

**The Highland Council**  
**No.5 2025/2026**

Minutes of Meeting of the Special Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 29 May 2025 at 2.00pm.

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

**Present:**

Ms S Atkin	Mr S Kennedy
Mr C Ballance (Remote)	Ms E Knox (Remote)
Dr C Birt (Remote)	Ms L Kraft
Mr B Boyd	Mr D Louden
Mr R Bremner	Ms M MacCallum
Mr I Brown	Mrs I MacKenzie
Mr J Bruce (Remote)	Mr S Mackie
Mr M Cameron	Mr A MacKintosh
Mrs I Campbell (Remote)	Mrs A MacLean
Mrs G Campbell-Sinclair	Ms K MacLean
Mr A Christie	Mr T MacLennan (Remote)
Mr S Coghill (Remote)	Mr D Macpherson
Ms T Collier (Remote)	Mr D McDonald
Mrs H Crawford	Ms J McEwan
Ms L Dundas (Remote)	Mr J McGillivray (Remote)
Mr J Edmondson	Mr D Millar (Remote)
Ms S Fanet	Mr H Morrison (Remote)
Mr D Fraser	Mr P Oldham
Mr R Gale	Mrs M Paterson
Mr K Gowans	Mrs M Reid (Remote)
Mr A Graham (Remote)	Mrs T Robertson
Dr M Gregson	Mr K Rosie
Mrs J Hendry	Ms M Ross (Remote)
Ms M Hutchison (Remote)	Mrs L Saggars
Mrs B Jarvie (Remote)	Mr R Stewart (Item 4 only)
Ms L Johnston (Remote)	Ms K Willis
Mr R Jones	

**In Attendance:**

Assistant Chief Executive - Corporate  
Assistant Chief Executive – Place  
Chief Officer – Legal and Corporate Governance  
Principal Solicitor (Planning)  
Joint Democratic Services Manager

**Mr K Gowans in the Chair**

Apologies for absence were intimated on behalf of Mr M Baird, Mr A Baldrey, Mr A Baxter, Mrs M Cockburn, Mr J Finlayson, Mr L Fraser, Mr J Grafton, Mr M Green, Mr D Gregg, Mr R Gunn, Mr A Jarvie, Mr B Lobban, Mr P Logue, Mr W MacKay, Mr G MacKenzie, Mr R MacKintosh, Ms L Niven, Mr M Reiss and Mr A Sinclair.

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

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

Item 4 – Ms S Atkin, Mr J Edmondson

## 3. **Notice of Amendment (Planning) – Planning Application (PLN/026/25)** **Brath Atharrachaidh (Dealbhadh) – Iarrta Dealbhaidh (PLN/026/25)**

**Applicant:** Energiekontor UK Ltd. (24/02094/S36) (PLN/026/25)

**Location:** Land 1150M SW Of Tigh An Alt, Acheilidh, Rogart (Ward 04)

**Nature of Development:** Acheilidh Wind Farm - Erection and operation of a wind farm for a period of 35 years, comprising of 12 wind turbines with a maximum blade tip height of between 200m and 230m, battery energy storage system (BESS), access tracks, borrow pits, substation, control building, and ancillary infrastructure.

**Recommendation:** Raise No Objection

The North Planning Applications Committee (NPAC) agreed to raise no objection for the above application at its meeting on 23 April 2025. The following Notice of Amendment was then received on 28 April 2025:

“We the undersigned, being Elected Members of the Highland Council, hereby declare our wish that the decision of the North Planning Applications Committee at its meeting on 23 April 2025 on the above applications (Agenda Item 5.2) be reviewed at the next scheduled meeting of the full Council.”

