

**Nairn West & Suburban Community Council Ordinary Meeting (by Zoom)
7pm Monday 22nd February 2021 DRAFT MINUTES**

Present:

Sheena Baker (Chair) (SB)
Jimmy Ferguson (JF)
Alan Hampson (AH)
Ally Macdonald (Comm Liaison Sec) (AM)
Alastair Noble (Vice Chair) (AN)
Joan Noble (JN) (Associate Member)
Brian Stewart
Bill Young (Treasurer) (BY)

Ex Officio:

Cllr Tom Heggie (TH)
Cllr Peter Saggars (PS)

Also present:

Des Scholes (Gurn)
Andrew Randerson (Nairn out Town)
Donald Wilson (Courier)
3 members of the public.

Apologies

Dick Youngson
Lorraine Mallinson
Cllr Liz Macdonald

Item	Description	Agreed motion/action
1	Chair: Sheena Baker. Welcome and notifications:	
1.1	Apologies and notification of meeting being recorded. Office bearers identified. No declaration of interests.	
2.	Minutes from previous meeting: No amendments.	Proposed: AN Seconded: JF Agreed: all
3.	Matters arising:	
3.1	Speeding restrictions for Seabank Rd and surrounding areas: SB - follow up correspondence with Richard Porteous Roads Operation Manager (27 th Jan 2021) begun by BS, requested a visit to the accident site (corner Thurso Rd and Seafield St), the rapid installation of SIDS and that the outstanding active travel and spaces funding be resolved. Awaiting a reply. TH and PS unable to add any additional information.	C/F
3.2	<p>Participation Request: BY drafted a response to Participation Request submission rejection by Highland Council (HC)</p> <p>8th Feb an individual letter was sent to each local councillor as agreed at NWSCC meeting of 25th Jan 2021. The letter's purpose was to request each councillor, as trustees of the fund, for a statement on what they were going to do to address the identified problem? The letter stated that it does not preclude a denial from councillors that the problems exist but suggested that irrespective of the participation request, the two community councils who between them represent 100% of the residents of the former Royal Burgh of Nairn, are invited to participate in any event. CC also have statutory authority to represent those constituents.</p> <p>The recently published document setting out a best practice protocol for Common Good land management was attached. (Scottish Land Commission: Protocol on Common Good Land). The protocol specifically advocates the involvement of community councils in the way NWCC is suggesting is necessary.</p> <p>SB asked if TH if there was progress on making a response. TH replied they were following up on a preliminary discussion to ensure they were clear in their response and that a response was fairly imminent. NWSCC will await the response.</p>	C/F
3.3	The Gurn: feature on 2019/2020 ward minutes: Clearly show ongoing discussions on possible disposal of Viewfield Stables, the Maggot lease (25yrs) and a property on Grant	

	<p>St and others. Recommended reading. SB noted length and duration of leases and our understanding that if a lease is beyond 10yrs the CG loses rights over the land/property.</p> <p>SB wondered what guidance councillors receive and asked if PS and TH were aware of the loss of rights and were deciding on 25yr leases anyway.</p> <p>TH responded he understood that if a lease comes up for renewal, if it is in excess of 10yrs it obviously goes through the consultation process. It could be renewed for less than that. Referring to the number of areas mentioned by SB, TH added it is sensible as trustees and given that the CG asset register has been overhauled, they have discussions but no proposals or decisions have been made. If clarification is needed, they ask officers. They have legal representatives and the CG officer who give advice but under no circumstances would it be sensible to off their own back decide to do a particular thing without being updated. So, SB is referring to a number of ongoing discussions and if there is anything that has to be decided it will go through a proper legal procedure and proper advice will be given. They are asked on occasions for (longer) leases when they are being renewed. TH then stated he did not understand what SB meant by losing control (of CG assets), and what exactly SB was saying there if a lease is over 10yrs.</p> <p>SB asked JN to respond: JN: if a lease is more than 10yrs it is looked on as a disposal, not by sale but by lease therefore if it's alienable common good property or land, then there has to be a wide consultation then a decision made. If it's inalienable - the Maggot, anything in Fishertown, Viewfield - if they were to go to sale or for longer than a 10yr lease they too would have to go for consultation and then (if approved for disposal) to the Sheriff Court. TH expressed agreement.</p> <p>SB asked if the Maggot went to a 25yr lease did that process get followed? TH responded nothing had come up for decision and assumed that they were perfectly entitled to discuss and to clarify there thinking about things but nothing had come up for decision. If anything does come up for decision or indeed if they get a request for a lease or a change of lease then they have to be absolutely clear on what advice to give and as JN has said if anything goes beyond 10yrs it is the equivalent of a disposal and has to be dealt with accordingly but nothing yet has come up for decision.</p> <p>NWSCC members affirmed they were content with the clarifications received.</p>	
<p>3.4</p>	<p>Sandown Lands Consultation: SB's covering letter with the submission stated many people in Nairn wanted to be able to look at the responses submitted. The Common Good Officer [CGO] in appreciation of how important the Sandown consultation was to the people of Nairn was therefore making enquiries to the digital support team of the possibility of being able to produce and publish a collated document of all the responses for release at the same time as the Representations and Responses Summary document. CGO is awaiting a reply from the digital support team and clarification on the matter. SB reminded participants of the closing date - 26th February- for the Sandown Submissions</p>	
<p>4.</p>	<p>Treasures Report: BY: No change since NWSCC meeting. 25th January. Bank Balance: £4983.76. Comprising: NWCC £1722.64 and Fireworks Fund £3261.12 Agreed purchase of Zoom Licence of approximately £120.00 + Vat will be in next month's report. SB outlined purchase rationale and the response to an enquiry to the ward manager regarding a grant from Covid Resilience Fund for the purchase. The response indicated NWSCC had sufficient funds so an application was unlikely to be successful.</p>	<p>Treasures Report Proposed: JF. Seconded: AM. Ratifying Zoom Licence purchase Proposed: JF. Seconded: AM.</p>

