

Nairn West & Suburban Community Council
Meeting: Nairn Community & Arts Centre, 23rd January 2025

NWSCC Members: Kevin Reid (KR, Chair), Alastair Noble (AN, Vice-Chair), Kristin Duncan (KD), Joan Noble (JN), Graham Stuart (GS, Sec, Minutes), Phill Stuart (PS, Treasurer)
Ex-Officio Invitees: Cllrs Laurie Fraser, Michael Green, Babs Jarvie, Paul Oldham

Apologies: Kristin Duncan, Michael Green

Members of public in attendance: Tim Clay, Graham Vine, Murray McRae, Hamish Bain, Veronica McKinnon, Brian Stewart, Federica Stefani (HNM)

MINUTES

- 1. Declaration of Interests on Agenda Items** - none indicated.
- 2. Minutes of Community Council Meeting, 25th November 2024, for Approval** ([link](#))
 - Approval of minutes proposed by AN and seconded by KR.
- 3. Review of Actions Log from Last Community Council Meeting (See Appendix) (GS)**
 - GS summarised the actions log, all on-going items were on the agenda.
- 4. Accounts and Admin (PS)**
 - There is no change to the bank balance, an invoice from the Community Centre is due to be paid. PS is continuing to explore moving the bank account to the Co-op.
- 5. Planning Applications Submitted Since Last Meeting for Review (GS)**
 - 24/05183/FUL – 11 Seafield Street – Extension ([link](#))
 - 24/05264/FUL – 51 Manse Road – conservatory demolition, new extension ([link](#))
 - No issues with these planning proposals
 - The Nairn Bowling Club planning application to relocate to the Showfield, 24/04986/FUL ([link](#)) was raised, where the council has been invited to comment as a consultee. It was noted that the current Albert Street is within NWSCC boundary and will likely be sought to develop for housing. The consultation is listed to end on 4th February. **Action:** GS to follow-up with NWSCC members offline for comments and to draft a response to the planning department, if applicable.
- 6. Delnies Development Update (AN)**
 - There was an extensive discussion on the status of the Delnies Development objections. AN referenced a legal opinion presented to the Nairn Common Good Engagement Group (NCEG) the concluded that the approval of the servitude for sewage connections on Common Good land could be determined by a housing committee. The opinion has not yet been made available. KR commented that even if the NCEG or Nairn's councillor trustees were competent to object to the servitude, a legal mechanism exists where the developer would eventually be guaranteed to be granted servitude and the Common Good would need to spend around £5000 in legal costs. PO agreed that any objections would be in vain and cost the Common Good money to defend.
 - On the subject of compensation for grant of servitude, it was not clear whether the grant would constitute a disposal of the land for which the Common Good could be compensated.

JN commented that the grant would effectively be a disposal since there would be future limitations over what could be done over the sewer connections, such as no rights to build over the connections.

- AN, backed up by comments from the floor, summarised the situation as a failure of democracy.
- JN summarised the results of the FOI request she made to Scottish Water for materials relating to the Delnies Development. It is clear that mitigations to both clean and foul water systems are required to accommodate development at the west of Nairn. Despite approval recently being given to Barrats for 300 connections to the water system, no specific approved mitigations or capital budget approval for mitigations are indicated in the FOI materials. JN has requested a further FOI request for more specific information on the planned mitigations for the Delnies development, their timing and approved costs, and a response is due by 19th February. TC commented from the floor that the clean water delivery pressure is an issue and it is not clear that mitigations are in place to ensure the required pressure nor whether the developer or Scottish Water is responsible.
- It has been publicly reported that there were 93 sewage discharges into the Moray Firth and Nairn River in 2023 and the sewage discharge was equivalent to 53 Olympic-sized swimming pools. There was general agreement that the sewage system is not currently fit for purpose for Nairn. HB from the floor commented that Scottish Water has continually claimed there was no money to deal with the sewage issues and yet now it may be committing significant sums to accommodate the Delnies development connections alone.
- It was generally agreed that a coordinated approach to publicising and challenging the likely sewage issues related to the Delnies Development was required. **Action:** NWSCC will prepare a letter to Scottish Water after the latest FOI information is received and digested, with consultation with River CC and consideration of releases to the press and social media.

