

The Highland Council
No. 5 2023/2024

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 14 September 2023 at 10.35 am and reconvened on Tuesday, 3 October 2023 at 12 noon.

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

Meeting on Thursday, 14 September 2023

Present:

Mr C Aitken	Mr D Louden
Ms S Atkin	Mr A MacDonald
Mr M Baird	Mr W MacKay
Mr A Baldrey	Mr G MacKenzie.
Mr C Ballance	Mrs I MacKenzie
Dr C Birt	Mr S Mackie
Mr B Boyd	Mr A MacKintosh
Mr R Bremner	Mr R MacKintosh
Mr I Brown	Mrs A MacLean
Mr J Bruce	Ms K MacLean
Mr M Cameron	Mr T MacLennan
Mrs I Campbell	Mr D Macpherson
Mrs G Campbell-Sinclair	Ms M MacCallum
Mr A Christie	Mrs B McAllister
Mrs M Cockburn	Ms J McEwan
Ms T Collier	Mr J McGillivray
Mrs H Crawford	Mr D Millar
Ms S Fanet	Mr H Morrison
Mr J Finlayson	Mr C Munro
Mr D Fraser	Mrs P Munro
Mr L Fraser	Ms L Niven
Mr K Gowans	Ms M Nolan
Mr J Grafton	Mr P Oldham
Mr A Graham	Mrs M Paterson
Mr R Gunn	Mrs M Reid
Mrs J Hendry	Mr M Reiss
Ms M Hutchison	Mr A Rhind
Mr A Jarvie	Mrs T Robertson
Mrs B Jarvie	Mr K Rosie
Ms L Johnston	Mrs L Saggars
Mr R Jones	Mr A Sinclair
Mr S Kennedy	Ms M Smith
Ms L Kraft	Mr R Stewart
Ms E Knox	Ms K Willis
Mr B Lobban	
Mr P Logue	

Meeting on Tuesday, 3 October 2023

Present:

Mr C Aitken	Ms E Knox
Ms S Atkin	Ms L Kraft
Mr M Baird	Mr B Lobban

Mr A Baldrey

Mr C Ballance

Dr C Birt

Mr B Boyd

Mr R Bremner

Mr I Brown

Mr J Bruce

Mr M Cameron

Mrs I Campbell

Mrs G Campbell-Sinclair

Mr A Christie

Mrs M Cockburn

Ms T Collier

Ms S Fanet

Mr J Finlayson

Mr D Fraser

Mr R Gale

Mr K Gowans

Mr J Grafton

Mr A Graham

Mr R Gunn

Mrs J Hendry

Ms M Hutchison

Mr A Jarvie

Mrs B Jarvie

Ms L Johnston

Mr R Jones

Mr S Kennedy

Mr P Logue

Mr D Louden

Mr W MacKay

Mr G MacKenzie.

Mrs I MacKenzie

Mr S Mackie

Mr A MacKintosh

Mr R MacKintosh

Mrs A MacLean

Ms K MacLean

Mr T MacLennan

Mr D Macpherson

Ms M MacCallum

Ms J McEwan

Mr J McGillivray

Mr D Millar

Mr H Morrison

Mr C Munro

Ms L Niven

Ms M Nolan

Mr P Oldham

Mrs M Paterson

Mrs M Reid

Mr K Rosie

Ms M Ross

Mrs L Saggars

Mr R Stewart

Ms K Willis

In Attendance:

Chief Executive

Interim Depute Chief Executive

Interim Executive Chief Officer, Performance and Governance

Executive Chief Officer, Communities and Place

Executive Chief Officer, Education and Learning

Executive Chief Officer, Health and Social Care

Executive Chief Officer, Infrastructure, Environment and Economy

Executive Chief Officer, Housing and Property

Mr B Lobban in the Chair

Preliminaries

Prior to the commencement of formal business, the Convener, on behalf of Members, welcomed Mr Derek Brown as the new Chief Executive of the Highland Council. In reply, Mr Brown said how much he was looking forward to his new role and working together with Members to improve the lives and opportunities for communities across Highland.

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

Apologies for absence were intimated on behalf of Mr R Gale, Mr M Green and Mr D Gregg for 14 September and from Mrs H Crawford, Mr L Fraser, Mr M Green, Mr D Gregg, Mr A MacDonald, Mrs B McAllister, Mrs P Munro, Mr M Reiss, Mr A Rhind, Mrs T Robertson, Mr A Sinclair and Ms M Smith for 3 October 2023.

2. **Declarations of Interest/Transparency Statements** **Foillseachaidhean Com-pàirt/ Aithris Fhollaiseachd**

The Council **NOTED** the following Declarations of Interest:-

Item 17 – Mr M Baird, Mrs I Campbell, Mr J Finlayson, Mr A Graham, Mr S Kennedy, Ms L Kraft, Mr D Loudon, Mr A MacDonald, Mr R MacKintosh, Mr C Munro, Mrs P Munro and Mr K Rosie.

The Council also **NOTED** the following Transparency Statements:-

Item 5 – Mr A Christie
Item 7iii – Mr A Christie
Item 9 – Mr A Christie
Item 10 – Mr A Christie, Mr A MacKintosh and Mr R MacKintosh
Item 11 – Mr A Christie
Item 12 – Mr A Christie and Mr M Cameron
Item 17 – Ms S Atkin
Item 19 – Mr K Gowans

3. **Recess Powers** **Cumhachdan Fosaìdh**

It was **NOTED** that the recess powers granted at the meeting on 29 June 2023 had not required to be used in relation to the full Council.

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 29 June 2023 as contained in the Volume which has been circulated separately - which were **APPROVED** – subject to the inclusion of Mr D Gregg in the attendance.

It was also **AGREED**, in relation to Item 6 vi, that all Members would be notified of the dates of meetings of the Wildfire Working Group.

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 as contained in Volume which had been circulated separately as undernoted:-

Nairnshire Committee	7 August
Easter Ross Area Committee	7 August
**Sutherland County Committee	8 August
Lochaber Area Committee	8 August
Housing and Property Committee	10 August
Isle of Skye and Raasay Committee	14 August
Dingwall and Seaforth Area Committee	14 August
Black Isle Committee	15 August
*Economy and Infrastructure Committee	17 August

Caithness Committee	21 August
Badenoch & Strathspey Area Committee	21 August
Health Social Care and Wellbeing Committee	24 August
City of Inverness Area Committee	28 August
Wester Ross Strathpeffer and Lochalsh Committee	4 September
Corporate Resources Committee	6 September
**Education Committee	7 September

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

Sutherland County Committee - 8 August

***Starred Item: Item 5: Winter Service Plan for 2023/24**

The Council **AGREED** that the Sutherland County Committee revisit its Winter Service Plan to investigate how the road from Lochinver Primary School, South, to Inverkirkaig Bridge could be re-prioritised from the category “Other” to “Secondary”, from within existing resources.

***Starred Item: Item 6: Dornoch Business Improvement District**

The Council **AGREED** to support the Dornoch BID Proposal.

Economy and Infrastructure Committee - 17 August

***Starred Item: Item 21a – Appointments to Sub-Committees/Working Groups**

The Council **AGREED** the membership of the Wildfires Working Group as follows:-

Mr M Baird, Mr C Birt, Ms S Fanet, Mr D Fraser, Mr R Jones, Mr S Kennedy, Mr P Logue, Ms K MacLean, Mrs T Robertson, Mr R Stewart.

City of Inverness Area Committee - 28 August

Notice of Amendment: Item 6 - Making Academy Street a Place for Everyone Brath Atharrachaidh - A' Dèanamh Sràid na h-Acadamaidh na h-Àite do na h-Uile

Transparency Statement: Mr A Christie made Transparency Statement in respect of this item as a Non-Executive Director of NHS Highland and a Non-Executive Member of the Inverness BID Board. However, having applied the objective test, he did not consider that he had an interest to declare.

With reference to the Minutes of the Meeting of the City of Inverness Area Committee held on 28 August, the following Notice of Amendment had been received in accordance with Standing Order 13:-

“We the undersigned, give this Notice of Amendment to rescind the decision of the City of Inverness Area Committee, meeting on Monday 28th August 2023 in relation to Item 6 Making Academy Street a Place for Everyone”.

Signed: Mr A Christie Mr A Graham Mr C Aitkin Mrs T Robertson Mrs B McAllister
Mr D Macpherson Mr A MacKintosh Mrs I MacKenzie Mrs H Crawford

In this connection, there had been re-circulated Report No. CIA/21/23 dated 17 August 2023 by the Interim Executive Chief Officer Infrastructure & Environment.

In introducing the report, the Executive Chief Officer, Infrastructure, Environment and Economy explained that Academy Street was just one of a number of projects being put together to regenerate the city centre and increase its appeal for residents, visitors and businesses as a gateway to the Highland capital. Academy Street played a significant role in welcoming visitors from near and far and it was believed that the recommended design would enhance the city centre and continue to make Inverness a prime destination within the north of Scotland. It was important to recognise that whatever projects came forward had to be considered within the context of the City Vision, which the City of Inverness Area Committee had agreed to fairly recently, which looked ahead to 2035 and included a range of different schemes.

