

The Highland Council
No. 3 2017/2018

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 29 June 2017 at 10.35am.

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

Present:

Mr G Adam	Mrs L MacDonald
Mr B Allan	Mr R MacDonald
Mr R Balfour	Mrs D Mackay
Mr A Baxter	Mr D Mackay
Mr B Boyd	Mr W MacKay (via VC)
Mr R Bremner	Mr G MacKenzie
Mr I Brown	Mrs I MacKenzie
Mrs C Caddick	Mr S Mackie
Mrs I Campbell	Mr A Mackinnon
Mrs G Campbell-Sinclair	Mr B MacLachlan
Mrs H Carmichael	Ms A MacLean
Mr A Christie	Mr C MacLeod
Dr I Cockburn	Mr D MacLeod
Mrs M Cockburn	Mr D Macpherson
Mr G Cruickshank	Mr R MacWilliam
Ms K Currie	Mrs B McAllister
Mrs M Davidson	Mr J McGillivray
Mr J Finlayson	Mr N McLean
Mr M Finlayson	Mr H Morrison
Mr C Fraser	Ms L Munro
Mr L Fraser	Mrs P Munro
Mr R Gale	Mrs M Paterson
Mr J Gordon	Mr I Ramon
Mr K Gowans	Mr M Reiss
Mr A Graham	Mrs T Robertson
Ms P Hadley	Mr K Rosie
Mr T Heggie	Mr G Ross
Mr A Henderson	Mr A Sinclair
Mr A Jarvie	Ms N Sinclair
Ms E Knox	Mr C Smith
Mr R Laird	Ms M Smith
Mr B Lobban	Mrs K Stephen
Mr D Louden	Mr B Thompson

In Attendance:

Chief Executive	Director of Finance
Depute Chief Executive/Director of Corporate Development	Director of Community Services
Director of Development & Infrastructure	

Mr B Lobban in the Chair

Apologies for absence were intimated on behalf of Mrs J Barclay, Mr J Bruce, Miss J Campbell, Mr J Gray, Mrs F Robertson, Mr P Saggars, Mr J Stone and Mrs C Wilson.

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

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

- Item 3 – Mr A Jarvie (Non-Financial)
- Item 12 – Ms A MacLean (Non-Financial)
- Item 23 – Mr I Brown and Mrs D Mackay (Financial)

Prior to the commencement of the formal business, it was noted that a Performance on Dementia by the Purple Performers from Millburn Academy would be undertaken during the lunch break in the Chamber Foyer.

3. **Duke of Edinburgh Award Scheme – Gold Award Presentation** **Sgeama Duais Diùc Dhùn Èideann – Toirt Seachad na Duais Òir**

Declaration of Interest – Mr A Jarvie declared a non-financial interest in this item as a Board Member of the Duke of Edinburgh Award Scheme 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.

It was noted that, as part of the Duke of Edinburgh Award Scheme, twenty five young people from across the Highlands were due to receive the Gold Award in the current year.

In this regard, the Convener presented Gold Award badges to the following nine recipients who were present at the meeting:-

- Eithne Barnes (Culloden Academy)
- Ananda Bruce (Inverness Royal Academy)
- Rachel Crane (Grantown Grammar School)
- Alisa Hepburn (Grantown Grammar School)
- Kieran Jamieson (Culloden Academy)
- Catriona Russell (Inverness Royal Academy)
- Edward Stewart (Ullapool High School)
- Ellen Stewart (Inverness Open Group)
- Ruby Tilling (Ardnamurchan High School)

Thereafter, Bill Walker, Chair of the Highland Award Project (and on behalf of the Council, High Life Highland, Inverness Royal Academy and the many young people who had participated in the Duke of Edinburgh Award Scheme (gave special recognition to Volunteer and Chair of the Local Advisory Committee, Pat Crippen, on her retirement and in light of her substantial commitment to the Scheme over many years.

Decision

Having congratulated all of the recipients, the Council otherwise **NOTED** the position.

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 1 June 2017 as contained in the Volume which had been circulated separately - which were **APPROVED**.

Arising from the above, consideration was given to the following:-

Highland Licensing Committee and Highland Licensing Board

It was **NOTED** that Mrs Glynis Campbell-Sinclair and Mr Ian Ramon had now intimated that they wished to withdraw from both the Highland Licensing Committee and Highland Licensing Board and that Mrs J Barclay wished to withdraw from the Highland Licensing Board.

On that basis, the following changes were **AGREED**:-

Mr G Cruickshank to replace Mr I Ramon
Mr C Smith to replace Mrs G Campbell-Sinclair
Mr K Rosie to replace Mrs J Barclay

Highland and Western Isles Valuation Joint Board

The Council **AGREED** the following change:-

Miss J Campbell to replace Mr B Lobban as a Substitute Member.

The following changes to membership of Committees – which had been tabled at the meeting - were also **AGREED**:-

Audit and Scrutiny Committee – Mr C Fraser to replace Ms E Knox
Corporate Resources Committee – Mr R Bremner to replace Ms E Knox

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:-

Corporate Resources Committee, 14 June
Places Committee, 15 June
Badenoch & Strathspey Area Committee, 16 June
Caithness Committee, 16 June
City of Inverness Area Committee, 19 June
Isle of Skye & Raasay Committee, 19 June
Ross & Cromarty Committee, 19 June
People Committee, 21 June
Sutherland County Committee, 23 June
Nairnshire Committee, 23 June
Lochaber Area Committee, 23 June
Audit & Scrutiny Committee, 26 June

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

Places Committee, 15 June

***Starred Item: Item 5(d): PP. 57: Establishment and/or Appointment of Working Groups, Boards and Outside Bodies – Directorship of Inverness Airport Business Park**

It was **AGREED** to appoint Mrs C Caddick to represent the Council on the IABP Board of Directors and that the Director of Development and Infrastructure should attend Board Meetings in an advisory capacity.