<b>Signed:</b>	Mr R Gale	Mr D Macpherson	Ms M Smith	Mr M Reiss
	Dr M Gregson	Mrs B Jarvie	Mr S Coghill	Mrs H Crawford
	Mrs T Robertson	Mr A Christie	Mrs J McEwan	Mr S Mackie
	Mr R Stewart	Mr A Graham	Mr J Grafton	Mr J McGillivray
	Mr J Edmondson	Mrs L Saggars	Mr A Jarvie	Mrs I MacKenzie
	Mrs M Paterson	Mrs L Dundas	Mr A Baxter	Miss M MacCallum
	Mr D McDonald			

In this context, there had been circulated Report No PLN/026/25, by the Area Planning Manager – North containing the case officer’s assessment of the planning application and a copy of the draft Minute from the meeting of the North Planning Applications Committee held on 23 April 2025.

During discussion, Members’ comments included the following:-

- information was sought, and provided, on the difference between Special Landscape Areas and Sites of Special Scientific Interest, conditions relating to archaeology, how the decision on whether an application would have a significant effect on the landscape was reached, why the context images had not been provided in a 50mm focal length to mimic what would be seen by the naked eye, the Planning Permission in Principle Application for an associated Battery Energy Storage Scheme, aviation lighting and mitigation of the effects of access tracks and associated concrete on the environment;
- it was queried whether the Special Protection Area for Hen Harriers could be considered as part of the decision and, if not, why Member’s attention had been drawn to this. This was one of only four Special Protected Areas in Scotland for hen harriers;

- clarification was sought concerning the relevance of the decision on Garvary Windfarm and what would happen following the Council's decision on this application;
- on the point being raised, it was confirmed that a five-year implementation period would be recommended rather than the ten-year period requested by the applicant;
- on the point being raised, it was confirmed that Transport Scotland would assess the impacts for transporting the turbines on trunk roads and the Council's Transport planning team would manage the impact on smaller roads. A Construction Traffic Management Plan would be put in place prior to the commencement of the development;
- it was queried whether there was a maximum acceptable cumulative number of wind turbines in an area;
- on the point being raised it was explained there were unlikely to be any residential properties close enough to be effected by noise from the windfarm. However, it was confirmed that noise levels would be effected by wind conditions and there would be a cumulative effect with surrounding windfarms;
- on the point being raised, it was confirmed that comments, caveats and conditions could be added to a decision not to raise an objection;
- the installation of 230m tall turbines would result in an unacceptable visual impact;
- local communities would not see any energy or economic benefit from the development;
- the granting of the application for Garvary windfarm added to the cumulative effect of windfarms in the area and could be seen as a reason to raise an objection to this application rather than as a reason to raise no objection;
- in response to the assertion that every application should be decided on its own merits, it was confirmed that the decision by Scottish Ministers to grant planning permission to Garvary Windfarm was a material consideration in this case;
- it was highlighted that the grounds given for raising an objection would be difficult to defend in a Public Inquiry;
- there would be a substantial impact to the view from many of the viewpoints shown along with disturbance to peat and agricultural land;
- attention was drawn to the fact that in previous applications turbines that could be seen against the skyline were often removed from the application;
- a large amount of street furniture would need to be removed in towns and villages to facilitate the transportation of the turbines to the development site;
- there would be consequential effects from this development such as the need to upgrade overhead power lines to deal with a higher volume of energy;
- it was emphasised that energy security was a priority and that there were no substantial planning reasons to raise an objection; and
- a Public Local Inquiry could have significant financial and reputational implications for the Council.

Mr R Gale, seconded by Ms H Crawford, **moved** that:-

This Council agrees to raise an objection to this application because it does not accord with the provisions of Section 36 of the Electricity Act 1989 by virtue of not demonstrating sufficient regard to the desirability of, and failing to reasonably mitigate effects detrimental to, conserving flora and physiographical features of special interest on the basis that the proposed development gives rise to unacceptable landscape and visual effects, including higher magnitude cumulative effects, within the south of the Strath Fleet LCA of LCT135 Rounded Hills – Caithness and Sutherland, and on the Inhabited Surrounds Within a Wilder Backdrop

of Hills and Moors Special Quality (SLQ2) of the Dornoch Firth National Scenic Area, in particular when experienced from the Struie Viewpoint (VP12) and for travellers along the B9176.