The report referenced a number of important points, one being that the design had evolved over time. Over the last year it had gone through various iterations as the design of any major infrastructure project did. With any major infrastructure project there were positive and negative views, and the report rightly recognised that there were those who were against the proposals and those who were supportive of them. However, the decision to be taken today was not the final decision on the matter. As could be seen from the recommendations, there was still a formal legal process to go through in terms of the Traffic Regulation Order. That would involve preparation of the final designs, full consultation and a further report to the City of Inverness Area Committee. Depending on the outcome of today's discussion, there would be further engagement with all stakeholders, and that would continue to be done in a positive, proactive and collaborative way.

To date, as could be seen in the report, no alternative designs had been put forward that officers believed could attract the funding required, but officers remained open to these, as they always had. Another important point was that significant engagement had been undertaken with a number of different individuals, businesses, groups and representative bodies. It was recognised that there were differences of opinion but it was stressed that engagement would continue as matters moved forward over the next few months.

The Convener highlighted that the decision made by the City of Inverness Area Committee on 28 August 2023 had not been implemented and the matter was for Members to decide today.

Lengthy and detailed discussion then took place during which the following main points were raised:-

- support was expressed for improving Academy Street. However, it was necessary to take the time required to get the right solution for the capital of the Highlands. A staged approach was therefore proposed, starting with an economic impact assessment and including a two-month trial of the City of Inverness Area Committee's preferred option to assess the impact of displaced traffic on surrounding areas, and a survey/referendum to gather the views of local people;
- there was a lot to be gained from improving Academy Street but it was important to take people and businesses along, and several Members expressed concern regarding the lack of consultation on the proposals and called for further in-depth consultation. However, other Members commented that consultation had been ongoing for several months, including three full-day engagement sessions at the Spectrum Centre, an officer presentation to the Inverness Business Improvement District (BID) Board, a stakeholder breakfast at the Town House and two Members' briefings;
- concern was expressed regarding the proposed road layout, particularly the turn into Post Office Avenue from Church Street, and calls were made for a traffic survey and site

visit;

- it was important that any new design did not lead to people shopping at the retail park at every opportunity and not spending any money in the city centre, and did not make it so difficult for people to get across the city that issues were created in other areas such as Crown and the Longman;
- Academy Street had been discussed at length at the City of Inverness Area Committee and the majority of Members had voted to support the recommendation, which it was believed was the correct decision made in the right place;
- the recommendation sought to remove vehicles that used Academy Street as a shortcut, and which did not stop and support the city centre;
- it was acknowledged there would be some displacement of traffic to Crown and the Longman. However, Crown Community Council had submitted a list of mitigation measures they would wish to be introduced if the proposals went ahead, and officers were keen to engage with them in that regard;
- supporting the recommendation would lead to Academy Street becoming a modern, safe street for pedestrians, cyclists, wheelchair users, families etc who would want to shop and would be supporting businesses;
- it was emphasised that the recommendation simply sought to move the project to the next stage which included a Traffic Regulation Order, further consultation and equalities and economic impact assessments. Only when all of these had been undertaken would a further report come before the City of Inverness Area Committee for a decision as to whether or not to proceed with the proposal;
- a huge sum of money was involved and it was questioned whether taxpayers' money was being spent prudently;
- it was suggested that out-of-date air pollution figures were being used to justify the proposals;
- traders feared for the viability of their businesses. If the Council made the wrong decision and the number of businesses in the area decreased, the impact would be felt across Highland;
- the streets and lanes in the area affected had a combined rateable value of just over £25m. The poundage rate was currently £0.498p which suggested this small area brought in at least £10m per year in business rates, the majority of the cost of building a new primary school every year;
- to date, there had been no reports on economic, equality, traffic and emissions impacts;
- redesigning the city centre should be inclusive and open to input from all stakeholders;
- a narrow carriageway shared with vehicles was not an enticing prospect for cyclists;
- four years ago, Members had been promised an "Altrincham Model" yet there was no evidence of that in Option B. It was added that in Altrincham people had a choice as to how they travelled into the city centre whereas the Academy Street proposal removed choice and forced vehicles into a funnel;
- reduced access for residents, delivery services such as takeaways, and visitors would harm businesses city-wide, and it was necessary to consider these broader repercussions;
- a visitor trying to reach Loch Ness from the Royal Highland Hotel, forced to detour through Crown, would double their journey time;
- residents should not have to endure thousands of unnecessary vehicles congesting already poorly-maintained and crowded streets;
- Home Carers used the direct route through Academy Street to reach clients. These were essential workers who should not have to face convoluted journeys on much longer routes;
- businesses were increasingly moving out of the city centre to retail/business parks, leaving the city centre bereft of attraction, and concern was expressed that absent landlords, crumbling buildings, broken windows and antisocial behaviour could become the norm;
- businesses were still grappling with the aftermath of Covid as well as the current

inflationary and staffing pressures, and the additional stress associated with the proposals came at an unwelcome time;

- the proposed east-west divide would lead to chaos and confusion;
- complex access to car parks and concerns about private parking in the city centre were driving people away;
- Inverness was not like larger cities with long-established reliable public transport;
- more and more people were working from home, and housing developments outside the city were establishing their own retail hubs;
- it was necessary to safeguard what remained of the city, which was a vital hub for surrounding areas;
- the project lacked the necessary groundwork, and Members were urged not to rush into a decision they would come to regret;
- concern was expressed regarding road safety in the areas that would be affected by displaced traffic, particularly the Hill District where there was a primary school;
- the Academy Street project was at the second stage of a four-part design process, a design that would be accessible for all and fit in with the wider city vision, including the development of Inverness Castle, the Railway Station, Bus Station and the Longman;
- since the City of Inverness Area Committee on 28 August 2023, positive discussions had taken place with members of the local business community as to how to work together to ensure the best information was gathered and shared to get to a point of a strong business case that met the needs of all i.e. people who lived and worked in the city, people who used the city for shopping and leisure and the businesses that depended on trade for their livelihoods;
- Academy Street was currently not a welcoming place due to narrow footpaths, empty properties and slow-moving cars spewing exhaust fumes. However, the pedestrian streets in the city centre were a vibrant, safe, pleasant place to be and there were plenty of people on the streets and in the shops and it was questioned why businesses in Academy Street would not want to be part of that;
- in relation to displaced traffic, the figures in the report represented the worst-case scenario and did not take account of the natural evaporation of traffic that occurred when any change took place. In addition, there was no mention of Park and Ride which would continually reduce traffic in the city centre;
- concern having been expressed regarding the misinformation being shared, it was emphasised that the report was not proposing a low-emission zone, there was no proposal to limit Blue Badge parking or to have café tables and buses share a carriageway, there would continue to be vehicular access to businesses in the area and parking would continue to be provided at Rose Street and Eastgate car parks, both of which were within easy walking distance of Academy Street;
- officers had gone to great efforts to look at similar schemes elsewhere in the country and had, and would, continue to consider the economic impact of the proposals. Other Members questioned why information on the economic impact had not been shared;
- Academy Street was dying at present, and the impact of doing nothing would be felt across the city and the wider Highlands;
- when visitors arrived by bus or train they were more likely to stay if they saw an inviting street;
- the funding for the project was Scottish Government money and if it did not come to Inverness it would go elsewhere. In that regard, information was sought, and provided, on the bidding process. It was added that the funding was one-off and did not cover ongoing maintenance;
- the number of representations Members had received from health care professionals in support of the proposals was highlighted. Academy Street was one of the most polluted streets in Scotland and the proposals were the first step in improving air pollution, which was a serious health risk;
- many of the journeys people made to Inverness from elsewhere in Highland were enforced due to the centralisation of services rather than for shopping or recreational

reasons;

- several Members expressed support for the suggested two-month trial, which would show whether the proposal worked or not. However, other Members commented that what was being proposed was half a trial which would only highlight the drawbacks and not many of the advantages – for example, the benefits to wheelchair users and other people with limited mobility would not be evident until the pavements were widened;
- improvements to the city had been discussed for well over a decade but progress had been frustratingly slow. Reference was made to previous attempts by the media to accelerate and inform the process, and to Inverness BID's priorities for the next five years as set out in their recent report to the City of Inverness Area Committee. It was possible to deliver all of Inverness BID's priorities, which were the Council's aspirations too, but they could only be achieved if Members agreed to move forward in a progressive and expedient way rather than having costly and regressive delays that would mean the opportunity for significant improvements might be lost forever. Members were urged to support the original decision by the City of Inverness Area Committee to bring benefit to the city and the Highlands, reduce pollution, reduce traffic flow, reduce the health risks associated with poor air quality and improve the city's appeal;
- it was acknowledged that there would be disruption during the construction phase and it was necessary to continue to engage with partners and stakeholders as to how best to mitigate the risks;
- thanks were expressed to all officers involved for their efforts in getting to this stage;
- comparisons were made with the Riverwide Way initiative which had been controversial and which Ballifeary Community Council had been firmly against yet had benefited the wider community enormously;
- pavements were congested yet no one talked about pedestrian traffic and concern was expressed regarding the lack of political will to stand up for minority groups such as cyclists, disability users and those who relied on public transport;
- the need for a clear direction in terms of Active Travel was emphasised;
- displaced traffic would place significant pressure on the various roundabouts in the surrounding area, particularly the Millburn Road roundabout due to the railway crossing at the exit to Harbour Road;
- pollution on Academy Street had improved as Stagecoach had put on 25 new electric buses;
- it was questioned whether an assessment had been carried out of the impact on Council income of more people parking in the privately owned Eastgate car park rather than Rose Street car park;
- it had been suggested, at one of the engagement sessions at the Spectrum Centre, that consideration be given to removing the bollards preventing access from Academy Street to Rose Street, which would take traffic to the Rose Street car park and the Longman, and it was questioned what had happened to this and other suggestions made;
- many people were not aware that motorists would receive a £100 fine for entering the proposed new bus lane;
- the Spaces for People project had led to huge tailbacks which had added to the pollution on Academy Street;
- reference was made to the traffic congestion issues experienced when the Kessock Bridge was required to close and it was requested that this be taken into consideration when consulting on the proposals;
- there was some urgency to progress the project to avert a climate emergency and avoid soaring costs and the suggested trial and referendum would create a delay;
- it was necessary to consider what would happen if the Council was not successful in obtaining further Scottish Government funding;
- Traffic Regulation Order consultation did not constitute the sort of consultation and engagement required on a scheme the Council was seeking to introduce;
- it was questioned how it could be known that the proposed design was the best possible

outcome for residents and businesses if a trial did not take place. It was what businesses and many people wanted and two months was not a long time to wait if it meant the right solution was reached;

- the Wards that had the closest connection to Academy Street had voted against the proposal at the City of Inverness Area Committee; and
- businesses at the bottom of Academy Street were thriving because people were going there and there was a risk the proposals would change that.

