

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, 3 September 2015 at 10.35 am.

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

Present:

Dr D Alston	Mr J McGillivray
Mr R Balfour	Mrs D Mackay
Mrs J Barclay	Mr D Mackay
Mr A Baxter	Mr W MacKay
Mr D Bremner	Mr G MacKenzie
Mr I Brown	Mr A Mackinnon
Mrs C Caddick	Ms A MacLean
Mrs I Campbell	Mr T MacLennan
Mrs H Carmichael	Mr K MacLeod
Mr A Christie	Mrs B McAllister
Mr B Clark	Mrs I McCallum
Mrs G Coghill	Mr D Millar
Mr J Crawford	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 B Fernie	Mr M Rattray
Mr M Finlayson	Mr M Reiss
Mr J Ford	Mr I Renwick
Mr C Fraser	Mr A Rhind
Mr L Fraser	Mr G Rimell
Mr S Fuller	Mrs F Robertson
Mr K Gowans	Ms G Ross
Mr J Gray	Mr G Ross
Mr M Green	Dr A Sinclair
Mr R Greene	Mrs J Slater
Mr A Henderson	Ms M Smith
Mr D Kerr	Ms K Stephen
Mr R Laird	Mr J Stone
Mr B Lobban	Mrs C Wilson
Mrs L MacDonald	Mr H Wood

In Attendance:

Chief Executive	Director of Care and Learning
Director of Development and Infrastructure	Director of Finance
	Director of Community Services

Mrs I McCallum in the Chair

Apologies for absence were intimated on behalf of Miss J Campbell, Dr I Cockburn, Mr G Farlow, Mr H Fraser, Mr J Gordon, Mr B Gormley, Mr A Graham, Mr N MacDonald, Mrs M Paterson, Mr J Rosie, Mr R Saxon, Mrs G Sinclair and Mr B Thompson.

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

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

Item 9 – Ms J Douglas, Mr K Gowans, Mr M Green and Mr F Parr (all non-financial)
Mr K Gowans (financial)

Item 10 - Ms J Douglas, Mr A Duffy, Mr K Gowans, Mrs B McAllister, Mrs L MacDonald, Mr W MacKay, Mr G MacKenzie, Mr F Parr, Mr G Ross and Mr M Green (all non-financial) Mr K Gowans, Mr W MacKay (financial)

Item 11 – Mr K Gowans (financial)

Item 13 – Dr D Alston (non-financial) and Mr I Brown (financial)

Item 16 – Dr D Alston, Mr K Gowans (both financial) Mrs C Caddick (non-financial)

Item 18 - Ms J Douglas, Mr K Gowans, Mr M Green and Mr F Parr (all non-financial)
Mr K Gowans (financial)

**3. Recess Powers
Cumhachdan Fosaidh**

It was **NOTED** that the recess powers granted by the Council at the meeting on 25 June 2015 did not require to be exercised.

**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 25 June 2015 and of the Special Meeting held on 13 August 2015 as contained in the Volume which had been circulated separately - which were **APPROVED** - matters arising having been dealt with as follows:-

Highland Council Special Meeting 13 August

Item 5: Page 33: Highland First – Programme for the Highland Council

It was **AGREED** that the words 'Highland First' should be deleted from the final paragraph to revise the wording to read as follows –

It was further **AGREED** to finalise *the Programme* for the Council meeting in September – taking into account the additions suggested at the meeting by the SNP Group, Liberal Democrat Group and Ms J Douglas.

**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 (Special Meeting), 25 June
Skye, Ross & Cromarty Area Committee, 5 August
Planning, Development & Infrastructure Committee, 19 August
Community Services Committee, 20 August
Lochaber Area Committee, 25 August
Gaelic Implementation Group, 25 August
Resources Committee, 26 August
Education, Children & Adult Services Committee, 27 August

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

Planning, Development & Infrastructure Committee, 19 August

***Starred Item 12: Pages 53-55: European Engagement**

It had been **AGREED TO RECOMMEND** that an update should 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.

In this regard, it was **NOTED** that the relevant information had now been contained at Item 12 later in the agenda.

Lochaber Area Committee, 25 August

***Starred Item 5A, Page 3: Urgent Item – Inclusion of Lochaber in Highland-wide Programme**

It had been **AGREED TO RECOMMEND** inclusion of a separate page within the Council Programme to detail priorities for Lochaber and that a Working Group of all Lochaber Members should be established to progress this as a matter of urgency.

In this regard, the Leader of the Council confirmed that, in line with previous discussion, it was intended that each Area, including Lochaber, would identify its priorities as part of 'Highland First' and that these priorities would be highlighted on the Council Website.

***Starred Item 10: Page 5: Winter Maintenance Priority Network – 2015/16**

It had been **AGREED TO RECOMMEND** to the Community Services Committee that, in regard to the priority gritting routes for Lochaber, a review should be undertaken to remove any ambiguities over the definitions relating to secondary routes, including the definition of small communities, and to provide the necessary resources to deliver the policy effectively.