		Members agreed both items.
5.	<p>Membership Co-option Brian Stewart (BS). SB: BS indicated he would like to participate again in NWSCC affairs. BS like many other members is willing to put in the hard work necessary for the CC to function well. Members had discussed BS return and it was decided to proffer BS Co-opted membership. After the formal vote SB welcomed Brian back. Brian thanked members for the vote of confidence and promised to do what he can to support the Community Council's efforts.</p>	Proposed: AN Seconded: AH Passed by majority vote.
6.	<p>Developers Contributions: BY asked TH for an accounting of Developers Contributions (DC's) for this meeting (point 7. NWSCC meeting Jan 21). SB thanked TH for a link he proffered on DC's going back to 2018 which some members had seen. SB asked TH if he was any further forward in obtaining the requested accounting. TH replied he was waiting on a response from one of the officers to finalise that (actual value) and will have it for the next meeting. SB continued: DC's discussion was carried forward owing to concentration on the work required for submitting a response to the Sandown lands (consultation). SB read out the letter submitted 19th Feb to Malcolm McLeod (Infrastructure & Environment HC) with the heading, 'Formal request for clarification of collection and management of Developer Contributions in the Nairn Ward Area'.</p> <p>Appendix 1. This letter had already been seen by CC members, Ward Councillors and the Ward Manager.</p> <p>SB thanked JF for his work on the draft. JF in turn thanked BS for the initial work on the first pass which was the hardest part.</p> <p><i>Proposed Next actions:</i> Once answers to the individual questions are received and considered the NWSCC will seek clarification or ask further questions where required.</p>	C/F TH response pending. Proposed: AN Seconded: BY Members agreed
7	Inner Moray Firth Local Development Plan [IMFLDP] & Consultation	
7.1	<p>SB: The information regarding the MFLDP consultation was displayed on the HC website with simultaneous received email notification on the 27th Nov 2020. The Consultation process started 29th January 2021 and planned to end 1st April 2021.</p> <p>SB continued: CC members informally decided to respond after internal correspondence. Internal discussions between CC members raised the same questions as the Sandown consultation: Why is Highland Council having such a big consultation during covid? Face to face public meetings can't be had. It was always useful to have display boards and representation from persons such as Scott Dalgarno and his staff who were able to talk directly to people about what was on the representation board and information was gleaned on both sides. This is all missing and only hard copies are available to work from. SB expressed disappointment over this lack of face-to-face contact and input and continued by acknowledging that TH had defended the current consultation process through quoting Scott Dalgarno's observations that consultation responses had been more numerous using the online process. SB went on to say it would have been hugely disappointing if there hadn't been a good response. Community Councils, The Nairnshire, the Gurn, Nairn Our Town and now the Courier had worked hard to get people participating, reading the information and responding. SB felt the fact more people had responded was down to this effort to get people involved. SB went on to register her thanks to Des Sholes, Andy Randerson and Donald Wilson for making sure the public were able to read and know where to access information in the absence of the much-missed Nairnshire where more in depth coverage had once been possible.</p> <p>SB has requested that NW&SCC members read the report (page 197 for Nairn) and prepare their thoughts so they are able to contribute to discussions on a response.</p>	