***Starred Item: Item 5(f): PP. 57: Establishment and/or Appointment of Working Groups, Boards and Outside Bodies – Highland Small Communities Housing Trust**

It was **AGREED** to appoint Mr A Christie to the Highland Small Communities Housing Trust.

Item 23: PP. 67: Ullapool to Lochinver Bus Service

It was **AGREED** that the Minute should be corrected to confirm that the bus service between Ullapool-Lochinver should be “retendered” instead of “reinstated”.

City of Inverness Area Committee, 19 June

***Starred Item: Item 17(c): P. 11: Inverness Common Good Fund – Town House Works Programme Phase 3, High Street, Inverness**

The Council **AGREED**:-

- i. that Phase 3 should include the remaining part of Building One and all remaining sections of the Town House;
- ii. to proceed to tender for Phase 3 in 2017 with a total estimated project cost of £2,300,000 for the all remaining sections of the Town House; and
- iii. to proceed with a further third party funding application to Historic Environment Scotland.

Ross and Cromarty Committee, 19 June

***Starred Item: Item 10: P. 23: Tain Common Good Fund – Tain Mussels**

The Council **AGREED** to endorse the sale of the mussel boat “Gizzen Briggs”.

People Committee, 21 June

***Starred Item: Item 5iii: P. 27: Appointment to Sub-Committees etc – Welfare Reform Working Group**

It was **AGREED** to appoint the Leader of the Council, Chair of the Corporate Resources Committee, Chair of the Places Committee, Leader of the Labour Group, Leader of the SNP Group and Leader of the Conservative & Unionist Group to the Welfare Reform Working Group.

6. Establishment and Appointment of Vice Conveners Steidheachadh agus Cur an Dreuchd Iar Luchd-gairm

The Council **AGREED** the establishment of 2 positions of Vice Convener and to

appoint Mrs I Campbell and Mr A Henderson to these positions.

**7. Strategic Lead for Police and Fire
Ceannard Ro-innleachdail airson Poilis agus Smàladh**

The Council **AGREED** the establishment of the position of Strategic Lead for Police and Fire and to appoint Mr M Reiss to this position.

**8. Question Time
Am Ceiste**

The following Questions had been received by the Depute Chief Executive/Director of Corporate Development in terms of Standing Order 42 –

(i) Ms M Smith

To the Leader of the Council

“What effect did the decision to use primary schools instead of the usual venues as polling places during this year’s elections have on turnout?”

The response had been circulated.

In terms of a supplementary question, Ms Smith requested that an analysis be undertaken of the trends in turnout between elections in locations where the polling station had been changed to a primary school.

In response, the Leader of the Council confirmed that the information requested could be provided as part of the report on the review of the changes to polling places which would be presented to a future meeting of the Corporate Resources Committee.

(ii) Mr R Laird

To the Chair of the People Committee

“How many people aged (a) 16-17 and (b) 18-21 have been placed into temporary accommodation in a B&B or HMO during each of the last five years?”

The response had been circulated.

In terms of a supplementary question, Mr Laird congratulated the Housing Service for the progress made over the last five years to reduce the number of young people being placed into temporary accommodation and asked the Chair of the People Committee to provide proposals that sought to reduce the number to zero.

In response, the Chair of the People Committee confirmed that work would be undertaken with partners from the Scottish Government and Housing Associations to ensure adequate housing was provided and also recognised the complex challenging needs of young people which needed to be addressed to ensure they were put on the best pathway. Furthermore, he offered to engage further to seek views to ensure the target of zero was achieved by the end of the Council term.

(iii) Ms M Smith

To the Chair of the Corporate Resources Committee

“How many posts are currently filled on a temporary basis by staff at a rate of at least £100 per day?”

The response had been circulated.

In terms of a supplementary question, Ms Smith made reference to the fact that a number of agency staff were being paid more than £100 per day, including the Head of Digital Transformation for which the Council was currently paying the equivalent of around £230k per year (as compared to £77k when the position was permanent). In this regard, she queried as to how the Chair of the Corporate Resources Committee felt about this and whether the public would endorse this amount of money being spent on one salary for one post.

In response, the Chair of the Corporate Resources Committee provided assurance that he would investigate this case and respond to Ms M Smith in due course.

(iv) Ms K Currie

To the Chair of the Corporate Resources Committee

“What will the additional cost be of the recent instruction given to schools to keep their ICT equipment on at all times?”

The response had been circulated.

In terms of a supplementary question, Ms Currie queried whether a review of the current policy would be undertaken.

In response, the Chair of the Corporate Resources Committee confirmed that he agreed with the current policy and reminded Members that the Council had recently successfully resisted a cyber-attack which had affected the NHS. In addition, the Council had received PSN accreditation on the basis that software was regularly updated which required schools to comply with the policy.

**9. Financial Outlook 2018-2023
Sealladh Ionmhasail 2018-2023**

There had been circulated Report No. HC/16/17 dated 16 June 2017 by the Director of Finance.

During discussion, Members raised the following issues:-

- this report highlighted the scale of the financial challenge facing the Council over the next five years and as such the need for development of a five year financial strategy was accepted;
- there was also a need to seek a multi-year budget settlement from the Scottish Government which would considerably improve on what had been the situation in previous years;
- the Budget Team were to meet on a fortnightly basis following the Recess and an invitation was extended to all Members of the Council to become involved in the budget setting process;
- it was recognised that the Council had to become more commercially sound

and this had led to the recommendation for the creation of a Commercial Board;