The proposed development, when combined with the effects of the consented Garvary wind farm and others in the area, would have significant adverse cumulative effects on SLQ2 of the Dornoch Firth NSA specifically the wild character to the backdrop of hills and moors when viewed from VP12 as the effects on the landscape would be intensified by this development at such a distinctive and high-quality scenic location. The large-scale vertical nature of the proposed turbines would be seen against the skyline above the horizontal nature of the landscape and would become prominent in northward looking views across the firth towards the distant mountains. With regard to the recent granting of the Garvary Windfarm while it is a material consideration it must be treated in context and the weight given to that consideration must be reflective of the additional cumulative effect of this development, which is unacceptable.

None of these concerns are outweighed by any possible economic benefits of this development or contribution it will make to the country's net zero targets. Therefore, this proposal is contrary to NPF4 Policies 4 (a) and (c)(ii), and 11 (b), (e) (ii). It is also contrary to Highland Wide Local Development Plan (HWLDP) Policy 28 (Sustainable Design) and Policy 67 (Renewable Energy Development).

As an **AMENDMENT** Mr D Millar, seconded by Ms A MacLean, moved that the Council uphold the decision of the North Planning Applications Committee and raised no objection to the application for the reasons and conditions set out in the report.

On a vote being taken, the **MOTION** received 18 votes and the **AMENDMENT** received 24 votes, with no abstentions. The **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the motion:-**

Mr J Bruce, Mr A Christie, Mr S Coghill, Ms H Crawford, Mr J Edmondson, Mr R Gale, Mr S Kennedy, Ms M MacCallum, Mrs I MacKenzie, Mr A MacKintosh, Mr D Macpherson, Mr D McDonald, Ms J McEwan, Mr J McGillivray, Mr H Morrison, Mrs M Paterson, Ms T Robertson, Ms K Willis

**For the Amendment:-**

Ms S Atkin, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Ms I Campbell, Ms T Collier, Ms L Dundas, Mr D Fraser, Mr K Gowans, Mrs J Hendry, Ms L Johnston, Mr R Jones, Ms E Knox, Ms L Kraft, Mr D Louden, Ms A MacLean, Ms K Maclean, Mr T MacLennan, Mr D Millar, Mr P Oldham, Mr K Rosie, Mrs M Ross

**Decision**

The Council **AGREED** to raise no objection to the application for the reasons and conditions laid out in the report.

**4. Digital Connectivity  
Comas-ceangail Didseatach**

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

**Ms S Atkin - as her partner had shares in a Broadband business**  
**Mr J Edmondson – as a director of Ardross Online Community Interest Company**

There had been circulated Joint Report No. HC/17/25 by the Assistant Chief Executive – Place and Assistant Chief Executive – Corporate.

During discussion, Members' comments included the following:-

- frustration was expressed that improvements to infrastructure and services in Highland often followed other areas and the rollout of the R100 initiative was cited as an example where South and Central Scotland were much further ahead;
- digital connectivity was important for businesses and the lack of connection in some parts of Highland placed them at a disadvantage;
- the most vulnerable in communities were often the elderly who were dependent on the need to be able to communicate. When debating changing the balance of care and keeping people safe, one of the tools was good reliable communications. Where there was no mobile signal or proper internet connection this had a disproportionately negative impact;
- the Convener and Leader had made representations at the recent Convention of the Highlands and Islands (CoHI), where the Depute First Minister and Government officials were present, highlighting the points which had been laid out in the report;
- the impact on vulnerable people and rural properties of the planned switch off of the Public Switched Telephone Network (PSTN) in January 2027, without broadband access, was concerning. An interim measure was proposed by Openreach but that would last only until 2030;
- connectivity in some areas was virtually impossible;
- it was not only rural areas that encountered problems with broadband connections. Highland as a whole needed to be seen as a unique area with specific needs;
- there were also some areas in Highland which needed to rely on generators for electricity, thus impacting on connectivity. This too needed to be highlighted
- non-existent or poor connectivity had a detrimental impact on property prices;
- it was understood that there was cellular technology which allowed smart meters to work off broadband and, once broadband coverage was improved in Highland, this could be promoted to those households with poor mobile phone signals;
- the Radio Teleswitch Service (RTS) switch off was scheduled for 30 June 2025 but clarity was sought if it was to be phased out, otherwise this was a time of critical risk for households across Highland, There was also a shortage of meter engineers to deal with the scale of the task so a regional postponement of the RTS switch-off for the Highlands and Islands was sought, given known gaps in the Data Communications Company (DCC) network coverage in Highland. This meant that smart meters would not work in some households;
- mapping of DCC coverage was sought;
- there was concern at the reliability of some meters which might result in no heating or hot water or, alternatively, switching on when not needed. This could result in fuel poverty for some but also had implications for public health;
- a RTS taskforce had been established but was not operating effectively and Ofgem needed to be made aware of these concerns;