In this regard, the Council also **AGREED** the following addition to the wording within the Minute: "It was the consensus of the Lochaber Area Committee to refuse the winter maintenance priority gritting routes for Lochaber for the coming year".

At this point, the Chair of the Community Services Committee confirmed that this would be discussed at the next Community Services Committee meeting.

6. Membership of Committees, Sub Committees, etc Ballrachd air Comataidhean, msaa

Minutes of Meeting of the Appointments Panel - External Bodies/Arms-Length External Organisations (ALEO)

***Starred Item - Review of Procedures for Appointment of Directors**

There had been circulated Minutes of Meeting of the Appointments Panel held on Tuesday, 25 August 2015 for approval.

During discussion, Members generally supported recommendations (b) and (c) within the Minute for the External Body/ALEO to provide details of the specific skills set required and for a scoring matrix to be used to determine the most suitable candidate.

However, there were concerns in regard to recommendation (a) for full delegated powers to be granted to the Appointments Panel to appoint Directors to External Bodies/ALEOs and for the Chair of the relevant External Body/ALEO to be invited to join the Panel and to have a casting vote at meetings if necessary.

In this regard, Ms M Smith, seconded by Mr R Laird, **MOVED** that the Council should agree recommendations (b) and (c) but not recommendation (a) and that the Appointments Panel should continue to make recommendations to the Council for approval.

As an **AMENDMENT**, Mrs M Davidson, seconded by Mr A Rhind, moved that discussion should be undertaken between the Group Leaders with a view to reaching a consensus and that further recommendations should be brought back to a future meeting of the Council.

On a vote being taken, the **MOTION** received 23 votes and the **AMENDMENT** received 42 votes, with 1 abstention, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr A Baxter, Mr I Brown, Mr B Clark, Mrs G Coghill, Mr N Donald, Mr A Duffy, Mr D Fallows, Mr C Fraser, Mr S Fuller, Mr K Gowans, Mr D Kerr, Mr R Laird, Mr B Lobban, Mrs L MacDonald, Mr D Mackay, Mr G MacKenzie, Mr T MacLennan, Mr G Phillips, Mr M Rattray, Mr I Renwick, Ms G Ross, Mrs J Slater, Ms M Smith

For the Amendment:

Dr D Alston, Mr R Balfour, Mrs J Barclay, Mr D Bremner, Mrs C Caddick, Mrs I Campbell, Mrs H Carmichael, Mr A Christie, Mr J Crawford, Mrs M Davidson, Ms J Douglas, Mr B Fernie, Mr M Finlayson, Mr J Ford, Mr L Fraser, Mr J Gray, Mr M Green, Mr R Greene, Mr A Henderson, Mr J McGillivray, Mrs D Mackay, Mr W MacKay, Mr A Mackinnon, Ms A MacLean, Mr K MacLeod, Mrs B McAllister, Mrs I McCallum, Mr D Millar, Mr H Morrison, Mr B Murphy, Mr F Parr, Mr T Prag, Mr M Reiss, Mr A Rhind, Mr G Rimell, Mrs F Robertson, Mr G Ross, Dr A Sinclair, Ms K Stephen, Mr J Stone, Mrs C Wilson, Mr H Wood

Abstention: Mrs L Munro

Decision

It was **AGREED** that discussion should be undertaken between the Group Leaders with a view to reaching a consensus and that further recommendations should be brought back to a future meeting of the Council.

**7. 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) 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 terms of a supplementary question, Dr Alston queried as to whether the Leader could confirm that there had been no meeting with CoSLA Leaders over the last three month period.

In response, the Leader confirmed that the last meeting of CoSLA Leaders had taken place on Friday (28 August) which had been outwith the Question’s timeframe.

(ii) 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.

(iii) Mr B Lobban

To the Chair of the Planning, Development and Infrastructure Committee

“What steps are being taken to rectify the defects in the new builds at Aviemore Primary School and Kingussie High School and how do you intend to ensure that situations like this never re-occur in any of our new build projects?”

The response had been circulated.

In terms of a supplementary question, Mr Lobban queried what the additional costs to the Council would be for remedial works to be completed outside the contract period.

In response, the Chair of the Planning, Development and Infrastructure Committee confirmed that she did not have detailed information at present but would provide it to Mr Lobban in due course.

(iv) Ms M Smith

To the Leader of the Council

“The Leader will be aware of the new units being built by the Council in Kendal Court Court, Alness, in a modular build method by a new company called Carbon Dynamic who have set up in Invergordon. These units have a similar lifespan to traditional build but the cost of heating and maintaining them for the tenant is considerably

reduced. Does the Council have plans to roll out this concept further within Highland?”

The response had been circulated.

In terms of a supplementary question, Ms Smith queried whether the Leader would consider accompanying her on a fact finding mission to see other schools and nurseries which were currently being built.

In response, the Leader of the Council confirmed that she would be happy to accompany Ms Smith as requested.

(v) Mrs L MacDonald

To the Leader of the Council

“Nairn welcome the announcement from NHS Highland regarding the continuity of funding for the Nairn Hydrotherapy Pool. As it is so important that services are delivered as close as possible to our communities, will the Council Leader confirm that she will work closely with NHS Highland and other partners to ensure that the Nairn Hydrotherapy Pool can continue after the three years already agreed?”

