

The Highland Council

Minutes of Meeting of the **Nairnshire Committee** held in the Chamber, The Court House, High Street, Nairn on Wednesday 27 January 2016 at 10.30 am

Present:

Mr L Fraser
Mr S Fuller

Mr M Green
Mrs L MacDonald

In attendance:

Mr D Haas, Inverness City Area Manager
Ms L Cowie, Ward Manager, Nairn and Badenoch and Strathspey
Ms C McDiarmid, Head of Policy and Reform, Chief Executive's Office
Mr A Gunn, Head of Revenues and Business Support, Finance Service
Mr S Dalgarno, Development Plans Manager, Development and Infrastructure Service
Mr C Kemp, Area Community Services Manager, Community Services
Mr P Mascarenhas, Community and Democratic Engagement Manager, Chief Executive's Office
Ms R Cleland, Corporate Communications Manager, Chief Executive's Office
Miss M Murray, Committee Administrator, Corporate Development Service
Mr S Taylor, Administrative Assistant, Corporate Development Service

Also in attendance:

Temporary Chief Inspector B Mackay, South Highland Area Commander, Police Scotland
Sergeant G Erskine, Police Scotland

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

Business

1. Appointment of Chair Suidheachadh de Chathraiche

Having been nominated by Mrs L MacDonald and seconded by Mr L Fraser, the Committee **AGREED** to appoint Mr M Green as Chair.

Mr Green then took the Chair and paid tribute to Mrs MacDonald, Chair of the former Nairn and Badenoch and Strathspey Area Committee. He also thanked the Badenoch and Strathspey Members for their input and wished them well with their new local Committee.

2. Apologies for Absence Leisgeulan

There were no apologies for absence.

3. Declarations of Interest Foillseachaidhean Com-pàirt

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

Item 7 – Mrs L MacDonald (non-financial)

Item 8 – Mr L Fraser (non-financial)

4. Localism Action Plan Update Plana Gnìomh Ionadaileachd

There had been circulated Report N/01/16 dated 15 January 2016 by the Head of Policy and Reform which highlighted the new devolved powers for the Committee and the further powers likely to be devolved in 2016. It provided an update on work with partners on local community planning arrangements which Members would be involved in during 2016.

During discussion, the following issues were raised:-

- it was an exciting time for local government with as much decision-making as possible being devolved to local areas;
- the proposed participatory budgeting event in March 2015 was welcomed and it was hoped that this would make a difference and reach new community groups;
- concern was expressed regarding the capacity at local level, in terms of both staff and resources, to support Local Committees;
- in relation to changes to District Partnerships, it was important to get buy-in at local level through consultation with local managers;
- it would be good to devolve consideration of Planning and Licensing applications to Local Committees in the future;
- it was important to involve young people and, in that regard, it was suggested that consideration be given to a special forum or an item on a future agenda; and
- Members looked forward to more localised budgets and effective management of local priorities in the future. However, it was recognised that this would be challenging given the significant budget pressures.

The Chair welcomed the direction of travel towards localism and looked forward to the further review of the Scheme of Delegation in March 2016. With regard to the current list of powers delegated to Local Committees, he highlighted a number of key points and made the following comments:-

- an effective community planning partnership needed commitment and partners had to take a full and active role for it to be meaningful;
- the proposed Business Improvement District (BID) was an exciting development and would bring much needed capacity to Nairn. A report on progress would be provided at a future meeting;
- meaningful consultation with Community Councils was essential. More could be achieved by working together and it was hoped to build upon existing relationships as legislation and the Scheme of Delegation evolved;
- in relation to groups/bodies funded by the Council being invited to submit update reports to Local Committees, High Life Highland was a priority. Particular reference was made to their proposal to take over Nairn Academy playing fields and project manage the new paddling pool. As an organisation, they had great skills, flair and entrepreneurship and brought capacity in to the system;

- it was essential to ensure the most effective use of localised funds such as the Deprived Area Fund; and
- planning on a bigger scale through consideration of Development Briefs and Master Plans was essential.

Thereafter, the Committee **NOTED**:-

- i. the powers devolved to the Committee, the planned further devolution of powers, subject to Council approval in March 2016, and that further changes were likely during 2016; and
- ii. the work underway with partners to establish community planning arrangements for Nairnshire and that Members would be involved further in this area of work in 2016.