	<p>SB reminded meeting participants, that while NWSCC would be making a response, they and everyone else in Nairn can put in their individual observations and comments up until the 1st April.</p>	
8.1	<p>Verbal Update from Councillors: SB commented on how well received the information on Covid statistics and the Covid Assistance Fund had been and when posted on Gurn and Nairn Our Town the information went 'viral'. AM asked for some clarification on what can be put on the NWSCC website out of all the information received. TH responded that any information he provides at a Community Council meeting can be assumed to be in the public domain and can be posted on the website. SB raised the Covid Resilience updates from the Ward manager and asked for confirmation that this information can also be put on the website. PS responded that information received from the Ward manager office is for public consumption unless advised otherwise.</p> <p>SB moved on to ask PS if there had been an increase in applications following the widely distributed information on the Covid Assistance Fund [CAF]. PS affirmed that though he couldn't give an exact number they had probably received more applications in the last month than they had in the previous three months. Some unfortunately didn't fall within the correct parameters and have had to be refused but applications meeting the criteria had been approved and would receive funding in due course.</p> <p>AM asked for confirmation that the amount that can be applied for is now over £500. PS confirmed that it had gone up to £1500, that there was still a considerable sum of money available and asked if it could be made known on the website and social media as they would like to receive more applications.</p> <p>SB requested PS to send AM the funding criteria to post on the NWSCC website.</p> <p>TH added the CAF is proactively giving advice. They respond to any initial request and make sure, if possible, that applications are shaped appropriately to enable applicants to meet the criteria.</p>	<p>PS to send AM funding criteria. AM to notify A Randerson posted on the NWSSC website.</p>
8.2	<p>JF: Mentioned the recent press releases on the A96 and Nairn Academy and requested TH/PS for an HC update on their understanding on where we are on both of those.</p>	
8.2.1	<p>TH: Nairn Academy</p> <ol style="list-style-type: none"> 1. the planned all-weather pitches refurbishment hopes to have them back in use by the summer they will be integral part of the new academy going forward. 2. Unsure of the detail but there is definitely on-going consultation starting within the school environment. There is a process that a HC officer and his staff go through and there will be a degree of consultation that is very much officer led. 	
8.2.2	<p>TH: A96</p> <p>The Scottish Government (Reporter) have authorised the Inverness to Hardmuir dualling to go ahead and will be processed in the next few months. Obviously, there are steps but as far as we understand the Nairn By Pass will be a priority but that is now in the public domain.</p>	

	<p>SB felt it was good news even if it was in 5yrs time. JN felt 5years was optimistic and thought it could be up to 20yrs. JF responded there was a fixed process that these projects follow with a very definite timeline and the milestone that was announced would have a fixed timeline behind it. Probably 3-4 years measured almost to the day. They do the finance, finalise the design, put it out to tender and then do the works. The works itself will be two or three years long and you won't see less than 24 months for the other processes.</p> <p>JN drew attention to newspaper articles and commented that it was all to do with budgets and a lack of money with the A9 having priority but as A9 was way behind schedule the A96 will be lucky to start.</p> <p>AM was a less optimistic on the time lines due to the apparent funding constraints but didn't disagree with what JF was saying.</p> <p>AN said there was no doubt everyone in Nairn wanted a bypass and thought it was the sort of thing that would be taken forward through the Place Planning process. A bypass was vital to getting Nairn's infrastructure sorted out and more discussion was needed. He expressed unease over the money going forward as it is not going to be a lot and it's going to be very competitive. A joined-up position in Nairn about the need for a bypass and required and we shouldn't worry too much about the dualling from Inverness to Nairn. The bypass is the priority.</p> <p>Continued discussion on projected completion dates with JN sighting information seen for likely timetabling for the A9 and A96 in the Scottish Govt Strategic Transport Review which is their official publication and actually a realistic view of what was going to happen. JF responded he had also seen the document and it was the projected completion for the whole project. The recent announcement by Transport Scotland referred to the start of the project and the Inverness-Hardmuir section was one of the top priorities so would be delivered significantly before the projected completion date.</p> <p>SB requested JF to follow up with Jacobs, who he has previously corresponded with, for any update they may be able to provide for our next meeting.</p> <p>TH added that dialogue between Jacobs and council officers continues. There is some concern over project management and available staffing and he accepts that A96 is due for completion in 2030, but they have been told the start is the Inverness – Hardmuir section and the bypass is a priority. This is the information he has to date and if it changes will let NWSCC know.</p>	<p>JF to contact Jacobs for progress report.</p>
<p>8.2.3</p>	<p>BY: felt NWSCC should congratulate TH and PS for the proactive hard work they put in on delivering the school and they deserved our thanks. SB felt that this should rightly be recorded in the minutes and expressed her formal thanks to TH and PS.</p> <p>SB asked TH if he would provide an update the March meeting if he had any more information on the academy. TH affirmed he would do so.</p>	<p>C/F Nairn Academy</p> <p>TH to update March meeting.</p>
<p>8.3</p>	<p>Highland Council Recovery Plan: A plan to bring community councils and other community groups together had been discussed. AN called for debate and an update on economic regeneration and plans for working together on this as it has stalled. The meetings that were happening are not taking place. AN called for strong proposals on moving things forward again.</p>	