The response had been circulated.

In terms of a supplementary question, Mrs MacDonald queried whether the Leader would confirm her ongoing commitment to devolving resources to local communities and pursuing resource transfer from NHS Highland to local areas to protect and develop the services and facilities which were essential and valuable to communities.

In response, the Leader confirmed her commitment to localism and devolving resources and that the Council would continue to be updated on the situation.

(vi) Mr R Laird

To the Chair of the Community Services Committee

“From which budget was the re-surfacing of the Council Headquarters Car Park funded?”

The response had been circulated.

In terms of a supplementary question, Mr Laird queried asked why the Administration believed that re-surfacing the Council Car Park was of a higher priority than re-surfacing roads.

In response, the Chair of the Community Services Committee confirmed that this had been undertaken on safety grounds.

(vii) Dr D Alston

To the Leader of the Council

“What items will the Leader be asking to be included on the agenda for the next meeting of the Convention of the Highlands & Islands to be held in Moray in October?”

The response had been circulated.

The supplementary question had been tabled at the meeting and in this regard Dr Alston referred to the creation of the Programme Board and asked if the Leader would agree to provide Members with information on the updates on progress she had received and the steps she had taken, or would be taking, when meeting with Skills Development Scotland at the Convention of the Highlands & Islands (COHI) meeting in October 2015 to secure representation for the Highland Council on the Programme Board.

In response, the Leader confirmed that she unclear as to the process to submit agenda items for COHI but would endeavour to ensure that this item was discussed at the COHI Board and would carry out more research to find out how this was being taken forward.

(viii) Mr J Stone

To the Leader of the Council

“In response to a question from me at the Highland Council meeting of 25 June, you undertook to seek an urgent meeting with the Deputy First Minister to discuss Local Government Finance. Was such an approach made and did such a meeting take place?”

The response had been circulated.

In terms of a supplementary question, Mr Stone queried as to whether the Leader would consider organising a more formal meeting (either in the Highlands or at Holyrood) with cross party representatives and John Swinney.

In response, the Leader confirmed that she was happy to consider this and would discuss it at the next Leaders Group meeting.

(ix) Mr T Prag

To the Leader of the Council

“What discussions has the Leader been involved with on the development of the Science Academy?”

The response had been circulated.

In terms of a supplementary question, Mr Prag queried as to whether the Leader would discuss with partners the prospect of changing the title from ‘Science Academy’ to ‘The Highlands and Islands Science Initiative’.

In response, the Leader confirmed that she was content to agree to this request.

(x) Mr A Baxter

To the Leader of the Council

“Will you publish details of the Lead Officer responsible for each of the commitments set out in ‘Highland First’ as presented to the Council on 13 August 2015, along with their initial assessment as to how each of these commitments will be achieved?”

The response had been circulated.

In terms of a supplementary question, Mr Baxter queried as to when clear outcomes and anticipated timescales for delivery would be produced.

In response, the Leader confirmed that these would be presented to the October meeting of the Council.

8. Highland First Additions Prògram airson na Comhairle – A' Ghàidhealtachd An Toiseach

There had been circulated Report No. HC/31/15 dated 24 August 2015 by the Chief Executive which advised of proposed additions to the approved Programme for the Council.

During discussion, Members raised the following issues:-

- there was a need for a consolidated statement on the Council Website to clearly state the ongoing commitments within the Programme and to detail the performance framework against which progress would be measured;
- there was a need for a commitment poverty and deprivation, specifically to highlight the need for a reduction in the number of Highland data zones in the most deprived national 15% with the aim of having no such data zones in the next decade;
- in terms of connectivity, it was suggested that wording should be added to emphasise the need to achieve a digital dividend for the Highlands by working with partners to ensure digital inclusion for all, as well as promoting and encouraging innovative exploitation of the technology by businesses and communities;
- consideration should be given to a Strategic Lead for Transitions;
- updates on lobbying activity was needed and Members should be fully informed of progress in this regard;
- there was a need to tackle the resource deficiencies responsible for the deteriorating condition of empty Council properties and in this regard it was stressed that this was not exclusively in relation to residential properties;
- Glasgow City Council had confirmed that it had 250 suppliers who currently paid the living wage and it was hoped that Highland Council could similarly report progress on spreading the living wage and encouraging this in an effective way across the Highlands;
- in relation to rural poverty and service delivery, it would be important for Area Committees to consider the results of reviews and pilots to address these issues from the previous three year period;
- Community Planning Partners would need to discuss how they aimed to take forward their own individual responses and targets in relation to poverty and deprivation;
- consensus had to be reached on setting attainable targets as it was expected that the effects of welfare reform and cuts in tax benefits would continue to impact negatively on the Highlands for the foreseeable future;
- assurance was sought that specific reference to piloting new approaches to service delivery in North and West Sutherland would be taken forward; and
- the provision of additional detail on timescales and outcomes which would be presented to the October meeting of the Council was welcomed and it was suggested that this should also include reference as to how Members would be kept fully informed of progress on an ongoing basis.