7. Local Place Plan Update (AN)

- AN reported that the LPP is to be presented to the NAC for approval on 10th February. Some small changes to the draft were proposed by Highland Council. There has been a kick-off meeting to take forward the Delivery Teams and jobs and town centre regeneration will be the two main focus areas.
- Highland Council notified NICE of its intention to market the (ex-Finance) Italianate building and it is now on the market. AN confirmed that NICE would send a letter to the council reminding them that an expression of interest for a CAT was submitted for the building and requesting that the sale be paused whilst the LPP is approved and to allow the delivery teams to become operational. **Action:** NWSCC will also send a letter to Highland Council requesting a pause on the sale of the Italianate building.

8. Common Good Engagement Group (AN)

- There was a short feedback from last CGEG meeting, (slide presentation ([link](#))) where a significant amount of time was spent on the Delnies servitude issue. Minutes of the meeting were not yet available. A survey will be conducted of the members of the group for feedback and to build on the concept for its second year.

9. Coastal Erosion and Flood Risks (GS)

- River Nairn Flood Assessment and Dynamic Pathways Report ([link](#)), exec summary ([link](#))
- KD email update shared with councillors, notification of public meeting on 30th Jan ([link](#))
- GS briefly summarised the materials that KD had sent to the councillors and drew attention to the Climate Café meeting on the 30th January, which will have participation from Alan Fraser from Highland Council. GS commented that this meeting may trigger further interest and action for a larger public meeting highlighting the issues, which may

be steered by the CCs.

10. Highland Council Parking Survey ([link](#)) (JN)

- NWSCC responded to the parking survey, a copy of the response has not been accessible. JN summarised the response: the non-enforceable permit parking spaces at the Harbour created without a TRO, where it is proposed to reduce the number of marked bays and keep bays near the restaurants available for the public; unregulated motorhome use at the harbour which may be creating fire hazards and damage to the harbour through weight of vehicles; overflow parking at the Links on the grass areas requires attention; motorhome parking at the swimming pool causing disruption to facility users; parking at Tradespark shop; and the need for dropped kerbs at Millbank Road, Leopold Street and the High St Brae.
- There was a brief discussion highlighting the negative effect of the availability of campervan parking on council car parks and the campervan scheme on local businesses. PS commented that there will always be rule-breakers, e.g. parking where they shouldn't, discharging chemical toilets into the river etc. whether there are rules and regulations or not, and the most important thing is to invest in monitoring compliance with the rules.

11. Scheme of Establishment Review (KR)

- Highland Council Special Meeting Dec '24 agenda ([link](#)), consultation announcement including boundary change/merger of Nairn CCs.
- NWSCC members have been encouraged to respond to the survey as individuals. The CC is split on whether there should be one CC for Nairn. GS asked whether feedback should be sought from constituents and there was some discussion on how that may be achieved, e.g. mail shot via social media, along with information on NWSCC's role and current activities.
- JN, backed up by HB from the floor, declared that the Highland Council has not followed proper process in initiating a consultation on a merger of Nairn CCs. Under the existing Scheme of Establishment, a CC would first need to vote to be dissolved and only then may mergers of boundaries be proposed. A merger cannot be imposed on the CCs by the Highland Council.
- There was discussion on whether it made sense for the prospective Delnies Development to fall under NWSCC boundary rather than Cawdor and West Nairnshire. [Post-Meeting Note: The NWSCC position is that the Delnies Development should fall under a Nairn, i.e NWSCC, Community Council jurisdiction. This will be followed-up in responses to the consultation.]

12. Visitor Levy Consultation (PS) (Consultation open to 31 March ([link](#)))

- PS had attended the Highland Council webinar on the visitor levy and briefly summarised the proposals which are out for consultation. PS considers that the 5% levy should be called a room rather than visitor tax since Highland residents will also have to pay. There was a short discussion on reimbursement for hospital visit stay overs and the levies potentially bringing hospitality providers over the VAT threshold. The main issue for the CC is that levy income from Nairn should be spent in the Nairn area. It appears that Highland Council is reserving the right to use the income on general expenditure. GS felt that concerns over the way the income was disbursed was not enough to object to the proposal, whereas both AN and PS felt they could not support the proposal if there is no commitment to use the income in the areas where it was collected. JN was undecided. It was agreed that since the consultation was open until March 25th, more discussion should take place on a potential response from the CC.
- BJ suggested that everyone should refer to the information Visit Inverness and Loch Ness

site for a very good overview of the proposals, ([link](#)) and the recording of the levy forum meeting ([link](#)).