- Ofgem had made a commitment that no one would be financially worse off as a result of meter changes but it was unclear exactly what this meant. Furthermore, information was sought as to who would compensate anyone who was worse off and the claim process involved;
- the proposed officer task group was welcomed but, given the imminent switch-off date, it needed to be established expeditiously. It would also be useful if representatives from the business community were involved. In this regard, the taskforce needed to consider who the public should contact if they encountered problems after the RTS switch off;
- the proposed officer task group should also consider to what extent it could monitor at-risk households, coordinate contingency plans with housing, health and energy services, and report back on supplier failures and connectivity gaps to enable urgent escalation to Ofgem and UK Government;
- Council housing tenants were responsible for their own utilities;
- there were tariff discrepancies in Highland which needed to be addressed;
- the roll-out of RTS across the Council's housing estate in the 1980s had been seen as a good news story given the benefits to tenants. It was technology that had lasted well. In contrast, there were doubts about the reliability of the new technology proposed and, for the most vulnerable people, this could have serious consequences. 40,000 people in Highland could be impacted and it was the duty of Highland Council to do everything it could to address this;
- a united approach was sought with all Group Leaders signing a letter of representation to the UK and Scottish Governments stressing the importance of Highland maintaining RTS, analogue lines and 3G until the alternative was there for everyone in Highland;
- communication around the RTS switch off had been poor but if the Council took a more proactive approach, with photos of the types of meters which would be affected, it would raise greater awareness;
- the gigabit voucher scheme had been flawed and take-up slow as, once a provider came forth, no others providers were permitted; and
- an explanation was sought, and provided, as to what was meant by a 4G communication hub.

## Decision

The Council **NOTED** the current position with regard to digital activity across the Highland Area and **AGREED**:-

- i. Party Group Leaders write to both the UK and Scottish Governments to highlight:-
  - the very real concerns expressed through the Convention of the Highlands and Islands about the potential impacts on households in the Highlands;
  - frustration at the slow roll out of connectivity improvement initiatives, as compared with other parts of Scotland and calls upon the Governments to increase the speed of roll out of R100 in the Highlands as a matter of urgency;
  - a regional postponement of the Radio Teleswitch Service switch-off for the Highlands and Islands, given known gaps in the Data Communications Company network coverage and the high risk of residents being left without heating or hot water;
  - the need for clarification on who would compensate anyone who was worse off as a result of the meter change and the claim process;

- the possibility of cellular technology which allows smart meters to work off broadband, once broadband coverage was improved in Highland, to be promoted to those households with poor mobile phone signals; and
  - that some areas in Highland needed to rely on generators for electricity, thus impacting on rural connectivity.
- ii. Council approach Highlands and Islands Enterprise and seek their support for the establishment and management of a short life officer task group to manage and mitigate issues in the run up and following the Radio Teleswitch Service RTS switch off in June 2025.

The meeting ended at 6pm