

**The Highland Council
No. 4 2020/2021**

Minutes of Meeting of the **Highland Council** held REMOTELY on **Thursday, 28 October 2021** at 10.35am.

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

Present:

Mr C Aitken	Mr A Jarvie
Mr G Adam	Mr B Lobban
Mr B Allan	Mr D Louden
Mr R Balfour	Mrs L MacDonald
Mrs J Barclay	Mr A MacInnes
Mr A Baxter	Mr D Mackay
Mr B Boyd	Mr W MacKay
Mr R Bremner	Mr G MacKenzie
Mr J Bruce	Mrs I MacKenzie
Mrs C Caddick	Mr S Mackie
Mrs I Campbell	Mr A Mackinnon
Miss J Campbell	Ms A MacLean
Mrs G Campbell-Sinclair	Mr C MacLeod
Mrs H Carmichael	Mr D Macpherson
Mr A Christie	Mr R MacWilliam
Dr I Cockburn	Mrs B McAllister
Mrs M Cockburn	Mr H Morrison
Ms K Currie	Mr C Munro
Mrs M Davidson	Ms L Munro
Mr J Finlayson	Mrs P Munro
Mr M Finlayson	Mr M Reiss
Mr C Fraser	Mr A Rhind
Mr D Fraser	Mr D Rixson
Mr L Fraser	Mrs F Robertson
Mr R Gale	Ms E Roddick
Mr J Gordon	Mr K Rosie
Mr K Gowans	Mr A Sinclair
Mr A Graham	Mr C Smith
Mr J Gray	Mr B Thompson
Mr T Heggie	Ms J Tilt
Mr A Henderson	Mrs C Wilson
Ms E Knox	

In Attendance:

Chief Executive	Executive Chief Officer, Performance & Governance
Executive Chief Officer, Communities & Place	Executive Chief Officer, Property & Housing
Executive Chief Officer, Health & Social Care	Executive Chief Officer, Resources & Finance
Executive Chief Officer, Infrastructure & Environment	

Mr B Lobban in the Chair

Apologies for absence were intimated on behalf of Mr I Brown, Ms P Hadley, Mrs D Mackay, Mr D MacLeod, Mr J McGillivray, M N McLean, Mrs M Paterson, Mrs T Robertson, Mr P Saggars and Ms M Smith.

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

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

General – Mrs M Cockburn as a Council appointed Board Member of the Inverness, Badenoch & Strathspey Citizens Advice Bureau (Non-Financial) and Mr C MacLeod as a Director of the Skye & Lochalsh Citizens Advice Bureau (Non-Financial)

Item 5i – Mr A Christie (Financial)

Item 7iv – Mr B Lobban (Financial)

Item 8iv – Mr G Adam (Non-Financial), Mr J Gordon (Financial), Mr C Munro (Financial), Miss J Campbell (Financial), Mrs I Campbell (Financial), Mrs C Caddick (Financial)

Item 9 – Mr A Christie (Financial), Ms L Munro (Non-Financial), Mr D Rixson (Non-Financial), Mr K Gowans (Financial), Mr B Thompson (Non-Financial), Mr A Jarvie (Non-Financial), Mr D Macpherson (Non-Financial), Mrs H Carmichael, Mrs C Caddick (Non-Financial), Mr C MacLeod (Non-Financial), Mr G Adam (Non-Financial), Mr T Heggie (Non-Financial)

Item 9vii – Mr D Louden (Financial)

Item 10 – Mr A Christie (Financial), Mr K Gowans (Non-Financial), Mr B Thompson (Non-Financial), Mr A Jarvie (Non-Financial), Mr T Heggie (Non-Financial)

Item 11 – Mr D Rixson (Non-Financial)

Item 12 – Mr A Christie (Financial), Ms L Munro (Financial)

At this point in the meeting –

(i)The Convener advised that he would be arranging a Private Members Briefing on future Security Arrangements as soon as possible and he strongly urged all Members of the Council to attend.

(ii)The Convener also confirmed that he had agreed to accept an additional item from Mrs I Campbell and, following discussion, it was **AGREED** that the congratulations of the Council should be conveyed to all at Kinlochshiel Shinty Club following their recent successes in winning the Camanachd Cup and also the MacTavish Cup.

(iii)The Leader of the Council advised that confirmation had now been received from the UK Government that one of the Council's levelling up bids had been successful, namely the Inverness Zero Carbon Cultural Regeneration Bid (which focused on an innovative renewable energy heating system for Inverness Castle and refurbishment of the Northern Meeting Park and the Bught Park) which was very much welcomed.

In addition, further information was being sought from the Council in relation to two other bids (Improvements to the North Coast 500 and Regeneration/Harbour Improvement in Wick) and this was currently being followed up.

Work was also being undertaken at present on another bid which would include the Lochaber and Skye areas and further information in this regard would be provided in due course.

Finally, congratulations were conveyed to the residents of Knoydart who had been successful with a community bid to buy The Old Forge Pub which was excellent news for all concerned.

3. Membership of the Council Ballrachd na Comhairle

Mr Ian Ramon

Tributes were paid at the meeting to the late Mr Ian Ramon who had served as one of the Local Councillors for Ward 21 (Fort William & Ardnamurchan) following the Local Government Elections in May 2017.

Mr Hamish Wood

Tributes were also paid to the late Mr Hamish Wood who had served as a Highland Councillor from 2007-2017.

In that regard, the condolences of the Council were conveyed to both families and recognition given to the strong and positive contributions which both Councillors had made to the Highland area and specifically their respective communities.

It was also noted that a By-Election had now been arranged for Ward 21 and would be held on Thursday, 2 December 2021.

Mr Ben Thompson

At this point in the meeting, it was also noted that Mr B Thompson would be resigning from the Council with effect from 12 November in order to take up a new employment position in the Highlands.

In that regard, Mr Thompson was warmly thanked for his contribution to the work of the Council over the past seven and a half years, not least as Chair of the Housing & Property Committee, and he would be very much missed by all.

Mr Thompson responded accordingly.

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 9 September as contained in the Volume which had been circulated separately – which were **APPROVED**.

5. Minutes of Meetings of Committees Geàrr-chunntasan Choinneamhan Chomataidhean

There had been submitted for confirmation as correct records, for information as regards delegated business and for approval as appropriate, the Minutes of Meetings of Committees contained in Volume circulated separately.

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

Audit & Scrutiny Committee, 23 September - Starred Item: 9 – Review of Financial Regulations - **AGREED** adoption by the Council.

Minutes not included in the Volume

Declaration of Interest – Mr A Christie (as a Non-Executive Director of NHS Highland) declared a financial interest in Item (i) below 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.

(i)Community Planning Board held on 9 June – **NOTED**

(ii)Valuation Joint Board held on 18 June – **NOTED**

(iii)Recruitment Panel (Depute Chief Executive) held on 5 August, 30 August and 3 September – **NOTED**

(iv)Climate Change Working Group held on 20 October – **AGREED**

6. Membership of Committees, etc Ballarachd Chomataidhean, msaa

The Council **AGREED** the following changes to memberships –

Valuation Joint Board – Mr D MacKay to be added to the membership
North Planning Applications Committee – Mr H Morrison to replace Ms K Currie
Communities and Place Committee – Mr A Baxter to be added to the membership
Corporate Resources Committee – Mr A Baxter to replace Mr J Bruce
Corporate Resources Budget Sub Committee – Mr A Christie to replace Mr R Gale

7. Question Time Am Ceiste

The following Questions had been received by the Head of Corporate Governance -

Public Question - Mr D MacKenzie

To the Leader of the Council

The last meeting of Inverness City Committee passed a motion on Academy Street to “Replace the temporary Spaces for People measures currently in place with more accessible and safer measures...”

The councillor who proposed the motion has confirmed it was intended to mean “remove and, later, replace with something better, after consideration and consultation.”

Why are the barriers still in place in Academy Street?

The response had been circulated.

In terms of a supplementary question, and on the basis that the obstructions on Academy Street were still causing delays within the City Centre (including for emergency vehicles), damaging businesses and very few people were using the wider pedestrian areas, and in light of the fact that the City Committee had intended that their decision would clear the obstructions and enable the development of an acceptable scheme for Academy Street, it was queried as to why the obstructions were still in place?

In response, it was confirmed that the bollards had been replaced with safer versions and discussion in regard to a more permanent solution was expected at the next City Committee meeting in November.

(1) Mr C Fraser

To the Chair of the Housing & Property Committee

"How many listed buildings do Highland Council own and where are they located?"

The response had been circulated.

In terms of a supplementary question, it was queried as to whether a comprehensive report could be submitted to the Housing and Property Committee in December to detail what could be done with these types of buildings?

Due to connectivity issues, the Chair of the Housing and Property Committee had been unable to provide a verbal response at the meeting but provided the following written response –

Thank you for raising this important topic. A fully comprehensive report on these buildings will, in part, need the information that is being gathered through the asset management process we have embarked on. Bearing that in mind, I can confirm that the topic raised will be initiated at the December Committee meeting but further time will be required to gather sufficient information to respond in detail as requested.

(2) Mr C Fraser

To the Chair of the Economy & Infrastructure Committee

When can we expect the updated version of the 'Highland Council Road Verge Maintenance Guidance' which was promised earlier in the year?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether, in keeping with the 2017-2027 Scottish Government Pollinator Strategy, environmental NGO's, such as Nature Scot, BBCT, Buglife etc, would be asked for input into the Council's new verge maintenance guidance as it was being formulated?

In response, it was confirmed that Members would be involved in the development of policy as much as possible, particularly those with a strong interest in this issue, and there would be a particular focus on areas where there was a risk to visibility.

(3) Mrs I MacKenzie

To the Chair of the Education Committee

How many vacant PSA posts are there in each Highland ASG as of the end of the August to October term?

The response had been circulated.

In terms of a supplementary question, it was queried as to how many vacant PSA posts there were in each Highland Associated School Group?

In response, it was confirmed that a commitment had been made to extend all temporary PSA contracts for the first term of the school session to allow for the ASN allocation process for 2021-22 to be completed by the end of the first term. It had not been appropriate to continue with recruitment during this period unless there were exceptional circumstances. That process had now been completed and a review undertaken in the current term and all identified PSA and ASN teacher vacancies would be made within the allocation. Further details could be obtained from Officers if required.

