

**The Highland Council
No. 6 2015/2016**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 29 October 2015 at 10.35 am.

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

Present:

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

In Attendance:

Chief Executive	Director of Care and Learning
Director of Corporate Development	Director of Finance

Mrs I McCallum in the Chair

Apologies for absence were intimated on behalf of Mr D Bremner, Mr M Finlayson, Mrs M Paterson, Mr I Renwick and Mrs F Robertson.

Item 14 – Capital Programme Review – Capital Plan 2015/16 to 2023/24

At this point in the meeting, the Council **AGREED TO DEFER** consideration of Item 14 on the agenda to allow further cross party discussion to be undertaken prior to final recommendations being brought forward.

Urgent Item - Planning, Development and Infrastructure Committee - National Trust for Scotland - Registered Trademark

It was also **AGREED** that an urgent item of business should be considered by the Planning, Development and Infrastructure Committee at their next meeting on 4 November in relation to the potential implications arising from the National Trust for Scotland seeking to register a trademark for Glencoe and Glenfinnan.

Preliminaries

It was **NOTED** that two major Highland projects had been commended in the 2015 Saltire Civil Engineering Awards: the River Ness Flood Alleviation Scheme and the Ullapool Harbour Berth Improvements. These awards celebrated outstanding civil engineering achievement, innovation and ingenuity in Scotland, with the overall winner being the redevelopment of Haymarket Station, Edinburgh.

It was also **NOTED** that a display had been set up in the Foyer to celebrate the 150th Anniversary of the Highland Railway Company which had brought together several different railway companies and demonstrated the importance of the railway to the Highlands in the past and for the future.

2. Declarations of Interest Foillseachaidhean Com-pàirt

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

Item 10 – Mr I Brown, Mr J Ford, Mr A Graham, Mr J Gray, Mr G Ross, Mr H MacDonald, Ms D MacKay, Mr B Murphy and Mr R Saxon (all non-financial)

Item 11 – Mr A Christie

Item 12 – Mr T Prag

Item 15 – Mr K Gowans, Ms J Douglas, Mr F Parr, Mr M Green (all non-financial) Mr K Gowans (financial)

Item 17 – Mr A Christie, Ms J Douglas, Mr K Gowans, Mr M Green, Mr F Parr (all non-financial); Mr K Gowans (financial)

Item 21 – Mr I Brown, Mr D Fallows, Mrs L Macdonald, Mr T MacLennan, Mr T Prag, Mr J Stone

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. By-Election – Ward 13 (Aird and Loch Ness)
Fo-thaghadh – Uàrd 13 (An Àird agus Loch Nis)**

It was **NOTED** that, at the By-Election held on Thursday, 8 October 2015, Dr Jean M E Davis, 22 The Cairns, Muir of Ord, IV6 7AT had been elected as the Member for Ward 13 (Aird and Loch Ness).

**4. 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 3 September 2015 as contained in the Volume which had been circulated separately which were **APPROVED**.

**5. 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:-

City of Inverness Area Committee, 10 September
Caithness and Sutherland Area Committee, 16 September
Nairn and Badenoch and Strathspey Area Committee, 23 September
Pensions Committee, 24 September
Audit & Scrutiny Committee, 30 September
Community Safety, Public Engagement and Equalities Committee, 30 September
Education, Children and Adult Services Committee (Special Meeting), 8 October
Lochaber Area Committee (Special Meeting), 21 October
City of Inverness Area Committee (Special Meeting), 22 October

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

City of Inverness Area Committee, 10 September

***Starred Item – Preliminaries: P. 177**

It was **AGREED** that, in relation to the Timetable of Meetings for 2016, the City of Inverness Area Committee meetings should be held on Thursdays in future.

Audit & Scrutiny Committee, 30 September

It was **NOTED** that the Minute should also record the attendance of Mr K Gowans at the meeting.

***Starred Item 5: Page 235: Financial Regulations – Proposed Amendments**

The Council **AGREED** the proposed revisions to Financial Regulations as detailed in the report.

**6. 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 Valuation Joint Board held on 21 May 2015 which were **NOTED**.

**7. Community Challenge Fund – Minutes of Meeting
Maoin Dùbhlain Coimhearsnachd – Geàrr-chunntas Coinneimh**

There had been circulated Minutes of Meeting of the Community Challenge Fund Applications Panel held on 7 October 2015 which were **APPROVED**.

It was also **NOTED** that the membership of the Community Challenge Fund Applications Panel was currently not based on political balance and that this matter required to be addressed.

