the recommendations from the Strengthening Local Democracy Commission as outlined in Paragraphs 2.10 and 2.11 of the report;
- (iii) support the new duties arising from the Community Empowerment legislation;
- (iv) allow Members initially in their Ward Business Meetings to discuss ideas for local democratic experiments with Ward Managers. With Officer support, these could be developed into proposals for wider discussion with partners and communities with agreed approaches to be trialled. Members could agree locally the pace of change they sought, bearing in mind the long term nature of the programme and the capacity to support it; and
- (v) ideally involve several local experiments between now and end March 2017.

It was also **AGREED** that a Survey of all Members (and also Ward Managers and relevant members of staff) should be undertaken to assess views on current local arrangements to find out what worked well and where improvement might be needed and to consult with Members locally about the type of democracy they wanted, how that could support people working together to make change happen in communities by having more power and influence over what mattered to them and how that could reduce inequalities.

The Council **NOTED**:-

- (i) the verbal up-date of discussions with David O'Neil, Chair of the Commission on Strengthening Local Democracy, and with the Community Planning Board which was provided at the meeting;
- (ii) that a desk top review of the nature of business considered at Area Committees over the last year was underway and that information would be made available to Members by the end of the month;
- (iii) that to support this process initially Officers could arrange a Workshop for Area Committee Chairs and District Partnership Chairs and a Briefing on Participatory Budgeting as a new way to involve communities initially in the allocation of discretionary grants; and
- (iv) that Officers would support Members to ensure the ideas to be trialled did not breach governance and accountability requirements.

It was further **AGREED** that local solutions (which might be different in different areas) should be explored which would put decision making and budgets in local control.

25. **High Life Highland**
High Life na Gàidhealtachd

Declarations of Interest -

Mr F Parr and Mr K Gowans declared non-financial interests in this item on the grounds of being Directors of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude their involvement in the discussion.

Mr K Gowans declared a financial interest in relation to this item on the grounds of a family member being an employee of High Life Highland but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

(a) Appointment of Member

Following the decision of the Council on 18 December 2014, there had been circulated Minutes of Meeting of the Appointments Panel held on 6 February 2015, together with copies of the two applications which had been received.

There had also been circulated copies of the Role Profile and Skills Set for information.

At this point in the meeting, Mr A MacKinnon confirmed that for personal reasons he now wished to withdraw his application.

Decision

The Council **AGREED** to appoint Mr D Millar to High Life Highland as detailed.

In this regard, it was confirmed that the required Equalities & Diversity Training (as agreed earlier in the meeting) would be arranged for Mr Millar at an early date to enable him to take up this position.

(b) Appointment of Independent Directors

It was advised that the High Life Highland Nominations Committee had agreed to recommend that Mr Richard Armitage and Ms Jenny Welch should be appointed as Independent Directors of High Life Highland.

The Council **AGREED** the recommendation from the High Life Highland Nominations Committee as detailed.

26. **Scheme of Delegation – Proposed Amendments**
Sgeama Tiomnaidh – Atharrachaidhean a Thathar a' Moladh

The Council **AGREED** the following changes to the Scheme of Delegation –

Part II (Terms of Reference of Headquarters Committees) – Planning, Development and Infrastructure Committee – Para 2.6.5 – Amend current version (To implement Flood Alleviation Schemes) to read as follows – 'To promote Flood Protection Schemes'.

Part IV – Powers Delegated to Officers – Community Services – include the following – ‘Miscellaneous/Non-Statutory Powers – Piers – In order to release the Council from their interests in land and property, to approve, negotiate and undertake by disposal, sale, lease surrender, assignation or excambion of General Fund property, interests up to a value not exceeding £250,000, subject to demonstrating the asset is surplus to the operational requirements of Highland Council services and further subject to the sale price not being below market value and after consultation with Local Members (for piers and associated land and infrastructure only) – Responsible Officer (Head of Roads and Transport)’.

27. Timetable of Meetings
Clàr-ama Choinneamhan

The Council **AGREED** changes to the dates of the following meetings –

Highland Council – from 30 April to 14 May

Planning, Development & Infrastructure Committee – from 13 May to 3 June

Community Services Committee – from 14 May to 4 June

City of Inverness Area Committee – from 4 to 2 June

Audit & Scrutiny Committee - from 24 to 30 September and from 19 to 24 November

North Planning Applications Committee – from 10 November to 27 October

South Planning Applications Committee – from 22 to 29 September, from 17 to 10 November and from 22 to 14 December

It was also **AGREED** that the following meetings should be cancelled -

North Planning Applications Committee – 13 October

South Planning Applications Committee – 20 October

28. Deeds Executed
Sgrìobhainnean Lagha a Bhuilicheadh

It was **NOTED** that a list of deeds and other documents executed on behalf of the Council since the meeting held on 18 December 2014 was available in the Members’ Library and on the Council’s Website.

The meeting ended at 6.20pm.