

Highland Council

Minutes of Meeting of the **Nairnshire Committee** held in the Chamber, The Courthouse, High Street, Nairn on Tuesday 15 November 2022 at 10.40 am.

Present:

Mr L Fraser
Mr M Green

Ms B Jarvie
Mr P Oldham

In attendance:

Mrs K Lackie, Acting Depute Chief Executive and Executive Chief Officer, Performance & Governance

Mr L Hannah, Ward Manager, Communities and Place

Mr S Dalgarno, Development Plans Manager, Infrastructure, Environment & Economy

Mr D Chisholm, Planner, Infrastructure, Environment & Economy

Mr S Manning, Principal Traffic Officer, Infrastructure, Environment & Economy

Mrs L Dunn, Principal Administrator, Performance and Governance

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

Mr M Green in the Chair

BUSINESS

1. Apologies for Absence Leisgeulan

There were no apologies for absence.

2. Declarations of Interest Foillseachaidhean Com-pàirt

There were no declarations of interest.

3. Inner Moray Firth Proposed Local Development Plan 2 Plana Leasachadh Ionadail 2 ga Mholadh airson Linne Mhoireibh A-staigh

There had been circulated Report No NC/**12**/22 by the Executive Chief Officer Infrastructure, Environment & Economy.

A presentation was provided, summarising the process for the Inner Moray Firth Local Development Plan (IMFLDP), the consultation responses, proposed adjustments, and the next steps.

During discussion, the following main points were raised:

- Members were strongly of the opinion that there should be no further development on NA05 or NA06 until the A96 Nairn bypass had been completed and the importance of the bypass to the whole of the east coast was emphasised. Reference was drawn to the papers whereby it indicated that the Council would request that, if the Reporter was so minded, the

following statement be inserted at the beginning of the list of Development Requirements: “*Delivery of the A96 Nairn Bypass is a pre-requisite to the development of NA05: Nairn East & NA06: East of the Retail Park.*” In support of this, advice from the Principal Planning Solicitor was referred to, namely that it was important to note that the current Inner Moray Firth Proposed Local Development Plan (IMFLDP) was adopted seven years ago. As plans aged, less weight was attributed to them when determining planning applications. One consequence of delay at this stage in the process to replace a plan was that a plan vacuum occurred and communities were exposed to the uncertainty caused by a planning by application/appeal approach to decision making. It was emphasised that having a plan which stated that there was to be no development at NA05 and NA06 prior to the completion of the Nairn Bypass would considerably strengthen the ability to prevent development ahead of the Bypass rather than having to rely on a seven year old plan;

- clarification was sought and provided on the longer term indicative housing capacity intended for NA05: Nairn East which was 650 to 850, noting that a Development Brief would be required to examine issues further and identify suitable land uses and final housing capacity. The process for the provision of the required Development Brief was summarised, and Members referred to the importance of having a Local Place Plan (LPP) in place, which would be an important mechanism to shape future planning and investment decisions. It was noted that the Council was ready to support the community in preparing its Local Place Plan, although there was some disappointment that the Council and Members could have been better represented at the recent local public meeting;
- considerable support was voiced for the need to expedite the development of an LPP for Nairn as a key priority, with reference to other Highland Council Areas which already had one in place. The value of a LPP to community empowerment and to enhance and work in tandem with the Local Development Plan was emphasised. It was of concern that the LPP would not be finalised in time to be considered alongside the preparation of IMFLDP2. The community-led nature of the LPP was explained, along with its complimentary role to the Development Plan. Even if the LPP was not finalised in time for this iteration of the IMFLDP, it could still be able to inform and influence the Development Brief for NA05/NA06 and other planning decisions;
- in relation to NA05, Nairn East, attention was drawn to concerns about residential allocation adjacent to existing industrial allocation and a summary was provided of relevant national and local policies which sought to protect existing businesses, as well as the ability to do so through the Development Brief process;
- in relation to AU01, Auldearn, rigorous assessment of any schemes proposed in relation to flooding and drainage issues was essential; and
- in relation to NA02, Showfield East, the proposed inclusion of community uses, alongside housing, and a potential bowling green were welcomed.

Thereafter, the Committee:

- i. **AGREED** the recommended Council response to the place-specific issues relevant to this Committee area raised in representations received on the Proposed Plan as set out in Appendix 1 to the report;

- ii. **NOTED** the issues raised in representations as they related to strategic matters that might have implications for this Committee area and the working draft response to these issues as set out in Appendix 2 to the report;
- iii. **AGREED** to authorise officers to undertake the statutory and other procedures required to submit the Plan to Scottish Ministers and to progress the Plan through its examination up to but excluding the Plan's adoption; and
- iv. **AGREED** authority be delegated to the Executive Chief Officer Infrastructure, Environment & Economy, in consultation with the Chair of the Committee, to make any necessary Habitats Regulations Appraisal, factual or other non-material changes to Appendix 1 to the report prior to its submission to the Scottish Government.

At this point, the meeting was adjourned at 11.25am and reconvened at 11.35am.

4. **Common Good Math Coitcheann**

4.a **Parking on Common Good Land Parcadh air Talamh Maith Choitichinn**

There had been circulated Report No NC/13/22 by the Executive Chief Officer Infrastructure, Environment and Economy.

