

NAIRN WEST & SUBURBAN COMMUNITY COUNCIL
ORDINARY MEETING

6.30pm, Monday 28 March 2022 at Nairn Community and Arts Centre

DRAFT Minutes

Present:

NWSCC members: Alastair Noble (in the Chair) *Others:* Hamish Bain (NRCC)
Alan Hampson Loreine Thomson (NRCC)
Ally MacDonald
Joan Noble
Dick Youngson (and several members of the public)

Apologies: Brian Stewart
Lorraine Mallinson
Lewis Hannah (Ward Manager)

1. Welcome/Introduction

1.1 Alastair Noble (interim Chair) welcomed all to the meeting. There were no declarations of interest. He explained that the 'inaugural' meeting which would have taken place before the routine CC meeting had had to be cancelled on account of the Ward Manager having Covid. It was proposed that the election of office bearers would now be delayed to the AGM. in May/ June.

With a new Highland Council in place in May there was an opportunity to work closely and openly for the good of Nairnshire, with the prospect of a local place plan and economic forum to concentrate on what was best for the area, not the top down poor decision making of the past few years. Particularly important was the pressing need for each area to have a fair share of HC spend, and value for money.

An agenda item about the new Inverness based vaccination service was added to AOCB.

1.2 Apologies were conveyed from Lorraine Mallinson, Brian Stewart and Ward Manager Lewis Hannah.

2. Minutes of previous meeting (21st Feb.2022)

2.1 The draft minutes (previously circulated by email) were approved unanimously. There had been a small amendment made in Para 3.5 (flooding) at the request of the NNCPP chair.

The minutes were adopted (proposed by AH, seconded by JN).

3. **Matters Arising (not otherwise listed as agenda items)**

3.1 Emissions monitoring. A reply had been received from the Ward Manager, and it had been agreed that emissions monitoring would be extended to include the area around Leopold Street and A96. Existing monitoring sites around St. Ninians Road indicated that levels were within accepted limits there.

Action: the reply has been forwarded to the resident who raised the issues (BS).

3.2 Speed Limit 'smiley face' in Seabank Road. Reminder had been sent to ward manager.

Action: Awaited

3.3 Town Centre Funding and decision making around new flats. The Ombudsman had now confirmed that Highland Council had appealed the decision. No apology had been issued. On the issue of transparency there had been discussion of the closed Ward business meetings at the H.C. meeting of 10th March. From the webcast it was clear that there was no consistency of procedure, recording or transparency regarding these meetings. Councillors however voted against routine public access to minutes and records while accepting that it was completely unsatisfactory and had to be sorted out by the new Council.

Action: Await decision by Ombudsman and election of new councillors.

3.4 Other Common Good disposals. CC had submitted comments about the Grant Street yard and James' café. Outcome awaited.

3.5 a) Developer Contributions (DCs). A joint letter from both Community Councils had been sent to Audit Scotland asking for a full investigation into the 'missing' millions of pounds in D.Cs for Lochloy.

b) There had been informal contact with another Community Council about the IMFLDP 'Delivery Plan' which had indicated that all 'community facility' DCs from their village should go to High Life Highland facilities in Fortrose, even though they wanted their playpark and other amenities upgraded.

This mirrored the situation in Nairn where H.L.H. were to get all community facility DCs from the whole of Nairnshire for the 'Dance Studio' for the foreseeable future.

J.N. offered to draw up a spreadsheet indicating which communities were losing all the community DCs to centres managed by HLH. and how much HLH was gaining. In addition an FOI would be submitted to ask for the 'needs assessment' and consultation which HLH had done to prove that Nairnshire's only community need to offset development was the HLH leisure centre.

This was in complete contrast to Moray where there was a bidding system, and communities could all put forward projects and ideas for consideration.

Action: a) Await reply from Audit Scotland.

b) JN will prepare spreadsheet and liaise with other CCs in advance of 7th April meeting with planners.

4 **Financial Report**

The NW&SCC account had a balance of £2219.16 as at 28th March.

