

The Highland Council

Minutes of Meeting of the **Planning, Development and Infrastructure Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness, on Wednesday, 19 August 2015, at 10.30 a.m.

Present

Mrs H Carmichael	Mr D Millar (substitute)
Mr B Clark	Mrs M Paterson (substitute)
Dr I Cockburn	Mr G Phillips
Mr G Farlow	Mr T Prag
Mr J Gray	Mr M Reiss
Mr M Green	Mr I Renwick
Mr R Greene	Mr G Rimell
Mr B Lobban	Mr R Saxon
Mr D Mackay	Dr A Sinclair
Mrs I McCallum	Mr H Wood

Non-Members also present:

Dr D Alston	Mrs L MacDonald
Mr R Balfour	Mr A Rhind
Mr D Fallows	Ms K Stephen

Officials in attendance:

Mr S Black, Director of Development and Infrastructure
Mr M MacLeod, Head of Planning and Building Standards
Mr G Hamilton, Head of Environment and Development
Mr C Howell, Head of Infrastructure
Mr A Maguire, Head of Housing Development
Mr A McCann, Economy and Regeneration Manager
Mr S Dalgarno, Development Plans Manager
Mr D Mudie, Team Leader - Development Management
Mr M Mitchell, Service Finance Manager
Mr C Anderson, Property Manager (Operational Estate Management)
Mr G Campbell, Building Standards Manager
Mr G Summers, Principal European Officer
Mr C Simpson, Principal Tourism & Film Officer
Mr D Cowie, Principal Planner
Mr C Baxter, Planner
Mrs L Dunn, Principal Committee Administrator
Miss J Green, Administrative Assistant
Mr A MacInnes, Administrative Assistant

Also in attendance:

Dr M Cantlay, VisitScotland (Item 3)
Mr S Armstrong, Regional Partnerships Director (North of Scotland),
VisitScotland (Item 3)

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

Dr A Sinclair in the Chair

1. Apologies for Absence Liesgeulan

Apologies for absence were intimated on behalf of Mr J Crawford, Mr J Gordon, Mr T MacLennan and Mr M Rattray.

2. Declarations of Interest Foillseachaidhean Com-pàirt

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

- Item 11 – Mrs H Carmichael, Mr D Fallows Mr B Lobban, Mrs L Macdonald and Mr T Prag (all non-financial)
- Item 17 – Mr M Reiss (non-financial)
- Item 19 – Mr D Fallows and Dr A Sinclair (non-financial)

3. VisitScotland - Presentation and Annual Report VisitScotland - Taisbeanadh agus Aithisg Bhliadhnail

A presentation was given by Dr Mike Cantlay, Chairman of VisitScotland (VS), which provided a summary of VisitScotland's recent and proposed activity and ambitions for growth into the future. He advised that VisitScotland had completed the 'Winning Years' programme for 2012-2014 which had focused on eight main themes with a view to driving growth in the tourist industry. Dr Cantlay reported that 2014 had been an extremely successful year with events such as the Highland Homecoming and that this had been reflected in a 10% increase in visitor numbers and spend in that year.

During discussion, Members raised the following points:-

- the impact in terms of visitor numbers associated with operational changes to VisitScotland's information centres and in particular the partnership approach being progressed;
- that the success of the North Coast 500 project and the world wide interest and publicity it had received had exceeded expectations and should be welcomed;
- it was important to recognise the significant impact the Council had on the tourist industry through the delivery of its services in communities and on tourist routes such as the North Coast 500;
- reference to the approach being taken by VisitScotland to better promote and inspire young people to take up careers in the tourism industry;
- it was suggested that recent events in the Highlands such as Mark Beaumont's cycle trip along the North Coast 500 route, the World Orienteering Championships, Belladrum Festival and Clan gatherings had generated a tremendous amount of publicity for the Highlands and positive visitor feedback from those attending; credit was due to both VisitScotland and the Council for the support they had given to these events and other major events held in the Highlands;