During discussion, the following main points were raised:

- the additional income generated by the Scheme, 100% of which would be retained by the Nairn Common Good Fund (NCGF), was welcomed;
- it was requested that Members be provided with a detailed breakdown of the proposed charges to be levied on the NCGF for the cost of operating the service prior to them being paid;
- a request was made for a general traffic management review to be undertaken of the wider Links area (including the Links and Harbour areas) and presented to a future meeting of the Committee;
- confirmation was provided that the contradictory campervan signage at Harbour Street had been corrected;
- further information was sought and provided about permit holder parking at the harbour during which it was explained that a permit scheme had been implemented as a courtesy measure to harbour users but that this could not be legally enforced. In order to enforce this site, a Traffic Regulation Order amendment would be required. This would require further discussion with Members prior to any further action being taken; and
- confirmation was provided that the anomaly with regard to £10 notes not being accepted at certain parking machines had been corrected. Further information could be provided to Mrs B Jarvie on which machines had been affected and the date this had been resolved. With regard to impact on income, it was indicated £21k had been collected in the first six months of 2022/23 and it was therefore anticipated that income would be in line with the previous year (2021/22) whereby £33k had been collected.

Thereafter, the Committee **NOTED** the success of the Invitation to Pay Parking Scheme in terms of income generation for the Nairn Common Good Fund and **AGREED**:

- i. the Invitation of Pay Parking Scheme continued in its current form at each of the three sites detailed for a further period of four years, subject to a review on an annual basis; and
- ii. that:
 - a. Members be provided with a detailed breakdown of the proposed charges to be levied on the Common Good Fund prior to them being paid; and
 - b. a general traffic management review be undertaken of the wider Links area and presented to a future meeting of the Committee.

4.b Harbour Street Public Toilets - Feasibility Brief Taighean-beaga Poblach Sràid a' Chalaigh – Brath Comasachd

There had been circulated Report No NC/14/22 by the Executive Chief Officer Communities and Place.

During discussion, the following main points were raised:

- the long term solution was welcome but it was proposed that investigations be made into using the Comfort Scheme as an interim measure and the outcome reported to a future meeting. Confirmation was provided that this would be further explored with neighbouring Common Good tenants by Property and Estates; and
- although supportive of the feasibility study, concern was expressed at the waste disposal facilities being located on the site.

Thereafter, the Committee **AGREED**:

- i. the draft feasibility study brief set out at Appendix 1 to the report; and
- ii. use of the Comfort Scheme being introduced as an interim measure be investigated and the outcome reported to a future meeting.

4.c Sandown Lands Community Food Growing - Feasibility Brief Fàs Bìdh Coimhearsnachd Fearann Sandown – Brath Comasachd

There had been circulated Report No NC/15/22 by the Executive Chief Officer Communities and Place.

During discussion, concern was expressed at the use of £18k from the NCGF to pay for the feasibility study and it was felt that it was difficult to justify the costs. However, although this point was recognised, undertaking the feasibility study was the desired outcome that had arisen as the result of effective engagement following a statutory public consultation. The study was necessary in order for all the options to be fully explored and would create an opportunity for third sector/voluntary organisations and individuals to work with new community run business models.

The Committee **AGREED**:

- i. the draft feasibility study brief set out in Appendix 1 to the report; and
- ii. use of £18k Nairn Common Good Fund cash reserves in 2022/23 for the costs of the feasibility study.

4.d Nairn Common Good Fund (NCGF) Maoin Math Coitcheann Inbhir Narann

There had been circulated Report No NC/16/22 by the Executive Chief Officer Communities and Place.

During discussion, the following main points were raised:

- it was clarified that this related to monitoring of commercial activity of the NCGF, not the total value, i.e. the assets, which was reported in the annual accounts;
- it was highlighted that action agreed at the previous meeting in respect of presenting the annual accounts in more detail remained outstanding. It was reported that a suite of operational NCGF monitoring reports were being developed focussing on income and expenditure and would be presented on a quarterly basis for discussion at the Area Business Meeting;
- it was indicated that the Investment Sub Committee managed the investment of the NCGF based on the views of the Nairnshire Committee. At present, the fund was currently being invested based on growth rather than income. It was requested that a report be submitted to a future meeting of the Committee to review the recommendations to the Investment Sub Committee on how the NCGF funds were managed/invested;
- the surpluses were welcomed; and
- in regard to demolition and removal of the Links Store, it was reported that these works would be undertaken at a cost of around £5k, which was in line with the original budget, but discussions would be ongoing with Maintenance Services regarding this.

Thereafter, the Committee:

- i. **NOTED** the position of the Nairn Common Good Fund as shown in the Quarter 2 Revenue Monitoring Statement against Budget for 2022/23; and
- ii. **AGREED** a report be submitted to a future meeting of the Committee to review the recommendations to the Investment Sub Committee on how the NCGF funds were managed/invested.

5. Minutes Geàrr-chunntas

There had been circulated and **NOTED** Minutes of Meeting of the Nairnshire Committee held on 8 August 2022 which were approved by the Council on 22 September 2022.

Prior to concluding the meeting, best wishes were extended to Mr D Wilson with his retirement.

The meeting was concluded at 12.06pm.