5. Local Committees – Webcasting Comataidhean Ionadail – Craoladh-lìn

There had been circulated Report No N/02/16 dated by the Director of Finance which sought a decision on whether Nairnshire Committee meetings should be webcasted and, if so, the funding source(s) of the additional costs that webcasting would incur.

During discussion, clarification was sought and provided in relation to staff costs, annual recurring costs, the decision-making process and whether there was an option to record meetings locally and upload them after the event. In relation to the workshop scheduled to take place on 28 January, it was explained that this related mainly to videoconferencing rather than webcasting.

Whilst in favour of webcasting from Council Headquarters, some Members suggested that the viewing numbers did not justify it for Local Committees and, in the current challenging financial climate, the expenditure could be avoided.

Other Members commented that it was important to be as accessible as possible and to not webcast the Nairnshire Committee would be a backward step.

Following discussion the Chair, seconded by Mr L Fraser, **MOVED** that meetings of the Nairnshire Committee should not be webcasted as the service demand did not justify the expenditure and given the financial climate within which the Council was operating.

As an **AMENDMENT** Mrs L MacDonald, seconded by Mr S Fuller, moved that meetings of the Nairnshire Committee should be webcasted in the interests of transparency and accessibility.

On a vote being taken, the **MOTION** received two votes and the **AMENDMENT** received two votes, the votes having been cast as follows:-

For the Motion:

Mr L Fraser, Mr M Green

For the Amendment:

Mr S Fuller, Mrs L MacDonald

On the casting vote of the Chair, the **MOTION** was carried.

Decision

The Committee:-

- i. **NOTED** the current service demand for webcasting; and
- ii. **AGREED** that meetings of the Nairnshire Committee should not be webcasted as the service demand did not justify the expenditure and given the financial climate within which the Council was operating.

6. Police – Area Performance Summary Poileas – Geàrr-chunntas air Coileanadh Sgìreil

There had been circulated Report No N/03/16 dated 18 January 2016 by the South Highland Area Commander which provided a local summary update on progress with reference to the local priorities within the Highland 2014-2017 Policing Plan.

During discussion, the following issues were raised:-

- for the purpose of comparison, it was requested that future reports provide statistics over a five year period and per capita figures for Scotland. In response, the South Highland Area Commander confirmed that figures over a five year period could be readily provided. Per capita figures for Scotland might be more challenging as different areas had different local priorities but this would be investigated;
- the action taken in relation to the sale of new psychoactive substances in Nairn was welcomed;
- concern was expressed regarding the increase in threatening behaviour and common assault;
- although there had been a reduction in vandalism, there had been instances in high profile areas such as the Links, the riverside and the paddling pool;
- parking violations regularly came up at Community Council and Access Panel meetings and an assurance was sought that foot patrols would be increased to tackle the issue. In response, the South Highland Area Commander confirmed that foot patrols would be increased in the High Street area now that the road had re-opened. In addition, assistance from the two available Traffic Wardens had been secured for the Badenoch and Strathspey area and he undertook to request similar assistance for the Nairn area;
- the increase in the detection of shoplifting was positive; and
- whilst Police attendance at Community Councils was appreciated, it was not possible for them to attend every meeting and it was suggested that the Area Performance Summary reports be circulated to all local Community Councils for information.

Thereafter, the Committee:-

- i. scrutinised and **NOTED** the progress report and updates in relation to the four priorities - Road Safety; Drug Dealing and Misuse; Antisocial Behaviour; and Dishonesty; and
- ii. **AGREED** to provide statistics over a five year period in future reports and, if practicable, a comparison with per capita figures for Scotland.

7. Nairn South Masterplan – Supplementary Guidance Update
Prìomh Phlana Inbhir Narann a Deas – Fios às Ùr mu Stiùireadh Leasachail

Declaration of Interest: Mrs L MacDonald declared a non-financial interest in this item on the grounds that she owned an area of land in the Inner Moray Firth Local Development Plan and elected to leave the room.

There had been circulated Report No N/04/16 dated 18 January 2016 by the Director of Development and Infrastructure which set out progress on the preparation of a revised draft masterplan for Nairn South and sought agreement for the next steps towards its publication. The need for a new Nairn South Masterplan followed the recommendations of the Examination Report to the Inner Moray Firth Local Development Plan.