- discussion in regard to VisitScotland's ambitions in respect of visitor numbers and growth going forward;
- with reference to the Community Empowerment (Scotland) Act 2015 a point in regard to how VisitScotland intended to engage with local tourism and community groups, particularly in relation to issues such as the need to review the existing brown tourist signage and better promote the visibility of communities;
- issues around VisitScotland's views on the impact of wind turbines on visitor numbers in Highland it being suggested that they were not having the negative effect on visitor numbers which had been predicted;
- noting that working alongside VisitScotland, American author and journalist, Tom Coyne had visited some of the Highland's world-class golf courses; however concern was expressed that his visit had not included the golf courses in Nairn and at Thurso and it was suggested that an opportunity had been missed particularly given that Nairn Golf Club along with Castle Stuart and Royal Dornoch Golf Clubs were members of the Highland Golf Links Partnership, which had received funding from VisitScotland and been established to boost the marketing of the Highland's top golf courses;
- it was important that VisitScotland in partnership with the Council worked to improve free WiFi coverage in communities on the basis this would help boost tourism trade through for example free advertising by visitors using social media whilst in the area and encourage the development of apps to provide local information for tourists visiting the locality; and
- reference was made to the A9 dualling programme and VisitScotland's input in developing the road as a scenic route through the provision of appropriate information and signage for visitors.

Thereafter, the Committee thanked Dr Cantlay and **NOTED** his presentation.

4. Recess Powers Cumhachdan Fosaidh

The Committee **NOTED** that the recess powers granted by the Council at its meeting on 25 June 2015 had not required to be exercised in relation to the business of this Committee.

5. Revenue Budget – Final Outturn 2014/15 and Monitoring 2015/16 Buidseat Teachd-a-steach – Fìor Shuidheachadh Deireannach 2014/15 agus Sgrùdadh 2015/16

There had been circulated Report No. PDI/43/15 dated 9 August 2015 by the Director of Development and Infrastructure providing information on the final outturn for the revenue budget for the year to 31 March 2015 and the revenue monitoring position for the Development and Infrastructure Service for the period to 30 June 2015 and the projected year end position.

In discussion it was suggested that it would be helpful for Members to receive a summary of appeal decisions and costs incurred.

The Committee:

- i. **APPROVED** the revenue budget outturn statement for 2014/15 and the monitoring report to 30 June 2015; and
- ii. **AGREED** that a summary of appeals decisions and associated costs be submitted to a future meeting of the Committee.

**6. Capital Expenditure – Final Outturn 2014/15 and Monitoring 2015/16
Caiteachas Calpa – Fìor Shuidheachadh Deireannach 2014/15 agus Sgrùdadh 2015/16**

There had been circulated Report No. PDI/44/15 dated 10 August 2015 by the Director of Development and Infrastructure commenting on the final outturn for the capital budget for the year to 31 March 2015. The report also outlined the expenditure and income to 30 June 2015 for the 2015/16 capital programme.

The Head of Infrastructure provided an update on the Inverness West Link project during which he advised that Scottish Ministers had approved the compulsory purchase orders, footpath orders and planning permission for the Canal Parks Enhancement project had been obtained, and that this allowed the project to now move to the construction phase. In this regard the Enabling Works contract would commence in September 2015 with a view to the main works commencing in the Spring 2016. He also advised that a community liaison group had been established in respect of the project and the first meeting of the group would be held on 31 August 2015.

During discussion, Members raised the following points:-

- it was noted that there was provision in the budget for survey and design works to be carried out in respect of the A832 Slattadale to Kerrysdale road and that these works had commenced and were ongoing;
- that the proposal to progress design work for a replacement to the B9090 White Bridge, Cawdor as a priority was welcomed on the basis this was a strategic route in terms of transport links in the area; in this regard it was suggested that the imposition of a weight restriction on the bridge would not only have a significant impact on the local farming community, estates and forestry and businesses in the surrounding area but also increase the volume of heavy traffic on the A96 through Nairn, a main tourist route, all of which would have a detrimental impact on the local and wider economy;
- in view of the above that it was important that Members, officials and the local community worked together to ensure that the replacement of the B9090 White Bridge, Cawdor was progressed and delivered as speedily as possible; it was also noted that a community group had been established to liaise with the Council in delivering the project;
- confirmation that the flood prevention works to be undertaken in Newtonmore was included under the general heading of 'Flood Prevention Schemes' in the report;
- it was noted that tenders had been received for the A862 Muir of Ord Railway Bridge and that it was anticipated construction works would commence in September 2015;
- concern that there was no reference contained in the report in regard to flood prevention in Thurso given the issues which had been experienced and also a point in regard to the opportunities to enhance and improve the

area around the River Thurso through any potential flood alleviation scheme; the Head of Infrastructure advised that work on a flood study for Thurso was ongoing and that Members would receive a briefing on this issue at a Ward Business Meeting at the earliest opportunity and consideration given to how this work was recorded in future reports;