Thereafter, Mr A Christie, seconded by Mrs H Crawford, **MOVED** that the future of Academy Street be progressed in clear stages to determine the best option to implement:

Stage 1: That an independent economic impact assessment be commissioned and when complete the findings reported to a special meeting of the City of Inverness Area Committee.

Whilst this was underway consultation should take place with businesses, groups, individuals and other interested parties.

Additionally, further modelling on displaced traffic and its impact upon areas especially the Crown, Longman and Castle Street be carried out and shared with all stakeholders. This would all allow time for further dialogue and meaningful consultation.

Stage 2: The City of Inverness Area Committee consider the economic impact assessment and outcomes of the further consultation and research and decide upon a preferred option for making Academy Street a place for everyone.

Stage 3: That arrangements and actions be initiated to allow a two month trial period of the preferred option.

Stage 4: The City of Inverness Area Committee consider and implement a method/process whereby local people can vote in an advisory style referendum to endorse or not the preferred option.

Stage 5: That officers proceed with finalising the design of the preferred option and commence consultation on the required Traffic Regulation Order.

As an **AMENDMENT**, Mr I Brown, seconded by Mrs J Hendry, **MOVED** the decisions that had been made by the City of Inverness Area Committee at its meeting on 28 August 2023.

On a vote being taken, the **MOTION** received 33 votes and the **AMENDMENT** received 35 votes, with 2 abstentions. The **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr J Grafton, Mr A Graham, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr S Kennedy, Mr P Logue, Mr A MacDonald, Mr W MacKay, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Ms M MacCallum, Mrs B McAllister, Ms J McEwan, Mr J McGillivray, Mr H Morrison, Ms M Nolan, Mrs M Paterson, Mr M Reiss, Mr A Rhind, Mrs T Robertson, Mrs L Sagers, Mr A Sinclair, Ms M Smith, Mr R Stewart.

For the Amendment:

Ms S Atkin, Mr A Baldrey, Mr C Ballance, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr G

MacKenzie, Mr R MacKintosh, Ms K MacLean, Mr D Millar, Mr C Munro, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Reid, Mr K Rosie, Ms K Willis.

Abstentions:

Mr T MacLennan, Mrs I Campbell.

Decision

The Council **AGREED** the decisions that had been made by the City of Inverness Area Committee at its meeting on 28 August 2023, as follows:-

- i. **NOTED** design progress, which struck a balance between delivering sustainable transport, city centre regeneration and supporting the city centre economy; and
- ii. **AGREED** that officers proceed with finalising the proposed design and consult on a Traffic Regulation Order, as explained in Section 10 of the report, including appropriate equalities and economic impact assessments while exploring additional measures to encourage people to travel to the city centre including park and ride and improved public transport and active travel.

Education Committee - 7 September 2023

***Starred Item: Item 11– Review of Statutory Consultation Exercise – Closure of Struan Primary School**

The Council **AGREED** to discontinue education provision at Struan Primary School, transferring its catchment to that of Dunvegan Primary School.

***Starred Item: Item 12- Review of Statutory Consultation Exercise – Closure of Torridon Primary School**

The Council **AGREED** to discontinue education provision at Torridon Primary School, transferring its catchment to that of Shieldaig Primary School.

Minutes of Meetings not included in the Volume:-

- (i) Community Planning Board held on 9 December 2022 (approved by the Board on 22 June 2023) – **NOTED**;
- (ii) Highland and Western Isles Valuation Joint Board held on 21 March 2023 (approved by the Board on 22 June 2023) - **NOTED**;
- (iii) Investment Sub Committee held on 22 June 2023 - **APPROVED**; and
- (iv) Redesign Board held on 30 August 2023 - **APPROVED**.

**6. Question Time
Àm Ceiste**

The following Questions had been received by the Head of Legal and Governance.

Member Questions

(1) Mr M Reiss

To the Chair of Economy and Infrastructure

Officers have mentioned recent exercises held with Transport Scotland regarding different sections of Trunk roads in Highland being closed on a long term basis to clarify what alternatives were feasible especially for Heavy Goods Vehicles- what alternative route for

commercial vehicles was identified for the A9 if it was closed in the Portgower area of Sutherland?

The A9 is used by all traffic to/from Orkney and also by businesses based at Scrabster which include high value fish cargos. The A9 is also the route to Dounreay, NRTE Vulcan and the Sutherland spaceport.

This question is recognising that in 2019 the A9 south bound was closed near Portgower for several weeks due to a landslide but, fortunately, one lane remained open with traffic light control.

The response had been circulated.

In terms of a Supplementary question, it was queried what the alternative route for commercial vehicles using the A9 would be if it was closed in the Portgower area of Sutherland.

In response, the Chair of Economy and Infrastructure undertook to consult with transport officers and other partners to get this information.

(2) Mr A Baldrey

To the Leader of the Council

The Scottish Household Survey 2020 found higher rates of loneliness reported for lone parents (64%), single adults under pension age (63%) and single adults over pension age (46%). In 2021, British Red Cross research identified those living alone, clinically vulnerable people and carers as being particularly isolated.

What steps is Highland Council taking to provide assistance and so reduce feelings of loneliness in its population?

The response had been circulated.

In terms of a Supplementary question, information was sought on the impact that the Council's saving of £10M over the last 10 years had had on their ability to tackle the problem of loneliness.

In response, although the Leader did not have this information to hand, he acknowledged that loneliness was a serious issue that had been brought to light since the COVID pandemic and that Members should keep it foremost in their minds.

(3) Mrs I MacKenzie

To the Chair of Economy and Infrastructure

You cannot walk around Inverness area without being aware of weeds over pavements, with blocked drains and gullies, which I'm sure most of us have received complaints from residents. Why has it reached this stage and when is it going to be fixed?

The response had been circulated.

In terms of a Supplementary question, it was queried how the problem of drains blocked by vegetation would be resolved before the winter months which would likely bring heavier rainfall.

In response, it was stated that this was an operational matter and that officers would be asked to investigate this and circulate their answer to Members.

(4) Mr C Ballance

To the Leader of the Council

The Scottish Women's Budget Group survey of women and transport across Scotland, published in August, found that 26% of women surveyed – rising to 47% of disabled women- are dissatisfied with safety on public transport.

In March this year Transport Scotland (Report: Women and girls' views and experiences of personal safety when using public transport March 2023) recommended amongst other things the development of "more credible and accessible information and guidance for women and girls regarding what to do and who to contact if they feel threatened or unsafe or if they are victim to incidents when using public transport."

If Highland Council is aware of these recommendations, what is it doing about it?

The response had been circulated.

In terms of a Supplementary question, it was queried whether the Leader would agree that the installation of CCTV on buses was important to ensure the safety, dignity and independence of women and girls making bus journeys and if the council would be willing to work with bus companies to ensure that this happened.

In response, it was stated CCTV was a very good tool to improve the security of women, children and all members of the community. It would be good to look at it in a more holistic way for all the organisations and partners involved and the Highland Council would encourage that. In terms of the Council's own bus company, this would be discussed with the Chair of Economy and Infrastructure to see how it could be progressed.

(5) Mr R MacKintosh

To the Chair of the Climate Change Committee

A recent YouGov opinion poll has revealed that 67% of Highlanders support the introduction of a carbon emissions tax on Scotland's biggest land holdings, with only 16% opposing the idea, and almost 80% of voters in Scotland agree that "landowners who produce polluting greenhouse gases should have to pay for any costs resulting from it". It is clear that there is massive support for a carbon emissions tax, which will help Highland reach Net Zero, and will generate income for the cash strapped Highland Council.

Please can the Chair of the Climate Change Committee advise when the CELT members workshop will be held, as agreed at the Climate Change Committee in May.

The response had been circulated.

In terms of a Supplementary question, it was queried when the Carbon Emissions Land Tax workshop would be held.

In response, the importance of insuring that all information was up to date before the workshop took place was emphasised and it was confirmed that a date would be provided as soon as possible.

(6) Ms K Willis

To the Leader of the Council

The Good Food Nation Act (2002) requires local authorities to produce their own food plans that ensure the food system produces nourishing healthy food in ways that are sustainable and reduce food insecurity. This will require a whole system approach and partnership working with key organisation in the Highlands such as the Highland Good Food Partnership, HIE, NHS Highland, producers, suppliers, and communities.

