

## The Highland Council

Minutes of Meeting of the **Nairn and Badenoch and Strathspey Area Committee** held in Talla nan Ros, King Street, Kingussie on Wednesday 18 March 2015 at 10.30 am.

### **Present:**

Ms J Douglas  
Mr D Fallows  
Mr L Fraser  
Mr M Green

Mr B Lobban  
Mrs L MacDonald  
Mr G Rimell

### **In attendance:**

Ms C McDiarmid, Head of Policy and Reform, Chief Executive's Office  
Ms L Cowie, Ward Manager, Chief Executive's Office  
Mr B Mackinnon, Employability Team Leader, Development and Infrastructure Service  
Mr C Mackintosh, Area Care and Learning Manager, Care and Learning Service  
Mrs J MacDonald, Head Teacher, Nairn Academy, Care and Learning Service  
Mr C Kemp, Area Community Services Manager, Community Services  
Ms R Cleland, Corporate Communications Manager, Chief Executive's Office  
Miss M Murray, Committee Administrator, Corporate Development Service

### **Also in attendance:**

Chief Inspector C Gough, Police Scotland  
Inspector K Macleod, Police Scotland  
Group Manager F Nixon, Scottish Fire and Rescue Service

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

### **Mrs L MacDonald in the Chair**

### **Business**

#### **Preliminaries**

The Chair referred to Mr Colin Macaulay's recent resignation as a Member of the Council with effect from 15 March 2015. On behalf of the Committee she paid tribute to his significant contribution as a Councillor and his hard work to achieve positive outcomes at all levels within the Council, observing that he had been hugely respected for his sound judgement, fairness and diplomacy. Members extended their good wishes to Mr Macaulay for the future.

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

There were no apologies for absence.

#### **2. Declarations of Interest Foillseachaidhean Com-pàirt**

Item 5: Mr L Fraser, Mr M Greene and Mrs L MacDonald (non-financial)  
Item 6: Ms J Douglas and Mr M Greene (non-financial)

Item 10: Mr L Fraser (non-financial)

### **3. Police Scotland – Area Performance Summary Poilis na h-Alba – Geàrr-chunntas Coileanaidh Sgìreil**

There had been circulated Report No NBS/01/15 dated 5 March 2015 by the Highland South Area Commander, Police Scotland, which provided a local summary update to Committee Members on progress with reference to the local priorities within the Highland 2014-17 Policing Plan.

The Chief Constable also provided an update on a number of matters raised by Members at the meeting of the Committee held on 25 September 2014 in regard to the use of seatbelts on school buses; the 101 system, Police Scotland's contact number for non-emergency calls, and performance information in this regard; and in relation to fuel theft.

During discussion, Members raised the following points:-

- the positive work being undertaken was welcomed and appreciation was expressed to local officers for their hard work and proactive and prompt responses on the ground to issues raised by Members and for the level of partnership working they undertook in the Area;
- in regard to emergency planning that consideration be given to how the wider community could be involved in supporting and assisting vulnerable people to address any gaps that may exist in terms of agency involvement, and the opportunities to consider this issue in a local community planning context;
- in regard to hate crime it was important to provide education in schools at an early stage to emphasise that this was a crime and as a measure to combat bullying behaviour;
- that Police Scotland be commended on the 101 Service which it was suggested was now operating well;
- that the low number of major incidents of crime in the Area was welcomed;
- it was suggested that the introduction of the average speed cameras on the A9 had significantly improved safety on the road and that increasing the limit for HGVs had also been an important measure in this regard;
- that it would be helpful to have more information included in the statistics on doorstep crime and in relation to the work of Public Protection Unit to better publicise the high detection rates being achieved; the Chief Inspector confirmed that he would investigate how best this data could be extracted and presented;
- with reference to Priority 5 – Protecting People and also the establishment of a National Child Abuse Investigation Unit in Inverness, it was noted that there were no specific performance indicators included in the report in relation to child abuse and that while it was recognised this was an extremely sensitive issue it was important that Members and the public had a sense of confidence that the utmost was being done in the Area to address the problem; in his response the Chief Inspector advised that he would raise Members comments on this issue with the relevant officer within Police Scotland; and
- that the positive impact of lowering of the drink driving limit in terms of the reduction in the number of drink driving offences was welcomed.