- that an update be provided to the Committee in regard to progress with external funding arrangements for the A890 Stromeferry Bypass; the Head of Infrastructure advised that a meeting was to be held with Transport Scotland officials early in September 2015 to discuss how to develop the best case in terms of funding processes and that a progress report would be brought back to the Committee in due course; and
- that the progress achieved to date in respect of the Inverness West Link, River Ness Flood Scheme and Millburn Cycle Route projects be welcomed and that the relevant officials be congratulated in this regard; it was suggested that the Council through these major projects had demonstrated both leadership and the ability to listen to public concerns.

The Committee **APPROVED** the capital expenditure outturn position for the year ended 31 March 2015 and monitoring position for the period to 30 June 2015.

7. Planning Performance Framework and Quarter 1 Performance Review Frèam Dèanadas Dealbhaidh agus Ath-bhreithneachadh Dèanadais Cairteil

There had been circulated Report No. PDI/45/15 dated 5 August 2015 by the Director of Development and Infrastructure advising Members on the delivery of the Development Management, Building Standards and Development Plan services for the 1st Quarter of 2015/16.

The Committee **NOTED** the performance updates across the Development Management, Building Standards and Development Plans teams.

8. Building Standards Balanced Scorecard – Annual Report Cairt-sgòraidh Chothromaichte nan Inbhean Togail – Aithisg Bhliadhnaidh

There had been circulated Report No. PDI/46/15 dated 28 July 2015 by the Director of Development and Infrastructure providing information on the Building Standards Balanced Scorecard for 2015/16, and seeking approval for the submission of the Key Performance Outcomes (KPOs) to the Scottish Government on a quarterly basis.

The Committee **AGREED** the publication of the Scorecard and submission of KPOs to the Scottish Government.

9. Development and Infrastructure Service Workforce Plan 2015-2019 Plana Sgioba-obrach Seirbheis an Leasachaidh agus a' Bhun-structair 2015-2019

There had been circulated Report No. PDI/47/15 dated 31 July 2015 by the Director of Development and Infrastructure setting out a summary of the Development and Infrastructure Service Workforce Plan for 2015-2019.

The Director of Development and Infrastructure advised of a correction to the report and clarified that the Development and Infrastructure Service's absence was currently sitting at 7.6 days per person, per annum and not 7.6% as stated in the report. He confirmed that the Service's absence was below the Council's average.

During discussion, Members raised the following points:-

- support was expressed for the workforce plan in general and specifically the emphasis on graduate recruitment and in house skills and the need to address the gender imbalance in the Service in regard to the ratio of females to males in promoted posts;
- the fact that the Development and Infrastructure Service's absence was below the Council average be welcomed;
- in regard to the A9 dualling programme, noting that the Director of Development and Infrastructure represented the Council on the Business Continuity and Engagement Group which had been established to involve pupils in secondary and feeder primary schools along the route with a view to encouraging them to consider careers in roads engineering and construction; and
- discussion around the savings which would be achieved through mobile and flexible working noting that the principal aim of the e-Building Standards project was to enable staff to undertake more IT/administrative work in the field and without having to return to base.

The Committee **AGREED** the Development and Infrastructure Service Workforce Plan for 2015-2019.

10. Development and Infrastructure Service Business Continuity Plan Plana Leantainneachd Ghnothachais Seirbheis an Leasachaidh agus a' Bhun-structair

There had been circulated Report No. PDI/48/15 dated 3 August 2015 by the Director of Development and Infrastructure introducing the Development and Infrastructure Service's Business Continuity Plan (BCP) which identified key business activities delivered by the Service. This Plan, which had been prepared according to a methodology agreed by the Executive Leadership Team, identified key activities which must be maintained against a range of timeframes. Once adopted, it became an integral part of the Council's overall General Business Continuity Plan and any identified training for staff in its activation would follow, as would testing and periodic (annual) review.

The Committee **APPROVED** the Development and Infrastructure Services Business Continuity Plan which would then become part of the Council's overall General Business Continuity Plan.

11. Business Gateway Slighe Gnothachais

Declarations of Interest:

As directors of the Board of Highland Opportunity Limited, Mr B Lobban, Mr T Prag, Mrs L MacDonald and Mr D Fallows each declared a non-financial interest in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, each concluded that their interest did not preclude their involvement in the discussion.