The Chair referred to the lengthy consultation that had taken place previously and stated that local people, including Community Councillors and Local Members, did not support the Masterplan as the existing infrastructure could not cope with the scale of development proposed. At the last meeting with officers, various infrastructure options had been discussed. However, they were all expensive and involved using land that was not Council-owned. Reference was made to previous developments at Lochloy and Delnies and concern was expressed that there was a history of conditions not being implemented and that the aim appeared to be to develop Nairn South at any cost. In addition, he referred to the Action Programme (Action Plan) for the Inner Moray Firth Local Development Plan, which included an action to prepare a delivery strategy for sites in Nairn. That being the case, he suggested that it would be sensible to reconsider the relevance and context of the Masterplan as there were sites more suitable for development than those in Nairn South.

During further discussion, some Members stated that there was a requirement to prepare a new Masterplan and suggested that the appropriate way forward was to go out to consultation. Other Members expressed concern regarding the infrastructure issues and sought information on the implications of not having a Masterplan.

The Development Plans Manager explained that, in the absence of a Masterplan, the Council would be in a much weaker position to determine an application for development and mitigate the impact. The area had been allocated for development in the adopted Inner Moray Firth Local Development Plan and there was a commitment to prepare a new Masterplan. In relation to whether an area could be unadopted, it was confirmed that it would not be possible to change the Development Plan position.

Following discussion the Chair, seconded by Mr L Fraser, **MOVED** that the Committee defer approval of recommendation i. for officers to reconsider the relevance and context of the Nairn South Masterplan in relation to the proposed Nairnshire Action Plan.

As an **AMENDMENT**, Mr L Fraser moved the recommendations. However, he failed to find a seconder.

The **MOTION** therefore became the finding of the meeting.

Decision

The Committee:-

- i. **AGREED** to defer approval of recommendation i. for officers to reconsider the relevance and context of the Nairn South Masterplan in relation to the proposed Nairnshire Action Plan;
- ii. **NOTED** the update on progress with the assessment of transport issues; and
- iii. **AGREED** that Council officials continue to liaise with Council Members, the community and landowner and developer interests in relation to the preparation and delivery of a draft Nairn South Masterplan for public consultation.

Mrs L MacDonald returned to the meeting.

8. Housing Revenue Account Capital Programme Update Cunntas às Ùr mu Phrògram Calpa Cunntas Teachd-a-steach Taigheadais

Declaration of Interest: Mr L Fraser declared a non-financial interest in this item as a Sub-Contractor for the Housing Service in Nairn but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

There had been circulated Report No N/05/16 dated 13 January 2016 by the Director of Community Services which provided information on the status of the Housing Revenue Account capital projects for 2015/16 and 2016/17 within the Nairnshire Area.

During discussion, the following issues were raised:-

- in relation to adaptations for disabled tenants, an assurance was sought, and received, that any money not spent in the current financial year would be carried forward to 2016/17;
- an explanation was sought for the delay in upgrading electric heating systems to gas;
- an update was requested in relation to the installation of biomass boilers; and
- a request was made for further information on the condition of Council housing stock in Nairn in comparison with the rest of Highland.

Thereafter, the Committee:-

- i. **NOTED** the current position of the capital projects for 2015/16 and 2016/17; and
- ii. **AGREED** that, if practicable, information on the condition of Council housing stock in Nairn in comparison with the rest of Highland be provided in a future report.

9. Participatory Budgeting Buidseat Compàirteachaidh

There had been circulated Report No N/06/16 dated 15 January 2016 by the Head of Policy and Reform which provided an update on the plans to carry out a participatory budgeting event for Nairnshire. The report set participatory budgeting in the context of The Community Empowerment Act, particularly the requirements to develop local democratic structures and involve communities in decision-making around resources.

