



## Nairn West & Suburban Community Council Nairn River Community Council

Joint Meeting: Monday 20 March 2023 in Nairn Community & Arts Centre

Present:

**NWSCC Members:** Alastair Noble (AN, Chair), Alan Hampson (AH), Dick Youngson (DY), Joan Noble (JN), Kevin Reid (KR), Phil Stuart (Treasurer, PS), Graham Stuart (GS)

**NRCC Members:** Hamish Bain (HB, Chair), Veronica Mackinnon (VM, Secretary), David Thomson (DT Treasurer) Mandy Lawson (ML), Ian Gordon (IG), Alan Calder (AC), William Spark (WS),

**Ex-Officio:** Cllr Laurie Fraser, Cllr Michael Green, Cllr Barbara Jarvie,

Others: Two members of the public

Apologies: Lorraine Mallinson, Brian Stewart

Welcome/Introduction

The Chair welcomed all those attending and noted apologies.

Minutes of previous meeting (23 January 2023)

The prior minutes were approved – proposed by PS, seconded by JN.

### 1. Local Place Planning

- a. Cllr Green reminded the meeting that a meeting had taken place between members of the CCs, Scott Dalgarno and Ewan McIntosh and Planning Aid Scotland (PAS) are being engaged to facilitate the process for the production of the Local Place Plan (LPP). A commission document from PAS is due on Friday, which will be reviewed next week and shared with stakeholders. (Action: Cllr Green to share commissioning document from PAS with CCs)
- b. ML led with the sense of frustration around the CC members at the speed of the process in view of the need to complete the LPP by January 2024. Plans for a public meeting in March have floundered and it more likely that this important kick-off meeting will not happen until May. There has not been any mobilisation of any funds as yet, the Community is to lead the plan so why is the Consultant being commissioned by THC? MG stated twice that if the Community is not happy then the plan will go back to the start. ML also emphasised again that it is the local community (led by NICE) who must lead the creation of the plan and direct PAS in the process. HB stated that his impression was that the LPP would be up and running by the end of January and there is a lot of frustration at the delays.
- c. Discussion around funds, resources and commitment – MG stated he could not commit to anything. There are no mixed messages the Officers and any new recruit should be working for the Community.
- d. AN commented that he shares the feeling of frustration and all seem to agree that NNCPP will not take any leading role in creating the LPP and there is little interest or capacity to take part in the planned Economic Forum meeting scheduled for 30 March when the Place Plan is taking the highest priority. Funding has to come through NICE which would allow the process to start.

### 2. Town Centre / SPSO Report

- a. Cllr Green acknowledged that there had been a failure in process by Highland Council and a failure in scrutiny and oversight by members. The Highland Council commitment to feedback to staff was an inappropriate response in his view and the council should not get away 'scot-free'. The matter is due to be raised at the Audit and Scrutiny Meeting this week of which Cllr Fraser is a member. This situation was exactly the same as the removal of the Hill and slide, the Officer overstepped the mark.

- b. Cllr Fraser remarked that he felt that councillors at the time were left in the dark and misled, most of it down to council officials.
- c. AN commented on the apology to the SPAC letter. Need to get away from Private meetings and meetings not properly minuted. The apology letter appears to suggest it was just a mistake. This has been raised tonight and needs to go back on the agenda to gather comments from Councillors after their meeting.
- d. JN remarked that greater transparency in process is essential and a key opportunity to demonstrate lessons learned. JN referred to the discussion at the last joint meeting and particularly the call for transparency at Ward Meetings. Cllr Green mentioned that he, Cllrs Jarvie and Oldham were supporting a motion to be taken to the council members for more openness in Ward Meetings - a previous vote at full Council on more transparency was not carried. Cllr Jarvie suggested that not publishing minutes that would be available through FOIs is not open or transparent and she did not want to be associated with such a practice. Cllr Jarvie advised she would be looking at a new vote at full Council on publishing minutes. ML stated that Councillors and Community Councillors are covered by the same code of conduct. CCs have to publish minutes without any staff unlike the Council. 1 hr 20
- e. AN brought the conversation back to the importance of Planning and Planning Enforcement for the success of the LPP. Cllr Green shared concerns about lack of enforcement of planning requirements due to budget cut-backs. AN stated that if there is no enforcement there should be no planning. No Enforcement is the history of Lochloy. Senior planners have stated that Lochloy is as bad an example of planning as anywhere in Scotland.