(4) Mr D Louden

To the Chair of the Health, Social Care & Wellbeing Committee

Funding to Highland Senior Citizens Forum has been removed. Why was this done?

The response had been circulated.

In terms of a supplementary question, and noting that the Highland Senior Citizen's Forum had provided considerable support for the elderly during the Covid pandemic, it was queried as to what had replaced the funding to them in terms of support for Highland's senior citizens?

In response, it was confirmed that this information would be provided outwith the meeting.

(5) Mr D Louden

To the Economy & Infrastructure Committee

When the Council's Transport team alters or cancels bus routes used to carry children to school, are the schools affected and the "Safer Routes to School" team always consulted?

The response had been circulated.

In terms of a supplementary question, and on the basis that it was not acceptable that changes could be brought forward without prior discussion with schools and the Safer Routes to Schools team, it was queried as to whether it could be ensured that consultation with schools and the Safer Routes to School Team would be undertaken prior to making any changes in future?

In response, it was confirmed that whenever there was an issue in relation to safer routes to school, consultation was undertaken.

Declaration of Interest – Mr B Lobban (as a Director of Cairngorm Mountain Scotland Limited) declared a financial interest in the following Question (6) and, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, confirmed that he would leave the Chair during the item.

(On that basis, the Vice Convener (Mr A Henderson) took the Chair).

(6) Mr J Bruce

To the Chair of the Economy & Infrastructure Committee

Is the Council in full communication with HIE on the progress of repairing the Cairngorm Funicular and able to provide a date for a fully functioning system?

The response had been circulated.

There was no supplementary question.

(At this point, Mr Lobban returned to the Chair).

(7) Mr J Bruce

To the Chair of the Corporate Resources Committee

How many staff posts have been vacant for three months or more and how many have been removed from the establishment?

The response had been circulated.

There was no supplementary question.

(8) Mr A Jarvie

To the Chair of the Health, Social Care & Wellbeing Committee

A key reason given to return children from out of authority care placements was on the grounds of the educational attainment, what has the change in attainment been from children returned?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the educational attainment of returned looked after children was being measured?

In response, it was confirmed that educational attainment was being measured but there was concern that, due to the small numbers involved, children could be easily identified. The Chair would be content to have further discussions with Mr A Jarvie on this matter following the meeting.

(9) Mr A Jarvie

To the Chair of the Corporate Resources Committee

When will the Administration be commencing the 2022/23 budget?

The response had been circulated.

In terms of a supplementary question, it was queried as to when communities and the public would be involved in the formation of the coming budget?

In response, it was confirmed that consultation would take place with communities in relation to the ongoing budget. The Depute Leader had also already indicated that he intended to have wide ranging discussion in this respect.

(10) Mr A Jarvie

To the Chair of the Corporate Resources Committee

When will Opposition Groups be involved in the 2022/23 budget?

The response had been circulated.

In terms of a supplementary question, it was queried as to what specific details of the budget would be shared with Opposition Groups and when could this be expected?

In response, it was confirmed that the Depute Leader had already advised that he would engage with all groups and individual Members within the Council as a matter of priority.

(11) Mr A Jarvie

To the Chair of the Corporate Resources Committee

Can the Conservative Group expect that its competent budget proposals will be voted down again this forthcoming budget, with no reason given?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the budget approach going forward would be the same as currently whereby some Members were not aware of decisions to be made and had not had enough advance notice of content or could a guarantee be given that a collaborative approach would now be taken?

In response, it was confirmed that Mr Jarvie had been given the opportunity to participate in a number of meetings on the budget but unfortunately, for a variety of reasons, he had been unable to attend.

(12) Mrs G Campbell-Sinclair

To the Chair of the Health, Social Care & Wellbeing Committee

Please confirm the date on which the External Investigator started his investigation into the serious concerns (raised by present and past Members of Staff, CEYP, and Elected Members) into Highland Council Residential Social Care.

The response had been circulated.

In terms of a supplementary question, and on the basis that a care experienced young person had recently written to the Chief Executive on this subject and detailed serious concerns within Highland Council residential care provision, pleading for intervention, it was queried as to whether it was considered that a review of the Service was sufficient?

In response, it was confirmed that it was considered that a review was sufficient.

(13) Mr A Jarvie

To the Leader of the Council

Last November, this Council reported me to the Standards Commission following myself finding in the Annual Accounts and asking at Committee about a six-figure payment to a former member of staff. I was reported for my mere verbatim reading of this public document in a public meeting as being “inaccurate and misleading” and for allegedly forwarding an email from a Council Officer explaining the breakdown of these costs to the press.

These payments are legally required to be published for public transparency.

Do you find it acceptable that a Member of this Council was reported to the Standards Commission by the Authority on these grounds? Particularly in light of the Commission dismissing the complaint, stating what I did was part of my “customary Councillor duties”.

The response had been circulated.

In terms of a supplementary question, and on the basis that 8 Officers had been drawn into drafting the failed complaint to the Standards Commission in relation to Mr Jarvie’s reading of a public document at a public meeting, it was queried as to whether it was now considered that this had been a waste of Officers’ time?

In response, it was confirmed that Mr Jarvie should submit his statements and question in writing to the Leader of the Council and a response would be provided.

(14) Mr A Jarvie

To the Chair of the Economy & Infrastructure Committee

What percentage of planning applications over 50 houses have been approved in the last three years, and what percentage of applications of 3 houses or less have been approved in the last three years?

The response had been circulated.

There was no supplementary question.

(15) Mr R Bremner

To the Leader of the Council

You organised a seminar to consider a new vision for libraries in Highland as a progressive, modern, and visionary service. As Leader of the Council I am aware of your very keen personal interest, support and understanding of the need to provide a libraries service for the 21st century. Any initiatives are likely to require a new funding and/or organisational model to facilitate change and grow capacity within the service, to enable libraries to build social and cultural capital, as well as build resilience in every community throughout Highland. Can you advise what progress has been made and what the next stages are in this process, please?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Leader would give serious consideration to a Library Survey (carried out by independent consultants to ensure impartiality) in line with the Council's ambition?

In response, it was confirmed that a report would be requested from High Life Highland on this subject. Following this, there would be a follow up Seminar and discussion on the next steps and at that stage the possibility of an External Consultant would be considered.

(16) Mr A Sinclair

To the Leader of the Council

How many formal complaints have been made to the Information Commissioner for Scotland relating to the Highland Council's handling of Subject Access Requests and Freedom of Information Requests within the last twelve months?

The response had been circulated.

There was no supplementary question.

(17) Mr A Graham

To the Chair of the Economy & Infrastructure Committee

How many hydrogen refuelling stations for cars are there within the Highland Council area, and where are they located?

The response had been circulated.

There was no supplementary question.

(18) Mr A Jarvie

To the Leader of the Council

What response did the Chief Executive give you in response to the bullying scandal breaking in the press?

The response had been circulated.

In terms of a supplementary question, it was queried as to what the response was in relation to the GMB staff survey which had confirmed that 60% of staff felt that their complaints of bullying had been ignored?

In response, it was confirmed that the GMB Union and the HR service were currently in discussion regarding this matter.

(19) Mr A Jarvie

To the Chair of the Economy & Infrastructure Committee

What is the most expensive claim made and the most expensive claim paid out as a result of damage caused by the roads?

The response had been circulated.

In terms of a supplementary question, it was queried as to what road defect had resulted in a pay out of £45,000 from the Council?

In response, it was confirmed that after a roads repair had taken place, excess roads chippings had not been cleared from the surface and this had resulted in a motorcyclist slipping on the road.

(20) Mrs G Campbell-Sinclair

To the Chair of the Health, Social Care & Wellbeing Committee

Could you please confirm how many Violent Incident Reports have been submitted by Social Care Staff Members, employed in Arach, Braeside, and Leault facilities?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the number of violent incident reports at Arach included the Crisis Unit & the Emergency Unit?

In response, it was confirmed that clarification would be forwarded to Mrs Campbell-Sinclair with further information following the meeting.

(21) Mrs G Campbell-Sinclair

To the Chair of the Health, Social Care & Wellbeing Committee

Please confirm how many of our long term registered and qualified Social Care Staff have resigned their posts within the past 6 months?

The response had been circulated.

In terms of a supplementary question, it was queried as to how many Highland Council residential care staff had resigned from their positions in the past six months?

In response, it was confirmed that, within the past 6 months, 8 staff in total had resigned from their posts out of a workforce of 122. This equated to 6.5% of the total workforce.

(22) Mrs G Campbell-Sinclair

To the Chair of the Health, Social Care & Wellbeing Committee

External organisations provide ongoing Social Care support to our Care Experienced Young People, could you please confirm the annual financial costs to Highland Council?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the figure provided in response to the original question related to specialised residential care?

In response, it was confirmed that part of the figure related to specialised residential care.

(23) Mr C Smith

To the Chair of the Corporate Resources Committee

How much of the £24.7m reserves held aside to meet extra Covid-19 or Brexit costs have been used to meet extra costs caused by Covid-19 or Brexit?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the funding reserved for Covid and/or Brexit would be used to cover the budget shortfall and therefore not for the purpose for which it was intended?

In response, it was confirmed that the agreed level of reserves was based on a wide variety of risks facing the Council, including Covid and Brexit, and that, if anything, the risks and uncertainty were increasing.

(24) Mr S Mackie

To the Leader of the Council

What is the total budget (both fiscal and human resource) apportioned to the social media output of the Highland Council?

The response had been circulated.

In terms of a supplementary question, and given the increasing importance of social media to the Council and all other public institutions, it was queried as to whether some degree of budget monitoring would be undertaken for future scrutiny of the Council's external communications?

In response, it was confirmed that this matter needed some thought and would be discussed with the Corporate Communications Manager.

(25) Mr S Mackie

To the Chair of the Corporate Resources Committee

At the full July 2020 Full Council, the previous Committee Chair made a commitment to review the Highland Councils contribution to the Caithness and North Sutherland Regeneration Partnership would be undertaken.

Given that this commitment was made well over a year ago, what progress has been made in undertaking this review and when can it be expected to be published?