As Chair of the Princes Trust Youth Business Scotland, Mrs H Carmichael declared a non-financial interest in this item 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.

There had been circulated Report No PDI/49/15 dated 26 July 2015 by the Director of Development and Infrastructure updating Members on the Business Gateway contract performance for the first Quarter of 2015/16.

During discussion, concern was expressed regarding the delays that were being experienced in respect of the application that had been submitted to the Scottish Government for European Regional Development Fund assistance and the Chairman requested that this issue be addressed as part of the next item (Item 12) on the agenda.

The Committee **NOTED** the performance for the first quarter of the operational year 2015/16.

12. European Engagement Conaltradh Eòrpach

There had been circulated Report No PDI/50/15 dated 27 July 2015 by the Director of Development and Infrastructure apprising Members of the European networks the Council was a member of and sought approval for the proposed Council representation on these networks and for those members to develop their positions within the networks to the benefit of the Council and the Highlands, in line with adopted Council priorities.

The report also provided an update on the development of the EU regional fund programmes in the Highlands and Islands.

During discussion, Members raised the following points:-

- the Leader of the Council had met with Keith Brown MSP Cabinet Secretary for Infrastructure, Investment and Cities who promised to investigate the serious concerns expressed about the launch of the EU regional fund programmes and delays in monies;
- it was very important that the programmes were progressed quickly and one possible solution was to progress the Highlands and Islands separately from the rest of Scotland;

- participation was key in Europe and membership of the European networks provided a great opportunity to give priority to funding that was felt necessary for the local area;
- it was suggested that the representatives on the European networks met quarterly and a meeting be held in the near future to set out the groups priorities;
- nominees for the European networks welcomed discussions with previous representatives and the importance of continuity in networking by involving previous representatives was highlighted;
- Mr G Farlow should continue to represent KIMO as a substitute member;
- the issue of delays in European funding was one of the biggest risks facing the Council and the Highlands and Islands and profound concern directed at how the Scottish Civil Service managed the programmes had been expressed at meetings of the Highlands and Islands Partnership and Convention of Highlands and Islands;
- in relation to future updates on progress on discussions with the Scottish Government it was requested that at the next meeting of the Council there be an opportunity to put questions to the Leader of the Council to scrutinise politically how lobbying was progressing;
- an update on progress and the issues surrounding funding were sought from the Scottish Government so that there was a greater understanding and communication could be strengthened between officials and politicians including increased involvement from MEPs;
- the support from HIE and UHI, particularly Prof Martin Price, Director of the Centre for Mountain Studies, was very important in managing the Euromontana budget;
- with regard to the EMFF, relations with representatives of the fishing, fish processing and aquaculture industries needed strengthening;
- issues in relation to Europe needed to be a higher priority and given greater commitment and in recognising the complexities resources within the Council and the local area be better co-ordinated to get results and avoid losing out on funding for the region; and
- the Cairngorms National Park Authority Finance Committee had recently signed the Service Level Agreement for the LEADER programme but two thirds of all the accountable bodies had not signed the agreement once the deadline had passed, including Highland Council, due to outstanding concerns.

Following discussion, the Committee **NOTED** the contents of the report, and:

- i. **AGREED** the proposed Council nominations for the CPMR, Euromontana, Highlands & Islands European Partnership, Highlands & Islands Territorial Committee, KIMO and the North Sea Commission as follows:
 - CPMR – Mrs I McCallum;
 - North Sea Commission – Mr J Gray to continue as Chair of the Energy and Climate Change Group;
 - Euromontana – Chair of Planning, Development and Infrastructure;
 - KIMO – Mr R Greene with Mr G Farlow as substitute;
 - Highlands and Islands European Partnership – Leader of the Council; and
 - Highlands and Islands Territorial Committee – Leader of the Council

- ii. **NOTED** the election of Mr R Greene as the substitute Scottish member on the North Sea Commission Executive Committee;
- iii. **AGREED** that the Council nominations be given the remit to develop their roles in the respective networks in line with Council programme priorities;
- iv. **AGREED** to request an evaluation of Council membership of KIMO at the time of the annual report on EU engagement at the end of 2015 as set out at paragraph 2.4 in the report and of the other networks in 2016 as set out at paragraphs 2.2 and 2.3 in the report; and
- * v. **AGREED** to request future updates on progress on discussions with the Scottish Government on the development and delivery of the ESIF programmes to ensure that the Council and the Highlands derived maximum benefit from this major European investment in the region and to recommend to the Council that an update be provided by the Leader of the Council on the meeting held on 11 August 2015 with the Cabinet Secretary for Infrastructure, Investment and Cities.