Payments due were £143.88 for Zoom licence. Website, meeting room and insurance invoices were due.

Action: *a) Await invoices and finalise accounts by end April for AGM.*

5 Sandown: the further consultation

A letter had been received from Kate Lackie responding to the joint CCs letter of 26th January about the additional or second consultation exercise. In effect she dismissed all the concerns about the legality of the process including responses from outwith the community, anonymous and multiple responses.

It was felt that HC were not interpreting the Community Empowerment Act correctly in that Statutory Guidance from the Scottish Government made it quite clear that the consultation was a ‘community’ consultation, and that the ‘community’ was the inhabitants of the former burgh as of 1973.

Action: *Reply to be sent reflecting discussion above*

6 HLH fees, Leisure and Recreation Spending

6.1 A reply had been received from Alison Clark about the apparent ‘double charging’ by HLH for management costs for the Links while the Service Delivery Contract indicated that HC were already funding HLH for the service. The reply purported that there was a longstanding agreement that Common Good facilities paid HC for management and that this had merely been rolled forward. No evidence was produced for this, and no explanation as to why it was in the Service Delivery Contract with Highland Council. This was completely inadequate and a reply would be sent.

Action: *Reply to be sent asking for clarification and review.*

6.2 JN reported that she had had a response to an FOI about agreements/contracts between HLH and HC regarding payments for Nairn Links and paddling pool. It would appear that prior to the reinstatement of a local committee in 2013/14 that common good spend was decided by HC officials and neither accounted for openly nor subject to any regular scrutiny from local councillors. However in 2014 there had clearly been an attempt to ‘regularise’ the Common Good Fund accounting and spend with presentation of budgets and basic accounts to local councillors.

In response to the FOI, HLH had sent two documents – one drafted in 2014 which was a draft contract between HLH and Nairn Common Good for management moneys for the Links. This had clearly neither gone through any process or been signed, and most certainly did not pre-date the legally binding Service delivery contract of 2011.

The second was another unsigned draft contract between HC and ‘Nairn Common Good’ from 2021 about the splashpad management and associated costs. Again there was no indication that there was already a longstanding Service Delivery Agreement in place.

Both Alison Clark’s letter and these draft documents appear to indicate that Common Good assets may be being discriminated against, as previously supplied spreadsheets suggest that many ‘all other ‘third party’ (private and community owned) assets are likely being managed by HLH under contract for no fee.

A further FOI has been sent to HLH asking whether any other '3rd party' bodies are being invoiced for HLH costs.

Action: Await FOI reply before engaging with new councillors about L and R spend.

7 Maggot waste disposal / Harbour Street toilets

7.1 The planning application for a waste disposal point had been withdrawn but to date no firm proposals had emerged for either the waste disposal point or harbour toilets. Officials had made suggestions that Covid or Place Based Investment funding could be used for a feasibility study of the options.

There was a clear view that the toilets would have to be brought up to standard by Highland Council before being handed back to the Common Good.

In addition AM expressed concern over the poor cleanliness of the Links female toilet and noted damage to or absence of toilet roll holders and toilet rolls in cubicles. She questioned how often the toilets were serviced.

Action: Letter to seek firm assurances that Harbour street toilets will be brought up to standard before being handed to Common Good, and that full consultation will take place about the options. Letter also to ask for details of arrangements for servicing and repairing Links toilets.

8. Tourism Strategy / Visitor Management

A reply had been received from Colin Simpson which regretted that community groups other than the BID had not been consulted in the Tourism Strategy process, with the result that Nairn had not been recognised as one of the top tourist destinations in Highland and a very inadequate and narrow report put forward. He suggested a meeting with the community councils. The CC felt that tourism needed a holistic plan including Links development / parking/ toilet provision / coach accommodation / green network and active travel / jobs / retail / promotion. In Dornoch they had a wide community consultation by an independent consultant funded by HIE and other partners.