The Committee **NOTED** the progress report in relation to the 5 Priorities: Road Safety, Alcohol and Drug Abuse/Misuse, Antisocial Behaviour/Disorder, Crimes of Dishonesty and Protecting People.

#### **4. Scottish Fire and Rescue Area Committee Performance Report for 2014-15 Aithisg Coileanaidh Comataidh Sgìreil Seirbheis Smàlaidh agus Teasairginn na h-Alba airson 2014-15**

There had been circulated Report No NBS/02/15 dated 3 March 2015 by the Local Senior Officer for Fire and Rescue which detailed fire and rescue service performance against the key areas of planned activity identified during the Ward consultation sessions. Activity areas were identified through a range of Intervention, Prevention and Protection activities delivered in partnership to reduce risk to the communities in Nairn and Badenoch and Strathspey. The report also included a briefing paper in relation to the review of specialist equipment in the Scottish Fire and Rescue Service.

During discussion, Members raised the following points:-

- issues around the review of specialist equipment and specifically the relocation of some equipment to Elgin and Aberdeen and seeking assurances that this would not impact on the Service's continued ability to cover the Area;
- that the community response units performed an important role in attending roads traffic collisions in the Area and in supporting the retained crews at these incidents;
- that it would be helpful to know the response rates by the Community Response Units in the Area to call outs; the Group Manager advised that he would arrange for further information on incidents attended and response rates to be provided directly to Mr D Fallows;
- clarification was sought on the optimum staffing levels at each station in the Area, whether these levels were sustainable and in regard to the level of training required for retained firefighters;
- discussion around the new national recruitment process being progressed by the Scottish Fire and Rescue Service;
- that the retained and community response unit crews be thanked on the excellent service they provided; it was noted that these crews were highly respected locally and also for their voluntary work within the community;
- the involvement of local officers in the ongoing national review of the retained duty system was welcomed on the basis that it was important to ensure that any new system was fit for purpose and met local needs in the Highlands;
- in terms of the recruitment process the opportunities to target and encourage young people locally to become firefighters within their communities; reference was also made to whether there was any assistance Members could provide to support recruitment in their local areas; and
- clarification in regard to the incidents which were included under Special Service incidents.

Thereafter and in response to the Chair, the Group Manager confirmed that he would arrange for the Local Senior Officer's report to be circulated electronically to community councils in the Area.

The Committee **NOTED** the:-

- i. Area Performance Report; and

- ii. the briefing paper on the review of specialist equipment in the Scottish Fire and Rescue Service.

## 5. Deprived Area Fund 2015-16 Maoin Sgìre Bhoichd 2015-16

**Declarations of Interest:** Mrs L Macdonald and Mr L Fraser declared a non-financial interest in this item as members of the steering group in respect of the Nairn River Enterprise project, and Mr M Greene declared a non-financial interest in this item as a Director of Nairn Citizens Advice Bureau, 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 NBS/03/15 dated 4 March 2015 by the Director of Development and Infrastructure which invited Members to consider recommendations for the allocation of the Deprived Area Fund for 2015-16 in the Nairn and Badenoch and Strathspey Area.

The Employability Team Leader advised of a correction to the report and confirmed that the uncommitted balance of the Fund in 2014-15 was £5,000 and not £6,151 as stated.

During discussion, Members raised the following points:-

- the Chair advised that she had received a positive report from the Nairn CAB in regard to the work carried out in regard to employability and training in the previous year; Members also commented on the quality of the work undertaken by the CAB in this regard and the local benefits delivered; and
- that Members looked forward to projects coming forward through the Nairn River Community Council's project and expressed support for the recommendation that the application be deferred to allow more detailed information to be sought on the detail of the proposals and on assistance from other funding sources.

The Committee:-

- i. **APPROVED** the recommendations as follows:-

Ref No.	Applicant	Amount
10856	Nairn River Community Council	Defer
10801	Nairn Citizens Advice Bureau	£9,318

- ii. **AGREED** to delegate decisions on the balance of the Funds in 2015-16 to the Director of Development and Infrastructure in consultation with the Chair of the Area Committee and Ward Members.

## **6. Nairn Academy Associated School Group Overview Sealladh Coitcheann air Buidheann Sgoiltean Co-cheangailte Acadamaidh Inbhir Narann**

**Declarations of Interest: Ms J Douglas and Mr M Green declared a non-financial interest in this item as Duke of Edinburgh's Awards Leaders, and as Members of the Highland Awards Project Board, and Ms J Douglas also declared a non-financial interest in this item as a Director 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.**

There had been circulated Report No NBS/04/15 dated 5 March 2015 by the Director of Care and Learning which provided an update of key information in relation to the schools within the Nairn Academy Associated School Group (ASG) and useful updated links to further information in relation to these schools.