**8. Membership of Committees, etc
Ballrachd Chomataidhean, is eile**

It was **NOTED** that, following the result of the By-Election for Ward 13, the political make-up of the Council was now as follows:-

Independent – 32 /SNP – 20 /Liberal Democrat – 12 /Labour – 8 /Highland Alliance – 5/Non Aligned - 3

The formula in respect of the number of places on Strategic Committees remained unchanged at 9/6/3/2/2.

The Council also **APPROVED** the following revised membership of the Local Negotiating Committee for Teachers – Chair and Vice Chair of the Education, Children and Adult Services Committee, Chair and Vice Chair of the Resources Committee, Mr A Christie. Mr S Fuller and Mrs B McAllister.

**9. 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) Mrs G Sinclair

To the Chair of the Resources Committee/Budget Leader

“Please supply me information on average in the last financial year how much we spent on hire cars for officers throughout Highland Council?”

The response had been circulated.

In terms of a supplementary question, Mrs Sinclair queried as to whether this issue would be closely examined as part of the review of the budget.

In response, the Chair of the Resources Committee confirmed that this would be done and provided assurance that car hire was always arranged for a valid reason.

(ii) Ms M Smith

To the Chair of the Resources Committee/Budget Leader

“Please supply me with figures both in terms of FTE’s and financially for 2014/15 of the amount of Agency staff engaged by Highland Council throughout all of its offices”.

The response had been circulated.

In terms of a supplementary question, Ms Smith Smith queried whether a full ‘root and branch’ review would be undertaken of why and where agency staff were employed by the Council with a subsequent report in this regard being submitted to the Resources Committee thereafter.

The Chair of the Resources Committee/Budget Leader confirmed that this would be done.

(iii) Dr D Alston

To the Leader of the Council

“What meetings have you attended (other than those internal to the Council), what apologies have been submitted and what meetings are planned for the next 3 month period?”

The response had been circulated. In this respect, the Leader provided a correction to the details listed in her written response in that her apologies had been submitted for the meeting of the European Programme Monitoring Committee meeting on 9 September (although she had in fact been in attendance for the afternoon session).

There was no supplementary question.

(iv) Dr D Alston

To the Depute Leader of the Council

“What meetings have you attended (other than those internal to the Council), what apologies have been submitted and what meetings are planned for the next 3 month period?”

The response had been circulated.

There was no supplementary question.

(v) Mr C Fraser

To the Chair of the Community Services Committee

“Please provide a current accurate assessment of how our Recycling is getting on in Highland, identifying targets that were agreed and whether or not these are being achieved, giving reasons.”

The response had been circulated.

In terms of a supplementary question, Mr Fraser requested clarification as to whether his understanding was correct that recycling targets during 2015 were not being met which ultimately meant that the Council would be falling short on reaching budget savings targets which had been set at around £400k in the previous year.

The Chair of the Community Services Committee confirmed that the targets had been particularly ambitious but no plan of action to meet them had been established by the previous Administration. It had been difficult to produce figures since SEPA figures were based on calendar years and the Council reported in fiscal years. There had been a change in the programme and since June/July more material was being collected which would eventually be reflected in the figures.

(vi) Mr D Millar

To the Leader of the Council

“Can the Leader provide Members with an update on progress towards improving broadband and mobile phone connectivity in Highland following discussions at the last meeting of the Convention of the Highlands and Islands?”

The response had been circulated.

In terms of a supplementary question, Mr Millar queried as to whether there was any further information available on what steps mobile phone operators would take to improve coverage across the Highlands.

The Leader of the Council confirmed that she had a meeting scheduled with HIE on the following Monday to address next steps but it was not yet clear if mobile phone operators would be in attendance. Mobile phone operators had been clear that they wanted to move into the Highlands but it was expected that there would still be ‘black spots’ and it would be important to establish where these would be so that more public money could be invested in these areas.

(vii) Mr T Maclennan

To the Leader of the Council

“What warranty period remains for the recently installed and heavily used 3G sports pitch at Lochaber High School. Are we fully complying with the maintenance schedule to protect this warranty and maintaining an up to date log book of this maintenance. Will there be a FIFA retest of this facility due in 2016?”

The response had been circulated.

In terms of a supplementary question, Mr Maclennan queried whether it would be possible to look at servicing linked to usage, particularly for pitches with high level use, as it was not sufficient to service them twice per year. Also, a free pitch maintenance course was being run in Perth during November and it was suggested that attendance by a Council employee could be beneficial.

The Leader of the Council acknowledged that there was variation between maintenance levels and that the situation needed to be improved in Lochaber. In this regard, a new maintenance schedule would be brought forward for discussion at Area level. Information on the course being run in Perth would also be passed to the relevant Officers.