13. Major Event Funding

Maoineachadh airson Thachartasan Mòra

There had been circulated Report No. PDI/51/15 dated 27 July 2015 by the Director of Development and Infrastructure recommending the provision of funding support to forthcoming major events.

The Committee **APPROVED** funding allocations from the Highland Major Events Fund up to the amounts detailed in sections 2.4 and 3.4 of the report.

14. Land Reform (Scotland) Bill

Bile Ath-leasachaidh an Fhearainn (Alba)

There had been circulated Report No. PDI/52/15 dated 3 August 2015 by the Director of Development and Infrastructure introducing the recently published Land Reform (Scotland) Bill which was introduced to the Scottish Parliament on 22 June 2015. The Bill would now be the subject of scrutiny by the Parliament's Rural Affairs, Climate Change and Environment Committee. An extension to the response deadline had been secured and comments on the Bill were now sought from Highland Council by 19 August 2015.

Members were advised that some of the detail of the Land Reform (Scotland) Bill would be dealt with in a proposed workshop for Members, which would include other agencies. It was intended that the workshop, which other agencies would be invited to, could be arranged within the next few weeks, prior to given evidence to the Rural Affairs, Climate Change and Environment, if they accepted the invitation to attend.

Reference was made to a recommendation by the Land Reform Group which stated that the Scottish Government should make it incompetent for any legal entity not registered in a member state of the European Union to register a title to land. This was not about restricting who owned land, but the transparency of who owned land. The only way to do something about the misuse of land was to do something about who owned it. Therefore, this recommendation was about putting a system in place, so that it would be clear who owned land. This recommendation was supported by the Council and the Scottish Government, but

it was not part of the Land Reform (Scotland) Bill. The Council when it gave evidence to the Rural Affairs, Climate Change and Environment Committee, should argue for the inclusion of this provision in the Bill. Members supported this proposal which would be further examined at the workshop. The view was also expressed that 'ransom' strips' of land should be looked at as this stifled economic growth.

Further, the Council did not engage enough with landowners, in particular to learn about each other's aspirations. There was currently no forum in place for this to happen and this should be encouraged.

The view was expressed that Land Reform was fundamental to the way the country was taken forward. Also, in terms of deer management, there had been a significant increase in Lyme disease. This was a tick borne disease and ticks were brought into communities by deer, which had been poorly managed. Deer control was necessary to prevent this disease in communities. The Land Reform Bill was a means of addressing this issue.

The Committee considered the report and the land reform objectives of the Land Reform (Scotland) Bill and **AGREED:**

- i. an initial response to the Convener of the Scottish Parliament Rural Affairs, Climate Change and Environment Committee which welcomed the general principles of the Bill as introduced and sought an opportunity to provide oral evidence on the detail of the Bill;
- ii. an invitation to the Rural Affairs, Climate Change and Environment Committee to hear evidence in Inverness before the end of the year; and
- iii. that a Members workshop be scheduled to determine the aspects of the Bill Members wished to pursue with the Rural Affairs, Climate Change and Environment Committee when invited to give evidence.

15. Highland-wide Local Development Plan – Main Issues Report

Plana Leasachaidh Ionadail na Gàidhealtachd air Fad – Aithisg Phrìomh Chùisean

There had been circulated Report No. PDI/53/15 dated 30 July 2015 by the Director of Development and Infrastructure presenting the Main Issues Report (MIR) for the Highland-wide Local Development Plan (HwLDP) for approval. The report marked the first formal stage in reviewing the existing HwLDP to create a policy only plan that provided an updated and consistent framework for planning decisions across Highland.

The MIR reflected an outcome based approach showing how the new Plan could help deliver the Highland Single Outcome Agreement. It presented a vision based on four thematic outcomes - Guiding Development; Placemaking, Design and Travel; Resource Management; and Delivering Development – along with options for updating the Council's policy framework to address these outcomes.