- there was a need to consider the worst case financial scenarios, not least in light of the potential long term effects arising from Brexit;
- the Capital Plan in particular had to be closely reviewed in terms of robustness and feasibility for the future;
- links had to be established from the outset between the priorities/programme of the Council, the capital and revenue budgets, workforce planning and performance planning. In this respect, it was suggested that the Council should set three or four main priorities and demonstrate how it was proposed that they would be delivered;
- as part of the development of the five year strategy, it should be highlighted at an early stage as to how this would relate to workforce planning, not least to provide some degree of job security for staff;
- there was a need to illustrate the potential implications in each case scenario of any change in interest rates over the coming months/years;
- update reports had to be provided to the full Council every three months in order that all Members could be kept fully up to date with the position;
- it was imperative that the Council protected those who were most vulnerable across the Highland area in order to ensure that they were not affected disproportionately and as such spend should be based on need as much as possible, perhaps highlighting this within priorities going forward;
- as part of overall budget considerations, there was a need to make representations to the Scottish Government in terms of the ongoing situation surrounding protected budgets;
- the involvement of MSPs across the area would be welcomed in terms of ensuring that the Council received a fair grant settlement;
- in terms of commercial opportunities, there were already a number of professional Officers within the Council and use should be made of their expertise in the presentation of new ideas which could lead to less reliance on the grant allocation;
- in regard to the Capital Programme, there should be further investigation of alternative arrangements for the building of schools and consideration given to examples of best practice elsewhere;
- there had to be strong focus on socially deprived areas and help given to local groups in terms of start-up in order to encourage involvement at a local level in future budget discussions;
- the current education review by the Scottish Government had introduced a high level of uncertainty to the current budget process and it was hoped that this could be resolved at an early date in order to provide clarity;
- the Fraser of Allander report which had just been published had indicated that there was a real prospect of Scotland being on the edge of recession and this was a concern. However, at the Community Planning meeting on the previous day, positive assurances had been received in terms of inward investment and jobs across the Highlands and it was hoped that this would be continued; and
- the budget process had to involve all Members of the Council as this was not just about balancing the budget but about achieving the best for the people of the Highlands.

Decision

The Council:-

- i. **NOTED** the financial modelling assumptions and **AGREED** that update reports be provided to the Council every three months.

- ii. **NOTED** the scale of financial challenge facing the Council over the next five years with a modelled financial gap in the Revenue Budget of between £129.7m and £186.9m;
- iii. **NOTED** the implications for capital expenditure and the need to review the Capital Plan in light of the Revenue Budget implications and its affordability; and
- iv. **AGREED** the need to develop a five year financial strategy linked to the priorities of the Council.

10. Commission on Highland Democracy Coimisean air Deamocrasaidh Gàidhealach

There had been circulated Report No. HC/17/17 dated 21 June 2017 by the Acting Head of Policy.

In this regard, Mr Rory Mair, the Chair of the Commission, was in attendance at the meeting.

During discussion, Members raised the following issues:-

- this was an extremely valuable report from the Commission and thanks were conveyed to all those involved. Specifically, it would provide valuable insight alongside the Programme for the Council and the Capital Programme which were to come forward in the Autumn;
- there were clear messages for the Council in terms of communication and as such the issues raised had to be examined closely in order to allow improvements to be put in place where necessary;
- it had to be recognised that Community Councils were often much closer to communities than the Council and were therefore able to pick up on issues at a much earlier date;
- there was currently a significant amount of correspondence which was directed towards Community Councils and this needed to be streamlined in future. In this regard, it was noted that there had been issues raised in relation to the lack of responses in some cases from Council Officers and again this needed to be improved in future;
- Community Councils were an essential part of the democratic process and should be commended for their part in representing local communities across the Highlands;
- the Community Empowerment Act presented opportunities for more and varied engagement with Community Councils and local communities and this had to be prioritised in future, perhaps through involvement with additional issues than at present;
- both the Council and individual Councillors had to be advocates for this report in order to be able to demonstrate the action being taken as a result of the findings;
- engagement with young people and the ability to work alongside them in future was imperative for the success of local democracy in the Highlands;
- there was a need to recognise the considerable discrepancy between the Council and Community Council budgets and thought should perhaps be given as to how to strengthen the latter in the future;
- meaningful discussion and engagement with communities, and also Council staff, on the Council Programme had to be undertaken in order to change attitudes and learn lessons;
- this report was extremely important and as such there was a need for an Executive Summary to be made available for communities and also Schools

across the Highlands;

- co-production of reports should perhaps be considered in future in order to enable full communication with all those involved at a community level;
- it was clear from the report that a decision needed to be made as to whether Community Councils should be supported, developed and resourced in such a way that they could play a full and active part in representative democracy in the Highlands or whether it had to be recognised that they did not and could not carry out this function;
- discussion should be undertaken with the Scottish Government as to the feasibility of implementing a pilot project in the Highlands aimed at raising a small level of taxation to be used by Community Councils across the area and with the involvement of communities;
- a meeting with the current Youth Convener and his successor should be arranged in the next few weeks in order to gain information as to the future involvement of young people in this process;
- examples of best practice elsewhere should also be investigated and brought back for further consideration in due course;
- there was a view that the District Council model had worked best for local communities across the Highlands and should be replicated again in the future if possible; and
- a review of the results from the report and the subsequent action taken by the Council should be submitted for further consideration within a period of approximately one year.

Decision

The Council **NOTED** the draft report from the Commission on Highland Democracy as circulated.

11. Redesign proposals for operating more commercially and widening democratic and community participation Ath-dhealbhadh – Ionadaileachd agus Bòrd Coimeirsealta

There had been circulated Report No. HC/18/17 dated 19 June 2017 by the Chief Executive.

During discussion, Members raised the following issues:-

- thanks should be conveyed to the Members, staff and Trade Union representatives who had undertaken a considerable level of work in shaping the redesign proposals;
- the statement including Council outcomes would be aligned with the new Programme for the Council when that was agreed later in the year;
- there was a need to strengthen the remits of Local Committees wherever possible in order to allow as much engagement as possible in local areas;
- the proposal in the report on listening locally aligned well with the previous report from the Commission on Local Democracy;
- consideration should be given in future as to whether new charges made should be retained in the area in which they had been raised;
- there was a need for Substitutes to be allowed to attend when Substantive Members of the Commercial Board were not able to attend meetings; and
- further consideration should be undertaken in regard to the possible write-off of the Council Housing debt and the implementation of interest free loans with suppliers wherever possible.