10. Notices of Motion Brathan Gluasaid

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

Notice of Motion (i)

Declarations of Interest

Mr I Brown, Mr J Ford, Mr A Graham, Mr J Gray, Mr G Ross, Mr H MacDonald, Ms D MacKay, Mr B Murphy and Mr R Saxon declared non-financial interests in this item on the grounds of Trade Union membership 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 them from taking part in the discussion.

“Highland Council notes with concern that the Trade Union Bill will restrict the ability of this Council to engage in good industrial relations with our workforce.

Highland Council encourages employees to join a trade union as negotiation through workforce representation is an effective and efficient means of dealing with industrial relations. This Council believes the collection of union dues through the check-off arrangement, from which the Council receives income, is part of our collective and contractual arrangements with our workforce and their representatives and is something we would wish to continue. This Council commits not to use agency staff to break or weaken the legitimate activities of the Highland Council workforce and their trade union representatives. We will continue to support arrangements that afford trade union representatives sufficient resources to enable them to carry out their functions to ensure the continuation of good industrial relations.

The Leader of the Council commits to writing to the Secretary of State for Business, Innovation and Skills stating this Council's opposition to this Bill and the Council's wish to continue to support both facility time and check off. The Leader will write to the First Minister calling on the Scottish Government to stand with all Scottish Local Authorities to protect trade union rights and in support of their workforce in opposing the proposals in this Bill.”

Signed: Mr J Gray Mr B Murphy

During discussion, Members raised the following issues:-

- this Bill would lead to fewer rights, lower rates of pay, zero hours contracts and fewer holidays for many workers and was viewed as attempting to weaken the abilities of organisations who sought to protect workers in this regard;
- it had been highlighted that many people were now being forced to work in inhumane conditions and those who did not have Trade Union rights were often most at risk from exploitation;
- the TUC had already expressed the view that the Bill contravened the provisions of the International Labour Organisation and possibly International Law;
- it should be noted that CoSLA had recently debated and agreed a similar motion;.
- there were excellent relationships in place with Trade Unions in the Highlands and it was essential that these were maintained;

- it was of real concern that the proposals within this Bill would impact mainly on low paid staff;
- it was felt that the current level of Trade Union representation in the public sector prevented the same number of zero hours contracts as were in place in the private sector;
- the proposals within the Bill represented an infringement on civil liberties, particularly in relation to proposed restrictions on the use of social media in Trade Union activity;
- employment enquiries/concerns represented the third biggest issue for the Citizen's Advice Bureau with the majority of issues being raised by individuals who did not have Trade Union representation; and
- the benefits of trade union membership should be highlighted through the Community Planning Partnership and the Federation of Small Businesses wherever possible.

Decision

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

Notice of Motion (ii)

“The Highland Council agrees to consult the members of the Citizens Panel on their views on a 5% increase in Council Tax in 2016/17, with the wording of the question to be agreed by the Chief Executive in consultation with the Group Leaders, and a report on the outcomes being made to the December meeting of Council.”

Signed: Dr D Alston Mr A Christie

During discussion, Members raised the following issues:-

- this issue coincided with huge financial challenges for Local Government with difficult decisions having to be considered, ranging from whether to increase the Council Tax to other budget savings. In considering these decisions, it would be helpful to have the views of the Citizens Panel before further discussion within the Council;
- it would be necessary to allow sufficient time for Officers to formulate the consultation with the Panel and for responses to be received and analysed. Given the short timescale prior to the December meeting, there could be uncertainty around response rates, statistical accuracy and whether analysis could be completed. On this basis, it was suggested that the wording within the Notice of Motion be amended to seek responses by early January 2016;
- background information would have to be provided as part of the consultation in order to ensure qualitative and accurate response from the Panel;
- given the importance of this issue, the consultation results could only be delayed until early January on the basis of being discussed thereafter at a public meeting involving all Members of the Council;
- rather than ask the Panel whether Council Tax should be increased, it might be more helpful to ask by how much it should be raised;
- there was conflicting anecdotal evidence on whether families would support an increase in Council Tax as some had expressed support if this meant that services could be protected, particularly Education, whilst others had expressed a preference for the Council Tax freeze to be continued in the current financial climate; and
- there was disappointment that there was currently no outline for the forthcoming budget process as there had been in previous years or

opportunities for all Members to contribute in this regard.

Decision

The Council **AGREED** to consult the members of the Citizens Panel on their views on a 5% increase in Council Tax in 2016/17, with the wording of the question to be agreed by the Chief Executive in consultation with the Group Leaders, with a report on the outcomes being made in early January to a meeting involving all Members to be held in public.