Decision

The Council **APPROVED** the additions to the Programme as listed in the report.

The Council also **APPROVED** the following additions:-

35. Connectivity – “Alongside improved connectivity, we will strive to achieve a digital dividend for the Highlands by working with partners to ensure digital inclusion for all. We will also promote and encourage innovative exploitation of the technology by the businesses and communities.”

49. Poverty and Deprivation – “We will aim to reduce the number of Highland data zones in the most deprived national 15% with the aim of having no such data zones in the next decade”.

9. Corporate Performance Report Aithisg Coileanaidh Chorporra

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 Report No. HC/32/15 dated 24 August 2015 by the Chief Executive which provided an assessment of Council performance against the Corporate Plan and the Council’s Programme for the period from 1 April 2014 to 31 March 2015.

In this regard, Appendices 1 and 2 to the report had been circulated separately.

During discussion, Members raised the following issues:-

- there was concern in relation to the increase from 9 to 15 months in terms of placing children with permanent carers and a need to identify why the process took this length of time;
- the current protracted process to approve new foster carers should be reviewed;
- an explanation was needed in regard to the number of delayed discharges from hospital;
- the Corporate Performance Report should also be used to provide Members with assurance that targets were being met and appropriate measures were in place and in this regard it was suggested that the Audit and Scrutiny Committee could consider the most effective way of monitoring performance;
- contrary to what had been included in the report, the Green Transport Strategy had in fact been issued as a draft for consultation but had not yet been completed;

- in regard to the number of cruise liners currently visiting Highland ports, there was now a need for an economic impact assessment of this activity, particularly as the target for 2015 was unlikely to be achieved. In addition, some of the larger vessels could not access smaller ports and re-assurance was needed that this was being addressed;
- it was a concern that the Council was not reaching its Scottish Quality Housing Standard targets and there was a need for an action plan to address this issue. Also, whilst funding for environmental improvements around housing estates had been reduced from 10% to 5%, it was still important to establish priorities; and
- there were challenges relating to new renewable heating for Council housing and caution had to be exercised in relation to unproven technologies.

Decision

The Council **NOTED**:-

- i. the good progress being made with delivery of the Council's Programme;
- ii. that a further report on Statutory Performance Indicators and the Local Government Benchmarking Framework would be presented in December 2015; and
- iii. the approach to the previous Programme as outlined at Paragraph 3.1 and Appendix 2 to the report.

10. Regional Sports Facility Goireas Spòrs Sgìreil

Declarations of Interest - the following Members declared non-financial interests in this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interests did not preclude them from taking part in the discussion:

Ms J Douglas, Mr K Gowans, Mr M Green and Mr F Parr - Directors of High Life Highland

Mrs B McAllister – Vice-Chair of Inverness Area Sports Council and a Member of Highland Disability Sport

Mrs L MacDonald – a Member of Highland Disability Sport

Mr G MacKenzie – Highland Football Academy

Mr G Ross – Board Member of Highland Football Academy and a member of Highland Disability Sport

Mr K Gowans – member of Eden Court Theatre

Mr A Duffy – Director of Inverness Leisure

Mr W MacKay - Chairman of the Caithness Disability Multi-Sports Group

Mr M Green – Vice Chair of Inverness Ice Rink

The following Members declared financial interests 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 - as an employee of UHI

Mr W MacKay – as a family member was an employee of High Life Highland Ltd

A Presentation was undertaken at the meeting by Mr Brian Porteous, Porteous Leisure, on the Highland Regional Sports Facility.

In this regard, there had been circulated Joint Report No. HC/33/15 dated 24 August 2015 by the Director of Care and Learning and the Director of Development and Infrastructure which presented the findings of the feasibility study into the potential to create a Regional Sports Centre in the west of Inverness.

A copy of the full Feasibility Study had been attached as Appendix A to the report.

During discussion, Members raised the following issues:-

- the proposals were welcomed and highlighted the potential benefits for the whole of the Highlands, especially for young athletes and their families who would be able to attend major competitions in Inverness thus reducing the current expense and inconvenience of having to travel out of the area;
- there was need to highlight that the Highland Football Academy required investment and further consideration of its future location;
- in relation to the revenue, capital and lifecycle maintenance costs, there was a need for further work in this regard and it would perhaps be more appropriate to await confirmation of City/Region Deal funds before committing any expenditure;
- residential properties in the vicinity of the area should be renovated as part of the project for the benefit of local residents;
- the existing designation for recreational leisure at Torvean should remain in place;
- Officer assistance was required in terms of helping to locate alternative accommodation for Inverness City Football Club which was nearing the end of its current lease;
- the resources required to develop the Sports Centre could be detrimental to the development of facilities elsewhere and it was important to ensure this did not happen, perhaps through close liaison with High Life Highland;
- it had to be recognised that the City/Region Deal depended on the presentation of projects (with business cases) in the first instance in order to demonstrate the ambition of the area and it would therefore be detrimental to await confirmation of funds before proceeding;
- the velodrome could be used for multiple sports and this could only be of benefit for all ages and abilities;
- the Lochaber Sports facility project was currently being scored against the Council metrics and there was a need for this to also be progressed;
- in relation to discussion on the development of a national shinty centre in Inverness, it should be highlighted that the Camanachd Association held most of their meetings in Fort William because that location was considered equidistant from most clubs;
- a commitment to attracting high quality coaches and managers was essential;
- the Inverness Ice Centre, which was the only ice facility in the Highlands, deserved investment and discussion on this was urged;
- there was a need to ensure that the conference side of the Sports Centre would not adversely impact on Eden Court Theatre;
- there was concern about the possible traffic congestion around the Sports Centre area and this had to be addressed;
- in relation to the recommendation within the report in terms of development of the project to a detailed design and costing phase, the words 'estimated cost of £150k' should be replaced with 'a cost of up to £150k'; and
- consideration should be given to including boxing in the list of potential sports if this was possible.