The response had been circulated.

There was no supplementary question.

(26) Mr S Mackie

To the Leader of the Council

Prior to the Standards Commission seminar in February 2021, on how many occasions have Executive Officers undertaken training in respect to the Standards

Commission, the Councillors Code of Conduct and the defined and protected roles of local authority members?

The response had been circulated.

In terms of a supplementary question, and given the Council's attempts to stifle scrutiny by using reports that were based on unfounded yet serious allegations, it was queried as to whether the Leader had confidence that the numerous threats of being reported to the Standards Commission, based on vexatious information, would not happen again?

In response, it was confirmed that the Leader did not share these views/use of words which it was not felt were appropriate in this case.

(27) Mr S Mackie

To the Leader of the Council

Prior to the Standards Commission seminar in February 2021, what Members of the Highland Council attended training on the updated Code of Conduct for elected Councillors as organised by the Standards Commission for Scotland?

The response had been circulated.

In terms of a supplementary question, and on the basis that two further invitations had been forwarded to Members between the dates provided in the original question, it was queried as to whether the Leader found it worrying that the only 2 Members who had attended these Workshops were later accused of failing to uphold the Code of Conduct that they had attended training for?

In response, it was requested that further detail be provided on the statements which had been made and where such information had come from.

(28) Mr S Mackie

To the Leader of the Council

Can you confirm whether the Highland Council has formally signed the Women in Nuclear Industry Charter, as supported by the Highland Council in March 2020?

The response had been circulated.

In terms of a supplementary question, it was advised that a further date would be arranged to enable signature of the relevant document in due course.

In response, it was confirmed that this was accepted.

(29) Mr A Baxter

To the Leader of the Council

What is the total final cost of The Gathering Place on the River Ness?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Leader believed from her knowledge of the project that the costs represented a good use of public resources?

In response, it was considered that this was a personal question and as such it was not felt that a personal view was relevant in respect of a project which had been running since 2012.

(30) Mr A Baxter

To the Leader of the Council

What is the total financial contribution from the Highland Council towards the cost of The Gathering Place?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the Leader of the Council believed that the other grand project of hosting the Fireworks Display, and ordering people to watch from home, was a good use of public resources for which she was responsible?

In response, it was confirmed that the Leader of the Council was responsible for the resources used for the Fireworks Display along with 22 other Members. It was the Common Good Fund for Inverness which was paying for the Display and she believed that many people would enjoy it.

(31) Mr A Baxter

To the Leader of the Council

Will the Union's request of a panel be established to handle the bullying complaints from staff?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether the detail of this approach could be provided and how exactly the Union(s) would be involved?

In response, it was confirmed that the HR service would be asked for the detail as to who there were dealing with on this but the Leader's understanding was that they were coming to some level of agreement on it.

(32) Mr A Baxter

To the Leader of the Council

What assurance do you have that Audit and Scrutiny is sufficiently independent from the central senior management structure?

The response had been circulated.

In terms of a supplementary question, it was queried as to how the Council's Audit and Scrutiny function was independent from the Senior Management structure and what safeguards were in place?

In response, it was confirmed that the Committee was chaired by a Member of the Opposition.

(33) Mr A Baxter

To the Leader of the Council

Given the recent spate of allegations concerning institutional bullying within the Highland Council that went unresolved through existing channels, does the Council Leader believe that the internal whistleblowing service is working?

The response had been circulated.

In terms of a supplementary question, it was queried as to why the Human Resources policy was clearly failing staff with bullying and harassment, so much so that their complaints had had to appear within the local Press?

In response, it was confirmed that the Leader was assured by the HR Team that they were dealing with these concerns as they came forward through the Council's bullying and HR policies. Some were resolved, some were still in the process of being resolved.

(34) Mr R Bremner

To the Chair of the Corporate Resources Committee

Highland Council has no doubt, over recent weeks, been preparing its fleet for the delivery of winter maintenance. The variable nature of weather conditions in the Highlands, particularly over the winter period, can have a detrimental effect on the budget and infrastructure. As I understand it, the Scottish Government offers support through the Bellwin Scheme to retrospectively support local authorities meeting key criteria in order to mitigate some of the challenges they face. Will you take steps to ensure that all members fully understand the support mechanism of the Bellwin Scheme and how this scheme can support local authorities, including Highland Council?

The response had been circulated.

There was no supplementary question.

(35) Mr R MacWilliam

To the Leader of the Council

How many times have staff members lodged reports under the updated whistleblowing policy since it was agreed by Council on 20 October 2020?

The response had been circulated.

In terms of a supplementary question, it was queried as to when Members would see a report on the effectiveness of the new whistleblowing policy?

In response, it was confirmed that there had been a report to the Audit and Scrutiny Committee earlier in the year and there would be annual reports on the effectiveness of the policy. The Leader would take an active interest, with the Chair of the Audit and Scrutiny Committee, to ensure that it came forward.

(36) Mr R MacWilliam

To the Leader of the Council

What measures are in place to ensure the anonymity and protection of staff members who report wrongdoing under the updated whistleblowing policy?

The response had been circulated.

In terms of a supplementary question, and on the basis of how easy it was to identify staff who made complaints, simply through the information that they were providing, it was queried as to whether the Leader was still determined to deny the staff the protection that would be afforded by an external whistleblowing service?

In response, it was confirmed that this was the policy in place as agreed by the Council and the Unions and it would continue.

(37) Mr R MacWilliam

To the Leader of the Council

What was the full final cost of the My Ness artwork installation in Inverness including administrative costs?

The response had been circulated.

In terms of a supplementary question, and with reference to a decision taken in August 2019 that there would be no further commitment of public funds to these projects, it was queried as to whether the report referred to by the Leader indicated that that commitment had been breached and, if so, who would take responsibility?

In response, it was confirmed that a full report was still awaited on the finances for the artwork and it was hoped that it would come to the next City of Inverness and Area Committee meeting. Reports had indicated that it been delivered within the budget.

(38) Mr R MacWilliam

To the Leader of the Council

What budget has Highland Council allocated to cover the ongoing maintenance costs for recently commissioned public artworks?

The response had been circulated.

In terms of a supplementary question, it was queried as to which Council budget was currently meeting the maintenance costs, including the cost of employing a private contractor several times already to deal with vandalism?

In response, it was confirmed that the Leader had no knowledge of who dealt with the vandalism (which was simple graffiti) and it had not yet been decided as to what maintenance was required and which budget would be used to meet these costs. Acknowledged that it had been requested previously that maintenance costs should be included in budgets but that this had not been done but it would be in the future.

(39) Mr R MacWilliam

To the Leader of the Council

What was the cost to Highland Council of supporting the doomed bid for a STEP fusion reactor in Caithness?

The response had been circulated.

In terms of a supplementary question, it was queried as to what could be done to better assess projects for allocation of such staff resources (which could be quite considerable) to ensure that that was time spent in endeavours which stood a reasonable chance of success rather than unfairly, in his opinion, raising expectations of local employment.

In response, it was confirmed that there had been terrific expectations of local employment that would have been wonderful if they had come through and it had been worth the effort. Future decisions on resources would be decided on a project by project basis.

(40) Mr R MacWilliam

To the Leader of the Council

Were Members of the political Administration alerted to senior management discussions which led to the submission of vexatious complaints about Elected Member conduct as recently reported in the press?

The response had been circulated.

In terms of a supplementary question, it was queried as to why any Senior Council Officer would engage with any Elected Member on the subject of an attempt to cause reputational damage or political harm to that Member's political opponent?

In response, it was confirmed that any Senior Officer, if they had concerns and wanted to have a conversation with a Member about behaviour that they thought was damaging in whatever way, for someone's health or otherwise, was at liberty to have that conversation.

(41) Mr R MacWilliam

To the Leader of the Council

What sanctions have been imposed on senior management involved in utilising Highland Council resources in the submission of vexatious complaints about Member conduct to the Standards Commission for Scotland?

The response had been circulated.

In terms of a supplementary question, and on the basis that Highland Council staff, no matter how senior, had standards of their own to adhere to, it was queried as to who a complaint should be submitted to if staff were believed, as appeared to be the case, to be inappropriately involved in political matters?

In response, it was confirmed that that was Mr MacWilliam's personal view but it was not shared by the Leader. If there was a complaint about a member of staff, it should be submitted to the Chief Executive.

(42) Mr D Macpherson

To the Chair of the Economy & Infrastructure Committee

Following years of underinvestment by the Highland Council in their annual roads budget, due to a combination of austerity and local authority cutbacks.

This financial year the full Highland Council voted to secure millions in additional funding required to carry out the growing list of essential road repairs and resurfacing projects required to repair the miles of old worn and crumbling roads.

I understand that across Highland there is a shortage of staff to cover all the posts (including HGV drivers) needed in the Roads and Transport Department, and this will result in an unwanted situation, where the Council for once has all the money to spend, however it doesn't have all the necessary staff in place to get all the road repair work done.

How many vacant staff positions are there currently in the Roads & Transport Department across all ward areas? and can you please give an assurance that Highland Council will have the requisite number of staff in place to cover essential winter maintenance duties throughout this winter?

The response had been circulated.

In terms of a supplementary question, it was queried as to whether a commitment could be given that, during winter temperatures when the Council was prevented from tarring and resurfacing roads, the Council would continue to replace the worn out and faded road signs that were on the remote, rural and City roads?

In response, it was confirmed that assurance could be given that the Council would continue to use the available resources to maintain whichever parts of the roads were appropriate, including signage.

(43) Mr D Macpherson

To the Leader of the Council

On a recent visit to Kilchoan and while travelling around the Ardnamurchan Peninsula at the most westerly point on the UK mainland, I witnessed the impoverished state of the single track roads, the lack of passing places and the many road signs that were barely legible, browned due to fading and bleaching by the elements with discolouration and rusty poles, where even the Highland Council sign to welcome visitors at the Kilchoan Cal-Mac Ferry Terminal was damaged!