Notice of Motion (iii)

The Council notes that the provisions in the Scotland Bill, currently being considered by the UK Parliament, will devolve additional responsibilities to the Scottish Parliament.

This Council supports the principle of subsidiarity and believes that devolution should not just be from Westminster to Holyrood but should continue down to a local level.

In this context, it is proposed that a Seminar be held to explore what areas of responsibility the Council would wish to see devolved to Highland. It is further proposed that any Member with an interest or knowledge that they can bring be invited to attend. The Seminar will develop recommendations for consideration by the Council at its meeting in March 2016.

Signed: Mrs M Davidson Mr H Fraser

During discussion, Members raised the following issues:-

- the Scotland Bill was currently going through Parliament and in this respect it was timeous to consider what other areas could be devolved, particularly to a Local Authority level. More informed suggestions for devolution would be helpful and it was hoped that debate on this issue could generate further ideas;
- it had already been acknowledged that there was local support for devolved powers in relation to the Crown Estate, increased fiscal autonomy (including the power to increase as well as decrease business rates), greater freedom in Education matters and opportunities around employment services;
- it was hoped that advice could be taken from other organisations, including Highlands & Islands Enterprise and in this regard the Seminar to be held in January would feed into the localism agenda and focus on what would be best for the Highlands;
- this was a natural step forward following on from the Commission on Strengthening Local Democracy, the Future Islands Bill and the Commission on Taxation etc. which had addressed how money should be distributed across the country;
- it would also be helpful to canvas the views of people across the Highlands through the Citizens Panel and Citizens Jury and for public events to be held; and
- it was noted that proposals for a Highland Commission for Local Democracy would be brought back to the December meeting of the Council and that this matter was currently being discussed with Officers in CoSLA.

Decision

The Council **NOTED** that the provisions in the Scotland Bill, currently being considered by the UK Parliament, would devolve additional responsibilities to the Scottish Parliament.

The Council **AGREED** to support the principle of subsidiarity and that devolution should not just be from Westminster to Holyrood but should continue down to a local level.

It was further **AGREED** that a Seminar should be held in January 2016 to explore which areas of responsibility the Council would wish to see devolved to Highland. In this regard, it was further proposed that any Member with an interest or knowledge that they could bring should be invited to attend on the basis that this Seminar would develop recommendations for consideration by the Council at its meeting in March 2016.

11. Syrian Refugee Resettlement – Highland Response Ath-shuidheachadh Fògarraich Shiria – Freagairt na Gàidhealtachd

Declaration of Interest

Mr A Christie declared a non-financial interest in this item on the grounds of making personal charity donations 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 him from taking part in the discussion.

There had been circulated Report No. HC/45/15 dated 14 October 2015 by the Depute Chief Executive/Director of Corporate Development which set out the current position with regard to the Syrian refugee situation and the preparations underway to ensure a joined up approach across the Highland public sector.

During discussion, Members raised the following issues:-

- there was a need for a major initiative across Highland to respond financially to the Syrian refugee situation and in this regard the Leader of the Council was to review fundraising arrangements with Senior Officers and colleagues and ensure that updates were provided on the ongoing preparations;
- there was also a need for staff to be sufficiently trained to assist refugees to adapt to a different environment and way of life, particularly in remote or rural areas;
- consideration should be given to sustaining families in terms of employment, education, health and support services in the locality when allocating suitable housing;
- it should be recognised that refugees could provide skills in areas of the Highlands where there were currently shortages;
- the Council could perhaps work in partnership with the Ministry of Defence to co-ordinate local approaches in terms of assistance where feasible;
- further to the current situation, there was a need to consider a longer term response to refugees from other countries;
- the Highlands had a tradition of being very welcoming to many refugees who had settled well and who had provided great benefit to communities;
- the allocation and timing of refugee arrivals was controlled by the UK Government and further clarity was awaited;
- the UK Government's pledge to assist with housing costs for more than one year

- was welcomed;
- a press release would be issued shortly to encourage the private sector to put forward properties for rent, including empty homes;
 - it was important to ensure that the properties that were offered met the Scottish Quality Standards for Housing;
 - the Highland Third Sector were also meeting to discuss how their organisations could provide support;
 - it was pleasing to see the response from communities and individuals who were offering support;
 - thanks were conveyed to the staff for the enormous amount of work which was being undertaken, with special mention being made of the Ward Manager for the Lochaber area;
 - publicity was important in terms of understanding the issues and highlighting the opportunities for individuals to help;
 - in recognising the human tragedies, this was an opportunity for the Council to make a positive difference in partnership with other Local Authorities across the UK by understanding the priorities and working together for a solution

Decision

The Council **NOTED** the terms of the report as circulated and the work being done to prepare for the arrival of Syrian refugees in the Highlands.