What steps is Highland Council taking to develop a Good Food Nation Plan for the Highlands?

The response had been circulated.

In terms of a Supplementary question, it was queried, who within the Council would take the lead on delivering the Good Food Nation Plan and ensuring that all the relevant services were included.

In response, it was confirmed that this would be identified and that more could be done to define deadlines although this would be influenced by the partners involved.

7. Notices of Motion Brathan Gluasaid

(Considered on 3 October 2023)

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

(i) (Carried over from Council on 29 June 2023)

No Mow May

To encourage biodiversity and address the nature emergency, and to save the Council's limited financial and staff resources, this Council agrees to support Plantlife's "No Mow May" campaign by publicising it and by not cutting verges and other green spaces until later in the year, except where it is necessary for public and road user safety.

Signed:- Ms K Willis Mr A Baldrey

In this connection, there had been re-circulated Report No. RES/28/23 dated 25 August 2023 by the Head of Corporate Finance.

During discussion, Members raised the following issues:-

- surprise was expressed that the financial assessment concluded that it would cost £348,240 not to mow grassy areas for just one month;
- the assessment did not highlight the biodiversity benefits and it was questioned if the Climate Change team had been consulted about carbon emissions and the long term cost of not tackling the biodiversity and climate change emergency;
- the Council had declared an ecological emergency, signed the Edinburgh Declaration for Biodiversity and agreed a Net Zero Strategy and yet could not mow for one month;
- already some areas were only mowed twice a year, with many Members receiving approaches from constituents on this matter, so it was contended that there was equipment and resources available to deal with extra growth;

- since the 1970s, the UK had lost 97% of its wildflower meadows;
- an alternative was for Highland Council to encourage biodiversity and address the nature emergency by supporting and publicising Plantlife's No Mow May. However, such a move should not be seen as a commitment by the Council to No Mow May in the future;
- Plantlife were the experts on biodiversity and there was need to educate the public that not every piece of grass needed to be cut;
- there would be a conflict if the Council was to be seen to be promoting something which it wasn't doing itself;
- disappointment was expressed at to language used in recent media articles regarding the financial assessment;
- over the last few years a more pragmatic approach had been adopted to grass cutting where some areas, where possible, were left to grow;
- it was prudent not to incur additional unnecessary costs given the Council's financial position and, bearing in mind, the questionable benefits;
- the climate in Highland in May was different to other areas of the UK and a month of not mowing might better be undertaken later in the summer. It would be for the Communities and Place Committee to consider this;
- delaying mowing could result in more pesticides being used and this would have a detrimental effect on pollinators. Advice from experts needed to be taken on board before any decision was taken;
- Members had previously been asked to consider pockets of land which could be set aside. The Redesign Board were also currently looking into amenities and all these views could be taken into consideration during that process;
- long wet grass encouraged ticks, fleas etc with increased health risks, especially in areas with no paved footpaths, and if the Council was to encourage long grass then it needed to consider providing staff with PPE clothing;
- Members had a duty to represent their constituents, many of whom complained that grass should be cut more often;
- the estimated cost had excluded the costs of verge maintenance as this were unquantifiable; and
- a number of local authorities in England who had previously adopt the No Mow May proposal had since reversed that decision given the additional expense incurred and the complaints received.

Thereafter, Ms K Willis, seconded by Mr A Baldrey, **MOVED** that, to encourage biodiversity and address the nature emergency, the Council agree to support Plantlife's No Mow May campaign by publicising it.

As an **AMENDMENT**, Mr A Christie, seconded by Mr R Gale, **MOVED** that this matter be referred to the Communities and Place Committee for further consideration.

On a vote being taken, the **MOTION** received 29 votes and the **AMENDMENT** received 20 votes, with 3 abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr A Baldrey, Mr C Ballance, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr G MacKenzie, Mr R MacKintosh, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Reid, Mr K Rosie, Ms K Willis.

For the Amendment:

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mr R Gale, Mr J Grafton, Mr A Graham, Mr R Gunn, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mrs I MacKenzie,

Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Ms M Nolan, Ms M Ross, Mrs L Siggers, Mr R Stewart.

Abstentions:

Ms S Atkin, Mr R Jones, Mr S Kennedy.

Decision

The Council **AGREED** that, to encourage biodiversity and address the nature emergency, to support Plantlife's No Mow May campaign by publicising it.

- (ii) This Council notes with concern the prolonged closure of some public toilets in the Highland area and agrees that early restoration of these facilities is vital. In Thurso the closure dates back more than one year. The disabled toilet is padlocked and cannot be opened by RADAR key holders. We are in the middle of our tourist season with numerous cruise liners visiting Scrabster meaning that thousands of additional tourists visit the town. The alternative public toilet which is opened and closed by volunteers is a considerable distance away from the centre and has limited signage.

This Council therefore agrees that a report, detailing the steps to be taken to re-open the facilities, be submitted to the next meeting of Communities & Place Committee.

Signed: Mr R Gunn Mr R Gale Mrs A MacLean Mr J Grafton Mr M Baird Ms J McEwan Mr A Graham Ms M MacCallum

The Council **NOTED** that this Motion had been withdrawn.

- (iii) **Transparency Statement: Mr A Christie made Transparency Statement in respect of this item as a Non-executive director of NHS Highland. However, having applied the objective test, he did not consider that he had an interest to declare.**

Highland Council calls upon the Scottish Government to fund NHS Highland sufficiently well to do its job and avoid massive cuts!

1. Review the financial chasm between NHS Highland Services needs to deliver high-quality person-centred care and the associated budget allocated by the Scottish Government.
2. Recognize that:
 - a. As at the last published financial report of the 30th June NHS Highland had submitted a financial plan to Scottish Government for the 2023/2024 financial year, with an initial budget gap of approaching a hundred million pounds, with actual funding cuts of almost thirty million pounds proposed.
 - b. No funding source had subsequently been identified to close the associated residual gap of seventy million pounds.
 - c. The Scottish Government 'Tailored Support' to the NHS Highland Financial Plan entails a review of activities with a view to working with Lead Officers to identify activities that may be reduced or stopped.

Call upon the Scottish Cabinet Secretary for Health and Social Care to fund NHS Highland sufficiently to do its job.

Call upon the Scottish Cabinet Secretary to acknowledge the devastating effect these cuts will be on a Highland population that is already struggling to access care, dentistry, GP and hospital services across the region.

Signed:- Mr A MacDonald Mr A Graham

The Council **NOTED** that this Motion had been withdrawn.

**8. Membership of Committees
Ballarachd Chomataidhean**

The Council **AGREED** that Mr D Fraser replace Mrs M Reid on the Redesign Board and Education Committee.

**9. Annual Corporate Performance Report 2022/23
Aithisg Choileanaidh Chorporra Bhliadhnaidh 2022/23**

Transparency Statement: Mr A Christie made Transparency Statement in respect of this item as a Non-executive director of NHS Highland and as General Manager of Inverness Badenoch and Strathspey Citizens Advice Bureau. However, having applied the objective test, he did not consider that he had an interest to declare.

There had been circulated Report No. HC/28/23 dated 1 September 2023 by the Depute Chief Executive.

During discussion the following main points were made:-

- Members thanked officers for the report and for the huge amount of work that went into producing it;
- it was recognised that some data within the report would either remain blank or be out of date by the time the report has been submitted. However, this would be reviewed in due course;
- the benefit of the SALIX fund was highlighted as it helped reduce the amount of electricity being consumed for street lighting;
- whilst the target of modern apprenticeships (MA) had been 16, Members welcomed that 148 MA had been created. In this regard officers were commended for their work on this;
- regarding 4.6 of the plan, it was queried why there had been a move change to the recycling rates measurement criteria;
- it was queried if a public facing dashboard on the Council website could be created to allow members of the public to review the Councils performance statistics;
- whilst there was a target for number of new houses being built, it was requested that the corresponding targets, such as planning applications and schools, be included;
- Members welcomed the improvement in the number of days to process medical adaptations for people to continue living in their own homes;
- it was queried if the SLA (service level agreement) performance had slipped due to relevant parties not being engaged in the work;
- assurance was sought from officers regarding the asset rationalisation slippage in performance from quarter 3 to quarter 4, highlighted at 5.8 of the plan;
- an improvement in the performance report format was requested as it was felt that members of the public would not be able to understand it, and that should be the real test;
- Members welcomed the good performance regarding work with communities and partners to keep public spaces clean and safe;
- clarification was sought regarding 1.5 of the plan as it stated that the decrease of the Highland population with an HLH card could be attributed to a reduced number of library memberships. However library memberships were free and therefore not income generating;
- it was felt that the Council should be striving to achieve continual improvement and be more ambitious with their targets. However, in this regard it was felt that there was much

- to be proud of and celebrated in the performance figures;
- additional focus should be given to processing planning applications and the service should be adequately resourced to provide the best service. However, there was a national shortage of qualified planning officers and the positions were proving very difficult to recruit to;
- regarding the promotion and support of business development opportunities through Business Gateway and Highland Opportunity Investment Limited, Members felt they would like to see a continued uptake on this moving forward, and that there was a role for greater integration between the business gateway and Highland and Islands Enterprise;
- it was hoped that the Council would continue its commitment to business intelligence and getting the dashboard project underway, as it was deemed essential; and
- congratulations were expressed to schoolteachers and pupils for their improvements, especially after a time of considerable difficulty in their learning environment. In this regard it was requested that the report include children receiving special education and evidence their progression.