A presentation was made in support of the report during which it was proposed that there be the following revision/additions to the recommendations:-

- recommendation i. be amended to read – ‘*approve the MIR for public consultation, including the preferred options for dealing with the main issues identified, and the modified Development Hierarchy outlined in the presentation; and*
- *there be a further recommendation additional as follows “agree for the Community Planning Partnership Board to consider the MIR and for any modifications to be agreed in consultation with the Chair”.*

In discussion, Members made the following comments:-

- Keeping young people in rural areas was a priority, and commuting from rural areas into urban areas was essential for many people;
- It was felt that the general public was not aware of how important the development plan was. It was particularly useful in addressing inequalities in Communities. A lot of people in communities would not partake in development plan consultations, therefore, it was important to reach out to those who felt disengaged with the process;
- Clarification was sought on proposals for the Airstrip at Broadford, on the Isle of Skye, and it was confirmed that this was identified on the Spatial Strategy map, and an update on progress would be provided to all Skye Members;
- The Town Centre First principle in the development plan was welcomed, as was the inclusion of the use of all space above shops in town centres for residential use;
- Reference was made to concerns regarding the use of legal agreements for new croft houses due to associated costs, legal burdens and the potential availability of finance, and the risks if legal agreements were dispensed with. It was advised that the Crofters Commission was relaxed about removing the legal requirement for new croft houses and was developing their own planning guidance. Clarification was sought on the Council’s preferred approach with regard to legal agreement for new croft houses. It was confirmed that Officers were in discussion with the Crofters Commission about their new planning guidance;
- Reference was made to the difficulties people faced in getting mortgages to build new croft houses due to the use of legal agreements in the planning process and the need for the Council to support crofting as it kept people on their land was stressed;
- Clarification was sought on how the Council had engaged with statutory bodies with regard to the development plan;
- In terms of ensuring fragile areas were accurately defined, it was highlighted that the map used in this regard was seven years old and it was suggested that contact be made with HIE for a more up to date version. There was also a need to do more to support fragile areas. These areas would not recover unless there was an investment in infrastructure, particularly connectivity. The preferred approach therefore should include investment in rural areas;
- In terms of the preferred approach in the development plan in relation to Strategic Transport, this should include *‘in fragile areas, community transport is considered a strategic asset and commit to financial investment to defined need’*;

- Reference was made to the development plan document running hand in hand with Transport Planning. However in National Park areas, the development plan did not apply and therefore Transport Planning should work hand in hand with the National Park Authority, in the production of their local plan; and
- The progress that had been made by the Council in the development plans process was commended.

The Committee:

- i. **APPROVED** the Main Issues Report for public consultation, including the preferred options for dealing with the main issues identified and the modified Development Hierarchy outlined in the presentation;
- ii. **AGREED** that any minor modifications, presentational and typographical changes required to the Main Issues Report and Environmental Report documents prior to publication could be made by the Director in consultation with the Chair;
- iii. **AGREED** to the Main Issues Report and associated Environmental Report being subject of public consultation to commence in the Autumn of 2015;
- iv. **AGREED** the proposed arrangements for consultation and role of Members in encouraging people to engage in the plan process;
- v. **AGREED** that the results of the consultation be reported to this Committee in due course for consideration and decision on the contents of the Proposed Plan;
- vi. **NOTED** that the Monitoring Statement would be published as a supporting background document; and
- vii. **AGREED** that the Community Planning Partnership Board consider the MIR and for any modifications to be agreed in consultation with the Chair.

16. Onshore Wind Energy Supplementary Guidance Iùl Leasachail Lùth Gaoithe Air-cladaich

There had been circulated Report No. PDI/54/15 dated 10 August 2015 by the Director of Development and Infrastructure presenting the Draft Onshore Wind Energy Supplementary Guidance (Draft SG) for approval. The Draft SG aimed to provide an effective framework for guiding wind energy development in Highland. This was the result of a review of both the existing Onshore Wind Energy Interim Supplementary Guidance and the current pattern of wind energy development in Highland, taking account of stakeholders' views gathered following the publication of a Consultation Paper earlier this year.

The Draft SG had been brought into line with Scottish Planning Policy (2014), and incorporated current best practice for assessing and managing wind energy development.