	<p>TH replied he would take that request that back to the lead on this (Alison Clark HC). A number of issues around recovery will be brought to the upcoming HC meeting (week on Thurs) and hopes to have more clarity after the meeting.</p>	
<p>9.</p>	<p>BY: playing fields provision in Nairn review. Additional item</p>	
<p>9.1.1</p>	<p>BY: A review of the adequacy or inadequacy of playing fields in Nairn is long overdue particularly in comparison to other places. E.g Bught park in Inverness. Encouraging people to participate in team sport should be pretty high on the agenda if there is a competition for spend from Developer Contributions. BY noted - the Academy all weather pitch is finally due for renovation, new premises have been acquired by the Farming Society with the existing show field in use by St Ninian's (FC)</p> <p>Irrespective of location BY would like to encourage a review of playing field facilities and the putting of structure in place for improvement if needed. To ask the community what they feel, place it on the agenda and have a debate was worthy of our attention and consideration and BY would like HC to engage with us on this.</p> <p>TH responded that there may be a clearer pathway after the budget meeting as currently many departments are depleted of staff or have staff seconded. Closure of play parks have occurred over Health & Safety concerns but Nairn councillors have offered financial support to groups such as Nairn Play for new equipment (unused so money reallocated). Sustainability, maintenance and health and safety issues need to be taken into account. He felt the playing fields were worthy of exploration and will see what they can do to respond to it.</p> <p>Playparks with unsafe equipment were being closed or having equipment removed. TH mentioned a knowledgeable person had been appointed and they were working out how to use this person effectively. He confirmed in response to AM's query that playing fields have not been closed though unsafe goals may have been removed. TH mentioned that in some areas voluntary/community groups are managing facilities.</p>	<p>SB: letter</p> <ol style="list-style-type: none"> 1. congratulate Farmers Society on purchase of a new show-field 2. thank the Davidson Trust for giving financial assistance.
<p>9.1.2</p>	<p>JN felt voluntary groups should not have the responsibility for raising money or maintaining equipment and that it linked to work on progressing having a proper share of the leisure and recreation budget. Comparative spend between Highland areas reveals that the spend in Nairn is way below that in other area in Highland. JN continued by asking Nairn Councillors to start questioning why we don't know what our per capita leisure and recreation budget should be and why we aren't getting a leisure and recreation budget. JN said volunteers, PTA's, Nairn Play etc should not be expected to raise funding and do all the work for facilities which are a statutory duty of the local authority. JN continued that it was not a case of no money as there was plenty of money allocated to leisure and recreation spend in other areas and she had a spreadsheet to verify this. Our money was going to other areas while Nairn was being asked to form voluntary groups. JN pointed out areas such as Riverside where equipment had been removed or not replaced (E.g., 2 swings) and finds this shameful. JN called for councillors to campaign for a fair share budget for leisure and recreation for Nairn.</p>	
<p>9.1.3</p>	<p>PS: replied "We need to make sure that Nairn endeavours to get proper funding and I am looking into the question of the amount of money that HC charges the CGF for grass cutting and such like and this is a work in progress"</p> <p>SB thanked PS and moved on to talk about her agreement with the need for a fair share of the leisure budget and that we are not seeing a reasonable amount coming to Nairn and we feel justified in bringing this up.</p>	