### 3. Parking Scheme

- a. At the previous NWSCC meeting, Cllrs requested copies of the letter of complaint sent to the CEO and Head of Legal Services of Highland Council on permit parking and compulsory motor-home parking charges for overnight stays at the harbour, which were duly shared.
- b. Cllr Green commented painting of inappropriate white lines around the Harbour has to stop and that he was interested to work with the CCs on parking management and charging having returned from a visit to Skye where compulsory parking charges are in place and used to invest in new car parks. Further, a paper was to be presented at the Nairn Area Committee tomorrow on the costs related to collection of voluntary parking income on Common Good land. MG laid out the costs for the meters and so forth.
- c. JN raised the 'white lines' at the Harbour and consensus was that they had to go.
- d. GS responded that the CCs would be very interested to discuss the topic of parking and charging further. ML reminded the meeting that compulsory parking charges were rejected at a prior public meeting and have been shown to be detrimental to local commerce in other towns. Also, a promised consultation on voluntary payment for parking has been awaited since 2021. AN agitated Cllr Fraser advised that the parking question at the Legion did not include Common Good land. HB stated that the spirit was the same and if it had been on the agenda then the people in the room would not have voted any different. HB mentioned an article in THC website to reassure the People of Wick that the People of Nairn were happy with the parking proposal, this was and never has been the case, dirty tricks by THC.
- e. On the complaint, GS sought an assurance that the Councillors also took this matter seriously because another letter was due to be sent to the head of legal services and there is a concern that this is the start of a process that may lead to the outcomes on the previous item. Cllr Green responded that irregularities will be addressed.
- f. IG, as a resident of the area around the Links expressed his frustration that those who do not realise parking is voluntary will block resident parking spaces around the car park to avoid paying the charge.
- g. AN emphasised that town parking charges was relevant to the LPP and it was important to implement a clear Traffic Management Policy.

### 4. Common Good – Engagement Group

- a. Cllr Green expressed regret that the Common Good Engagement Group was not yet operational, Ward Manager Lewis Hannah does not have the capacity to take on coordination of this. The Engagement Group will be convened when the new Common Good Officer is in place. The position is presently with HR to start the recruitment process
- b. Following broad regret that the Lewis Hannah, combining Nairn and Badenoch Ward roles, was over-stretched due to cut-backs and that Nairn deserved a full-time officer, HB suggested that three part-time roles covering Nairn Common Good and Ward Management might be reconfigured into a full-time Ward Manager for Nairn.
- c. JN questioned the value of the Highland Council Common Good Manager and Nairn Common Officer being funded from the Common Good Fund. THC are the only Council of 32 Councils that employs a Common Good Officer, other Councils charge this through their normal funding. Cllr Fraser indicated that Nairn got good value from the Common Good Manager funding in that,

since the creation of the role and completion of the Common Good Register, the Nairn Common Good is considered to be the most complicated to administer.

- d. AN reminded the Councillors of the request for a moratorium on key decisions on Common Good until the Engagement Group was operational, especially when divestments are currently being contemplated.

#### 5. **Common Good – Harbour Street Strip of Land Divestment Consultation**

- a. There was a lively discussion on the new consultation on the proposal to sell a strip of land next to the Seaman's Hall to Green Hive at no cost. Cllr Green stated that the value of the land had been assessed by a professional valuator as having no value.
- b. HB and ML argued against the position that the land had no value and made the point strongly that the land must have value to the purchaser since they want to acquire it. They claimed precedence in the decision to lease of a smaller tract of land to James Grigg at the Putting Green and a very small piece of Common Good land in Dornoch was sold for £8000. To sell a piece of CG land for £1 is a very dangerous precedence. HB stated that he has, in the past, been contacted by Fishertown residents looking for somewhere to park their car due to the increase of air B&Bs and finding it more difficult to park cars. This piece of land could park several cars.
- c. JN remarked that the sale of the Common Good Land was unheard of, qualified to 'in recent years' following a clarification from Cllr Fraser.
- d. JN also pointed out that on her understanding the land is incorrectly defined by the Common Good Manager as not inalienable and so a more rigorous process for a divestment would be required via the Sheriff Court. Cllr Green agreed to follow-up on this point.

#### 6. **Developer Contributions**

- a. JN reminded the meeting of the past failures to initially collect developer contributions from Lochloy development and then their lack of utilisation, leading to a return of money ear-marked for a school and others (such as for a pedestrian bridge) which are at the risk of being returned. The status of some developer contributions monies is still unclear.
- b. JN considered that the role of High Life Highland (HLH) as the seeming default recipient of developer contribution money to the detriment of other potential community projects is questionable, as is the utilisation of the money by HLH, currently ear-marked for a dance studio at the swimming pool.
- c. JN - In light of representations of concern by Nairn CCs and others in the region, JN referred to a new protocol for dealing with developer contributions, which was presented to the E&I Committee in February. Whilst this is a step in the right direction, there are still reservations about the process for assessing and approving community projects without community / community body input.
- d. Cllr Green responded that he is vice-chair of the E&I Committee and was directly involved in the creation of the protocol. He acknowledged the role of HLH was something for further review and asked to follow up with JN after the meeting to discuss the pots of developer contributions.
- e. The discussion had to be cut short due to lack of time.

#### 7. **Local Events Funding**

- a. This item was deferred due to lack of time.

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Next Meeting: NWSCC - Monday 25<sup>th</sup> April 2023  
NRCC - Wednesday 19<sup>th</sup> April 2023