Decision

The Committee:-

- NOTED** the report at Appendix 1 of the report which outlined the performance for the period 1 April 2022 to 31 March 2023;
- NOTED** that any data not yet available, including the Local Government Benchmarking Framework (LGBF), be reported to Council at a later date once published; and
- AGREED** the changes to the Corporate Plan Actions and Performance Indicators, as set out in section 5.4 of the report.

10. Chief Social Work Officer Annual Report 2022/23 Aithisg Àrd-Oifigear Obrach Sòisealta 2022/23

Transparency Statement: the undernoted Members declared connections to this item but, having applied the objective test, did not consider that they had an interest to declare:-

Mr A Christie - as a Non-Executive Director of NHS Highland

Mr A MacKintosh – as a close family relative is employed in an Addition Support Needs setting

Mr R MacKintosh - as an employee of a Third Sector organisation

There had been circulated Report No. HC/29/23 dated August 2023 by the Chief Social Work Officer and Executive Chief Officer Health and Social Care.

During discussion the following main points were made:-

- appreciation was expressed for the comprehensive report on the activities of social work and social care services within the Highlands in 2022/23, together with proposed actions and interventions, and to everyone involved in supporting children, families and adults;
- the report needed to be robustly considered at future Health and Social Care Committees and/or workshops so the various elements could be carefully scrutinised, services improved and the needs of the changing demographics in Highland taken into account;
- the Health and Social Care Service directly employed around 1000 staff and worked with NHS Highland, the Third Sector, independent partners, carers and other Council services;

- it was recognised that the Covid pandemic continued to impact on the delivery of some services, not least the restriction on overnight respite;
- there had been considerable staffing changes at a senior level and it was testament to the quality and dedication of staff that services had been maintained during a very difficult period;
- the report outlined a range of improvement measures that were being implemented to address the various challenges and these put families at the heart of service delivery. They also ensured the voice of the child, young people and families was not only heard but shaped future strategy;
- it was disappointing that, despite the number of referrals continuing to drop, the data in the child protection register indicated that there were more complex issues and an increase in neglect and this was likely to be linked to the cost of living crisis;
- information was sought as to the outcome of the multi-agency audit of child protection cases which took place in July 2023;
- the development of the Families First Strategy and the associated policies were welcomed as was the success of Home to Highland, the residential care improvement plans and increased funding for Fostering and Kinship introduced in 2023;
- whilst it was important to enable young people to stay in the home environment whenever possible, there was an element of caution as there might be some cases where children needed to be removed from a family situation;
- the increase in the Foster and Kinship Carer allowances was applauded;
- disappointment was expressed concerning the findings of the Fostering and Adoption Service Registered Inspection but it was good to note that there was an extensive improvement plan in place which was being monitored;
- the excess funds resulting from the Scottish Government increase for fostering was to be directed to Family First and an idea of how much this involved was sought. It was suggested that this could be used to bring allowances more in line with the rate given to private fosterers;
- information was sought as to when Family First had been adopted. In addition, while bringing children back to Highland was to be welcomed, this might mean to Inverness, where services were centralised, and not necessarily back to areas such as Caithness. Furthermore, decisions to bring back children to Highland needed to be done on what was best for the child and not for financial reasons;
- technology was seen as an enabler of change but it was essential that good broadband and mobile phone coverage was available across all communities and that risks posed by the analogue switch off were managed;
- concern was expressed about Adult Social Care and Care Home services, especially the loss of 141 Care Home beds in 2022/23. This, combined with the unmet need for care at home of around 2,600 hours per week, highlighted the scale of the challenge facing adult services. It would be interesting to know what the Joint Monitoring Committee planned to address this, considering the recent release of the Census providing demographic data into the future;
- there had also been an increase in adult protection referrals and, to help address this, the Chair pointed out that a consultation was underway on the 2024–27 Adult Services Strategy for Highland;
- it was recognised that the Justice Team's base workload had returned to pre-covid levels and that they were having to implement a number of new policies and procedures such as the restriction of liberty order assessment;
- further information was sought as to the transition of young people with additional support needs in the system between 16 and 18 years old and the excellent work being done by staff. In this regard, the difficulties accessing Child and Adolescent Mental Health Services and Neuro Developmental Assessment Services was an area of concern;
- the provision of support for young people with autistic needs, who were sometimes particularly vulnerable and who often didn't have a voice, was often variable;

- there was a misconception that child exploitation took place elsewhere. However, it was important to recognise in Highland there were measures and teams in place to protect the safety of young people;
- it would appear that only 4% of the workforce was specifically dedicated to mental health team and 1% to emergency social work services. If more resources were dedicated that would help other third parties such as Police Scotland, NHS Highland etc;
- the challenges in setting up an out-of-hours service, especially with a mental health training component, were recognised and Members looked forward to seeing the results in the future;
- dementia was now the second highest cause of death and it was important that those showing initial symptoms were seen by a GP as soon as possible. However, access to GP services were becoming increasingly difficult and there was more of a reliance on charitable organisations, such as Age Scotland, and the Third Sector for support;
- there was a workforce shortfall, not just in Highland but nationally. Further information was sought, and provided, as to the risks associated with that, what it meant for the Council being able to meet its statutory responsibilities and how this was being mitigated. It was also important to properly manage the workload of existing employees to ensure their wellbeing. In part, a flexible approach was being adopted where possible, a policy of “growing our own” and recognising issues such as housing;
- the financial pressures placed on the Service were challenging. This meant there was a reliance on unpaid carers in communities;
- the Joint Children’s Inspectorate Report, released in December 2022, made for a disappointing reading. However, due to the phenomenal work of the Service, the situation had now been turned around and this was to be commended. The acceleration of community-based Early Years and Family Support, involving Health Visitors etc, was also welcomed;
- a number of consultation events surrounding the National Care Service had taken place and it was essential Highland’s voice was heard – that there was a remote and rural picture. For example, given the geographical spread, economies of scale could not be achieved with the provision of Care Homes and commercial models in such a setting were unworkable;
- with the loss of the Avonlea Children’s Home in Wick and the change of use of Thor House in Thurso, some parents in Caithness were being told to seek respite care in Inverness;
- the Avonlea facility had closed following an Inspection Report and it was queried why the issues raised following the first inspection had not been addressed by senior management in time for the second inspection;
- there appeared to be a contradiction between a move to buy more properties to return children to Highland to a situation where properties, such as Avonlea, were now being sold off. As a result, information was sought about the number of children coming into the care system and how many of them then were either fostered or adopted and which had resulted in the decrease that would allow Children’s Homes to be closed;
- for those properties no longer required it was important, in terms of saving money, to transfer them either to the Housing and Property Service or sell them on the open market;
- Care Home provision in Lochaber was in crisis, resulting in a significant proportion of beds in the Bedford Hospital being bed blocked. It was vital that this direction of travel was reversed. Nevertheless, generally, the individual’s care and needs should never be forgotten when being discharged to more suitable accommodation;
- in Lochaber sometimes it was more appropriate for constituents to access health care in Argyll and Bute than Highland and, in terms of social care, confirmation was sought, and received, that solutions could be found with closer co-operation with Argyll and Bute Council; and
- sometimes those in hospital were offered Care Home places far from where they had lived and more help and support from the Scottish Government was called for.

Decision

The Council **NOTED** the issues raised in the annual report and the implications for social work and social care services within Highland Council and NHS Highland.

11. Mid-Year Revenue Budget Update Ùrachadh buidseit teachd a-steach meadhan-bliadhna

Transparency Statement: Mr A Christie made a Transparency Statement in respect of this item as a Non-Executive Director of NHS Highland but, having applied the objective test, he did not consider that he had an interest to declare.

There had been circulated Report No. HC/30/23 dated 1 September 2023 by the Head of Corporate Finance, who summarised the report and made particular reference to the scale of the financial challenges being faced in the coming years. He drew attention to the historic context of the financial position, the risks of general reserves being depleted, and the need for savings, cost reductions and changes to service delivery as part of a strategic multi-year approach.

During discussion the following main points were made:-

- the Head of Corporate Finance and his team were thanked for their work;
- reference was made to the collective impact of many issues, including imminent pay awards, high inflation and interest rates, increased energy costs, contract pressures and care home challenges, all leading to a difficult financial position, although there were some income generation opportunities;
- the size of the forecast budget gap was significant, and attention was drawn to the recent bankruptcy of a local authority. It was hoped the Scottish Government would assist with the pay awards, which were being driven by inflation, and it was pointed out that this was being taken forward by CoSLA. It was felt the report did not adequately set out how the budget would be delivered, given the need for a multi-year settlement and a complex multi-layered approach;
- concern was expressed about the finances required to maintain the large Highland road network;
- it was suggested that while the Bank of England interest rates reacted to market activity, of more relevance to the Council was the Public Works Loan Board lending facility, operated by the UK Debt Management Office on behalf of HM Treasury to provide loans to local authorities from the National Loans Fund;
- it was hoped the officer representation on the VisitScotland Chaired Expert Group formulating guidelines for the Transient Visitor Levy would argue for income from this to be used for as broad a range of issues as possible, including existing issues such as roads, public conveniences and public transport, given how important these were for tourism;
- the report made reference to a range of investment opportunities, particularly in relation to the renewables sector. However the report at Item 12 on the agenda suggested a less optimistic position, with particular reference to the situation with match funding for Salix;
- it was queried whether a break from employer pensions contributions could be taken to help fund care homes;
- reference was made to the impact the capital programme had on the revenue budget;
- in response to the points made by Mr Christie's amendment, the Leader acknowledged the merit in the additional recommendations, but suggested that further engagement on the budget was required by the Senior Leadership Group in the first instance;
- in response to a query about timescales for the engagement on developing the 2023/24 budget, and how communities and young people could be involved, engagement was still at the planning stage;

- assurance was sought, and provided, that the savings measures detailed in Appendix 3, were not yet decided; and
- it was queried whether some ringfenced funds could be 'unringfenced' and used more flexibly.