Decision

The Council:-

- i. **AGREED** the statement of redesign for implementation at Appendix 1 to the report.
- ii. **AGREED** the statement of Council purpose, values and outcomes at Appendix 2 to the report and **NOTED** that the description of outcomes could be refreshed when the Council's Programme and priorities were confirmed this year.
- iii. **NOTED** that at the meeting on 9 March 2017 the Council endorsed a commercial approach to try to offset future budget reductions and to support services and jobs across the region.
- iv. **AGREED** to create a Commercial Board for a step change in income generation and to lead and drive the actions set out in Paragraph 4.5 of the report.
- v. **AGREED** that the Commercial Board should report to the Corporate Resources Committee and comprise 5 Members (1 from each Group - plus a Substitute), 2 Senior Officers in Executive roles and up to 2 External Advisors with business expertise to participate voluntarily as Non-Executives on the Board.
- vi. **NOTED** that having listened to community bodies about the support they needed to do more in their communities, Council staff time had been offered to develop local web-based Community Gateway information and an App matching volunteers to volunteering opportunities. The offer of support and related issues had been discussed at the Highland CPP Board on 28 June 2017 and it was advised verbally that the Board had requested that further work should be done to confirm with the groups involved if this offer of support was sufficient or the right place to start;
- vii. **AGREED** that the time was right to try new approaches to widen participation in decision-making. This was supported by the findings from the Commission on Highland Democracy, Redesign work to date, the appetite from community bodies and citizens for more involvement, new Community Partnerships being in place and a proposed national review of local governance expected to call for proposals from localities to identify what to change.
- viii. **AGREED** to create proposals for change to local governance with communities, community bodies and where appropriate with partners as described in 6.11 to 6.30 of the report, with the new Redesign Board supporting and overseeing progress.
- ix. **AGREED** that alongside the proposals above that local committees continue to evolve by:
 - a. ensuring the right fit between the agendas of strategic and local committees, in liaison with the chairs of strategic and local committee and using the subsidiarity challenge agreed at the Council meeting in March 2017 and described in paragraph 6.29 of the report;
 - b. further work being done to develop community budgets for local committee areas;

- c. rolling out participatory budgeting further and considering it for mainstream as well as discretionary budgets at a local level. Specific proposals would be developed for Members to consider in future meetings.
 - d. developing the working relationship with the Community Partnership in the local area.
- x. **NOTED** that a further report on taking forward other recommendations from the Redesign Board to the Council was expected for the Council meeting in September, focusing on structure and management of Council operations and any up-date available by then on a proposed national review of local governance.

12. Schools Governance Review Outcome Toradh Ath-sgrùdadh Riaghladh Sgoiltean

Declaration of Interest – Ms A MacLean declared a non-financial interest in this item on the basis that a family member was a Head Teacher but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors’ Code of Conduct, concluded that her interests did not preclude her from taking part in the discussion.

There had been circulated Report No. HC/19/17 dated 19 June 2017 by the Director of Care and Learning.

During discussion, Members raised the following issues:-

- the proposals which were coming forward from the Scottish Government were a detrimental step in that they ignored the current ‘whole system’ approach to the development and improvement of education;
- there was a need for clarification in regard to who Head Teachers would now report to as it was not clear from the proposals;
- the proposals would have the effect of greatly reducing the role of Local Government and taking power away from Local Authorities and as a result this reduced local democracy;
- the proposed structure, which would ultimately lead back to the Cabinet Secretary, was ‘confused’ with multiple layers which would have the effect of creating silos and do very little to close the attainment gap;
- it was clear from the consultation outcome that the majority of respondents had not agreed with the proposals;
- this would lead to a ‘one size fits all’ development approach and there was real concern that it would also create further recruitment problems in regard to Head Teachers who were already displaying high levels of stress and dissatisfaction with current workloads;
- it had to be recognised that the attainment gap was due to many factors and many of them were related to pre-school conditions which these proposals would not address;
- health, social care and education were currently integrated but these proposals would break these connections;
- in contrast to the views already expressed, it was suggested that this report should be considered alongside the reports on the Commission on Local Democracy and Council Redesign. As such, the proposals provided ambition and vision in terms of improving more rapidly the chances of many young people and would further close the poverty related attainment gap;
- the proposals which were being put forward by the Scottish Government were

not that different to what was already happening in the Highland area and could present greater opportunities for staff;

- in line with the Community Empowerment Act, there could be more powers for Schools and a more participative role for Parent Councils which was welcomed;
- there had been no mention in the proposals of 'integrated children's services' or 'looked after children' and these were the main factors which had to be at the forefront of closing the attainment gap;
- the bureaucratic burden on Head Teachers was already causing problems and these proposals could only worsen that situation;
- there had been strong opposition to the proposals and the Scottish Government had to listen to the concerns which had been raised;
- the setting up of an independent Inspectorate was needed as a priority if these proposals were to go ahead;
- this was a very emotive issue for all Members and it had to be acknowledged that the situation would be different across larger and smaller schools in the Highlands;
- the most positive aspect of the proposals would be the opportunity for the area to ensure that it had the best Head Teachers which would enable the delivery of high quality outcomes for Highland children; and
- there was perhaps a need for more time to be taken in consideration of the proposals which would enable more discussion to be undertaken with Head Teachers in the first instance.

Thereafter, Mr A Christie, seconded by Mrs M Davidson, **MOVED** the recommendations as detailed in the report.

As an **AMENDMENT**, Mr G MacKenzie, seconded by Ms M Smith, moved that the second recommendation within the report should be deleted and that the third recommendation should be re-worded as follows – to agree to seek to work with Government, including through CoSLA, the Northern Alliance and other forums, to endeavour to progress these proposals in a positive and constructive direction.