Action: Accept offer of initial meeting of both town CCs with Colin Simpson prior to further discussion of wider tourism consultation / local place planning.

9 Port of Ardersier - redevelopment

A meeting had been held by Ardersier CC to allow the public to ask what was happening at Port of Ardersier and why access was being denied to Whiteness point. 70 people attended, and Kevin Reid who was there reported to the meeting that the discussion had been unsatisfactory and failed to produce the reassurances asked for. Information from the HC Access officer questioning the legal status of the port and their right to erect fences at their entrance and on the beach were dismissed by POA representatives. A further e mail from the Access officer confirmed HC opinion that the fences were premature and unlawful and said it would be taken up with POA.

Action: Await HC action

10 Planning for new Academy and future of library.

10.1 Representatives of both Nairn CCs had met with senior staff from the Academy to exchange ideas and express their view that any building would be of a high standard and of adequate size. It appeared that there had been no option appraisal of where the new school should be sited, and it was now a fait accompli. Information from Wick indicated that poor build quality/design and inadequate size became apparent within months of occupation, and Nairn should insist on high standards of build and adequate capacity.

Further meetings of the consultation group were planned, and these issues would have to be kept front and foremost.

Concern was also expressed as to how close the new building might be to the rear of Loch Avenue, potentially significantly affecting their light and privacy.

Action: The Chair concluded that the discussion had revealed serious anxiety and a number of practical issues, which would be conveyed to the stakeholder group at its next meeting.

10.2 The library consultation had stimulated much discussion on social media, with nearly all participants opposing moving to a new academy on the grounds of accessibility, and effect for footfall on the High Street. The consultation result was not known.

Action: ? letter. Not clear decision

11. Dialogue with other CCs

A productive Zoom meeting had been held with several other Community Councils with Common Good funds, and it was clear that most were suffering the same issues as Nairn. It was agreed to exchange information over such issues as investment funds, parking charges, maintenance charges, etc. and also work to achieve proper Common Good advisory groups in each area. A further meeting would be held to progress this with the new Council.

12. IMFDP and local sites.

Nairn East: Two local business owners from Grigorhill were in attendance, and they expressed how concerned all the businesses were that Nairn's industrial zone was potentially going to be surrounded with housing and a school. They cited loss of expansion areas, noise, dust, danger to residents, increase of traffic and congestion. It could lead to firms moving out of Nairn and loss of jobs which were mainly filled by locals. It was not clear how Nairn East had moved from non-preferred to preferred for housing without any change in basic design or infrastructure provision. Infrastructure must be in place for any new development and there must be no threat to existing jobs.

Action: Meeting with planners on 7th April. Will be raised as major concern.

Delnies: It was not clear how planning permission could be transferred from a mixed use development with golf course and academy, hotel/conference centre, equestrian centre, tourist centre, green network and nature watching facilities to just the 300 houses without any of the other amenities which had facilitated its approval in 2013.

Action: To be raised at above meeting but also a letter to go to planners querying issue.

13. Place Based Investment Funding

Deferred

14. Seamen's Hall

Discussions had taken place with consultants about necessity for and use of the proposed facility. River CC following up legal issues around trustees relinquishing ownership.

15. Questions/Comments from the Public

There were none other than those raised and recorded under item 12 above.

16. AOCB

Provision of Covid and other vaccinations. A CC member had been approached as elderly people were now being invited for Covid boosters, but had to attend a centre in Inverness. Apparently in future all vaccinations (including infant ones) will be given in Inverness which greatly disadvantages both young and old alike, and is likely to reduce uptake. It was explained that this is not the wish of Nairn Healthcare who gave a tremendous service during the first round of vaccinations, but the result of a new GP contract.

It was agreed to write to NHS Highland expressing dismay at this huge reduction in service and the knock on effect on uptake, access to the service, unnecessary travel especially with the climate emergency and expense.

Action: Letter to NHS Highland

17. Next meeting: to be held in public at 7pm on Mon 25th April in the Community & Arts Centre.