12. Annual Audit Report and Accounts Aithisg agus Cunntasan Sgrùdaidh Bliadhna

Declaration of Interest

Mr T Prag declared a non-financial interest in this item on the grounds of being a Council appointed Director of Inverness Airport Business Park 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 him from taking part in the discussion.

There had been circulated Report No. HC/46/15 dated 15 October 2015 by the Director of Finance which set out the External Audit Report on the 2014/15 Audit.

In this regard, the Auditor's Report had been circulated separately.

During discussion, Members raised the following issues:-

- it was helpful that the report had already been circulated to the Audit and Scrutiny Committee which had allowed closer scrutiny;
- slippage in the delivery of projects within the Capital Programme was a cause for concern and should be monitored;
- in relation to Common Good Funds and Charitable Trusts, there was a need for more clarity on decisions being made by Members and specifically the delineation between roles. In this regard, it was suggested that the clarification should be sought from the Scottish Government on the role of Members as Trustees of Common Good Funds;
- it was important that the Council's Asset Registers were regularly reviewed to properly identify assets which belonged to the Common Good Fund and were entrusted to the Council;
- in relation to the outstanding loan with Inverness Airport Business Park Ltd, it was noted that the Director of Finance was confident that in time the monies

would be recovered and in this regard the situation would be reviewed once a Business Plan had been received from the Company which set out a forecast of future income and timescale for repaying the Council; and

- thanks were conveyed to the Director of Finance and his team for the outcome of the Auditor's Report.

Decision

The Council **NOTED** that the Auditor's Report had been approved by the Audit & Scrutiny Committee at the meeting on 30 September 2015.

The Council also **NOTED** the agreed actions as detailed.

(At this point, the meeting adjourned for lunch and re-convened at 1.45 pm).

13. Highland Charities Trust and Highland Council Charitable Trusts Urras Charthannasan na Gàidhealtachd

There had been circulated Report No. HC/47/15 dated 15 October 2015 by the Director of Finance which requested approval of the Audited Accounts of the Highland Charities Trust and the Highland Council Charitable Trusts.

During discussion, Members raised the following issues:-

- the application process should be included within the review of the Charitable Trusts with the aim of simplifying the application form;
- there was a need for further information on the reason for high governance charges for a relatively small spend and what measures could be taken to reduce this cost;
- it was important to adequately address the inability to verify the nature of some Trusts;
- further investigation should be undertaken in relation to the Gibson Mortification Trust which had not been listed; and
- there was a need to correct the current information to identify the Kennedy Trust as being in Ward 22 and the Donald Cameron Of Erracht Trust being in Ward 12.

Decision

The Council **NOTED** the development of the Highland Charities Trust to date.

The Council also **NOTED** the review of both umbrella Trusts required following the Audit issue identified and **AGREED** the aims of the review as set out in Paragraph 2.3 of the report.

The Council further **AGREED** the Annual Accounts of the Highland Charities Trust and Highland Council Charitable Trusts (also circulated) and that the outcome of the review should be reported to the Audit & Scrutiny Committee, with the Annual Accounts also being considered there in future.

14. Capital Programme Review: Capital Plan 2015/16 to 2023/24 Ath-sgrùdadh Prògram Calpa: Plana Calpa 2015/16 gu 2023/24

It had been previously **AGREED TO DEFER** consideration of this item.

15. **Lochaber Sports Association
Comann Spòrs Loch Abar**

Declarations of Interest

Ms J Douglas, Mr K Gowans, Mr M Green and Mr F Parr declared non-financial interests in this item as 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 them from taking part in the discussion.

Mr K Gowans also declared 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 interest did not preclude him from taking part in the discussion.

There had been circulated Joint Report No. HC/49/15 dated 16 October 2015 by the Director of Finance and Director of Care & Learning which provided details of a significant funding application from the Lochaber Sports Association for an Indoor Training Facility.