It was therefore of little surprise to me when conversing with local residents around the Ardnamurchan Peninsula (which was formerly in the Argyll Council area), the local residents expressed their desire to once again be part of Argyll & Bute Council, whom they rely heavily on in the neighbouring Isle of Mull or at Oban, (both places involve making 1 or 2 ferry journeys), simply to access everyday services of doctors, dentist, pharmacy, shopping supplies and essential services. The residents I spoke with stated that Argyll & Bute Council seemed better equipped to understand and

support their remote and rural coastal areas, rather than the residents currently feel, as they stated as, “the forgotten and neglected, remote part of Highland Council”.

Would Highland Council be prepared to discuss making boundary changes with Argyll & Bute via the Scottish Government, if it helped the vast majority of the community on the Ardnamurchan Peninsula to feel better connected to a local authority that really understood their circumstances and practiced 'Localism' for its remote and rural communities and constituents?

The response had been circulated.

In terms of a supplementary question, and if the constituents in remote and rural areas across the Highlands (in places like Ardnamurchan and Caithness and Sutherland) felt like they had been neglected and forgotten about after seeing roads crumbling as a result of years of underfunding (where visitors could barely read the road signs), it was queried as to when the Leader and the Chief Executive would next visit the community in Kilchoan or drive to Ardnamurchan Lighthouse to see for themselves the extent of the road repairs which were urgently needed and the lack of parking places?

In response, it was confirmed that the Leader intended to be on the Ardnamurchan Peninsula very soon.

8. Notices of Motion Brathan Glusaid

The following Notices of Motion had been received by the Head of Corporate Governance –

(1)The Highland Council are grateful for the great partnership work that has taken place with SFRS over the years. However, we now call upon the Scottish Government and the responsible Minister, Ash Denham, to support SFRS to:

1. Introduce the previously agreed 3 crew minimum on the Rapid Response Units that are now deployed in order to reduce the risk to lives and property by complying with their statutory duty “to improve the safety and wellbeing of people throughout Scotland” (Fire and Rescue Framework for Scotland),
2. Review initial training requirements/demands to investigate more modular courses, closer to home. This will improve recruitment in remote and rural areas,
3. In general terms, support SFRS efforts to simplify some methods of work to place more trust in front line firefighters, thereby reducing the likelihood/risk of non-attendance of the local unit(s).

Signed: Mr M Reiss Mr H Morrison Mr A MacKinnon

During discussion, Members raised the following issues:-

- this Notice of Motion had been the subject of much thought in regard to the best way forward with the Council's partners, the Scottish Fire and Rescue Service (SFRS) but it was considered that it had to be brought forward now as it was felt that there was a clear-cut risk to life;
- it had to be acknowledged that there had already been discussion over the past few years to try to resolve the specific issues which had been raised but without success;

- as detailed in the Motion, it was currently the case that even if there were 3 firefighters available at each of 2 Fire Stations closest to an accident, including in remote and rural areas, neither Station would be able to respond because there was a rigid and unbreakable rule in place that 4 firefighters had to be present in vehicles before they left Stations;
- it had been thought that much needed changes and flexibilities within this situation had already been agreed but to date they had not been implemented and this meant that the timescales for attendance at incidents remained very concerning, especially in remote areas;
- contrast was made with the Ambulance and Police services who sent the nearest available Units to respond to incidents and this was crucially important in parts of the Highland area;
- as part of this discussion, it was important to recognise that retained firefighters provided an excellent service across the Highlands which was often unseen;
- it was important to note that Ambulance services often referred to the 'golden hour' in which to get casualties to hospital and this could often depend on the attendance of firefighters at the scene of accidents;
- the safety of the public had to be paramount at all times and in this regard reference was made to the current crisis situation in North West Sutherland where the Fire Station in Tongue had not been operational for a 2 year period;
- it also had to be recognised that fire cover across the Highlands was predominantly retained (as opposed to full time) and it was important that local business and the general public in the North West Sutherland area in particular were aware of this (which included Highland Council);
- there had been progress on the issues which had been highlighted through discussion with the relevant parties but it was now time for action to be taken;
- the distances involved in remote and rural areas in terms of responses to incidents had to be recognised;
- whilst there was no problem with the principles of the Notice of Motion which had been submitted, it was felt that these issues were best left to the SFRS and the relevant Unions and in this regard a proposed amendment would be put forward in the following terms – The Highland Council are grateful for the great partnership work that has taken place with SFRS over the years. Council agrees to write to the Head of SFRS requesting an update in respect of plans to: 1. Introduce the previously agreed 3 crew minimum on the Rapid Response Units that are now deployed in order to reduce the risk to lives and property by complying with their statutory duty "to improve the safety and wellbeing of people throughout Scotland" (Fire and Rescue Framework for Scotland), 2. Review initial training requirements/demands to investigate more modular courses, closer to home. This will improve recruitment in remote and rural areas, 3. Simplify some methods of work, placing more trust in front line firefighters, thereby reducing the likelihood/risk of non- attendance of the local unit(s). This Council will also help and work with any promotion by the SFRS for recruitment of firefighters;
- there was a need for objectivity in the consideration of the terms of the Motion as it was not felt that the Council should become involved in technical issues as Scottish Government Ministers could not break the Ministerial Code by instructing the SFRS how to employ its staff and the same applied to any review of initial training;
- whilst it was important to acknowledge the joint working with SFRS which had been outstanding over recent years, it was the case that the serious issues detailed in the Motion had to be raised in order to identify a solution;
- it was suggested that liaison with the Fire Master should perhaps be undertaken initially as opposed to including Scottish Ministers;

- there would a 6 monthly update from the SFRS at the next meeting of the Communities & Place Committee in November and it was envisaged that a further update would be provided at that time;
- it was imperative to recognise that the challenges and pressures were very different in remote and rural areas of the Highlands and as such there had to be deep evaluation and action in respect of the issues raised within the Motion; and
- residents in rural areas should perhaps be encouraged to contact Scottish Ministers in order to suggest/identify possible local solutions.

Thereafter, Mr M Reiss, seconded by Mr A MacKinnon, **MOVED** the terms of the Notice of Motion as detailed.

As an **AMENDMENT**, Dr I Cockburn, seconded by Mr K Gowans, moved the following - that the Highland Council are grateful for the great partnership work that has taken place with SFRS over the years. Council agrees to write to the Head of SFRS requesting an update in respect of plans to: 1. Introduce the previously agreed 3 crew minimum on the Rapid Response Units that are now deployed in order to reduce the risk to lives and property by complying with their statutory duty “to improve the safety and wellbeing of people throughout Scotland” (Fire and Rescue Framework for Scotland), 2. Review initial training requirements/demands to investigate more modular courses, closer to home. This will improve recruitment in remote and rural areas and 3. Simplify some methods of work, placing more trust in front line firefighters, thereby reducing the likelihood/risk of non- attendance of the local unit(s). This Council will also help and work with any promotion by the SFRS for recruitment of firefighters.

On a vote being taken, the **MOTION** received 39 votes and the **AMENDMENT** received 15 votes, with 1 abstention, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion

Mr G Adam, Mr C Aitken, Mr R Balfour, Mrs J Barclay, Mr A Baxter, Mr J Bruce, Mrs C Caddick, Miss J Campbell, Mrs H Carmichael, Mr A Christie, Mrs M Davidson, Mr J Finlayson, Mr M Finlayson, Mr D Fraser, Mr L Fraser, Mr J Gordon, Mr A Graham, Mr J Gray, Mr T Heggie, Mr A Henderson, Mr A Jarvie, Mr D Mackay, Mr W Mackay, Mrs I MacKenzie, Mr S Mackie, Mr A Mackinnon, Mrs A MacLean, Mr C MacLeod, Mr D Macpherson, Mrs B McAllister, Mr H Morrison, Mr C Munro, Mrs P Munro, Mr M Reiss, Mr D Rixson, Mr A Sinclair, Mr C Smith, Mr B Thompson and Ms J Tilt.

For the Amendment

Mr B Allan, Mr B Boyd, Mr R Bremner, Mrs G Campbell-Sinclair, Mrs M Cockburn, Dr I Cockburn, Mr C Fraser, Mr K Gowans, Ms E Knox, Mr D Loudon, Mrs L MacDonald, Mr A MacInnes, Mr G Mackenzie, Ms L Munro and Mr K Rosie.

Abstention

Mr B Lobban

Decision

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

(2) This Council agrees to make all and any necessary preparations to hold the December Full Council meeting in person, providing any restrictions permit.

Signed: Mr A Jarvie Mr S Mackie

During discussion, Members raised the following issues:-

- it was the case that over 50% of other Scottish Local Authorities had now returned to some form of hybrid meeting and in fact some members of the Conservative Group were currently attending this meeting in person in the HQ Chamber. In addition, the Conservative Group had held a Group Meeting in HQ on the previous day which had been very effective, not least in terms of the face-to-face interaction which had been considered to have been extremely helpful for all concerned;
- it was noted that confirmation had been given that there were issues with how Public-i could run such a format but it was still felt that there must be an 'off the shelf' package which could be utilised or a return of the previous VC system whereby some Members attended a meeting in the HQ Chamber and other Members were able to attend Area Offices to take part in that meeting;
- it was also felt that meetings were now taking longer through being held remotely and were lacking the benefits of informal contact;
- whilst acknowledging the savings associated online meetings, it was still considered that longer meetings held in this way were not feasible and as such it was suggested that a date should now be set for a return to some kind of normality;
- there was concern that some Members were currently undermining Public Health messages by sitting in the HQ Chamber for this meeting;
- the potential impact on staff as a result of Members attending the meeting in person from within the HQ Chamber was worrying and particularly unfair;
- it was being assumed that the Members in the Chamber were not going to claim expenses for their unnecessary and unjustified attendance at the Council HQ building;
- it was suggested that this could be viewed as a 'political stunt' and as such it was not likely to find favour with the general public;
- the Scottish Government guidance began with the words 'The Coronavirus has not gone away' and this was something that Elected Members in particular should be more acutely aware of than others in light of the regular briefings received from NHS Highland and Highland Council colleagues;
- it was the responsibility of Elected Members (as community leaders) to set a good example and support people to stay safe;
- the Scottish Government guidance confirmed that (to stay safe) face coverings should be worn when and where required, hands should be washed regularly, meet up with others should be outdoors where possible, windows and doors should be kept open, social distancing should be implemented and working from home should be undertaken wherever possible;
- it was noted that Ward Managers had recently written to all Community Councils to recommend that they should continue to hold their meetings online and as such the wording of the Motion gave the impression that there was one rule for some but different rules for others;
- there was no need for a return to face-to-face meetings and in that regard it was noted that the Members currently attending the meeting from within the Council HQ Chamber were doing so on the TEAMS (online) platform. As such, they had now very effectively demonstrated that Members could attend meetings in that way if they so chose whilst other Members who wished to stay safe could continue to attend remotely from home;