On a vote being taken, the **MOTION** received 43 votes and the **AMENDMENT** received 22 votes, with no abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr G Adam, Mr R Balfour, Mrs J Barclay, Mr A Baxter, Mrs C Caddick, Mrs I Campbell, Mrs H Carmichael, Mr A Christie, Mr G Cruickshank, Mrs M Davidson, Mr J Finlayson, Mr M Finlayson, Mr L Fraser, Mr R Gale, Mr A Graham, Mr J Gordon, Ms P Hadley, Mr T Heggie, Mr A Henderson, Mr A Jarvie, Mr B Lobban, Mr R MacDonald, Mr D Mackay, Mrs D Mackay, Mr W MacKay Mrs I MacKenzie, Mr A Mackinnon, Mr D MacLeod, Mr D Macpherson, Mrs B McAllister, Mr J McGillivray, Mr H Morrison, Mrs L Munro, Mrs M Paterson, Mr C Smith, Mrs K Stephen, Mr I Ramon, Mr A Sinclair, Ms N Sinclair, Mr M Reiss, Mrs T Robertson, Mr G Ross and Mr B Thompson.

For the Amendment:

Mr B Allan, Mr B Boyd, Mr R Bremner, Mr I Brown, Mrs G Campbell-Sinclair, Dr I Cockburn, Mrs M Cockburn, Ms K Currie, Mr C Fraser, Mr K Gowans, Ms E Knox, Mr R Laird, Mr D Loudon, Mrs L MacDonald, Mr G MacKenzie, Mr B MacLachlan, Mr N MacLean, Mr C MacLeod, Mr R MacWilliam, Mrs P Munro, Mr K Rosie and Ms M Smith.

Decision

The Council **AGREED**:-

- i. to recommit to working collaboratively with Headteachers to provide them with better opportunities to drive school improvement and reduce unnecessary bureaucracy;
- ii. that the proposals set out by the Scottish Government did nothing to declutter the current arrangements but could introduce new layers of scrutiny and management and confuse responsibility and accountability for the management of schools; and
- iii. to seek to work with Government, including through CoSLA, the Northern Alliance and other forums, to endeavour to influence these proposals in a more positive and constructive direction.

13. Local Government in Scotland: Performance and Challenges 2017 Riaghaltas Ionadail ann an Alba: Coileanadh agus Dùbhlain 2017

There had been circulated Joint Report No. HC/20/17 dated 19 June 2017 by the Depute Chief Executive/Director of Corporate Development and Director of Finance.

Decision

The Council **NOTED** the actions currently being undertaken which reflected the recommendations of the Accounts Commission and the personal development requirements as a result of the issues raised.

14. Annual Accounts for the Year to 31 March 2017 Aithris Chunntasan Chomhairle na Gàidhealtachd – Ceann-na-bliadhna

There had been circulated Report No. HC/21/17 dated 20 June by the Director of Finance.

Decision

The Council **AGREED** the unaudited Annual Accounts for the Highland Council, Highland Charities Trust, Highland Charitable Trust and the Highland Council Pension Fund for the year ended 31st March 2017.

It was also **NOTED** that these would be presented to the appointed Auditor by the prescribed date of 30 June 2017.

15. Review of Protocols – Webcasting and Videoconferencing Ath-sgrùdadh air Pròtacalan – Craoladh-lìn agus Co-labhairt Bhidio

There had been circulated Report No. HC/22/17 dated 20 June 2017 by the Depute Chief Executive/Director of Corporate Development.

Decision

The Council **AGREED** the proposed changes to the Protocol for Videoconferencing as detailed in italics within Appendix 1 to the report.

It was also **AGREED** that there were no further changes required at this time to the current Protocol for Webcasting which had been attached as Appendix 2 to the report.

**16. Proposed Amendments to the Scheme of Delegation – Part IV
Atharrachaidhean a Thathar a’ Moladh dhan Sgeama Thiomnaidh – Pàirt IV**

There had been circulated Joint Report No. HC/23/17 dated 15 June 2017 by the Director of Community Services and the Head of Corporate Governance.

Decision

The Council **AGREED** the amendments to Part IV of the Scheme of Delegation as set out in Appendices 1, 2 and 3 to the report.

**17. Formation of Joint Committee for Roads Collaboration
Cruthachadh Co-Chomataidh airson Co-obrachadh Rathaidean**

There had been circulated Report No. HC/24/17 dated 9 June 2017 by the Director of Community Services.

During discussion, Members highlighted the many benefits which could be gained from this initiative, including issues in relation to shared practice and procurement, and confirmed that previous waste to energy practices could have been dealt with in a different way had this arrangement been in place in previous years.

It was also suggested that care should be taken to ensure that the necessary staff support was in place across all Councils for future years.

Decision

The Council:-

- i. **AGREED** to establish a Joint Committee in terms of Section 56 and 57 of the Local Government (Scotland) Act 1973 with Aberdeen City Council, Aberdeenshire Council, Angus Council, Argyll and Bute Council, Comhairle nan Eilean Siar and Moray Council to be known as ‘The Northern Roads Collaboration Joint Committee’;
- ii. **AGREED** to empower the Joint Committee by delegating to it the functions outlined in Appendix 1 to the report;
- iii. **AGREED** to alter the Scheme of Delegation as outlined in Appendix 1 to give immediate effect to the establishment of the Joint Committee;
- iv. **AGREED** to authorise the Head of Corporate Governance to enter into an inter-authority legal agreement with the other member Councils to agree the governance and administrative arrangements for the Joint Committee;
- v. **NOTED** that the decision on whether a Constituent Local Authority participation in roads collaboration projects would be reserved to the Councils and not delegated to the proposed Joint Committee;
- vi. **AGREED** that Aberdeenshire Council should take the role of Lead Authority for year 1 of the Joint Committee;
- vii. **AGREED** to appoint the Chair and a Vice Chair from the Places Committee as the 2 named Members and Mr K Gowans and Mrs L MacDonald as the 2 named Substitute Members to the Joint Committee; and

viii. **AGREED** that the Places Committee should receive an annual report on performance, activities and achievements of the Joint Committee.