The Chair thanked all those who had taken the time to respond to the consultation paper on Onshore Wind Energy. In discussion, the following comments were made:-

- In terms of separation distances from communities and the definition of communities themselves, the guidance needed to reflect the reality on the ground;
- The issue of windfarms being cumulatively oppressive was raised;

- There were big issues regarding windfarm noise and visual impact and the Draft SG would be important in providing more focus for Development Management;
- The point was made that according to Scottish Government's Scottish Planning Policy (SPP), windfarm site lifespans were not finite and they could continue to operate past the original agreed period, if an application for this was approved;
- Single turbines could have a significant impact in some areas;
- It was queried if consideration had been given to publishing the maps of Council Tax points in order to inform consideration and debate on where windfarms might be considered to be located, bearing in mind where people lived, and whether or not this could be superimposed on the spatial framework map;
- Reference was made to a comment by a VisitScotland representative whereby around eighty percent of tourists were not concerned about windfarms. However, the last independent Ballot relating to a windfarm application in Caithness, indicated that eighty per cent of local people were against windfarm development in the area;
- The policy had to reflect what our communities wanted. However, Scottish Government Planning Policy had a significant bearing on the preparation of the Development Plan and on Development Management. There was a need therefore to be clear what the Council could and could not do in terms of its development plan. This would benefit the public to understand what parameters the Council was working under when preparing the guidance and deciding on windfarm applications;
- It was queried whether this draft guidance was to be considered as a material consideration now when assessing planning applications for windfarms;
- There was concern expressed that the Council could not stop developers seeking permission for additional turbines, in the form of windfarm extensions, following approval of the initial windfarm;
- The Council's interactive map showing existing wind turbines did not normally feature in planning committee papers for individual turbine applications and this would be useful to have in future;
- The use of graphics, similar to that used in housing planning applications, to show what was and was not acceptable would be useful for both applicants and planning committees; and
- It was requested that Caithness, Ardrross and Ben Wyvis be included in the areas for which strategic capacity work was to be undertaken.

The Committee considered the comments received on the Consultation Paper, summarised in Appendix 1 to the report and **AGREED**:

- i. the Council response in Appendix 1 to the report;
- ii. the Draft Supplementary Guidance in Appendix 2 to the report for consultation, subject to also agreeing the next steps outlined in paragraph 4.1 of the report including measures for officers to complete the Draft SG documentation in readiness for publication, in consultation with the Chair of the Committee;
- iii. that the draft Supplementary Guidance be a material consideration in the determination of planning applications; and
- iv. that Caithness, Ardrross and Ben Wyvis be included in the areas for which strategic capacity work was to be undertaken.

17. Consultation on an Implementation Strategy for Scotland's Policy on Higher Activity Radioactive Waste

Co-chomhairle mu Ro-innleachd Buileachaidh airson Poileasaidh na h-Alba air Sgudal Rèidio-beò de Ghnìomhachd Àrd

Declarations of Interest:

As members of the Dounreay Stakeholders Group, Mr G Farlow, Mr R Saxon and Mr M Reiss each declared a non-financial interest in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, each concluded that their interest did not preclude their involvement in the discussion.

Mr M Reiss also declared a non-financial interest in this item as a member of Thurso High School Parent Council which had recently been successful in obtaining funding from the Caithness and North Sutherland Fund 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. PDI/55/15 dated 29 July 2015 by the Director of Development and Infrastructure advising that a response was sought by the Scottish Government to its proposed Strategy that had been prepared in support of Scotland's Higher Activity Radioactive Waste Policy published in 2011. The Policy supported long-term near surface, near site storage and disposal facilities, that reduced the need for transportation, designed in such a way that enabled waste to be retrieved.

The Strategy aimed to provide a framework within which waste management decisions could be taken to ensure that the Policy was implemented in a safe, environmentally acceptable and cost effective manner.

During discussion the following main points were raised:-

- It was proposed that the Council's response to the consultation should be compared with that provided by the Dounreay Stakeholders Group (DSG) and that the Group be contacted for further explanation should there be any areas of contradiction;
- It was highlighted that there were issues with the transportation of waste by sea, which DSG was against and Highlands Against Nuclear Transport was against the transport of all waste. In terms of using sea transportation, it was recommended that ships should be granted permission by the Scottish Government to sail with Radioactive Waste and that appropriate coverage of the emergency tug vessel needed to be put in place to ensure that the coastline was fully protected;
- Further concern was expressed with the transport of waste, particularly by rail through densely populated areas, and it was therefore suggested that this should be further examined. It was also felt that prior to any transportation, it needed to be proven that the waste could be reprocessed and transformed into a resource; and

- Concern was expressed in respect of the Scottish Government Policy in that it was proposing that Radioactive Waste would require to be stored on site for a period of 300 years and the need for stores to be replaced over this period was highlighted. It was further stressed that it was not a disposal policy if the waste was being stored.