Thereafter, Mr D Millar, seconded by Ms Carmichael, **MOVED** the recommendations as detailed in the report – on the basis that the wording should be changed in regard to development of the project to a detailed design and costing phase from ‘an estimated cost of £150k’ to ‘a cost of up to £150k’.

As an **AMENDMENT**, Mr A Baxter, seconded by Mr D Kerr, moved the recommendations as detailed in the report – on the basis that the wording should be changed to ‘a cost of up to £150k once the City Region Deal is confirmed’.

On a vote being taken, the **MOTION** received 51 votes and the **AMENDMENT** received 10 votes, with no abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Dr D Alston, Mrs J Barclay, Mr I Brown, Mrs C Caddick, Mrs I Campbell, Mrs H Carmichael, Mr A Christie, Mrs G Coghill, Mrs M Davidson, Mr N Donald, Ms J Douglas, Mr A Duffy, Mr D Fallows, Mr B Fernie, Mr M Finlayson, Mr J Ford, Mr C Fraser, Mr S Fuller, Mr K Gowans, Mr J Gray, Mr M Green, Mr R Greene, Mr A Henderson, Mr R Laird, Mr B Lobban, Mrs L MacDonald, Mrs D Mackay, Mr W MacKay, Mr A Mackinnon, Ms A MacLean, Mr K MacLeod, Mrs B McAllister, Mrs I McCallum, Mr D Millar, Mr H Morrison, Ms L Munro, Mr F Parr, Mr G Phillips, Mr T Prag, Mr M Reiss, Mr I Renwick, Mr G Rimell, Mrs F Robertson, Ms G Ross, Mr G Ross, Dr A Sinclair, Mrs J Slater, Ms M Smith, Ms K Stephen, Mr J Stone, Mr H Wood.

For the Amendment:

Mr R Balfour, Mr A Baxter, Mr D Bremner, Mr B Clark, Mr J Crawford, Mr L Fraser, Mr D Kerr, Mr D Mackay, Mr T MacLennan and Mr B Murphy.

Decision

The Council:-

- i. **AGREED** the findings of the feasibility study;
- ii. **AGREED** to develop the project to a detailed design and costing phase at a cost of up to £150k;
- iii. **AGREED** to formally approach Sportscotland for support;
- iv. **AGREED** that High Life Highland be asked to continue to act as the Council’s agent in this project; and
- v. **NOTED** that the Council would be asked to consider formal approval of the project within the Capital Programme following further discussions with the Scottish and UK Governments in relation to the City Deal.

**11. City/Region Deal
Cùmhnant Baile/Roinne**

Declaration of Interest

Mr K Gowans declared a financial interest on the grounds of being an employee of UHI 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. HC/34/15 dated 20 August 2015 by the Director of Development and Infrastructure which provided an update on progress with the development of a City/Region deal.

During discussion, Members raised the following issues:-

- whilst external funding was welcomed, it was felt that the proposed projects would be of little direct benefit outside Inverness;
- there was a need to convey thanks to the Director of Development and Infrastructure and his team for the work undertaken to date, as well as the Leader of the Council and the Local MP, Mr D Hendry;
- it was hoped that the project to develop Inverness Castle as a key tourist destination and cultural hub, with enhanced Museum/Gallery provision, could encompass more than just the Castle;
- it should be recognised that although the projects would be mainly based in Inverness, they would ultimately benefit the whole of the Highlands;
- the inclusion of Inverness Railway Station on the list of potential projects was welcomed but there was a need to acknowledge that there were other rail and transport facilities across the area which also required improvement;
- the Northern Meeting park required renovation and should also be included on the list of projects if possible;
- there was a need to improve the number of undergraduate summer placements in order to help retain young people in the area;
- air fares and services from Inverness, especially to London, required improvement as a priority for the area;
- identification of a suitable coach drop-off point also needed to be highlighted;
- there was a need for more detail on some of the regional projects which had been listed;
- the inclusion of development of air services to south Skye should be considered for the future;
- this was not only about funding but also related to powers, such as in relation to the Crown Estate, and specific proposals with concrete business cases were therefore required;
- projects to tackle poverty and social deprivation should also be provided alongside the other projects being proposed;
- it was important not to delay local projects whilst awaiting the outcome of the City/Region Deal; and
- it was hoped that the City/Region Deal would ultimately improve the Highland economy, including the provision of higher paid jobs.