- given the current levels of community transmission, the default position should remain as online meetings and favour those who did not wish to take the risk of attending meetings from the HQ Chamber and especially those who were more vulnerable to the virus or who cared for others in that category;
- in light of the comments which had been made during the debate, it was now intended to submit an amendment in the following terms – that the Council agrees to continue with current arrangements for attendance of the December Council meeting;
- meeting in the Chamber at some point remained an aspiration for everyone. In that regard, a precedent had already been set by the Redesign Board but that had been when it had been considered more conducive to the workshop environment which was necessary at that time and that could be replicated in the right circumstances going forward, perhaps through trials and pilots whilst implementing social distancing guidelines and adhering to the Scottish Government guidelines;
- bringing everyone together in December when so many factors were currently impinging on communities would not be appropriate;
- it had to be acknowledged that Officers would have no choice but to attend if in person meetings were to happen and therefore the Redesign Board process which had been suggested was the right way to take this forward so that the staff would have a voice and their opinions could be heard;
- bringing this Notice of Motion forward in this way had the effect of silencing the staff voice and it was hoped that there could be agreement to defer to the redesign proposal which was being put forward;
- it was suggested the Council Tax payers would rather see the Council saving money as opposed to bringing together approximately 100 people into one single room in December;
- this Notice of Motion had been brought forward on an aspirational basis and as an outward facing sign that the Council was beginning or at least attempting to return to normal;
- there was concern about some of the culture currently being adopted which it was felt was almost being made worse by online meetings;
- it was considered that the majority of meetings were taking four or five times longer than they needed to and would be easier to control in the Chamber;
- the demonstration of Members being able to take part in the meeting from the Chamber was welcomed and in line with what was happening in other Scottish Local Authorities and both the Scottish and UK Parliaments;
- it was felt that the Members attending from the HQ Chamber were being responsible, with the right kind of safeguards in place, and any attempt to politicise their behaviour was not supported;
- it was suggested that the Council was more effective when meetings were in person and that a return to such meetings would be supported by the general public;
- it was unclear as to why this Motion had been brought forward at this time as it concerned an issue which was constantly under review during a pandemic situation which was still ongoing. As such, it was felt that the Chief Executive and her staff (and also Members of the Council) were doing everything possible to ensure the safety of everyone;
- it was imperative that the Council continued to be guided by the science and return to meeting in person only when it was considered safe to do so without any need to force the issue;
- this was a matter for each individual Member to decide upon and they could choose to attend meetings in person or continue to take part through the TEAMS platform;
- there was concern at some of the accusations which had been made during

the discussion in relation to the Members who were currently attending the meeting from the HQ Chamber;

- it was the case that the Scottish Parliament had now returned to meeting in person and it was queried as to whether this would also be questioned in the same way as the terms of the Notice of Motion had been questioned during the debate;
- this was an issue which focused on balancing risks and taking the necessary precautions and in this regard it was noted that some community groups had now returned to meeting in person;
- account also had to be taken of family members who had to be protected by both Members and Officers and this would have a bearing on whether they were able to return to in person meetings;
- using an example of attending funerals was not felt appropriate as there were very different arrangements in place and the timescales for attendance were vastly different in many cases;
- decisions on this issue had to come down to personal responsibility and managed choice, with regular updates for Members on work being undertaken in terms of returning to in person meetings, and account also had to be taken of Officers in this respect;
- above all, there had to be flexibility in terms of allowing those who wanted to return to in person meetings to do so whilst also allowing others to continue to attend meetings through TEAMS and this had to apply to Officers as well as Members of the Council; and
- in any assessment of risk, account had to be taken of the fact that attendance at meetings within the HQ Chamber could often be for in excess of 7/8 hours and this would also impact on the Officers involved in such meetings.

At this point, the Convener advised that, in line with Standing Order 12. the time had now expired for discussion of this Notice of Motion and therefore no decision could be taken at this meeting.

It was confirmed that the Motion could be carried forward to the next meeting on 9 December if requested and/or discussion undertaken before that time if necessary.

Thereafter, Mr A Jarvie, seconded by Mr A Baxter, **MOVED** suspension of Standing Order 12 to allow discussion to continue at this meeting.

As an **AMENDMENT**, Mr J Gray, seconded by Mrs H Carmichael, moved that there should be no suspension of Standing Order 12.

On a vote being taken, the **MOTION** received 13 votes and the **AMENDMENT** received 39 votes, with 4 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion

Mr C Aitken, Mr R Balfour, Mr A Baxter, Mr J Bruce, Mr T Heggie, Mr A Jarvie, Mr D Mackay, Mrs I MacKenzie, Mr S Mackie, Mrs A MacLean, Mr D Macpherson, Mr A Sinclair and Mr C Smith.

For the Amendment

Mr G Adam, Mr B Allan, Mrs J Barclay, Mr B Boyd, Mr R Bremner, Mrs C Caddick, Miss J Campbell, Mrs H Carmichael, Mr A Christie, Mrs M Cockburn, Dr I Cockburn, Ms K Currie, Mrs M Davidson, Mr J Finlayson, Mr M Finlayson, Mr C Fraser, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr A Graham, Mr J Gray, Mr A Henderson, Ms E Knox, Mr D Loudon, Mrs L MacDonald, Mr A MacInnes, Mr W Mackay, Mr G

Mackenzie, Mr A Mackinnon, Mr C MacLeod, Mr R MacWilliam, Mrs B McAllister, Mr H Morrison, Mr C Munro, Mrs P Munro, Mr D Rixson, Mr K Rosie, Mr B Thompson and Ms J Tilt.

Abstentions

Mr J Gordon, Mr B Lobban, Ms L Munro and Mr M Reiss.

No Decision taken

(3) This Council agrees to commence payments of Self-Directed Support (SDS) to Young Carers by the end of this month and, at the same time, make back-payments for SDS wrongly withheld from Young Carers.

Signed: Mr D Louden Mrs M Cockburn

During discussion, and on the basis that it was now proposed to put forward an amended Motion, appreciation was recorded for the work undertaken by unpaid carers, both adults and young carers, and not least during the pandemic. As such, the importance of this work could not be overstated and it was necessary to also acknowledge the work of the Social Work teams involved. Going forward, it was imperative that support was provided for young carers through the most appropriate mechanisms.

Decision

The Council **AGREED** the following Amended Motion -

Highland Council recognises the amazing job done by Young Carers across the Highlands in caring for their relatives during the COVID-19 Pandemic.

We commit to the provision of Self-Directed Support and recognise the burden placed on young people and particularly the additional difficulties they have faced whilst traditional respite facilities were unavailable as a result of the pandemic. We consequently commit to the reintroduction of respite in accordance with Scottish Government guidelines.

The funding to support young carers has been budgeted for and this motion seeks to ensure that young carers have the intended flexibility to enable them to receive the support they need, when they need it. This may include the provision of SDS budget directly to the young person to secure the support they need or to an adult on their behalf.

Declarations of Interest – Notice of Motion (4) below -

Mr G Adam declared two non-financial interests in this item on the basis of currently being a part-owner of a short term let (although he would not be by the time the proposed legislation came into force) and also as a Director of a glamping business but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interests did not preclude his involvement in the item.

Mr J Gordon declared a financial interest in this item as an Airbnb provider but, having applied the test, concluded that his interest did not preclude his involvement in the item.

Mr C Munro declared a financial interest in this item as the owner of a self-catering business and, having applied the test, confirmed that he would not take part in the item.

Miss J Campbell declared a financial interest in this item as the owner of a rented property (not Airbnb) and, having applied the test, confirmed that she would not take part in the item.

Mrs I Campbell declared a financial interest in this item as the owner of self-catering accommodation and, having applied the test, confirmed that she would not take part in the item.

Mrs C Caddick declared a financial interest in this item on the basis of having a part share in a self-catering unit and, having applied the test, confirmed that she would not take part in the item.

(4) Council strongly urges the Scottish Government to drop its proposed licensing scheme for short-term holiday lets and instead adopt the registration scheme proposed by the Association of Scottish Self Caterers. This would be far less costly for operators and less onerous for the Highland Council to administer, whilst providing proven health and safety protection. The proposed scheme is not appropriate for the Highlands.

Signed: Mr G Adam Mr A Graham Mr C Aitken

Prior to discussion, and on the request of the Convener, the Head of Corporate Governance confirmed that it was clear from the declarations of interest which had been received that a number of Members had already given the terms of this Motion some thought.

As such, he clarified that all Members of the Council should consider their position in terms of whether they might have a financial interest in premises or businesses which operated as short term lets (or were likely to be registered as short term lets) and, if this was the case, they should take appropriate action in accordance with the Councillors' Code of Conduct.

Thereafter, and in response to a query as to whether the mover of the Motion (Mr G Adam) had a potential conflict of interest in this issue, Mr Adam confirmed that he had been advised not to bring this Motion to the Council as the owner of a short term let property. However, he would not be the owner of that property after the Summer of 2022 (and before any new legislation came into effect) and on that basis he respectfully disagreed with the advice which had been offered to him and would take part in this item.

He also expressed concern in relation to the Members who had declared an interest as owners of short term let properties and/or B&B properties and who felt (both because of that declaration and the current rules) that they could not take part in the item. It was his opinion that those Members had considerable expertise in this matter and for that reason their views should be heard. As such, it was therefore his intention to raise this situation with the Standards Commission in due course.