Mr D Louden, seconded by Mr C Munro, **MOVED** the recommendations as detailed in the report.

As an **AMENDMENT**, Mr A Christie, seconded by Mr R Stewart, **MOVED** the recommendations detailed in the report, with the following additions:

- that special meetings of the Corporate Resources Committee be held in October, November, January and February to evaluate further the options referred to in Sections 6, 7, 8 and 9 of the report and to provide a coordinated approach to setting the Budget for 2024/25, that can also inform Council papers at future meetings; and
- that a letter be sent to the Scottish Government expressing the view that Council has concern at the continual failure of the Government to adequately finance Local Government and to seek an urgent meeting of the Council Group Leaders with the relevant ministers to discuss both revenue and capital financial settlements.

On a vote being taken, the **MOTION** received 36 votes and the **AMENDMENT** received 32 votes, with no abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Ms S Atkin, Mr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Ms I Campbell, Ms G Campbell-Sinclair, Mr M Cameron, Ms M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W MacKay, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr H Morrison, Mr C Munro, Mrs P Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Ms M Reid, Mr K Rosie.

For the Amendment:

Mr C Aitken, Mr M Baird, Mr A Baldrey, Mr C Ballance, Mr J Bruce, Mr A Christie, Mr H Crawford, Mr J Grafton, Mr A Graham, Mr R Gunn, Mr A Jarvie, Ms B Jarvie, Mr P Logue, Ms M MacCallum, Mr A MacDonald, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D Macpherson, Mrs B McAllister, Ms J McEwan, Mr J McGillivray, Mr M Reiss, Mr A Rhind, Mrs T Robertson, Mrs L Saggars, Mr A Sinclair, Ms M Smith, Mr R Stewart, Ms K Willis.

Decision

The Council:-

- NOTED** the update provided within the report regarding the current 2023/24 revenue budget, risks and uncertainties and progress with savings delivery;
- NOTED** the updated outlook relating to 2024/25 and subsequent years and the reasonable planning assumption of an increased budget gap for those years;
- NOTED** the update provided in relation to opportunities and officer work regarding future areas of potential saving and income generation;
- AGREED** to arrange a Member briefing session to allow Members the opportunity to be fully briefed by Officers and the Council's Treasury Advisors on the options for PPP flexibility and an independent review of the Council's financial modelling;
- NOTED** that further update on budget and budget planning for 2024/25 and beyond would come to subsequent Council meetings; and
- NOTED** the initial options and planning for budget engagement.

12. Capital Programme Review Ath-sgrùdadh air Prògram Calpa

Transparency Statement: the undernoted Members declared connections to this item but, having applied the objective test, did not consider that they had an interest to declare:-

**Mr A Christie - as a Non-Executive Director of NHS Highland
Mr M Cameron - as a close family relative is a Charleston Academy teacher**

There had been circulated Report No. HC/31/23 dated 5 September 2023 by the Head of Corporate Finance, who provided a comprehensive summary of the report which included the following key points:

- a £127m revenue budget gap was forecast over the coming 4 years, with general reserves on course to be depleted within 2 years if expenditure continued at the current rate;
- it was essential the Council's capital programme was sustainable, affordable and prudent;
- affordability challenges arose from a legacy of high levels of borrowing, increasing interest rates, costs, and inflation; and
- the current capital programme was unaffordable.

The Leader acknowledged the challenges being faced and explained that the capital programme had not been re-evaluated in March 2023, partly as the outcome of the Learning Estate Investment Programme (LEIP) funding had been awaited, although there remained no confirmation from the Scottish Government on when this would be decided. Due to the financial climate of rising costs, inflation, historical debt and interest rates, it was disappointing that many of the capital projects would have to be delayed, but work was being undertaken to support the maintenance and repair of the school estate, particularly those due for replacement buildings. While three new primary school buildings at Beauly, Dunvegan and Park, and a replacement building for St Clement's Special School on a new site in Dingwall, were being postponed, a new primary school at Tornagrain would go ahead because around 80% of the cost of this project was being met from developer contributions. The land purchase for St Clement's remained in the programme, as did emergency works relating to Reinforced Autoclaved Aerated Concrete (RAAC) issues. The Administration remained committed to the school estate projects but only once they were affordable, noting that all local authorities across Scotland were facing similar economic struggles.

The Leader of the Opposition emphasised the sad and depressing nature of the report, with the failure to deliver on the capital programme being devastating to communities. Concern was expressed about capacity planning for schools, particularly in Inverness. He indicated his intention to move an amendment to seek additional meetings of the Corporate Resources Committee and explore further funding sources before agreeing to amend the capital programme.

During discussion, Members universally expressed disappointment and sadness at the financial situation being faced, with particular reference to the delays to the school estate capital programme. Members criticised the delays to the Scottish Government's decision in relation to LEIP Phase 3 project funding.

Further issues raised included the following:-

- the Chair of the Corporate Resources Committee apologised to communities for the proposed reductions in the capital programme and he summarised the issues that had

caused the situation, including interest rates rising from 0.5% to 5%, high inflation, increased construction and energy costs, and delays to the decision on LEIP Phase 3 funding. The projects being postponed would be reconsidered in future;

- several Members expressed their disappointment at the postponement to a new building for St Clement's school, making reference to the considerable faults in the fabric of the current building, which was not considered fit for purpose and was detrimental to the education of the children using the school, all of whom had special educational needs. Some Members asked that St Clement's be prioritised when the next phase of LEIP funding became available. Others urged the Council to stand by its promises to the families and staff of St Clements and ensure a new building was forthcoming;
- Members should support the recommendations in the report in order to secure the funding for the purchase of the land for a new St Clement's School;
- the possibility of moving St Clement's into Dingwall Academy had been considered and rejected in the past but should be revisited;
- the Cromarty Firth Ward was being hit extra hard by the cuts, as it included the catchments for both Park and St Clement's schools and it was hoped that if and when the LEIP Phase 3 funding was agreed, that those two schools would be prioritised;
- improved and realistic communication with school communities about the capital budget was vital, given the upset and frustration the delays to school projects were causing communities;
- in relation to Park Primary, it was devastating for the pupils, families and staff that the school would not be rebuilt after a fire had destroyed it, and it was suggested the £2.8-£4m of insurance money received should be ringfenced for a replacement school, for which local Members and parents should be involved in the design process. It was also suggested that consideration be given to the option of a joint new primary school for Park and South Lodge which, if accepted after public consultation, could provide adequate revenue savings to cover the annual funding of a loan to cover the construction costs;
- almost half of Highland children were being educated in unsuitable buildings, and this might be partly why Highland was performing poorly in national education performance leagues. The capital programme was about choices and with £40m allocated to roads, this appeared to be favouring cars over children. Borrowing was still possible, noting that repair costs would be minimised if new schools were built;
- it was disappointing that, due to the Council's current financial situation and the failure of Scottish Government to respond to the LEIP funding application, Culloden Academy works programme had to be reduced to £3.5m, which would not cover all the required works but would allow for some capacity growth for pressures. Assurance was provided that the £1.5m for the Multi Use Games Area would remain in the programme. The reduction in budget for improvements to Culloden Academy would impact on the need for a new secondary school for East Inverness, where intense house building was resulting in a shortage of schools. Children were being failed and it was important that, in future, schools were planned and constructed alongside housing;
- both Beaully Primary and Charleston Academy were missing out on vital capital funding, and both school buildings were in a poor state and not fit for purpose. Attention was drawn to the significant maintenance budget required for Beaully and to the public road access through the school. Assurance was sought that developer contributions for a new school in Beaully could be diverted to make improvements to the existing building;
- the increase in funding for Nairn Academy was queried given the need for replacement primary schools in other Wards, particularly Park, which had been lost entirely. Information was sought on the statutory position when pupils from one school were obligated to attend a different school on a long term basis;
- disappointment was expressed in relation to Dunvegan Primary School, which had been earmarked for a new building ten years earlier. Attention was drawn to the detrimental effects of the delay to the school and wider community, including as a means to encourage young families to stay in or move to Dunvegan, and it was requested that Dunvegan Primary be prioritised when capital funds became available. Other means of

raising capital for essential projects should be considered to retain and grow fragile rural communities. Officers were commended for their work on engagement with the community on the Dunvegan masterplan, and attention was drawn to the links between the school project and the provision of much needed affordable housing;