During discussion, Members raised the following points:-

- that the increase in user numbers achieved at Nairn Swimming Pool over the period 2011/12 to 2013/14 be welcomed and the staff commended on their success in this regard;
- it was suggested that there were deficiencies in the delivery of the Duke of Edinburgh's Award Scheme in Highland on the basis it currently operated in an ad hoc manner and was dependant on local arrangements and resources; it was suggested that a pan Highland coordinated approach be taken in regard to the delivery of the Award in schools in recognition of the value of introducing young people to the outdoors and maximising opportunities in this regard; key to this approach should be that active schools coordinators and youth development officers be given the remit to deliver the Scheme in schools;
- in regard to the above reference was made to the complexities associated with delivery of the Duke of Edinburgh's Award on the basis that there were different operating authorities, that a key ethos of the Award was that it was voluntary, and also that the funding arrangements for active school coordinators may not allow them to undertake this work within the timetable;
- in response to the above comments it was suggested therefore that a report be brought to a future meeting of the Committee on the Award and other achievement awards to consider issues such as current good practice, where gaps existed, how joint working between the agencies could be promoted and mechanisms for encouraging community involvement in such schemes;
- an explanation was sought on the reasons for the reduction in the number of users at Nairn Library and the mobile library; the Area Care and Learning Manager confirmed that he would investigate and report back directly to Mr L Fraser on this matter;
- clarification was sought in regard to the School Roll projections at Nairn Academy based on the current occupancy rates for feeder primary schools as detailed in the report; it was noted that roll numbers were projected to rise over the next ten years, reaching a peak of 93% occupancy in 2023/24 and levelling off thereafter;
- concern was expressed at snagging issues which had been experienced in respect of school buildings projects in the Area and in regard to the significant amount time senior school staff required to spend dealing with these problems; it was suggested that measures be considered to resolve these issues and provide appropriate

support to school staff, and also to ensure that similar issues did not arise following completion of future buildings projects; and

- in regard to the above it was noted that these matters had been raised with the Service's Head of Resources and Estates Strategy Manager but that there was also a need to for Members and officials at an Area level to commit to continue to pursue this matter and to ensure appropriate support was provided to schools.

The Committee:-

- i. **NOTED** the content of the report;
- ii. **AGREED** that measures to address the issues around snagging experienced with school buildings projects in the Area continue to be pursued in conjunction with the relevant officials and at an Area level; and
- iii. **AGREED** that a report to be brought to a future meeting of the Committee providing an overview of the Duke of Edinburgh's Award Scheme and other achievement awards.

**In accordance with Standing Order 18, with the consent of the meeting, Item 9 on the agenda was taken at this point.**

**9. Nairn Common Good Fund: 2015/16 Budget Setting and Quarter 3 Monitoring Report for 2014/15**  
**Maoin Math Choitcheann Inbhir Narann: Suidheachadh Buidseit 2015/16 agus Aithisg Sgrùdaidh Ràithe 3 airson 2014/15**

There had been circulated joint Report No NBS/07/15 dated 3 March 2015 by the Director of Finance and the Inverness City Manager which invited Members to set the revenue budget for the Nairn Common Good Fund (NCGF) for the financial year 2015/16. It clarified:-

- Current governance arrangements
- Anticipated income (primarily from tenancy rentals)
- Proposed expenditure made to the Council for services rendered in support of the fund and how these services should be supported in the coming financial year and thereafter

It also asked Members to note the position of the NCGF as shown in the Quarter 3 Monitoring Statement and that progress was being made towards developing an investment strategy.

During discussion, Members raised the following points:-

- that the Ward Manager and staff be thanked for their hard work in bringing forward the report and ensuring that as much information as possible was in the public domain to ensure openness and transparency in respect of the Fund;
- that Members and officials continued to work together to improve the assets and income of the Fund and that the overall improved position of the Fund, and the fact surpluses were being achieved, should be welcomed;
- it was important that improved and robust documented procedures and practices be implemented in respect of the governance and administration of the Fund in line with comments included in the Community Empowerment Bill on common good funds which had identified varying practice in regard to the quality of governance

by local authorities in relation to the duties imposed on them by legislation and case law; and

- in regard to the above the Chair provided an assurance that work was ongoing to ensure that appropriate procedures and best practice were being implemented in regard to governance and administration of the Fund.