Decision

The Council **NOTED** the update on progress as detailed in the report.

The Council also **AGREED** the vision, themes and individual projects listed in Appendix 1 to the report as the basis of the initial requests to the Scottish and UK Governments.

12. European Structural Investment Funds – Engagement with the Scottish Government Maoin an Aonaidh Eòrpaich

There had been circulated Report No. HC/35/15 dated 24 August 2015 by the Director of Development and Infrastructure which provided an update on current issues relating to EU Structural Investment Funds.

During discussion, Members raised the following issues:-

- whilst this funding was welcomed, the problems experienced in drawing down the monies still required to be addressed as delays could result in projects starting late, being rushed and impacting on the rest of the programme;
- there was a need to contact the Cabinet Secretary to seek details of the measures to be put in place to ensure financial interruptions did not occur in the future;
- it was helpful that the Leader of the Council would be attending the next meeting of the Monitoring Committee to be held on 9 September before the next meeting of the Highlands & Islands Territorial Committee;
- there was a need for regular updates to be submitted to the Planning, Development and Infrastructure Committee;
- the knowledge and expertise of European funding structures and processes within the Scottish Government and the Highland Council needed to be improved;
- the Cairngorm National Park Authority had arranged to launch their LEADER Programme 2014-20;
- bureaucratic processes often affected decisions on funding and this needed to be addressed; and
- whilst the Highland area had a positive track record in delivering European projects, there was still a need for a review of European resource and support issues, specifically with consideration being given to the operation of the European Office in Brussels and Scotland Europa.

Decision

The Council **NOTED** the content of the report as circulated.

The Council also **APPROVED** the approach to raising its concerns with Government over the delivery of the European Structural Investment Funds in the Highlands via the Highlands & Islands European Partnership and its membership of the Highlands & Islands Territorial Committee.

In this regard, it was **NOTED** that the Council would be represented on both of these Committees by the Leader who was also the Chair of the Highlands & Islands European Partnership.

13. Highland Health and Social Care Partnership Integration Scheme Sgeama Amalachaidh Com-pàirteachas na Gàidhealtachd

Declarations of Interest

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

Mr I Brown declared a financial interest in this item as an employee of NHS Highland and left the room.

There had been circulated Report No. HC/36/15 dated 24 August 2015 by the Chief Executive which introduced the Highland Health and Social Care Partnership Integration Scheme which was required by Scottish Ministers in accordance with the Public Bodies (Joint Working)(Scotland) Act 2014.

In this regard, the Integration Scheme had been circulated separately.

During discussion, it was suggested that, now that the Scheme had been approved by the Cabinet Secretary, attention was required for the governance review which was being undertaken.

In this regard, it was also hoped that the Scheme could be used as part of joint funding package re-negotiations, for example to provide additional Infant Support Workers to achieve breastfeeding targets.

Decision

The Council **AGREED** the Integration Scheme for the Highland Partnership as circulated.

14. Community Empowerment Achd Cumhachdachaidh Coimhearsnachd

(a) Community Empowerment (Scotland) Act 2015 – Implications for the Council

There had been circulated Report No. HC/37/15 dated 24 August 2015 by the Head of Policy and Reform which summarised the Community Empowerment (Scotland) Act 2015 and described the implications for the Council.

During discussion, Members raised the following issues:-

- clarification was required in regard to which Community Councils in Inverness would be deemed to have a 'relevant interest' in Common Good Fund property;
- the emphasis on shared resources and joint funding from all Community Planning partners was welcomed but there was a need for further detail in this regard;
- further information was required on a Common Good Register and specifically where this could be located and whether it was based on properly recorded information and took account of specific boundary guidelines;
- in regard to participation requests, careful management was needed in terms of the development of a mechanism which was functional for all;
- it would be important for each individual area to deliver its own plans and that these were properly resourced;
- all information should be contained on the Council Website with clarification within each area as to what was considered to be a 'Common Good asset'; and
- increased transparency with regard to Common Good property was welcomed and would be helpful for all in future.

Decision

The Council **NOTED**:-

- i. that the Community Empowerment (Scotland) Act 2015 was now in place and that it brought new duties on the Council and its partners;

- ii. early implications of the Act had been identified in the report and these would be firmed up when statutory guidance became available with implementation dates known by and from July 2016;
- iii. that preparatory work was underway with the Community Planning Partnership on some aspects of the Act and other areas would require work to be re-prioritised; and
- iv. the new rights for community bodies could be considered better with new arrangements for localism and in this regard early proposals reported at the meeting were also noted.

(b) Strengthening Local Democracy

There had been circulated Report No. HC/38/15 dated 24 August 2015 by the Head of Policy and Reform which set out proposals for strengthening local democracy, affecting current Area Committees in some areas initially and creating new arrangements for local community planning.