**18. Town House Works Programme Phase 3 – High Street, Inverness
Ceum 3 de Phrògram Obraichean Taigh a' Bhaile – Àrd-Shràid, Inbhir Nis**

There had been circulated Joint Report No. HC/25/17 dated 20 June 2017 by the Director of Development & Infrastructure and the Inverness City Manager.

In this regard, it was confirmed that the relevant Officers should be thanked for the considerable work which had been undertaken on this project to date.

Decision

The Council **AGREED** that Phase 3 of the Town House Works Programme should include the remaining part of Building One and all remaining sections of the Town House.

It was also **AGREED** to proceed to tender for Phase 3 in 2017 with a total estimated project cost of £2,300,000 for all the remaining sections of the Town House.

**19. Convention of Scottish Local Authorities (CoSLA) – Executive Boards
Co-chruinneachadh Ùghdarrasan Ionadail na h-Alba – Buidhnean Bòrd**

The Council **AGREED** to appoint Members as follows:-

Health and Social Care Board – Ms N Sinclair
Community Wellbeing Board – Mrs M Paterson
Children and Young People Board – Mr A Christie
Environment and Economy Board – Mr R MacDonald
Trading Standards Scotland Board – Mr M Finlayson
Business Gateway Governance Board – Ms A MacLean

**20. Cairngorms National Park – Local Authority Nominations to the Park Authority Board
Pàirc Nàiseanta a' Mhonaidh Ruaidh – Ainmeachadh Ùghdarrais Ionadail gu Bòrd Ùghdarrais na Pàirce**

It was noted that the Council had been invited to make 2 nominations to be considered for appointment by Scottish Ministers to the Cairngorms National Park Authority Board from 1 October 2017. These appointments would run for five years from 2017 to 2022.

In this regard, one of the nominees had to be 'local' as defined in the National Parks (Scotland) Act 2000 as Ministers could only appoint a person as a local Member if that person's sole or main residence was within the National Park, or was a Councillor for an electoral ward, or was a member of a Community Council, any part of whose area was in the National Park. It was also confirmed that Members would be expected to commit 2-3 days per month to the Park Authority's work.

The Council was therefore invited to nominate 2 Members for submission to Scottish Ministers for appointment to the National Park Authority Board as detailed.

In this regard, nominations were received as follows:-

Ms P Hadley
Mrs C Caddick
Mrs M Cockburn

On a vote being taken, Ms Hadley received 53 votes, Mrs Caddick received 40 votes and Mrs Cockburn received 20 votes, the votes having been cast as follows:-

Votes for Ms Hadley:

Mr G Adam, Mr B Allan, Mr R Balfour, Mrs J Barclay, Mr A Baxter, Mr B Boyd, Mr R Bremner, Mr I Brown, Mrs C Caddick, Mrs I Campbell, Mrs H Carmichael, Dr I Cockburn, Ms K Currie, Mrs M Davidson, Mr J Finlayson, Mr M Finlayson, Mr C Fraser, Mr L Fraser, Mr R Gale, Mr A Graham, Mr J Gordon, Mr K Gowans, Ms P Hadley, Mr T Heggie, Mr A Henderson, Ms E Knox, Mr R Laird, Mr B Lobban, Mr D Louden, Mrs L MacDonald, Mr R MacDonald, Mr D Mackay, Mr G MacKenzie, Mr A Mackinnon, Mr C MacLeod, Mr D MacLeod, Mr D Macpherson, Mr R MacWilliam, Mrs B McAllister, Mr J McGillivray, Mr H Morrison, Mrs L Munro, Mrs P Munro, Mrs M Paterson, Mr I Ramon, Mr M Reiss, Mrs T Robertson, Mr K Rosie, Mr G Ross, Ms N Sinclair, Ms M Smith, Mrs K Stephen, Mr B Thompson

Votes for Mrs Caddick:

Mr G Adam, Mr R Balfour, Mrs J Barclay, Mr A Baxter, Mrs C Caddick, Mrs I Campbell, Mrs H Carmichael, Mr G Cruickshank, Mrs M Davidson, Mr J Finlayson, Mr M Finlayson, Mr L Fraser, Mr R Gale, Mr A Graham, Mr J Gordon, Ms P Hadley, Mr T Heggie, Mr A Henderson, Mr A Jarvie, Mr B Lobban, Mr R MacDonald, Mr D Mackay, Mrs I MacKenzie, Mr A Mackinnon, Mrs A MacLean, Mr D Macpherson, Mrs B McAllister, Mr J McGillivray, Mr H Morrison, Mrs L Munro, Mrs M Paterson, Mr I Ramon, Mr M Reiss, Mrs T Robertson, Mr G Ross, Mr A Sinclair, Ms N Sinclair, Mr C Smith, Mrs K Stephen and Mr B Thompson

Votes for Mrs Cockburn

Mr B Allan, Mr B Boyd, Mr R Bremner, Mr I Brown, Mrs G Campbell-Sinclair, Dr I Cockburn, Mrs M Cockburn, Ms K Currie, Mr C Fraser, Mr K Gowans, Mrs E Knox, Mr R Laird, Mr D Louden, Mr G MacKenzie, Mrs MacDonald, Mr C MacLeod, Mr R MacWilliam, Mrs P Munro, Mr K Rosie and Ms M Smith.

Decision

The Council **AGREED** to nominate Ms P Hadley and Mrs C Caddick to the National Park Authority Board as detailed.

**21. Conference of Peripheral Maritime Regions (CPMR)
Co-labhairt Roinnean Mara Iomallach**

It was noted that the Council was a member of the Conference of Peripheral Maritime Regions which brought together 160 regions from 25 states from the European Union and beyond to campaign in favour of more balanced development of European regions and operated both as a think tank and a lobby for regions.

As a member, the Council had been invited nominate 1 Member (with Substitute) to the Political Bureau.

Decision

The Council **AGREED** to appoint Mr J Gray to the Political Bureau as detailed.

22. Timetable of Meetings for the remainder of 2017 Clàr-ama Choinneamhan airson na tha air fhàgail de 2017

There had been circulated amended Timetable of Meetings for the remainder of the year as requested at the last meeting.

