



COMHAIRLE NAN EILEAN SIAR 17 JUNE 2010

COMMITTEE DECISION REPORT

POLICY AND RESOURCES COMMITTEE: 17 JUNE 2010

At its meeting on 17 June 2010 the Policy and Resources Committee considered the business referred to below. The committee approved the recommendations detailed for approval by the Comhairle. Where the Committee has exercised delegated power or used the conditional delegation provisions for any item, this is stated.

Items marked with an asterisk* were considered with the press and public excluded from the Meeting.

| <i>Item Title</i> | <i>Agenda Number</i> | <i>Committee's Decision</i> |
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| | | It was agreed to recommend that the Director of Development, in consultation with the Chief Executive, Chairman and Vice-Chairman of the Policy and Resources Committee, Sustainable Development and Environment and Protective Services Committees, and the three local members for na Hearadh agus Ceann a Deas nan Loch, be authorised to progress the outcomes of a meeting with the Harris National Park Steering Group which had taken place on 16 June 2010 with a view to reporting back to the Comhairle. |
| Minute of Meeting of 29 April 2010 | 1 | The Minute of Meeting of 29 April 2010 was approved. |
| Declaration of Interest | 2 | Mr Norman M Macleod declared an interest in Item 26(a) as he had a family connection with an employee in the Advocacy Service. Mrs Agnes Rennie declared an interest in item 41 due to the employment of a member of her family in the service. Mr David Blaney declared an interest in item 41 due to the employment of a member of his family in the service. |
| Minute of Meeting of Local Government Employee Joint Consultative Committee of 13 May 2010 | 3 | The Minute of Meeting of the Local Government Employee Joint Consultative Committee of 13 May 2010 was approved. |
| Minute of Meeting of Human Resources Sub-Committee of 13 May 2010 | 4 | The Minute of Meeting of the Human Resources Sub-Committee of 13 May 2010 was noted. |
| Minute of Meeting of Comataidh Buileachaidh Plana Canan of 10 June 2010 | 5 | The Minute of Meeting of Comataidh Buileachaidh Plana Canan of 10 June 2010 was approved. |
| Minute of Meeting of Human Resources Sub-Committee of 10 June 2010 | 6 | The Minute of Meeting of the Human Resources Sub-Committee of 10 June 2010 was noted. |
| Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 10 June 2010 | 7 | The Minute of Meeting of the ICT, Procurement and Asset Management Sub-Committee of 10 June 2010 was approved. |

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| Minute of Meeting of Joint Services Committee of 11 June 2010 | 8 | <p>The Minute of Meeting of the Joint Services Sub-Committee of 11 June 2010 was approved subject to the inclusion of the following additional recommendation at item 11(a):</p> <p style="padding-left: 40px;">That the provision of the service be monitored and evaluated against the draft Framework for Local Area Co-ordination in Scotland and Reports submitted to the Joint Services Committee on a six monthly basis.</p> |
| Audit Scotland – Shared Risk Assessment Assurance and Improvement Plan | 9* | It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note the contents of the draft Assurance and Improvement Plan and Management Response for the Comhairle and the Outer Hebrides Community Planning Partnership, as part of the Best Value 2 Assessment. |
| General Fund Revenue Outturn 2009/10 | 10 | <p>It was agreed to recommend, insofar as the Committee's interests were concerned, that:</p> <ol style="list-style-type: none"> (1) the Report and the supplementary Report be noted; (2) £329k of the underspend on the Director of Technical Services budgets be used to offset the deficit on the Roads and Street Lighting Trading Operations and the Winter Maintenance overspend carried forward from 2008/09; (3) the carry of forward of budgets as detailed in Appendix C be approved; (4) Reports on spending proposals for departmental carry forwards be submitted to future meetings of the relevant Service Committees and the Policy and Resources Committee and that such proposals should focus on projects that would help reduce the forecast budget deficit from 2011/12 onwards; (5) the Chief Executive submit a Report to the next meeting of the Committee in relation to the potential funding sources to upgrade ICT and Videoconferencing facilities in the Council Chamber; and (6) information in relation to the additional requirement from Northern Joint Police Board in respect of 2009/10 be circulated to all Members. |
| General Fund Capital Outturn 2009/10 | 11 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the capital expenditure to 31 March 2010 be noted; and (2) the revised Programme for 2010/11 be approved. |
| Review of Capital Programme 2008-13 | 12 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the Capital Programme 2008-13 be revised to include: <ol style="list-style-type: none"> (a) the next Bennadrove landfill cell (£3.5m); (b) the increased estimated cost of Laxadale Bridge (£0.5m); and (c) a provision of £1m for core and statutory obligations in 2012/13; (2) all further capital proposals be deferred to the 2013-17 Capital Programme; (3) Corporate Management Team and Finance and Strategy Working Group review Programme delivery on a quarterly basis; (4) the inclusion of any further new projects onto the Capital Programme be deferred until the Comhairle has concluded its budget choices for 2011/12; and (5) Members' Seminars be held prior to the next meeting of the Committee in relation to waste management (including consideration of emerging technologies) and the review of the Capital Programme 2008-13. |
| Budget Strategy 2011-14 | 13 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the updated strategy as set out in the Report and Appendix 1 be approved; (2) the budget choices exercise be based on target savings of £3.5m; (3) the Budget Communication Plan set out in Appendix 2 be approved; and (4) the £300k savings in Appendix 3, identified but not realised during the 2010/11 budget setting be implemented, where possible, from 1 October 2010. |