- while the new school at Tornagrain was welcomed, concern was expressed about Croy Primary School, which was about to reach capacity. The new school at Tornagrain was likely to attract house buyers to the settlement and reference was made to the importance of not favouring one commercial developer over another;
- it was disappointing that over a third of Highland schools were in poor or bad condition, with 65 being in Category C;
- the schools mentioned during discussion, which were currently unaffordable for the reasons provided, would remain in the plan for when future funding became available;
- some Members considered the report to be premature and that the outcome of the LEIP Phase 3 funding should be awaited;
- the importance of having 'shovel-ready' projects was emphasised, and a different way of thinking about the capital programme, given the unpredictable economic environment, was urged;
- given the budget situation, the £10.8m funding for the Inverness Castle project was queried;
- in relation to the Corran Ferry being removed as a named project, there were around 2,000 residents on the Ardnamurchan Peninsula, plus many businesses, who would suffer. It was important the Scottish Government took action to resolve the situation now that it was unaffordable for the Council. It was pointed out that Corran Ferry, in Appendix C, had been allocated £5.2m of nominal spend, should the Levelling Up Fund or Scottish Government Funding become available;
- attention was drawn to the principles underpinning the capital review, including environmental considerations and the Net Zero Strategy, approved by the Council in June 2023. Projects and requests, detailed in Appendix C of the report, that supported the Net Zero strategy included salix energy efficiency match funding, Corran Ferry Levelling Up Funding, heavy fleet and depot decarbonisation, Electric Vehicle infrastructure, flood studies, and coastal change adaptation plan. Salix funding was important to the Council as a long-term 100% interest-free repayable grant that council should be maximizing and utilising, and not side-lining for the future. It was considered that the capital programme being presented did not support or progress the Net Zero strategy and targets, which was concerning in this era of global warming. It was important to embed action to tackle the climate and ecological crises and achieve Net Zero across all council activities;
- many of these issues had been known about in March 2023 and should have been given consideration at that time;
- it was important to maintain a level of reserves to cover emergencies and unexpected events;
- it was suggested that any decision be postponed until the Council meeting in October;
- concern was expressed in relation to RAAC issues in schools, with particular reference to Charleston Academy, and assurance was provided that the appropriate inspections had been undertaken and a report was due to be submitted to the next meeting of the Housing and Property Committee. A visit would be undertaken to Charleston Academy to speak to parents;
- reference was made to the current high tax burden that was not reflected in communities, with many facilities no longer fit for purpose;
- it was disappointing the media had misrepresented the reprogramming of the capital programme;
- concern was expressed at the removal of the flood prevention schemes from the capital programme, with reference to the importance of people having somewhere safe to raise their children, and the cost of insurance premiums in affected areas. It was suggested flood relief schemes were more important than the Inverness Castle project;

- the importance of Members working together to make the best use of the funding that was available was emphasised;
- it was suggested that a Sports Strategy should be developed by the Council in partnership with High Life Highland;
- attention was drawn to a pioneering community initiative in Strontian which had resulted in a new school, and to other innovative means of improving the financial situation including partnering with wealthy organisations, and reviewing empty janitor houses on the school estates;
- given the high cost of borrowing, it was important to avoid further debt; and
- several Members commented that although the revised capital programme was bitterly disappointing, it was realistic and prudent given the economic situation. If the revised capital budget was not approved, this would put at risk the £340m of projects detailed in the report, all of which were vital to sustainability across Highland.

Mr R Bremner, seconded by Mr D Louden, **MOVED** the recommendations as detailed in the report.

As an **AMENDMENT**, Mr A Christie, seconded by Mr R Stewart, **MOVED** to:

- note the capital review process as described in the report;
- note the extent to which the cost of financing the Capital Programme impacts on the Council's revenue budget, the affordability parameters set out within the report, and the planning assumption for loan charge implications to be managed within an estimated annual increase of £1.5m p.a. (Paragraph 5.7 of the report);
- agree to retain the "March 2023" programme;
- note the further projects and capital budgets as set out on Appendix C of the report which were not incorporated within the capital programme at this time, and would require future assessment and consideration in relation to affordability and priority;
- note that should material circumstances alter, for example a funding decision in relation to LEIP Phase 3 projects, then the Council would have the opportunity at that point to consider again its capital programme, and whether scope to revisit priorities at that time;
- agree to bring a further Capital Programme report to Council in October 2023;
- agree that a Park Primary stakeholder group be established comprising of councillors, parent council, council officers with the ability to widen membership. The group would review all options including design options to replace Park Primary School;
- agree that the insurance receipt received in respect of Park Primary School be allocated to the school in the "March Programme"; and
- agree that the sum of £15.5 million be allocated in the "March Programme" to Tornagrain Primary School taking account of the level of developers' contributions.

On a vote being taken, the **MOTION** received 35 votes and the **AMENDMENT** received 28 votes, with 4 abstentions, and the **MOTION** was therefore carried, the votes having been cast as follows:

For the Motion:

Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mrs I Campbell, Ms G Campbell-Sinclair, Mr M Cameron, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W MacKay, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Reid, Mr K Rosie.

For the Amendment:

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr J Grafton, Mr A Graham, Mr R Gunn, Mr A Jarvie, Ms B Jarvie, Mr P Logue, Ms M MacCallum, Mr A

MacDonald, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Mrs B McAllister, Ms P Munro, Ms M Nolan, Ms M Paterson, Mr M Reiss, Mrs T Robertson, Mrs L Saggars, Mr A Sinclair, Ms M Smith, Mr R Stewart.

Abstentions:

Mr A Baldrey, Mr C Ballance, Mr R MacKintosh, Ms K Willis.

Decision

The Council:-

- i. **NOTED** the capital review process as described in this report;
- ii. **NOTED** the extent to which the cost of financing the Capital Programme impacts on the Council's revenue budget, the affordability parameters set out within this report, and the planning assumption for loan charge implications to be managed within an estimated annual increase of £1.5m p.a. (Paragraph 5.7);
- iii. **AGREED** the revised capital programme as set out on appendices A and B of the report including the updated project costs reflected;
- iv. **NOTED** the further projects and capital budgets as set out on appendix C of the report which are not incorporated within the capital programme at this time, and will require future assessment and consideration in relation to affordability and priority;
- v. **NOTED** that should material circumstances alter, for example a funding decision in relation to LEIP Phase 3 projects, then the Council would have the opportunity at that point to consider again its capital programme, and whether scope to revisit priorities at that time; and
- vi. **AGREED** to bring a further Capital Programme report to Council in October 2023.

**13. Redesign Board - Home to School Transport Entitlement Review
Bòrd Hth-dhealbhachaidh - Còmhdhail Sgoile**

(Considered on 3 October 2023)

There had been circulated Report No. HC/32/23 dated 1 September 2023 by the Executive Chief Officer Infrastructure, Environment and Economy.

During discussion, several Members spoke in favour of Option 1, pointing out that the practice in most Councils was to have a review panel made up of senior officers with a level of responsibility, experience, and interest in the service. Those officers had expert professional knowledge of the issues and should be trusted to make appropriate decisions. Poor Member attendance at review panels was also cited as a reason to favour Option 1. It was clarified that local Members were not entitled to vote on the sub-committee, just as they did not vote on other committees, but could contribute their local knowledge to the process.

Other Members spoke in favour of Option 2, which was the continuation of the Entitlement Review Sub-Committee with Member involvement. Members were the decision-makers of the Council and constituents would expect an appeal process to go to a higher level than the people who made the original decision. Option 1 was considered an erosion of democracy and, as the sub-committee met infrequently, membership of it was not considered an onerous burden. Being an outlier from other Councils was not necessarily problematic, with other positive examples of this provided.

Mr B Lobban, seconded by Mr R Bremner, **MOVED** to accept Option 1 as recommended in the report.

Mr A Christie, seconded by Mr R Gale, moved as an **AMENDMENT** to accept Option 2, as detailed in the report.

On a vote being taken, the **MOTION** received 33 votes and the **AMENDMENT** received 26 votes, with no abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Dr C Birt, Mr B Boyd, Mr R Bremner, Mr M Cameron, Mrs I Campbell, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W MacKay, Ms K MacLean, Mr G MacKenzie, Mr T MacLennan, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie, Ms M Ross.

For the Amendment: Mr C Aitken, Mr M Baird, Mr A Baldrey, Mr C Ballance, Mr J Bruce, Mr A Christie, Mr R Gale, Mr J Grafton, Mr A Graham, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mrs I MacKenzie, Mr S Mackie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Mr J McGillivray, Ms M Nolan, Mrs L Sagers, Mr R Stewart, Ms K Willis.

Decision

The Council **AGREED** that the following was included within the next update of the Scheme of Delegation:-

- i. an updated remit for any review of school transport provision process as outlined in the report;
- ii. replacement of the Education Transport Entitlement Review Sub-Committee with a panel of senior officers (Option 1);
- iii. an update to the Home to School Transport Policy to reflect these changes, and to include reference to external complaints processes;

also

- iv. an update to the eligibility criteria for transport to Gaelic Medium education where catchment boundaries had been defined; and
- v. an update to the eligibility for transport to denominational education in line with the approach recommended for Gaelic Medium.

14. Policy for Display of Election or Referenda Campaign Material within Property Owned, Adopted or Maintained by the Council
Poileasaidh air Stuthan Taghaidh no Reifreann a thaisbeanadh ann an toglaichean bu leis, fo urra agus maoinichte le Comhairle na Gàidhealtachd

(Considered on 3 October 2023)

There had been circulated Report No. HC/33/23 dated 26 July 2023 by the Executive Chief Officer Infrastructure and Environment.