Thereafter, and during discussion, Members raised the following issues:-

- this Motion provided Members with a 'last minute' chance to influence legislation being put before the Scottish Parliament over the next few weeks which would fundamentally alter the way that short term lets and B&Bs were

regulated. As such, a licensing scheme was now being proposed which would result in far more bureaucracy, additional cost and significant uncertainty for the approximately 10k short term let and B&B owners in the Highlands;

- the Scottish Government had faced significant opposition on this issue and had made some concessions but not on the key issue which was to replace the licensing scheme with a registration scheme. In this respect, it had been estimated that around 6 new members of staff would be needed by the Council, at least initially, as a result of the new legislation and this would impact on budgets which were already under pressure;
- it was also being proposed that the costs of the new scheme would be recovered from additional charges to operators and it was anticipated that such costs could be considerable;
- the vast majority of such premises in the Highlands were already of a high standard and professionally run so the compromise being offered by the Association for Scottish Self Caterers was that these professional properties should be registered, with licensing reserved for unregistered properties of a lower standard;
- it was also not considered that this legislation should be applied to the Highlands as it was felt that it had been drafted to address problems which had been highlighted in other parts of Scotland;
- this issue mattered because tourism underpinned the Highland economy and was probably the largest private sector employer in the area. As such, the proposed licensing scheme proposed a significant risk on the basis that it might drive a large number of smaller operators out of the tourism business;
- it had to be acknowledged that there were now a considerable number of properties in the Highlands which had been turned into short term lets or AirBnB premises and this was creating a range of issues, including having a detrimental effect on the future development of housing. In this respect, the proposed legislation being brought forward by the Scottish Government sought to address a number of issues, including in relation to tourism, and it was important that the consultation process proceeded as planned in order to allow all opinions and responses to be submitted;
- an amendment would be put forward at the appropriate time for the Council to recognise the Scottish Government proposals for a licensing scheme for short term holiday lets and encourage communities to make their representations through the appropriate channels;
- there was already evidence of social disturbance attached to short term lets, AirBnB premises, pods, etc and a significant increase in the number of properties across the Highlands which were now being classed as 'party houses'. This was having a negative effect in local areas and especially in remote and rural communities where responses to such disturbances could often not be as quick as in urban areas;
- there was absolutely a need for licensing of properties where there was no overall control, not least to provide protection for adjacent properties and communities;
- it was not felt that the proposed legislation was the best way to deal with the issues which had been identified as it would effectively just be 'adding on' to what was considered by some to be an already flawed licensing process and not fundamentally addressing this situation; and
- whilst there were clearly issues with some properties, it was not correct to class all short term let and AirBnB properties in the same way and attribute the same problems/issues to them all.

Thereafter, Mr G Adam, seconded by Mr A Graham, **MOVED** the terms of the Notice of Motion as detailed.

Dr I Cockburn, seconded by Mr K Gowans, moved as an **AMENDMENT** that the Council should recognise the Scottish Government proposals for a licensing scheme for short term holiday lets and encourage communities to make their representations through the appropriate channels.

On a vote being taken, the **MOTION** received 20 votes and the **AMENDMENT** received 18 votes, with 5 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Mr G Adam, Mr C Aitken, Mrs J Barclay, Mr J Bruce, Mr A Christie, Mr D Fraser, Mr A Graham, Mr T Heggie, Mr A Jarvie, Mrs L MacDonald, Mr D Mackay, Mr W Mackay, Mrs I MacKenzie, Mr S Mackie, Mrs A MacLean, Mr D Macpherson, Mrs B McAllister, Mr D Rixson, Mr A Sinclair and Ms J Tilt.

For the Amendment:

Mr B Allan, Mr R Balfour, Mr B Boyd, Mrs M Cockburn, Dr I Cockburn, Mr M Finlayson, Mr C Fraser, Mr L Fraser, Mr K Gowans, Mr J Gray, Ms E Knox, Mr B Lobban, Mr A MacInnes, Mr G Mackenzie, Mr A Mackinnon, Mr C MacLeod, Mr M Reiss and Mr B Thompson.

Abstentions:

Miss J Campbell, Mrs M Davidson, Mr J Finlayson, Mr H Morrison and Mrs P Munro.

Decision

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

(5) The Highland Council is profoundly concerned at the recent escalating energy prices which are having a serious impact on both domestic and business users across Highland.

It is understood that the Scottish Government has been allocated £41m from the UK Government (as a consequence of the Barnett formula) who are providing additional funding for vulnerable households across the country to help them with essentials over the coming months.

Recognising that fuel poverty is a significant issue for many of our Highland citizens, who will be forced to choose between food or fuel this winter, and we need urgent action. The Council asks that the Scottish Government uses these funds to expand the Winter Fuel Payment to include those of working age on Universal Credit, in addition to pensioners who already receive this payment.

The current situation demonstrates the pressing need for a strategic review of our energy supply, market and infrastructure. While the Scottish Government have announced a number of measures to decarbonise our energy needs in their Programme for Government, the Council believes that both the Scottish and UK Governments should work together to commission a Strategic Energy Review to consider the Country's energy requirements with a view to ensuring they are both sustainable and resilient.

Signed: Mrs M Davidson Mr A Henderson

During discussion, Members raised the following issues:-

- there was now significant concern around the escalation in electricity and gas prices, not least in light of the daunting prospect of further price rises which were expected in the Spring;
- in terms of the short term situation, it was suggested that the Council should now ask the Scottish Government to consider using some of the Barnett Consequentials to increase welfare/winter payments for not only pensioners but also those families who had just lost some of their Universal Credit payments;
- there was serious concern in relation to the substantial difficulties which could now be faced by many people and especially those with illnesses and disabilities who had to stay at home and as a result had to cope with very large energy bills;
- whilst it was acknowledged that new proposals were coming forward to address some of these issues, there was a need for scrutiny of such proposals in the first instance in order to decide on their potential effectiveness and this would be undertaken as soon as possible;
- there was also a need to study the budget settlement (once received) in order to consider whether there was anything that the Council could do to help with current fuel poverty issues and in this respect it was confirmed that a further report on this particular issue would be submitted to the December Council meeting, perhaps as part of a budget report at that time;
- it was hoped that both the UK Government and the Scottish Government would review the current position in relation to wholesale gas prices in order to put measures in place wherever possible to avoid a repeat of this situation in the future;
- it had to be acknowledged that many of the problems across the Highlands in relation to this issue were beyond the control of the Scottish Government. As such, there was now an urgent need for OFGEM (which was only answerable to the UK Government) to speak to both the Scottish Government and the Highland Council in regard to the current situation;
- issues to be followed up with OFGEM included access to the distribution grid (which they controlled), the extra 2p per kw hour on bills in the Highlands, the waste of switched off wind power and opportunities to decarbonise transport;
- this was not about apportioning blame or turning this into a political issue but instead on focusing on mitigating and helping those most affected by the current situation who were often unable to pay energy bills and as a result were cut off by their energy providers which was a serious situation;
- consideration should be given to the siting of wind turbines on land owned by the Council which could generate future income, not least through constraint payments;
- there was a need for a holistic view to be taken on this issue with a further report being submitted to the December Council meeting with proposals for any potential schemes which could perhaps be put in place as a matter of priority;
- there were currently people across the Highlands who had serious health issues as a result of having to live in houses with cold temperatures and experience dietary issues because they could not afford to heat their properties and/or buy food and this was clearly not acceptable;
- the Council had to use whatever influence it had in order to find ways to address what was a human rights issue;
- it was completely wrong that people in the Highlands had to pay the most for energy when the majority of that energy was actually produced in the area;

- it was also felt that more advice and information needed to be provided to encourage people to review and if necessary change their current tariffs;
- it should also be highlighted on the Council Website that the Scottish Government were currently making a payment available in relation to energy needs for families with children who were disabled; and
- it had to be restated that this was a matter under the control of the UK Government who had the power to address the issues which had been highlighted during the debate.

Decision

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

(6) National Care Service - This Council is determined to take the lead in promoting the National Care Service development as described in the Scottish Government independent investigation report (Feeley).

We can take the lead and incorporate valuable experiences from the diverse communities in Highlands. It may be appropriate to begin with improvements in adult social care.

Signed: Mr B Boyd Mrs M Cockburn

(It was **NOTED** at the meeting that this Notice of Motion had now been withdrawn).

9. Medium Term Financial Plan – Update Planadh Ionmhasail Meadhan-Ùine

Declarations of Interest –

Ms L Munro, Mr B Thompson, Mr A Jarvie and Mr T Heggie 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 their involvement in the discussion.

Mr D Rixson declared a non-financial interest as a Director of Highland Opportunities Investment Ltd and as the Council’s representative on the Isle of Rum Community Trust but, having applied the test, concluded that his interests did not preclude his involvement in the discussion.

Mr D Macpherson, Mrs H Carmichael and Mrs C Caddick, Mr C MacLeod and Mr G Adam declared non-financial interests as Directors of Highland Opportunities Investment Ltd but, having applied the test, concluded that their interests did not preclude their involvement in the discussion.

Mr K Gowans declared a financial interest on the basis that a close family member was employed by High Life Highland and, having applied the test, confirmed that if there was any discussion around High Life Highland’s budget line then he would not take part.

Mr A Christie declared a financial interest as a Non-Executive Director of NHS Highland but, having applied the test, concluded that his interest did not preclude his involvement in the discussion.

Mr D Loudon declared a financial interest in Recommendation (vii) as a Council appointed Director of Highland Opportunity & Investments Ltd and, having applied the test, confirmed that he would remain & take part in the discussion - but not in respect of recommendation (vii) – and at the outcome of the debate, he would switch off his camera and not participate in any vote.

There had been circulated Report No. HC/26/21 dated 14 October 2021 by the Executive Chief Officer Resources and Finance.