13. Standing Item - Community Regeneration Funds Distribution (GS)

- Original funding letter fyi ([link](#))
- GS read the e-mail from MG on latest position ([link](#)), where it appears to have been agreed that at least £50K would be distributed to each local area from the Coastal Communities Fund and MG will continue to argue for an even fairer distribution. It was agreed that this was a good start.

14. Standing Item - Nairn Common Good Charging and Leisure & Recreation Spend in Nairn (JN)

- Original letter link fyi ([link](#))
- JN has received a reply to an FOI request for details of how the Common Good administration charges are managed by Highland Council. Information of concern includes that despite a portion of charges being determined by the time spent on the area's CG (50%, the other 50% based on the size of the CG), no time sheets are kept to enable a calculation, and it appears that Nairn CG has been charged with costs against Common Good registers being set up for Grantown, Fortrose, Kingussie and Thurso. PO commented that he has had concerns about the management of CG admin charges, JN said would collate all the information into a letter to the councillors. **Action:** JN to lead drafting a letter to the councillors outlining her findings from the FOI request on admin charging for Nairn Common Good.
- PO/BJ confirmed that the upcoming Common Good budget was to be brought to the next NAC on Feb 10th. With respect to NWSCC's position that Highland Council should provide services for maintaining the Links in lieu of the use of the Common Good land under its obligation to provide open public spaces, JN has evaluated Highland Council charging to other Common Good areas. It was agreed that a letter will be drafted in advance of the NAC summarising Highland Council charging to other Common Good areas and arguing that Nairn Common Good should not be being charged for maintenance of the Links area. **Action:** JN to lead drafting a letter on Highland Council charging to other Common Good areas in comparison with Nairn.

15. AOCB

- **The Nairnshire Newspaper– articles opportunities (GS)**
 - Agreed that NWSCC would continue to look for opportunities to submit articles of interest and relevance for publication in the newspaper
- **Active Travel Signage (JN)**
 - Correspondence from Mark Greig ([link](#)), the lack of progress continues to frustrate the CC.
- **Ardersier Port Community Benefit Fund Working Group (PS)**
 - Acknowledgement of start-up funds received for Parkrun team
- **Highland Council Budget Challenge (GS)**
 - Notification of further consultation ([link](#)) and leaflet ([link](#))
- **Vaccinations**
 - KR noted the Scottish Government's agreement to revert to a local GP-managed process for vaccinations in the Highlands and Fergus Ewing's acknowledgement of the efforts of AN (and Dr. Adrian Baker) over the past three years to argue for a change from the centralised model. AN commented that the issue had been first raised at a meeting of NWSCC.

- **Next Meeting: 24th February 2025, 7pm ([Note - Drynachan Room](#))**

For Reference - Communications from/to NWSCC Since Last Meeting

- 20250106_NWSCC_Councillors_Coastal_Erosion Update ([link](#))
- 20250121_Green_Community_Funding ([link](#))
- 20250122_Greig_Correspondence_Active_Travel ([link](#))

For Reference – Information of Interest

- **Nairn Local Place Plan** - Final plan for review ([link](#)), executive summary ([link](#))

Appendix – Actions Log

(Date) Action	Status
(28Oct24) – NWSCC Bank Account - Action: PS will follow-up on an alternative bank account for the CC funds.	Ongoing
(28Oct24) – Flood Reports - Action: NWSCC team to consider organisation of a flood meeting.	Remove – Climate Action Hub meeting on 30 Sep at Highland Weigh on flood risks.
(29Jul24) - Nairn Common Good Charging and Leisure and Recreation Spend - Action: JN to compile list of points and questions on Highland Council charges to NCG. (30Sep) - JN confirmed that the collection of Common Good charging and L&R spend information is still in progress and involves certain FOI requests to Highland Council	Ongoing