During discussion, several Members spoke in favour of no longer permitting the display of any campaign related material on any property under the Council's control, with the exception of tenanted homes. Reference was made to the ineffectiveness of such campaign material, the unsightly appearance of the material, especially for tourists, and the environmental cost of the production and disposal of it. Distributing leaflets and knocking on doors to speak to residents face to face were much more effective publicity tools. There were health and safety concerns relating to the use of ladders to put up posters.

Other Members pointed out that this ban would be a significant erosion of democracy and equality, with wealthier candidates able to afford large banners on private land, and with people in rural areas having fewer opportunities to display posters in town centre windows etc. The number of complaints about campaign material was considered insignificant and the posters and banners on lampposts encouraged people to vote, created a positive atmosphere, allowed lesser-known independent candidates to self-publicise and was only for a 6-week period. It was suggested that the concerns about safety from the use of ladders was not significant.

Mr B Lobban, seconded by Mr R Gale, **MOVED** the recommendations as detailed in the report.

Ms L Kraft, seconded by Mr D Macpherson, moved as an **AMENDMENT** not to agree the recommendations in the report.

Mr A Jarvie asked if Ms L Kraft would accept a modification to her amendment to permit the display of campaign material on Council property for Local Authority elections, but not for national elections. Ms Kraft declined to modify her amendment.

On a vote being taken, the **MOTION** received 19 votes and the **AMENDMENT** received 36 votes, with two abstentions. The **MOTION** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr J Bruce, Mr A Christie, Mr D Fraser, Mr R Gale, Mr J Grafton, Mr R Gunn, Mr A Jarvie, Mrs B Jarvie, Mr B Lobban, Mr P Logue, Mrs I MacKenzie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Ms J McEwan, Mr J McGillivray, Mrs M Reid, Mrs L Saggars, Mr R Stewart.

For the Amendment:

Mr M Baird, Mr A Baldrey, Mr C Ballance, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr M Cameron, Mrs B Campbell, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr K Gowans, Mr A Graham, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr D Loudon, Ms M MacCallum, Mr W MacKay, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr D Macpherson, Mr H Morrison, Mr C Munro, Ms L Niven, Ms M Nolan, Mr P Oldham, Mrs M Paterson, Mr K Rosie, Ms M Ross, Ms K Willis.

Abstentions:

Mr C Aitken, Mr J Finlayson.

Decision

The Council **AGREED** not to amend the Council's Policy for the Display of Election or Referenda Campaign Material withing Property Owned, Adopted or Maintained by the Council.

15. Scottish Government Consultation - Mandatory Training on Planning Training for Elected Members
Co-chomhairle Riaghaltas na h-Alba -Trèanadh Riatanach air Planadh airson Buill Thaghte

(Considered on 3 October 2023)

There had been circulated Report No. HC/34/23 dated 5 September 2023 by the Interim Depute Chief Executive.

The Council:-

- i. **NOTED** the mandatory training options available; and
- ii. **AGREED** the suggested consultation response contained in Appendix 1 to the report for submission to the Scottish Government.

16. A Human Rights Bill for Scotland
Co-chomhairle air Bile Chòraichean Daonna

(Considered on 3 October 2023)

There had been circulated Report No. HC/35/23 dated 1 September 2023 by the Depute Chief Executive.

During discussion the following main points were made:-

- Members were supportive of improving the outcomes for Scottish people and that rights were enshrined in Scottish law but it was equally important to understand how these rights could be delivered and resourced. There was limited information as to the implications and practicalities on delivering on these commitments;
- the consultation supported the proposals in terms of implementation and welcomed the Scottish Government's recognition that there needed to be capacity across the Public Sector to deliver on those rights;
- the Council would have an important role in checking, enforcing, justifying and investigating human rights and, again, the necessary funding needed to be in place to ensure the Council was sufficiently resourced;
- there were also implications for the Council in terms of housing and the provision of services;
- there were complexities between English and Scottish law and Resolved and Reserved Powers between the two Government which had caused a number of anomalies;
- it was important to recognise the need to strengthen and protect the human rights of women and girls, disabled people and minority ethnic communities;
- a commitment to support volunteers was welcomed;
- cultural divides should not be used for political purposes;
- the report suggested that there were no Gaelic implications but to be able to speak the language was a fundamental cultural right in Scotland;
- Elected Members, MSPs and MPs were the custodians of human rights;
- the European Convention on Human Rights had a number of Articles which needed to be incorporated into Scottish law, especially if in future, the UK was to leave the Convention;
- it was queried what the Council's position was on if LGBTI and older age should specifically be listed as grounds for protection; and
- the consultation had begun in June but had not come before Members until September. In addition, it was important to advertise these consultations early so that the public too could feed their views.

Decision

The Council **APPROVED** the draft response to the Scottish Government consultation on a Human Rights Bill for Scotland.

17. Scottish Government Consultation: Council Tax Second Homes, Long-term Empty Properties and Non Domestic Rates Self-catering Units
Co-chomhairle air Cìs Comhairle Dàrna Taighean, Togalaichean Falamh agus Aonadan Fèin-fhrithéalaidh NDR

(Considered on 3 October 2023)

Declarations of Interest: the undernoted Members made Declarations of Interest and, in accordance with paragraph 5.6 of the revised Code of Conduct, they left the meeting for this item:-

Mr M Baird – as an owner of a second home

Mrs I Campbell – as an owner of a holiday home

Mr J Finlayson – as an owner of a second home generating an income

Mr A Graham - as a Part-owner of a property, outwith the Highland Council area, which has second-home status

Mr S Kennedy – as an owner of an empty long term property

Ms L Kraft – as a joint owner of a tenanted property

Mr D Louden – as an owner of a second home

Mr A MacDonald – as an owner of a letting property

Mr R Mackintosh – as a residential Airbnb host

Mr C Munro – as an owner of a self catering business

Mrs P Munro – as an owner of an Airbnb holiday let

Mr K Rosie – as an Airbnb operator

Transparency Statement: Ms S Atkin made Transparency Statement in respect of this item as her partner is a private landlord. However, having applied the objective test, she did not consider that she had an interest to declare.

There had been circulated Report No. HC/36/23 dated 30 August 2023 by the Executive Chief Officer, Communities and Place.

The Council:-

- i. **NOTED** the policy matters raised in the consultation; and
- ii. **AGREED** to homologate the response detailed in Appendix 1 of the report.

18. Scottish Government and CoSLA Consultation: Fairer Council Tax Co-chomhairle air Cìs Comhairle nas Cothromaiche

There is circulated Report No. HC/37/23 dated 31 August 2023 by the Executive Chief Officer, Communities and Place.

During discussion, the proposed Council response for the increases to the Council Tax on properties in Bands E, F, G and H to be smaller was queried, but attention was drawn to the importance of not adding further financial burdens to those who were asset rich but cash poor, with particular reference to the elderly. Disappointment was expressed that there were no plans to reduce the lower tiers.

Decision

The Council:-

- i. **NOTED** the policy matters raised in the consultation; and
- ii. **AGREED** the final response for submission.

19. High Life Highland High Life na Gàidhealtachd

(Considered on 3 October 2023)

Transparency Statement: Mr K Gowans made Transparency Statement in respect of this item as a close family relative was employed by High Life Highland. However, having applied the objective test, he did not consider that he had an interest to declare.

Following the resignation of Mrs Rawlings, the Council was required to nominate a Member to serve as a Director on the Board of High Life Highland.

In this regard, nominations were received as follows:-

Mr A Christie
Mr D Millar.

On a vote being taken, Mr A Christie received 18 votes and Mr D Millar received 36 votes, with no abstentions, the votes cast having been as follows:-

Votes for Mr A Christie: Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mr R Gale, Mr J Grafton, Mr A Graham, Mr R Gunn, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mrs I MacKenzie, Mr A MacKintosh, Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Ms M Nolan, Mr R Stewart

Votes for Mr D Millar: Ms S Aitkin, Mr A Baldrey, Mr C Ballance, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs B Campbell, Mrs G Campbell-Sinclair, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr G MacKenzie, Mr R MacKintosh, Mr T MacLennan, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Reid, Mr K Rosie, Ms M Ross, Ms K Willis

Decision

The Council **AGREED** to appoint Mr D Millar as a Director for High Life Highland.

20. Timetable of Meetings for 2024 Clàr-ama Choinneamhan airson 2024

The Council **AGREED**:-

- i. the circulated Proposed Timetable of Strategic, Headquarters and Regulatory Meetings for 2024; and
- ii. to hold a Special Joint Meeting of the North and South Planning Committees on 8 November 2023 at the conclusion of the Planning Review Body.

21. Deeds Executed Sgrìobhainnean Lagha a Bhuilicheadh

There had been circulated a list of deeds and other documents executed on behalf of the Council since the meeting held on 29 June 2023 which were **NOTED**.

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

The Council **RESOLVED** that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public should be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 6 & 9 of Part 1 of Schedule 7A of the Act.

23. Redesign Board - Community Support and Engagement – Restructure Bòrd Hth-dhealbhachaidh -Taic Coimhearsnachd agus Com-pàirteachadh – Ath-

structar

(Considered on 3 October 2023)

There had been circulated to Members only Report No. HC/38/23 dated 1 September 2023 by the Executive Chief Officer, Communities and Place.

The Council **AGREED** the recommendations as outlined in the report, with a review to be undertaken after 12 months through the Redesign Board.

The meeting ended at 3.55 pm