During discussion, Members raised the following issues:-

- there was a need to acknowledge the improvements which had been made to the Lochaber Sports Association (LSA) business case and to convey thanks to High Life Highland for assistance in this regard;
- the expected £400k from developer contributions had not materialised and this had had a considerable and negative effect on the funding package;
- it had to be recognised that there would be implications for other projects if the Council was to agree this request for funding;
- there had already been considerable investment in the Lochaber area in recent years;
- there was a need for the history and current poor state of maintenance of two outdoor pitches at Lochaber High School to be highlighted, together with the lack of good quality outdoor and indoor sports facilities in general;
- the proposed facility would not only benefit the local community but could be part of a network of facilities across Highland;
- a commitment had been given in the past that, if the developer contributions were not forthcoming, funds would be provided by the Council and recouped thereafter and this commitment had to be met;
- it was disappointing that there had not been correct maintenance of the existing grass pitches as they had represented an earlier compromise when all-weather pitches had been requested;
- the importance of all-weather facilities in the promotion of a healthy lifestyle for all age groups was emphasised and good quality training facilities were required in outlying areas to encourage local talent;
- reference was made to the considerable fundraising efforts of local people and organisations in Lochaber who would now be left very disappointed if funding for this proposal was not agreed;
- the importance of comprehensive business plans for project proposals was emphasised, as was the need to include in them the long-term sustainable maintenance and replacement of facilities;
- if the project did not go ahead, there was a risk of losing the SportScotland funding which had already been secured;

- it was suggested that consideration should be given to the possibility of the LSA owning the facility and HLH managing it although it was hoped that an alternative solution could be found;
- in relation to the length of time which had elapsed, it was important that a final decision was now taken; and
- the 'letters of comfort' which had previously been issued would be considered meaningless if this funding was not agreed.

Thereafter, Mrs M Davidson, seconded by Mr A Rhind, **MOVED** the recommendations as detailed in the report, namely that financial support should be offered in the sum of £0.2m.

As an **AMENDMENT**, Mr A Henderson, seconded by Mr B Thompson, moved that the Council's contribution should be £845k, subject to all other agreed funding being in place.

On a vote being taken, the **MOTION** received 36 votes and the **AMENDMENT** received 29 votes, with 2 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion: Dr D Alston; Mrs J Barclay; Mrs C Caddick; Mrs I Campbell; Miss J Campbell; Mrs H Carmichael; Mr A Christie; Mrs G Coghill; Mrs M Davidson; Dr J Davies; Mr N Donald; Ms J Douglas; Mr B Fernie; Mr H Fraser; Mr J Gordon; Mr A Graham; Mr J Gray; Mr M Green; Mr R Greene; Mrs D Mackay; Mr D Mackay; Mr W MacKay; Mr A Mackinnon; Ms A MacLean; Mr K MacLeod; Mrs B McAllister; Mrs I McCallum; Mr D Millar; Mr T Prag; Mr M Reiss; Mr A Rhind; Mr G Ross; Dr A Sinclair; Ms K Stephen; Mr J Stone; Mr H Wood.

For the Amendment:

Mr A Baxter; Mr I Brown; Mr B Clark; Dr I Cockburn; Mr A Duffy; Mr D Fallows; Mr G Farlow; Mr J Ford; Mr C Fraser; Mr S Fuller; Mr K Gowans; Mr A Henderson; Mr D Kerr; Mr R Laird; Mr B Lobban; Mr G MacKenzie; Mr T MacLennan; Mr H Morrison; Ms L Munro; Mr B Murphy; Mr F Parr; Mr M Rattray; Mr J Rosie; Ms G Ross; Mr R Saxon; Mrs G Sinclair; Mrs J Slater; Ms M Smith; Mr B Thompson.

Abstentions: Mr L Fraser; Mr G Rimell.

Decision

The Council **AGREED** to offer financial support to this project subject to it being £0.2m in line with the original funding intention as detailed in Paragraph 3.7 of the report.

It was also **AGREED** that the funding for the award of grant should come from the Capital Discretionary Fund.

The Council **NOTED** the revenue implications of c10% per annum of the value of the capital grant.

It was further **AGREED** that the financial contribution from the Council was conditional on the full funding package being in place for the total construction cost.

**16. Consultation on Provisions for a Future Islands Bill
Co-chomhairle mu Sholar airson Bile Eileanan san Àm ri Teachd**

There had been circulated Report No. HC/50/15 dated 19 October 2015 by the Chief

Executive which provided a summary of the Scottish Government's consultation on Provisions for a Future Islands Bill and sought input for the Council's formal response.

During discussion, Members raised the following issues:-

- this Bill and its consultation had helped to raise the profile and influence of Island communities and key issues relating to Island-proofing;
- it was important that the consultation was fully scrutinised to ensure that the Highland area received proper status;
- the campaigning which had been undertaken by the Island Local Authorities was commended and had led to a number of benefits, including 3 Local Authorities, 6 MPs and MSPs and seats on many National and EU Committees;
- there was concern that some Island economies were more robust than some remote and rural locations on the mainland and it was suggested that the legislation should be extended to include areas on the mainland where appropriate and should take dis-economies of scale into consideration;
- it was clarified that all Members who wished could participate in the Working Group, particularly all Members representing Island communities, together with Group Leaders or their nominated representatives;
- some mainland peninsulas could be considered as having 'island characteristics', particularly if mainly accessible by boat and/or with long detours by road, and there was a need for the Working Group to consider the fragility of such areas, to push for them to benefit from similar legislation and to seek support for the network of super-sparse communities across northern Europe; and
- the issue of weight restrictions on ferries for day to day supplies should also be considered by the Working Group as part of its deliberations.