Thereafter, the Committee:-

- i. **AGREED** the Nairn Common Good Fund Revenue Budget for 2015/16 as detailed within the report;
- ii. **NOTED** the position of the Nairn Common Good Fund as shown in the Quarter 3 Revenue Monitoring Statement against Budget;
- iii. **NOTED** that the draft investment strategy for the Nairn Common Good Fund would now be brought before the June Area Committee; and
- iv. **AGREED** that update reports continue to be brought before Area Committee.

## 7. Housing Performance Report – 1 April to 31 December 2014 Aithisg Coileanaidh Taigheadais – 1 Giblean gu 31 Dùbhlachd 2014

**Declaration of Interest: Mr L Fraser declared a non-financial interest in this item as a Sub-Contractor for the Housing Service in Nairn 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 Report No NBS/05/15 dated 24 February 2015 by the Director of Community Services which provided information on how the Housing Section performed in relation to Scottish Social Housing Charter and other performance indicators during the first nine months of 2014/15.

During discussion, Members raised the following points:-

- concern at the average length of time taken to complete non-emergency repairs in Badenoch and Strathspey on the basis that the figures shown for 2014/15 were higher than the figures for 2013/14, with the exception of Quarter 3;
- concern that homeless presentations in Badenoch and Strathspey had more than doubled in Quarter 3 2014/15 when compared to the same period in 2013/14;
- it was requested that arrangements be made for progress reports on housing capital projects in the Area to be submitted to future meetings of the Committee;
- that clarity be provided around the figures shown for homeless prevention in Quarter 2 of 2014/15; the Area Community Services Manager advised that he would respond directly to Mr D Fallows on this matter;
- noting a correction to the figures at paragraph 4.4 of the report to the effect that in terms of current rent arrears the difference between the 2009/10 and the 2014/15 figure for Nairn was £2,247 and for Badenoch and Strathspey was £6,594.

The Committee:-

- i. **NOTED** the information provided on housing performance in the period 1 April to 31 December 2014; and
- ii. **AGREED** that arrangements be made for progress reports on housing capital projects in the Area to be submitted to future meetings of the Committee.

## **8. Landfill Community Fund Maoin Coimhearsnachd Làraich-Sgudail**

There had been circulated Report No NBS/06/15 dated 20 February 2015 by the Director of Community Services which invited Members to approve an application to the Highland Council Landfill Communities Fund by TCV Scotland for the sum of £10,000 toward the Nairn, Badenoch and Strathspey Green Gym project, details of which were provided at Appendix A

During discussion, Members raised the following points:-

- concern was expressed that the Committee was being asked to 'approve' the application despite considerable discussion at the last meeting on 4 December 2014 in regard to the Council's role in applications to the Fund when it had been clarified that applications were presented to the Committee only for scrutiny and endorsement and not for approval;
- in regard to the above it was suggested that the recommendation be amended to reflect that the Committee supported the application;
- that the scheme of delegation be amended to reflect the Council's role in such applications at the earliest opportunity; and
- comments in regard to the scope to extend the project into Badenoch and the opportunities for conservation volunteers to undertake works to the coastal path network in Nairn.

The Committee **AGREED** to support the application and **NOTED** that the scheme of delegation would be amended at the earliest opportunity in relation to the Council's role in applications for the Fund.

## **10. Minutes Geàrr-chunntas**

There were circulated and **NOTED** the Minutes of Meeting of the Nairn and Badenoch and Strathspey Area Committee held on 4 December 2014, which were approved by the Council on 18 December 2014.

## **11. Exclusion of Public Às-dùnadh a' Phobail**

The Committee **RESOLVED** that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public should be excluded from the meeting during discussion of the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act.

## **12. Nairn Common Good – Former Marine Road Public Conveniences, Nairn Maoin Math Choitcheann Inbhir Narann – Goireasan Poblach Seann Rathad na Mara, Inbhir Narann**

There had been circulated to Members only joint Report No NBS/08/15 by the Director of Development and Infrastructure and the Inverness City Manager in connection with the former Marine Road toilet block, Nairn.



The Committee **AGREED** the recommendations set out in the report.

The meeting concluded at 12.30pm.