During discussion, the following issues were raised:-

- the event in Nairn and the partnership approach to designing the participatory budgeting process were welcomed;
- Members had a role in terms of encouraging enough groups to participate;
- the Ward Manager was thanked for her work in designing the straightforward “Nurturing Nairnshire” application form, which she attributed to the organising group and the collaborative approach taken;
- the additional £5k of funding from the Scottish Government to support the event was welcomed;
- in relation to the information being provided to applicants, it was necessary to clarify that applications did not require Member endorsement prior to submission;
- a request was made that alternative voting arrangements for those who would have difficulty attending the event be explored. The Community and Democratic Engagement Manager confirmed that he would take the matter up with PB Partners and report back to Members;
- with regard to the possibility of online voting, the Chair indicated that he would be more in favour of the model that had been used in Wick. However, it would ultimately be for the organising group to decide; and
- the event was a fantastic opportunity for local groups, especially those which might not have considered applying for funding before.

Thereafter, the Committee:-

- i. **AGREED** that the further £5k available to support the event from the Scottish Government be used;
- ii. **NOTED** the progress being made with the organising group and that the event to involve local people was scheduled for 12 March 2016; and
- iii. **AGREED** to explore with PB Partners the viability of alternative voting arrangements for those who would have difficulty attending the event, and to report back to Members of the Committee in that regard.

10. Nairn Common Good Fund - Expenditure and Governance Update Report Maoin Math Choitcheann Inbhir Narann – Aithisg às Ùr mu Chaiteachas agus Riaghladh

There had been circulated Report No N/07/16 dated 15 January 2016 by the Director of Finance and the Inverness City Area Manager which provided an update on progress made on the development of an Investment Strategy for the Nairn Common Good Fund (NCGF). It explained that, in March 2014, a report had been presented to the Nairn and Badenoch and Strathspey Area Committee on:-

- current governance arrangements;
- anticipated income (primarily from tenancy rentals); and
- expenditure by the Council for services rendered in support of the NCGF and how these services should be supported.

The report also detailed options to consider for the investment of cash reserves and asked Members to note the position of the NCGF as shown in the Quarter 3 Monitoring Statement.

During discussion, the Chair highlighted the progress made in developing an Asset Register and thanked officers for their work on what had been a complicated and

onerous process given the age of some of the documents. In welcoming the positive financial position, he drew attention to the ongoing issue with the angling lease and advised that work was underway to try and find an acceptable long term solution. With regard to the budget for 2016/17, consideration would be given to the potential cost options for work at the paddling pool. In addition, it was necessary to consider how to spend some of the capital being generated. He looked forward to seeing NCGF reports on Community Council agendas and, where appropriate, discussing any points raised in that environment.

During discussion, the following issues were raised:-

- in relation to the management fee of £0.006m from High Life Highland for the Leisure Park, Members questioned whether some of that funding could be used to carry out a consultation on the maintenance or replacement of the paddling pool in the event that it could not be reopened in the summer;
- in terms of decision-making, the need to be as transparent as possible was emphasised;
- the success of BIDs in Scotland was highlighted, in particular, the opportunities they provided to local businesses to access funding. It was suggested that consideration be given to the creation of a seafront masterplan as there were a number of development strands, including the paddling pool and putting green, which could attract funding through the BID process;
- following the implementation of The Community Empowerment Act, it was essential that the Council interacted more effectively with local communities and that Members provided input on any changes required once the statutory guidance was available;
- if the Committee was minded to agree the Share Investments option, it was essential that consideration be given to the appointment of a Member of the Committee to the Investment Sub-Committee; and
- the success of the Inverness Common Good Fund over the years was highlighted. The proposed Fund Managers, Messrs Adam & Co, had a proven track record and support was expressed for the Share Investments option as set out in the report.

Further information having been provided on the proposed investment strategy and the level of reporting and transparency, the Chair welcomed the fact that quarterly updates would be provided at the Committee and that the annual accounts would be in the public domain. He highlighted that, in terms of The Community Empowerment Act, the Asset Register would be made publicly available. Moving forward, there would be a degree of expense; however, he was comfortable with paying for professional advice as appropriate.

Thereafter, the Committee:-

- i. **NOTED** the financial information contained within the report and appendices;
- ii. **AGREED** that Share Investments was the most viable option for investing the available cash balances of the Nairn Common Good Fund and that the Director of Finance be instructed to take the necessary steps to implement;
- iii. **AGREED** that update reports continue to be brought before the Committee; and
- * iv. **AGREED TO RECOMMEND** to the Council that a Nairnshire Committee Member be appointed to the Investment Sub-Committee.

The meeting concluded at 12.20 pm.