Decision

The Council **AGREED** the proposed approach as detailed in the report, the establishment of a short life Working Group and that the draft response to the consultation should be brought back for approval at the next meeting in December.

17. Highland First – Corporate Performance Framework 2015-17 Frèam Coileanaidh airson 'A' Ghàidhealtachd An Toiseach'

Declarations of Interest

Mr A Christie declared a non-financial interest in this item on the grounds of being Managing Director of Inverness and Badenoch and Strathspey Citizen's Advice Bureau 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 him from taking part in the discussion.

Ms J Douglas, Mr K Gowans, Mr M Green and Mr F Parr declared non-financial interests in this item as 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 them from taking part in the discussion.

Mr K Gowans also declared 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 interest did not preclude him from taking part in the discussion.

There had been circulated Report No. HC/51/15 dated 5 October 2015 by the Depute Chief Executive/Director of Corporate Development which put forward the Corporate Performance Framework to monitor and report on progress in delivering the Council Programme, Highland First 2015-17.

During discussion, Members raised the following issues:-

- in regard to Additional Support Needs, there was a need to include a focus on support for the transition from Children's to Adult Services;
- in terms of Positive Mental Health and Stigma, there was a need for further discussion around performance measures with an emphasis on innovation where possible;
- the section on Region for Young People needed to contain reference to the requirement for more widely available careers services;
- in regard to Looked After Children, there was a need to highlight increased consultation and engagement with young people;
- the section on Education should include reference to increasing the number of undergraduate summer placements, to improve graduate retention in the area and improved communication with schools;
- it was important that dialogue was undertaken with the Scottish Government in order to highlight the additional costs associated with scarcity and rurality, not only for the relevant issues on this agenda item but also in relation to the previous item on the Islands Bill;
- reference was made to an earlier Scottish Country Roads Scheme which had given weighting to the needs of rural roads;
- the section on Strengthening our Partnership with NHS Highland should refer to measures to tackle the loneliness and isolation of elderly people who were housebound; and
- in relation to Infrastructure for Growth, there was a need to include reference to the Muirtown Basin/South Kessock developments.

Decision

The Council **AGREED** the Corporate Performance Framework as circulated.

It was also **NOTED** that progress on delivering Highland First would be reported in year through Strategic Committees and annually to the Council.

18. Results from the Citizens' Panel 2015 Performance and Attitudes Survey Suirbhidh Coileanadh Poblach 2015

There had been circulated Report No. HC/52/15 dated 18 September 2015 by the Chief Executive which highlighted that the survey results from the Citizens' Panel had shown generally positive trends and satisfaction with most services surveyed and positive perceptions of community life in the Highlands.

During discussion, Members raised the following issues:-

- in regard to contact with the Council, reference was made to the favourable statistics for face-to-face contact and thanks were conveyed to the Service Point staff for the valuable work which was being undertaken and which would ensure that this continued to be an important point of contact in future;

- further information was needed on when the information was collated, specifically in relation to road repairs and maintenance, as it was considered that this could affect the response received;
- it had to be recognised that young people represented a relatively small percentage of respondents and that results for this section of the community varied from those which had been submitted from older residents and there was therefore a need to consider whether a separate panel could be created for young people in future;
- the high level of satisfaction with services such as refuse collection and recycling was welcomed and thanks should be conveyed to the staff who provided these services for the Council;
- there was a need to provide more methods of response in future, perhaps utilising various forms of technology where possible;
- in view of the fact that responses varied between different sections of the community, consideration should be given to setting up panels based on younger people, people with disabilities and people who lived in remote and rural areas as this provide more accurate feedback;
- the responses from people with disabilities in particular had shown that they were less satisfied with the services being provided and more liaison with this particular group should be undertaken wherever possible in order to improve this situation;
- there was a need to work with public transport providers in order to assess the impact within communities of any changes to routes; and
- liaison with community planning partners was essential in order to highlight the opportunities for retaining young people in the Highlands, with mobile and broadband connectivity being a particularly important aspect of this work.

Decision

The Council **NOTED** the overall set of positive results and the actions being taken to address areas for improvement.

The Council also **AGREED** the follow up action to communicate the results and the specific actions as set out in Paragraph 3.2 of the report.