Decision

The Council **AGREED** the amended Timetable for the remainder of 2017 as circulated.

23. Notices of Motion Brathan Glusaid

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

(i) “Highland Council calls on the Scottish Government and Scottish Police Authority to clarify the previous commitment to retain all the current jobs in the Inverness Police Control Room, given the uncertainty caused by recent Scottish Police Authority papers.

Additionally, we again urge the Scottish Government to reconsider the decision to close the Inverness Control Room given the persistent reports of problems arising from the recent closure of the SFRS Control Room in Inverness”.

Signed: Mr M Reiss, Mr H Morrison, Mrs M Davidson

During discussion, Members raised the following issues:-

- clarification on the previous commitment to retain all current jobs in the Inverness Police Control Room was required, not least in terms of maintaining the previous transparency, respect and joint working arrangements which had been in place;
- specifically, confirmation was needed on how many jobs would be retained, how long they would be retained for and what the future arrangements were for the Perth Road Headquarters building;
- the current levels of uncertainty were not favourable for anyone concerned and had to be addressed as a matter of priority;
- there was a need to reconsider and re-evaluate the evidence in order to retain if possible the excellent Inverness Control Room;
- the geography of the area had to be taken into account, particularly in regard to potential response times; and
- there should be reference within the Notice of Motion to urge not just the Scottish Government but also the Scottish Policy Authority to reconsider the decision to close the Inverness Control Room.

Decision

The Council **AGREED** the terms of the Notice of Motion as detailed – on the basis that the second paragraph should also include reference to urging both the Scottish Government and the Scottish Policy Authority to reconsider the decision to close the

Inverness Control Room.

(ii) “That this Council recognises the chronic shortage of school places we face now and into the future, with a particular emphasis on the need for a whole new secondary school within the Inverness South ward. This is the largest populated ward in Highland, yet has no secondary school of its own; its rapid growth has overwhelmed the three secondary schools which it feeds into with one of these projected to be at 154% capacity by 2030.

In view of this, to resolve that the Council have this urgent need at the forefront when setting upcoming budgets so that in the future we can assure the greatest depth of subject choice to pupils”.

Signed: Mr A Jarvie, Mr C Smith, Mrs I MacKenzie

During discussion, Members raised the following issues:-

- in view of the statistics for the area in regard to both school roll forecasts and current and future housing development, and specifically in relation to the opportunities and outcomes for pupils, it was imperative that close consideration was given to funding from not just the Scottish Government but also developers;
- the current situation, if not addressed, would lead to future pressures building up for other schools in the Inverness area;
- schools were already heavily oversubscribed in this area which led to a number of issues, not least the pressure on Head Teachers;
- whilst there was sympathy with the terms of this Notice of Motion, and the severe capacity issues across Inverness were acknowledged, it was suggested that it would be more appropriate to set up a Cross Party Working Group in the first instance to consider in detail this and other school capacity issues across Inverness; and
- there was a need to adopt a holistic approach to this issue whilst taking account of the long term demographics for the area.

Decision

The Council **AGREED** that this Notice of Motion would be withdrawn on the basis that a Cross-Party Working Group would be set up to consider in detail this and other school capacity issues in the Inverness area.

Declarations of Interest –

Mrs D Mackay declared a financial interest in the following item as a Board Member of NHS Highland but, in terms of the dispensation granted, remained to participate in discussion.

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

(iii) “The people of Skye and Raasay are asking for 24/7 NHS Emergency Cover to be reinstated for Portree and North Skye. The people of Skye and Raasay also have widespread unease about the NHS Highland redesign process with many key questions remaining unanswered.

Since these unanswered questions relate literally to life and death issues, we ask the Highland Council to approach the Cabinet Secretary for Health & Sport, Shona

Robison, to come to meet with the Leader of Highland Council and with the four Skye Councillors on behalf of the Isle of Skye and Raasay Committee”.

Signed: Mr C MacLeod, Mr R MacDonald, Mr J Gordon

During discussion, Members raised the following issues:-

- the withdrawal of acute medical care from Portree and North Skye was a matter of real concern and there would be serious implications for local patients if this went ahead;
- the results from the NHS Options Appraisal on this issue were currently a matter of contention and this needed to be addressed;
- mortality rates were expected to rise under the current proposals for NHS redesign and this was alarming;
- there were many issues which had not been addressed by NHS Highland, including the potential impact on areas of deprivation in the area and also on the tourism industry in the area;
- in order to address the concerns which had been raised, a meeting should be arranged at an early date with the Cabinet Secretary and this should also include the Members from Ward 5 in addition to those already listed in the Notice of Motion;
- a number of NHS services had already been withdrawn from Portree and this, together with the lack of ambulance cover, was a real concern in the area;
- detailed consideration of rural health care and other health related issues had to be undertaken as a matter of urgency in order to make progress in terms of the way forward;
- in addition to the Portree and North Skye issues which had been raised, there were concerns about NHS provision in Caithness and this needed to be addressed with NHS management as a priority;
- it was important that it was made clear during any future discussions that any issues raised should not affect the proposals in place for the new Hospital facilities in Broadford and Badenoch & Strathspey;
- it was imperative that the concerns of the local community were both listened to and addressed by all those concerned; and
- Local Members should decide as to whether they wished the Chair and Chief Executive of NHS Highland to also be invited to the proposed meeting with the Cabinet Secretary.

Decision

The Council **AGREED** the terms of the Notice of Motion as detailed – on the basis that the meeting with the Cabinet Secretary should also include the Members from Ward 5 and that it be made clear that this was not to affect the proposals in place for new Hospital facilities in Broadford and Badenoch & Strathsepy.

(iv) “The Highland Council thanks the employees and officers who worked diligently to ensure successful and fair Council and UK Parliamentary elections this year and notes that, without their contribution, the democratic process could not have taken place. The Council therefore agrees that employees assisting with the conduct of elections should in future receive a full day of leave as opposed to a half day as at present”.