During discussion, Members raised the following issues:-

- whilst fully supporting and welcoming the proposals within the report, there was a need for more detailed consideration as to how these proposals would be resourced, including a focus on Committee, Legal, Finance and Technical staff in addition to the Ward Management Team;
- support from partners in relation to the new proposals was crucial in terms of implementation and delivery;
- there was a need to recognise the complexities of delivering the proposals across multiple areas;
- more clarity was required in terms of how District Partnership business would be arranged and addressed at future meetings;
- recognising the geography of specific areas, as well as shared boundaries, would be crucial in terms of ensuring future successes;
- there was also a need to take account of the capacity of Elected Members as part of the delivery of proposals;
- it was disappointing that Ross & Cromarty had not been included in the list of those areas which were 'seeking most change' and this should be corrected;
- one of the recognised failings of the current Area Committees was the lack of Member involvement in agenda setting and it was hoped that this would not be the case in future, specifically by prioritising local issues through a Local Outcome Implementation Plan;
- listening to evidence and ensuring public involvement was essential and should be a fundamental part of the new meeting structure as opposed to being added on to the meeting if time allowed as had been proposed;
- the issues which had been previously raised at the Sutherland Summit should be re-considered as part of the new arrangements, as well as previous work undertaken by the Nordic Council on the development of peripheral areas;
- all options for engagement with Community Councils should be explored in terms of ensuring the best possible outcomes for local areas;
- consideration should be given to disbanding the Skye, Ross & Cromarty Area Committee immediately with a meeting arranged as soon as possible for Local Members to allow discussion of future arrangements and proposals;
- in terms of delegating decisions to a local level, it was essential that equality of budget distribution was maintained;
- consideration needed to be given to devolving other budgets in addition to Community Services budgets in future;

- it would be important for all meetings to be held in public throughout and for such meetings to be webcast if possible;
- there was concern about how the proposals were going to be resourced, particularly in terms of current staffing levels, and this needed to be clarified;
- further information was required on when proposals were to come forward for the Inverness area;
- clarity was needed on the devolvement of the Community Service budgets to the Inverness and Ross & Cromarty areas and specifically when this was likely to happen;
- whilst welcoming the opportunities which would be presented for local areas to be shaped according to the wishes of local communities, it had to be recognised that one size would not fit all;
- whilst it was important to be cautious in terms of future implementation, it was vital that this was not a barrier to improvement;
- information on the detailed costs of the current Area Committees was required as well as the current costs of webcasting meetings;
- there was a need to review the composition of the agenda for the City of Inverness Area Committee as a large number of items were often for noting and meetings were invariably very lengthy;
- there had been a previous suggestion made for fixed locations for webcasting equipment and there should be a comparison made between the costs of this and the current costs of transporting the mobile webcasting equipment around the different areas; and
- further discussion was required on future community planning arrangements and it was important that this should build upon current examples of best practice wherever possible.

Decision

The Council **NOTED** that some areas were ready to begin their experiments in local democracy:-

- i. Caithness, Sutherland, Nairn and Badenoch and Strathspey sought most change at this time and were more ready to experiment with new arrangements;
- ii. Skye may also be included with some final discussions to confirm the geography to use and Local Members' vision (ensuring alignment with the requirements of the Community Empowerment Act);
- iii. Lochaber was further on with its local community planning arrangements and sought to develop those separately from its Area Committee, choosing a more evolutionary model of change;
- iv. The other areas within the Skye, Ross & Cromarty Area Committee and in the City Area Committee required some more work and discussion with Local Members to develop proposals.

The Council **NOTED** that for new local community planning arrangements to be tested, and whilst considering Members' views on what that should achieve for their locality, partner agreement was needed to participate. This was to be considered by the Community Planning Partnership Board in September 2015 and through partner's governance arrangements with feedback to the Council in October 2015. The evaluation of new local arrangements should be agreed with partners and involve a range of methods as set out in Paragraph 2.22 of the report.

The Council **AGREED** the following to localise decision-making:-

- i. disband the two Area Committees covering Caithness and Sutherland and Nairn and Badenoch and Strathspey as soon as practicable and establish new forums for local community planning that serve each of the four areas separately as set out in Paragraph 2.17. These would engage with relevant local partners (pending their agreement) and offer better ways of engaging local community bodies and individuals and help implement the Community Empowerment Act. Council business (decision-making and scrutiny) would be considered separately in these forums and the Scheme of Delegation amended accordingly;
- ii. adjust the Skye, Ross & Cromarty Area Committee to enable Skye to have similar arrangements as those above if that was the decision of Members in Ward 11;
- iii. support the Local Members in Lochaber to take forward their evolutionary approach;
- iv. begin work on using the principle of subsidiarity for Community Services budgets and decisions as set out in Paragraphs 2.13 to 2.15 and to be effective from 1 April 2016;
- v. that Council business in new local community planning forums or in continuing area committees was focused on decision-making with alternative arrangements found for briefing Members; and
- vi. the action to mitigate the risks as set out in Paragraph 4.5 of the report.

**15. Annual Efficiency Statement 2014/15 PP.98-101
Aithris Èifeachdais Bhliadhna 2014/15**

There had been circulated Report No. HC/39/15 dated 18 August 2015 by the Director of Finance which set out the Council's Annual Efficiency Statement for 2014/15.