During discussion, Members raised the following issues:-

- it was noted that the Plan would be considered by the Council at this meeting and also the next meeting on 9 December and then finalised in March 2022;
- key factors to be highlighted included the importance of scenario planning, the policy and operational savings proposals and the clearer links between the capital and revenue strategies;
- attention had to be drawn to the support which had been provided by the Scottish Government, especially in relation to Covid-19, which had helped to facilitate the build-up of an unprecedented level of reserves;
- with £1.6bn of ideas for capital investment, it would be important to support communities to facilitate innovative solutions and to prioritise their investment requirements;
- the importance of income generation through commercial activities, rather than through increases in council tax, was emphasised;
- the report covered more than the medium term, as indicated in the title, and it was felt that of the 21 projects for which amendments were being sought, only 5 had appropriately detailed accompanying papers. On the basis that 2022 was likely to be a challenging year for many businesses, and with the Council's current level of reserves, it was considered unjustifiable to reduce funding to close partners and increase levies on businesses;
- it was suggested by some Members that they had not been given sufficient advance notice of the proposals in the report;
- in response to concerns about the proposed budget reduction to High Life Highland, it was highlighted that this was the same percentage reduction being faced by the Council;
- the senior management team were thanked for their recent efforts to provide key worker housing for communities on Rum and Eigg. In this respect, examples were provided of other rural areas where key workers had failed to find accommodation and policies were therefore required to address this issue, not least in terms of its potential impact on rural depopulation;
- noting that Highland Council had the highest number of school buildings in poor condition in comparison with all other Local Authorities in Scotland, it was highlighted that it was important to plan for longer than five years;
- whilst welcoming progress on the ten capital projects for Schools, it was suggested that in some cases refurbishment rather than rebuilding might achieve better value;
- there was concern that further centralisation could erode local democracy;
- it would be important to benchmark the Council's performance against other similar Local Authorities in Scotland;
- the Council's level of debt was of concern and, although interest rates were currently low, it was important not to increase borrowing without fully considering the consequences;
- in comparison with other Local Authorities, Highland Council already had the highest proportion of revenue funding being used to finance capital investment;
- the confirmation that meetings of the cross-party Corporate Resources Budget

- Sub Committee were to be arranged again was welcomed;
- the proposed £200k cut to amenities was of concern, particularly given the importance of tourism to the Highlands and the lack of information on how this would be implemented;
 - the value of having wilder and more natural areas of land was aspirational and it was welcomed that this would be delivered as part of culture change through engagement with local communities;
 - assurance was sought and provided that the gross project budget for Culloden Academy remained at £19.2m;
 - disappointment was expressed at various elements in the report relating to the Corran Ferry, including the proposal to raise £100k through fees, insufficient engagement with the local community on the fare structure, the proposals not having been discussed by the Sub-Committee (whose role was to scrutinise such projects), no capital commitment to funding a replacement vessel, smart-ticketing not yet in operation and on the basis that the local community was effectively being asked to subsidise the service. In relation to smart ticketing in particular, it was pointed out that Calmac had been trying to introduce this for 5-6 years without success due to unforeseen complications;
 - also in relation to the Corran Ferry, particular concern was expressed at the proposed 3% increase in prepaid tickets for local residents and it was suggested that the £13k which would be raised by this should instead be obtained by increasing walk-up fares by an equivalent amount;
 - noting that the North Coast Care facility report was to be considered in private due to commercial interests, it was however important to praise the community and staff engagement on this project in public;
 - it had to be highlighted that Highland Council had the smallest revenue budget in relation to its asset base and it was therefore essential that all Members worked together to lobby the Scottish Government for the allocation formula to be rectified in order to be able to facilitate appropriate maintenance and replacement of assets;
 - a flexible approach to the Plan was urged, noting the further investment that was required for roads, housing, school buildings, play parks and other areas (some of which were statutory obligations, others more aspirational);
 - it would be important for the Corporate Resources Budget Sub Committee to consider the merits of projects and commercialisation opportunities in order to mitigate budget pressures and control over-spends;
 - challenging decisions required to be made in regard to capital and revenue expenditure as part of the redesign process and this would require appropriate engagement with communities; and
 - it had to be acknowledged that the revenue and capital budgets were more complex and inter-connected than they had been in the past.

Thereafter, Mr A Christie, seconded by Mr J Gray, **MOVED** the recommendations as detailed in the report.

As a **FIRST AMENDMENT**, Mr A Jarvie, seconded by Mr S Mackie, moved the removal of recommendation (iii) and the proposed savings items.

As a **SECOND AMENDMENT**, Mr B Allan, seconded by Mr D Loudon, moved an addition to the wording in recommendation (iii) as follows – ‘except there shall be no increase in the cost of pre-paid ticket books for the Corran Ferry and that the shortfall in the overall savings shall be spread over the increase in drive-up fare categories’.

On a vote being taken between the **FIRST AMENDMENT** and the **SECOND AMENDMENT**, the **FIRST AMENDMENT** received 10 votes and the **SECOND AMENDMENT** received 43 votes, with 3 abstentions, and the **SECOND AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the First Amendment

Mr R Balfour, Mr A Baxter, Mr J Bruce, Mr C Fraser, Mr A Jarvie, Mr D Mackay, Mrs I MacKenzie, Mr S Mackie, Mr A Sinclair and Mr C Smith.

For the Second Amendment

Mr G Adam, Mr C Aitken, Mr B Allan, Mrs J Barclay, Mr B Boyd, Mr R Bremner, Mrs C Caddick, Miss J Campbell, Mrs G Campbell-Sinclair, Mrs H Carmichael, Mr A Christie, Mrs M Cockburn, Dr I Cockburn, Mrs M Davidson, Mr J Finlayson, Mr M Finlayson, Mr D Fraser, Mr R Gale, Mr K Gowans, Mr A Graham, Mr J Gray, Mr T Heggie, Mr A Henderson, Ms E Knox, Mr B Lobban, Mr D Louden, Mrs L MacDonald, Mr A MacInnes, Mr W Mackay, Mr G Mackenzie, Mr A Mackinnon, Mrs A MacLean, Mr C MacLeod, Mr R MacWilliam, Mrs B McAllister, Mr H Morrison, Mr C Munro, Ms L Munro, Mrs P Munro, Mr M Reiss, Mr D Rixson, Mr K Rosie and Mr B Thompson.

Abstentions

Mr L Fraser, Mr J Gordon and Ms J Tilt.

(At this point, the mover of the original Motion indicated that he was willing to incorporate the terms of the Second Amendment into the Motion).

Decision

Members:-

- (i) **NOTED** the medium-term planning assumptions as outlined in Section 5 of the report;
- (ii) **NOTED** the potential range for the 2022/23 budget gap as outlined in Section 6.14 and **AGREED** that a meeting of the Corporate Resources Sub-Committee should consider the approaches to be taken should the 'worse case' scenario prevail;
- (iii) **APPROVED** £1.610m of savings to be delivered in 2022/23 as described in Section 7 and Appendix 1, except that there should be no increase in the cost of pre-paid ticket books for the Corran Ferry and that the shortfall in the overall savings should be spread over the increase in drive-up fare categories;
- (iv) **NOTED** the work that had been carried out on the Council's capital strategy and areas of statutory responsibility at Section 8 and **AGREED** that further discussion would be taken forward in the Corporate Resources Sub Committee in advance of the December Council meeting;
- (v) **NOTED** the update provided in relation to the North Coast Care facility, previously approved by the Council, with separate detailed consideration to be undertaken via the separate agenda item on that subject;
- (vi) **AGREED** in principle to progress housing options on Rum and Eigg for key staff; and
- (vii) **APPROVED** that Highland Opportunity Investments Limited (HOIL) should operate the Community Loans Fund for the Council with the Council's Corporate Resources Committee reviewing any appeals against decisions made by HOIL in respect of the Fund.

**10. External Audit Update and Wider Scope Report 2020/21 – Grant Thornton
Aithisg Bhliadhnaile Sgrùdadh-airgid on Taobh A-muigh 2020/21 – Comas nas Farsainghe**

Declarations of Interest –

Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS Highland but, having applied 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.

Mr B Thompson, Mr A Jarvie and Mr T Heggie declared non-financial interests as Directors of High Life Highland but, having applied the test, concluded that their interests did not preclude their involvement in the discussion.

Mr K Gowans declared a non-financial interest on the basis that a close family member was employed by High Life Highland (and High Life Highland were noted in the appended report) and, having applied the test, confirmed that if there was any specific discussion around High Life Highland then he would not take part.

There had been circulated Report No. HC/27/21 dated 15 October 2021 by the Corporate Audit & Performance Manager.

It was also noted that Ms J Brown, Grant Thornton, was in attendance and could respond to any questions if necessary.

During discussion, the following issues were raised:-

- this was a very important report which provided an independent assessment of the Council's financial management, governance and delivery of best value and it had been considered in detail by the Audit & Scrutiny Committee in September. As such, many positive aspects had been highlighted at that time, as well as the guidance within the report on the areas for improvement;
- there was a need to thank the External Auditors for the support provided to Council staff and the positive report which aligned with internal assessments of progress on the Best Value Improvement Plan;
- key messages included recognition of sound financial management/improved financial performance and good progress in addressing recommendations from the Plan and this was testimony to the hard work and dedication of staff;
- there were still areas for improvement and as such it was important not to be complacent, particularly in light of the increasing levels of challenge and financial risk still to be faced in an uncertain environment, including as a consequence of Covid-19;
- it was noted that the Council would continue to work with partners on commitments within the Future Highlands Strategy;
- it was suggested that the endorsement in respect of governance and transparency within the Council was not necessarily a view shared by all Members whose recollections of the past 18-24 months differed from what was contained in the report;
- it was felt by some Members that decisions had been taken 'behind closed doors' with an element of 'secrecy' and that there had been repeated challenges to any element of scrutiny;
- there was also concern that some Members (who were not part of the Administration) felt that they had been regularly excluded, that dissenting

voices had been quashed in any way possible and questions had been left unanswered;

- following a query, it was noted that the conclusions within the report had been reached as part of a desk top exercise and as such not all Members of the Council had been spoken to as part of the process or given the opportunity to submit their views. In this respect, the External Auditor confirmed that the focus had been on the overall transparency of the Council's governance arrangements and how it had moved within a remote environment through the Covid-19 pandemic in terms of accessibility/availability of information on the Website and through Webcasts;
- requests had previously been made for information on how Elected Members could directly contact the External Auditors and in this regard the detailed contact information which had now been provided within the report was noted and welcomed; and
- the focus on the completion of the Community Planning Partnership review of Locality Planning (which was critical) was also welcomed;

Decision

Members **NOTED**:-

- (i) the overall positive external audit of the Council's progress in delivering the BVAR improvement plan;
- (ii) the positive progress on the Council's financial position and financial management highlighted in the external audit report; and
- (iii) that annual reports would be provided on progress against Best Value duties, including the BVAR through internal assessment and external audit.