Signed: Ms K Currie, Mr R Laird, Ms M Smith

During discussion, Members raised the following issues:-

- clarification was provided that the intent of this Notice of Motion was to focus on and to thank those members of staff who worked through the night on election work to ensure that democracy was served;
- also, this Notice of Motion (if agreed) would address health and safety concerns which had been raised in this regard, such as members of staff having to drive home in the early hours of the morning after working through the night;
- thanks should be conveyed to Mr David Sutherland and Mrs Cheryl MacIver in particular for the considerable work which had been undertaken in having to deal with two Elections which had been called within a very short timescale;
- whilst agreeing with the intent behind the Notice of Motion, it was however suggested that this whole issue required further and more detailed consideration in order to address concerns which had been raised by staff who were not directly involved in the election process but nonetheless provided cover for colleagues who were involved. As such, a report on the principles surrounding this issue should be submitted to the next meeting of the Corporate Resources Committee in the first instance.

Decision

The Council **AGREED** that the Notice of Motion would be withdrawn on the basis that a report on the principles surrounding staff support for Election duties would be presented to the next meeting of the Corporate Resources Committee.

(v) “In December 2015, the Highland Council debated changing the policy regarding the display of election posters with a view to a total ban on the display of elections posters on Council property, roadside verges and street furniture in line with the vast majority of other Councils in Scotland.

Scotland has now been in a continual electoral cycle. People are tired of seeing signs on roads across their communities. Not only are they unsightly but they bring down the tone of the area – the scenery offered by the Highlands is ultimately its greatest asset. There is also the health and safety aspect, these signs are usually put up and brought down by one person on a ladder next to a road.

The two recent elections saw at least the same level of negative impacts, including criminal damage, general abuse and frequent disregard of the regulations, resulting in multiple posters on single lamp posts and on lamp posts with other street furniture. This resulted in what can only be described as an utter eye sore across the Highlands.

In the view that during Parliamentary elections constituents receive a mail drop and are therefore aware of whom the candidates are in their area, the current policy should be amended.

It is proposed that the current policy is changed and that the display of election posters on Council property, roadside verges and street furniture in direct ownership of the Council be banned for all future Elections”.

Signed: Mr C Smith, Mr A Sinclair, Mr A Jarvie, Mr J Gray, Mrs C Caddick

During discussion, Members raised the following issues:-

- there was a need to seriously consider this issue, not least in terms of the

health and safety aspects associated with the erection of posters and the impact on the surrounding scenery across the Highlands;

- there were many other ways of advertising a forthcoming election, including extensive use of social media, and as such there was no longer the same need for the display of posters as had been the case in the past;
- Highland Council was one of only three remaining Councils who still allowed this and lessons should be learned from those who had already discontinued the erection of posters;
- in contrast to the views which had already been expressed, it was suggested that election posters still served a valuable purpose in engaging with communities across the area and as such any individual or group should have the freedom to continue with posters if they chose to do so in the future; and
- while there may have been some complaints about posters, it was not considered that they were of such a number to justify reconsidering the current policy and as such the status quo should be maintained.

Thereafter, Mr C Smith, seconded by Mr A Sinclair, **MOVED** the terms of the Notice of Motion – subject to removal of the third and fourth paragraphs.

As an **AMENDMENT**, Mr A Baxter, seconded by Ms M Smith, moved the retention of the status quo in relation to the current policy.

On a vote being taken, the **MOTION** received 24 votes and the **AMENDMENT** received 32 votes, with 1 abstention, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr G Adam, Mr R Balfour, Mrs J Barclay, Mrs C Caddick, Mrs I Campbell, Mrs H Carmichael, Mr G Cruickshank, Mrs M Davidson, Mr M Finlayson, Mr L Fraser, Mr R Gale, Mr A Jarvie, Mr B Lobban, Mr D Mackay, Mrs I MacKenzie, Mr D MacLeod, Mr D Macpherson, Mrs B McAllister, Mr H Morrison, Mr I Ramon, Mrs T Robertson, Mr A Sinclair, Mr C Smith and Mrs K Stephen

For the Amendment:

Mr B Allan, Mr A Baxter, Mr B Boyd, Mr I Brown, Mrs G Campbell-Sinclair, Mr A Christie, Dr I Cockburn, Mrs M Cockburn, Ms K Currie, Mr J Finlayson, Mr C Fraser, Mr J Gordon, Mr K Gowans, Mr A Graham, Ms P Hadley, Mr T Heggie, Ms E Knox, Mr R Laird, Mr D Loudon, Mrs L MacDonald, Mr R MacDonald, Mr G MacKenzie, Mr A Mackinnon, Mr B MacLachlan, Mr C MacLeod, Mr R MacWilliam, Mrs P Munro, Mrs M Paterson, Mr K Rosie, Mr G Ross, Ms M Smith and Mr B Thompson

Abstention

Mr M Reiss

Decision

The Council **AGREED** to retain the status quo in relation to the current policy regarding the display of election posters.

**24. Recess Powers
Cumhachdan Fosaidh**

The Council **AGREED** that, during the recess period, powers should be granted to the Chief Executive, Depute Chief Executive/Director of Corporate Development and Directors, in consultation with the Convener, Leader of the Council, Depute Leader of the Council, relevant Chair and the Leader of the Opposition, to deal with issues

arising during that time and that a report should be prepared for the first meeting of the Council or relevant Committee following the period where these powers had been exercised.

25. 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 1 June 2017 was available in the Members' Library and on the Council's Website.

26. 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 Paragraphs 6 & 9 of Part 1 of Schedule 7A of the Act.

27. Tain Common Good Fund – Mussel Boat 'Gizzen Briggs'
Maoin Math Coitcheann Bhaile Dhubhthaich – Feusgain Bhaile Dhubhthaich

There had been circulated to Members only Report No HC/26/17 dated 21 June 2017 by the Director of Development and Infrastructure.

Decision

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

The meeting ended at 5.25pm.