Decision

The Council **NOTED** the Annual Efficiency Statement for 2014/15 as circulated.

**16. Application for Admitted Body Status
Iarrtas airson Inbhe Buidhne Co-aontaichte**

Declarations of Interest

Dr D Alston declared a financial interest in this item on the grounds of being a member of the Court of UHI and left the room.

Mr K Gowans declared a financial interest in this item on the grounds of being an employee of UHI and a member of the employee pension scheme and left the room.

Mrs C Caddick declared a non-financial interest in this item on the grounds of being a Board member of Inverness College/UHI 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. HC/40/15 dated 21 August 2015 by the Director of Finance which requested consideration of an application from the University of the Highlands & Islands (UHI) Shared Services for Admitted Body Status to the Highland Council Pension Fund.

Decision

The Council **APPROVED** the application for Admitted Body Status and accepted UHI as guarantor for the new Shared Services Company.

17. **Call for Evidence by the Local Government and Regeneration Committee on Devolution of Legislative Powers relating to Fixed Odds Betting Terminals Innealan-Geall 'Fixed Odds'**

There had been circulated Report No. HC/41/15 dated 24 August 2105 by the Depute Chief Executive/Director of Corporate Development which invited consideration of a draft response to the Call for Evidence by the Local Government and Regeneration Committee of the Scottish Parliament on the UK and Scottish Government's proposals in relation to Clause 45 of the Scotland Bill which dealt with the devolution of powers to control the number of Fixed Odds Betting Terminals in gambling premises.

During discussion, thanks were conveyed to Mr R Laird for raising this issue and for ensuring that it had become a high profile item for discussion at previous meetings and also to the Officers concerned for the work which had been undertaken.

Decision

The Council **NOTED** the draft response which had been attached as Appendix 4 to the report and **AGREED** that the Depute Chief Executive/Director of Corporate Development should submit this to the Local Government and Regeneration Committee of the Scottish Parliament as the submission of the Highland Council.

18. **Code of Corporate Governance 2015/16
Còd airson Riaghladh Corporra 2015/16**

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 Ltd but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that this interest did not preclude his involvement in the discussion.

There had been circulated Report No. HC/42/15 dated 24 August 2015 by the Depute Chief Executive/Director of Corporate Development which provided an update on progress with delivering the actions agreed in the Local Code of Corporate Governance for 2014/15 and presented the proposed Code for 2015/16 for approval.

Decision

The Council:-

- i. **NOTED** the good progress on delivering the agreed actions in the 2014/15 Code of Corporate Governance;
- ii. **NOTED** the Full Assurance provided by the Internal Audit report on the delivery of the 2013/14 Code;
- iii. **NOTED** that the Annual Report and Audited Accounts for the Highlands Charitable Trust would be reported to the Council in October 2015; and
- iv. **APPROVED** the Code of Corporate Governance for 2015/16.

19. Scheme of Delegation and Administration to Strategic Committees and Sub Committees and to Officers
Raòn Ùghdarras agus Rianachd gu Comataidhean Ro-innleachdail agus Fochomataidhean agus gu Oifigearan

There had been circulated Report No. HC/43/15 dated 19 August 2015 by the Depute Chief Executive/Director of Corporate Development which outlined amendments to the Scheme of Delegation and Administration to Strategic Committees and Sub Committees and to Officers.

In this regard, it was confirmed that Annual Review of the Scheme of Delegation was a requirement of the Council's Code of Corporate Governance.

Decision

The Council **AGREED** the proposed amendments to the Scheme of Delegation as detailed on the basis that an amended copy would be circulated to all Members in due course.

20. Timetable of Meetings
Clàr-ama Choinneamhan

There had been circulated separately the proposed Timetable of Meetings for 2016.

During discussion, and with specific reference to the discussion which had been undertaken earlier in the meeting in relation to the 'Strengthening Local Democracy' report, it was suggested that there was now a need to give further consideration to the timetable in order to include revised arrangements for meetings within individual Areas.

It was also suggested that further consideration should be given to the dates of the City of Inverness Area Committee meetings in the following year.

Decision

The Council **AGREED TO DEFER** the Timetable of Meetings for 2016 until the October meeting to allow further consideration of revised arrangements for meetings within individual Areas and also the dates of the City of Inverness Area Committee meetings.

It was also **AGREED** that the following change should be made in the current year -

Audit & Scrutiny Committee – to now be held on 17 November (as opposed to the scheduled date of 24 November).

21. 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 25 June 2015 was available in the Members' Library and on the Council's Website.

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

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

23. North West Skye Schools
Sgoiltean Ceann an Iar-Thuath an Eilein Sgitheanaich

There had been circulated to Members only Joint Report No. HC/44/15 dated 21 August 2015 by the Director of Care and Learning and the Head of Corporate Governance.

The Council **AGREED** the recommendation as detailed in the report.

Biomass Heat Contract Provision

There had been circulated to Members only Report No. HC/44/15 dated 28 August 2015 by the Director of Development & Infrastructure.

The Council **NOTED** the terms of the report as circulated.

The meeting ended at 6.20pm.