Thereafter, the Committee:

- NOTED** the issues outlined in the report and the position with regard to the current policy of The Highland Council; and
- AGREED** the response to the questions as set out in the Appendix to the report.

18. Local Food Network – Progress Report Lìonra Bidh Ionadail – Aithisg Adhartais

There had been circulated Report No. PDI/56/15 dated 3 August 2015 by the Director of Development and Infrastructure providing an update on progress being made towards establishing a Highland Local Food and Drink Network.

The Committee considered the report and:

- NOTED** the progress being made; and
- AGREED** continued support for the social media platforms and website during their first year as set out within sections 5.0 and 6.0 of the report.

19. Housing Development Investment Tasgadh ann an Leasachadh Thaichean

Declarations of Interest:

Dr A Sinclair, as a member of Lochalsh and Skye Housing Association and Mr D Fallows, as a Director of Highland Housing Alliance each declared a non-financial interest in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, each concluded that their interest did not preclude their involvement in the discussion.

There had been circulated Report No. PDI/57/15 dated 4 August 2015 by the Director of Development and Infrastructure providing an update on the new build housing investment programme and seeking approval that the revised programme be adopted as part of the Highland Strategic Housing Investment Plan. In addition, the report sought consent to allow purchase of land required to undertake the additional projects identified within the increased programme. The proposals contained within the report would in part contribute to meeting the Council's commitment to deliver an additional 688 Council houses by 2017.

Although Members welcomed the new Council houses that had been attained to date, the need for more regular consultation with Local Members was stressed.

The Committee **AGREED**:

- i. an amended programme of new build housing as indicated within Appendix 1 to the report;
- ii. that the land and property described in section 2.2.1 of the report be purchased for affordable housing, on terms and conditions to be agreed by the Director of Development and Infrastructure;
- iii. that the Council enter into Design and Build contracts, on terms and conditions to be agreed by the Director of Development and Infrastructure, so as to secure the affordable housing detailed within section 3.1 of the report; and
- iv. that the amended programme be submitted to the Scottish Government as part of an agreed Housing Investment Programme.

20. Caithness and North Sutherland Regeneration Partnership Advisory Board – Minutes

Fòram Ath-bheothachaidh Ghallaibh agus Chataibh a Tuath – Geàrr-chunntas

Declarations of Interest:

Mr R Saxon declared a non-financial interest in this item as a member of the Caithness and North Sutherland Regeneration Partnership Advisory Board 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 and **NOTED** Minutes of meeting of the Caithness and North Sutherland Regeneration Partnership Advisory Board held on 25 March 2015 subject to the inclusion of Mr T Prag within the sederunt.

21. Planning Applications Committee Minutes

Geàrr-chunntas - Comataidh nan Iarrtasan Dealbhaidh

There had been circulated and were **NOTED** Minutes of the Planning Applications Committees (PAC) for:-

- i. North PAC – 28 April 2015
- ii. South PAC – 19 May 2015
- iii. iNorth PAC – 9 June 2015

22. Appointments to Sub-Committees, Working Groups etc

Cur an Dreuchd gu Fo-Chomataidhean, Buidhnean-obrach is eile

The Committee **APPROVED** the following appointments:-

- Area Tourism Partnership – Dr Audrey Sinclair and Mr Bill Lobban
- Inverness Airport Business Park Board of Directors – Mr Thomas Prag
- Highland Strategic Local Action Group (LEADER) – Dr David Alston; substitute – Mr Matthew Reiss
- Event Innovation Challenge Fund Assessment Panel – Mr Michael Green and Mr George Farlow

23. Exclusion of the Public
Às-dùnadh a' Phobail

The Committee **RESOLVED** that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for 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.

24. Property Transactions Monitoring Report
Aithisg Sgrùdaidh Ghnothachasan Seilbhe

There had been circulated to Members only Report No. PDI/58/15 dated 3 August 2015 by the Director of Development and Infrastructure providing Members with details of the General Fund and Property Account transactions approved by the Head of Property Partnerships and Corporate Property Asset Manager under delegated authority. The report also advised Members on Budgeted Sales for 2015/16 and future years sales.

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

Prior to concluding the meeting, the Chairman informed the Committee that Mr Anderson was moving to a new post with the Assessor's Office and she expressed her appreciation for his support and wished him well in his new role.

The meeting ended at 3.30 p.m., having adjourned for lunch between 1.10 p.m. and 1.50 p.m.