11. Future Highlands – Health and Prosperity Strategic Partnership Plan SPP1: Green Energy Hub for Scotland Ro-innleachd Com-pàirteachas Ro-innleachdail

Declaration of Interest – Mr D Rixson declared a non-financial interest in this item as the Council's nominee to the Lochaber Environmental Group 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/28/21 dated 18 October 2021 by the Chief Executive.

During discussion, Members raised the following issues:-

- the report represented a summary of the current position but it was likely that this would change in the next 2-3 month period and as such regular updates would be provided;
- the Leader had attended a recent Convention of the Highlands & Islands meeting which had been very useful and informative, including discussion with the Crown Estates on substantial offshore wind leasing which was being undertaken. In that regard, future phases which would be moving North and West and would involve the Highlands for many years to come which was warmly welcomed. There had also been a report from the Consortium of Offshore Wind Providers whose main recommendation was to use the Cromarty Firth and this was extremely encouraging. As such, the Council would continue to discuss the Freeport and Greenport possibilities with both the Scottish Government and the UK Government;

- it was noted that a correction required to be made to Paragraph 2.3 within the report whereby reference should have been made to the time period from November 2021 to May 2022;
- the endorsement of the Cromarty Firth as the top priority for this type of development was a huge boost for the Organisations and Officers involved and represented a strategic investment opportunity for both Scotland and the UK as a whole;
- there was a strong desire to see more of the benefits from this type of resource achieved locally, whether through a share of the income or a share of the capital gains from developments taking place in the Highlands;
- it was suggested that where there was spare offshore wind, it should be brought to the shore to benefit communities by producing hydrogen around the coast. As such, there was a unique opportunity for completely carbon free electricity to be produced right across the Highlands which would have the effect of providing a bigger, cleaner and greener future for all;
- this was one of the most important reports to come before the Council and as such it was imperative that all aspects were considered fully in order to achieve success. In that respect, collaboration, integration and adoption of a shared vision with partners would be key and an update was needed to ensure that the range of partners had now been expanded (as previously requested) to as wide a level as possible;
- thanks were conveyed to the Officers concerned for the extensive work which had been undertaken over many years before reaching this point;
- it was imperative that the Council now moved as fast as it could in relation to the pace of change which would involve many issues, including reducing the size of the Council's built estate;
- the proposals around carbon sequestration with partners were welcomed;
- further reports had been requested on promotion of the Council as a 'carbon sink'/location for tree planting and also in relation to the provision of District Heating Schemes but both reports were still awaited;
- the case study for the Energy Hub at the Longman was very exciting for the future of the area;
- the opportunities which could be made available across the Highlands would have the effect of increasing the reputation of the area as the greenest and healthiest part of the UK;
- there was massive potential now to secure improvements across a range of issues/areas, not least in relation to the template which had been provided to maximise benefits. As part of this, it was crucial to ensure the highest possible levels of local employment going forward; and
- the potential benefits arising from pump storage within the Highlands had to be promoted more fully and pursued at every opportunity by the Council.

Decision

Members:-

- (i) **NOTED** the progress being made to develop the first strand of 'Future Highlands' and **AGREED** the Strategy for SPP1 at Appendix 1 of the report;
- (ii) **AGREED** to re-state the Council's endorsement of Opportunity Cromarty Firth and support their bid for Greenport and Freeport status;
- (iii) **AGREED** that an Action Plan for SPP1 would be developed in partnership with key stakeholders and progress would be reported through the Climate Change Working Group;
- (iv) **NOTED** that further updates on all five Strategic Partnership Priorities would be brought to future Council meetings; and

- (v) **NOTED** that detailed oversight of specific projects would be taken forward through the appropriate Strategic Committees and Boards.

12. National Care Service for Scotland Consultation Co-chomhairle Seirbheis Cùraim Nàiseanta

Declarations of Interest –

Mr A Christie declared a financial interest in this item as a Non-Executive Director of NHS 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 his involvement in the discussion.

Ms L Munro declared a financial interest on the basis of being employed by Carr Gomm as an SDS Advisor and, having applied the test, confirmed that if there was any specific discussion in that regard then she would leave the meeting.

There had been circulated Report No. HC/29/21 dated 5 October 2021 by the Executive Chief Officer Health and Social Care.

During discussion, Members raised the following issues:-

- this was the most important and 'future proofing' piece of work to come before the Council as there were few families across the Highlands who would not have been touched by social care in some way;
- what was being proposed were better terms for social care workers, better terms and 'person centredness' in relation to service recognition and fairer deals in person centred care;
- it had to be acknowledged that the current system was 'broken' and there was a genuine clamour for change across Highland communities;
- whilst there was no clear way forward at the moment, it was felt that there should be priority given to adult social care and that the 'steady and sure' approach would be best;
- it was appreciated that every Member of the Council had the opportunity to become involved in the consultation process;
- the Scottish Government were welcoming contributions from all in order to build on what was already in place and improve where necessary and as such Local Authorities should have confidence that they would not lose their influence as a result of this consultation;
- this was an opportunity for the Council to be an active participant and partner throughout the process and there had to be full engagement in order to ensure the best results for the Highland area;
- it was felt that specific areas on which contributions should be made included governance, identification of innovative ways of working, improving care sector conditions for staff and highlighting single point of contact issues;
- thanks should be conveyed to Officers for the report, which had also highlighted potential areas of difficulty and uncertainty within the proposals and would hopefully be helpful for the Scottish Government;
- the priority had to be the provision of better care for service users and better pay/conditions for service providers;
- with reference to Appendix 1 within the report, Question 8 (Establishing a Right to Breaks from Caring), and specifically the section entitled 'A Right for all Carers versus Thresholds for Accessing Support', it was suggested that the box marked 'Universal Right for All Carers' should have been selected. In

response, it was confirmed that this particular issue would be discussed in full at a forthcoming Seminar;

- Also in relation to Appendix 1, Question 13 (Most Important Elements in a New System for Complaints about Social Care Services), it was suggested that the box marked 'Charter of Rights and Responsibilities' should have been selected so that people could know what to expect. In response, it was confirmed that more detail would be sought on this particular issue before coming to a decision;
- it was hoped that the Briefings and Seminars for all Members would continue as they had been very helpful to date;
- the Scottish Government had requested that the Council provide current examples of best practise and clarification was sought in terms of which specific examples had been provided;
- there had to be strong focus on and priority given to the provision of a National Care Record;
- the Council now had an opportunity to co-create and design what was needed on a local basis across the Highlands;
- in relation to local democracy, it had been stated within the Council response that 'As the arrangements are currently set out, the only recourse for an individual to appeal to an elected representative would be to a Scottish Government Minister compared to now, where the public can approach their ward member. This runs contrary to the Christie principles and also the European Charter of Local Self-Government which was recently endorsed by the Scottish Parliament' and clarification was sought on the legal implications in this regard;
- an additional recommendation was now proposed - to ask the Council to resolve that any future legislative reorganisation of Adult Social Care should have at its centre local accountability and local decision making by democratically elected Local Members – which would hopefully help to address the concerns which had been raised during the debate in regard to loss of local accountability;
- there had been significant progress made in relation to integration in the past weeks and months and this would be shared with Members in due course;
- it would be important to focus on looked after children and residential care as part of future discussions;
- there was a need for evidence to confirm that the 'The Promise' was working for children in care and their families;
- a further additional recommendation was now proposed to seek agreement for continuation of Member Update Seminars to enable further consideration of, and in tandem with, Scottish Government updates in respect of a National Care Service; and
- it had to be highlighted that the Scottish Government were listening and very interested in receiving a response from Highland Council.

Decision

Members:-

- (i) **NOTED** the engagement with staff and Members in terms of informing the response to this consultation;
- (ii) **AGREED** headings set out in section 6 of the report which shaped the Council's formal response and **APPROVED** the Council's response at Appendix 1 of the report;
- (iii) **AGREED** to seek assurances from the Scottish Government that there would be continued engagement with local government in the development of their

- proposals so that local needs, challenges and opportunities could be fully represented and reflected;
- (iv) **AGREED** that there would be continuing engagement with COSLA and Solace in terms of the impact the proposals may have had on local authority functions going forward;
 - (v) **AGREED** that any future legislative re-organisation of Adult Social Care should have at its centre local accountability and local decision making by democratically elected Local Members; and
 - (vi) **AGREED** to continue with Member Update Seminars for further consideration of, and in tandem with, Scottish Government updates in respect of a National Care Service.

13. Annual Review of Standing Orders Relating to the Conduct of Meetings Ath-sgrùdadh air Gnàth-riaghailtean

There had been circulated Report No. HC/30/21 dated 26 September 2021 by the Executive Chief Officer Performance and Governance.

Decision

The Council:-

- (i) **AGREED** the revision to Standing Order 12 set out in Section 4 of the report; and
- (ii) **NOTED** that a Members' Survey would be issued in the coming weeks which would include a section on governance arrangements which would help to inform whether to consider further adjustments to Standing Orders.

14. Platinum Jubilee Iùbailidh Platanaim

There had been circulated Report No. HC/31/21 dated 18 October 2021 by Executive Chief Officer Resources and Finance.

Decision

The Council:-

- (i) **AGREED** that the additional public holiday on 3 June 2022 should be taken; and
- (ii) **NOTED** that offices and schools would be closed (subject to Scottish Government approval as per Section 5.2 of the report) with minimal service provision on that day, such as emergency services and waste.

15. Timetable of Meetings 2022 Clàr-ama Choinneamhan 2022

It was **AGREED** that a meeting of the Pensions Committee should be held on 14 February 2022.

It was also **AGREED** that further consideration should be given to the scheduling of the South Planning Applications Committee on 3 May 2022 which was still considered to be too close to the date of the Local Government Election (5 May).

16. 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 9 September 2021 was available on the Council's Website.

17. 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.

18. North Coast Care Facility – Recommended Delivery Option

There had been circulated to Members only Report No. HC/32/21 dated 12 October 2021 by the Executive Chief Officer Health and Social Care.

Following discussion, the Council **AGREED** the recommendations as detailed in the report.

The meeting ended at 5.15pm.