	<p>PS then raised the £1,000,000 pound spend on the Court House but SB came back with the point that Nairn had some beautiful buildings and HC (and Nairn Burgh council possibly) has not spent the money they should have spent and we are now in a situation where HC had to pick up the bill.</p> <p>SB stated that buildings just have not been maintained and though she accepted the fact that a £1,000,000 pounds had been spent she could not accept that it is an argument against Nairn not getting its fair share per capita for sports etc.</p>	
9.2	<p>AN: On fair share: Scottish Govt spend this year on health is 16 billion and social care 4 billion, that's roughly 20 billion, divide that by the Scottish population is about £3600/3,700 per head. With 15,000 people in the Nairn & Ardersier practices that takes us comfortably over 50 million pounds. The last figure got from the IBG is 12.6 million which is a big discrepancy and Nairn needs to be asking for its fair share. These figures will not go away. To go back to the economic recovery there are jobs we should have in Nairn yet there has been a constant exodus of jobs to Inverness. AN stated he would be happy to work with others to ensure Nairn gets its fair share of health and social care, education, and leisure and recreation budgets.</p>	
9.3	<p>JF: A question for councillors: Are there are other subjects (such as the Buggies) that they are aware of we should be raising to the attention of the Nairn Public that we could take actions over the next month or two to include them in our agenda?</p>	All agreed.
9.4.1	<p>JF: Potential for reallocating fireworks funds toward beach buggies or Paratracker should be discussed.</p> <p>SB opened discussion: Without covid we would not have had that money to debate. Fireworks were included in part of the BID programme for the Nairn Christmas lights switch on in Nov 2020 and to SB's knowledge this is the intent for 2021. Therefore, the debate is ahead of itself. She felt NW&SCC is not in a position to make a decision on this as there would be a lot of dissenting voices and would prefer to wait for the BID to come back and use it for the same purpose as planned for last year. AN supported SB's position and reminded the CC that we were not a grant giving body and the money had been raised specifically for the fireworks. AM agreed; though a Paratracker would have more longevity. LM feels (by email to SB) very strongly that the money should be retained for the fireworks.</p>	
9.4.2	<p>SB: mentioned she had asked TH to seek clarification on what happens when a public collection for whatever reason cannot be used. Legally where do we stand if you wanted to change the purpose for it even with a reasonable amount of support from the people? TH has raised it with legal department but they take a while to respond.</p>	TH to advise
9.4.3	<p>Andy Randerson (AR) affirmed he was happy with the outcome but as one of the main fundraisers along with Lorraine he has a different opinion over the BID using it. He stated his point of view that the money was raised for a specific event and not just for fireworks but for a firework display for Nairn on November 5th or whichever day that falls on. He felt the transfer of money to Nairn BID will create more issues along the line within Nairn itself once this actually happens, hence his reasoning that if we could move it to something that would provide more longevity within Nairn would be found more favourable. He however accepts what CC members were saying and thanked everyone.</p> <p>SB: From the BID point of view. The organisation of a bonfire is not easy due to all the regulations and from memory there was no interest in organising one. The BID appeared to be the only group prepared to put on a display and do it in conjunction with the Xmas lights but she didn't know what they were planning for 2021.</p>	

	AR explained the history to AM. Dick Youngson had tasked Lorraine Mallinson and AR as community councillors to raise this money and progress what they could and it was all done under NWSCC.	
9.4.4	<p>JN asked for an explanation on a comment heard and repeated by PS that implied that Nairn were considered difficult and were therefore being unjustly penalised when it came to fair shares of budget and as we all pay our taxes, we were entitled to. PS responded that he felt JN was reading too much into the comment.</p> <p>SB on wrapping up said that she did not understand why someone in e.g., Badenoch & Strathspey, would receive more capita per head than in Nairn and asked if PS could find more about how it is calculated. To get an answer on that would be fantastic.</p>	PS to find out details on how capita per head is allocated and provide answers to the CC.
10.1	<p>Chat comments synopsis: Viewfield stables roof overgrown with moss and grass and commentator had brought it to the council's attention last year but nothing had been done about it. Can it be brought to the council's attention?</p> <p>SB commented on the dilapidated state of the building and how that water ingress from blocked roans etc will make it worse.</p> <p>TH replied that the moss on the stables has been raised and that the Ward Manager Willie Munro was dealing with that.</p>	
10.2	<p>The leaf collection in Viewfield had stalled badly this year. Commentator queried if the common good was charged for it. AM replied on the theme of biodiversity saying not collecting the leaves was a good thing as it provided winter habitat for wildlife and insects.</p> <p>TH replied it was part of the community services in the town and there was no charge.</p>	
	Meeting closed: 8.30pm	
	Next meeting: MONDAY 29th March at 7pm	