19. Localism Action Plan Deuchainnean Ionadaileachd

There had been circulated Report No. HC/53/15 dated 20 October 2015 by the Head of Policy and Reform which highlighted progress with the localism experiments already agreed and sought agreement for a Localism Action Plan.

During discussion, Members raised the following issues:-

- thanks should be conveyed to the Officials for the proposals in the report which represented an opportunity for communities to consider what was needed in their own areas and what they wanted to support in the future;
- an important aspect of the Localism Action Plan was the consideration of a smaller form of local government and this discussion should be initiated by the Highland Council in the first instance;
- at the end of the forthcoming (and last) meeting of the current Skye, Ross & Cromarty Area Committee, there should be discussion amongst the Ross & Cromarty Members on the way forward with a view to taking proposals to the next full Council meeting;
- there was a need to involve Community Councils more fully and wherever

- possible in decision making in future;
- there was a need to ensure that the increasing number of industrial sized developments in Caithness did not have a detrimental impact on the area and the community;
 - engagement with community planning partners, specifically in terms of the sharing of resources, would be essential in terms of ensuring the success of future proposals;
 - account had to be taken of the cost of any new proposals in terms of the budgets available;
 - there was a need for the timetable of meetings to be amended to allow a meeting to be held in the Caithness area in January; and
 - these proposals focused on localism and bringing democracy close to communities and should not be confused with discussion about a new form of local government which was a different issue and would be dealt with separately.

Decision

The Council **NOTED** the recent actions and next steps to support the approach to localism and **AGREED** the Localism Action Plan as detailed in the report.

20. **Scheme of Delegation – Proposed Change to the remit of the Community Safety, Public Engagement and Equalities Committee**
Ath-sgrùdadh den Sgeama Tiomnaidh – Comataidh Sàbhailteachd Coimhearsnachd, Com-pàirteachas Poblach agus Co-ionannachdan agus Comataidhean Sgìre

There had been circulated Report No. HC/54/15 dated 19 October 2015 by the Head of Policy and Reform which sought agreement for amendments to the remit of the Community Safety, Public Engagement and Equalities Committee.

In this regard, and with specific reference to the recommendations which had been contained within the report, it was proposed that consideration of the appointment of a Vice Chair, remuneration of the Chair and Vice Chair and related proposals in regard to remuneration of Senior Councillor posts (including the Chair and Vice Chair of the Audit & Scrutiny Committee) should be deferred until the December meeting of the Council.

Decision

The Council **AGREED**:-

- (i) the revised remit for the Committee as appended to the report and that the name be changed to 'Communities and Partnerships Committee';
- (ii) that the Committee should become a Strategic Committee with 22 Members; and
- (iii) that the changes should come into effect from 30 October with the next meeting of the Committee being scheduled for 10 December 2015.

It was also **AGREED** that consideration of the appointment of a Vice Chair, remuneration of the Chair and Vice Chair and related proposals in regard to remuneration of Senior Councillor posts (including the Chair and Vice Chair of the Audit & Scrutiny Committee) should be deferred until the December meeting of the Council.

Equalities Training - at this point in the meeting, Members were reminded that the

final sessions of Equalities Training had been scheduled for 2 and 6 November and any Member who had still not attended was required to complete this training on one of those dates.

**21. Highland Opportunity Limited
Cothrom dhan Ghàidhealtachd Earranta**

Declarations of Interest - Mr I Brown, Mr D Fallows, Mrs L Macdonald, Mr T MacLennan, Mr T Prag and Mr J Stone declared non-financial interests in this item on the grounds of being Directors of Highland Opportunity Ltd 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 them from taking part in the discussion.

It was advised that Mr B Fernie and Mr B Lobban had resigned from Highland Opportunity Limited.

In this regard, and as agreed at the last Council meeting, discussion was to be undertaken with the Group Leaders with a view to bringing back revised recommendations in respect of the future process for appointments to external arms-length external organisations.

Decision

The Council **NOTED** the current position in regard to Highland Opportunity Limited on the basis that a further report on the appointments process would be submitted to a future meeting.

**22. Timetable of Meetings for 2016
Clàr-ama Choinneamhan**

There had been circulated proposed Timetable of Meetings for 2016.

In this regard, it was advised that revised dates were to be included for the Caithness Area meetings and the new Timetable would be circulated thereafter.

Decision

The Council **APPROVED** the Timetable of Meetings for 2016 as circulated on the basis that revised dates would be included for the Caithness Area meetings as detailed.

**23. 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 3 September 2015 was available in the Members' Library and on the Council's Website.

The meeting ended at 4.45pm.