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| Draft Annual Accounts for the Year Ended 31 March 2010 | 14 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the Draft Accounts and Group Accounts be approved for submission to Audit Scotland; and (2) in the event that figures for the Group Accounts have not been received in time to be presented to the Committee, it be delegated to the Director of Finance and Corporate Resources to submit the Group Accounts as soon as possible after the figures have been received. |
| Annual Treasury Management Report 2009/10 | 15 | It was agreed to recommend that the Report be noted. |
| Write Off of Debts | 16 | It was agreed to recommend that the debts listed in Appendix A, totalling £23,055.68, be written off. |
| Mainland Placement Panel | 17* | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the decisions taken by the Mainland Placement Panel be noted; and (2) the forecasted combined expenditure of £1.239m in respect of the placements detailed in the Appendix attached to the Report be noted. |
| Specialist Mainland Placements for Children 2009/10 (Full Year and Current Position in Quarter 1, 2010/11) | 18* | It was agreed to recommend that the forecasted costs for specialist mainland placements, as detailed in the Report and the actions being taken to address this issue, be noted. |
| Financial Monitoring of the Building Maintenance STO for the period 31 March 2010 | 19* | <p>It was agreed to recommend, insofar as the Committee's interests were concerned, that it be noted that;</p> <ol style="list-style-type: none"> (1) a recovery plan for the Building Maintenance DSO was being developed for consideration by the Comhairle at the August/September 2010 series of meetings; (2) the arrangements for monitoring within the former Commercial Operations Unit Trading Operations within Technical Services be reviewed; and (3) a performance report on the Building Maintenance Significant Trading Operation be submitted to the Comhairle at each series of meetings. |
| Financial Performance of Trading Operations | 20 | <p>It was agreed to recommend, insofar as the Committee's interests were concerned, that</p> <ol style="list-style-type: none"> (1) it be noted that the Director of Technical Services: <ol style="list-style-type: none"> (a) was developing a recovery plan for the Building Maintenance, Roads Maintenance and Street Lighting Trading Operations for consideration by the Comhairle at the August/September 2010 series of meetings; (b) was reviewing the arrangements for monitoring within the former COU Trading Operations within Technical Services; (c) should provide to the Comhairle at each series of meetings a performance report on the Building Maintenance, Roads Maintenance and Street Lighting Trading Operations; and (d) should implement the decision to report to each series of meetings on the performance of the Bus Operation; (2) if the second quarter monitoring did not demonstrate that Building Maintenance is operating with a surplus the Chief Executive and Director of Finance and Corporate Resources should submit a Report to the Policy and Resources Committee in relation to the future viability of the operation; and (3) a Report be submitted to the next meeting on whether the Comhairle's decision of 29 October 2008 in relation to allocation of work to the in-house team had been implemented. |

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| Winter Maintenance 2009/10 – Expenditure Monitoring | 21 | <p>It was agreed to recommend, insofar as the Committee's interests were concerned, that:</p> <ol style="list-style-type: none"> (1) the overspend on the Winter Maintenance budget 2009/10 which could not be covered by funding within the overall Transportation Budget be noted; and (2) the concurrent Report from the Winter Maintenance Member Officer Working Group which has been considering alternative delivery methods for winter maintenance aimed at providing a more cost effective service be noted. |
| Review of the Adoption and Fostering Service | 22 | <p>It was agreed to recommend, insofar as the Committee's interests were concerned, that:</p> <ol style="list-style-type: none"> (1) the recommendations of the review of the Adoption and Fostering Service be noted; (2) £42,000 be allocated from the 2008/09 underspend in Children's Services/Action for Children budgets; (3) £50,000 be allocated from the spend to save budget in 2010/11 to recruit an additional social worker and resource worker, subject to approval of the establishment of the said posts by the Vacancy Review Panel; and (4) a further Report be submitted to Committee in August 2010 which would present an updated policy and procedural framework for the adoption and fostering service, with detailed proposals for the level of fees and/or allowances to be paid to all carers. |
| Western Isles Children's Panel Advisory Committee and Western Isles Children's Panel: Travel, Subsistence and Financial Loss Allowance Claims | 23 | <p>It was agreed to recommend that the travel, expenses and subsistence rates as detailed in Appendix 1 to the Report be approved subject to the addition of a £30 basic rate unreceipted allowance as an alternative to submission of receipts for breakfast, lunch and dinner in respect of overnight subsistence.</p> |
| Joint Planning and Liaison Group | 24 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the key strategic priorities of the Joint Services Committee detailed in Appendix 1 to the Report be approved; and (2) the proposed arrangements for joint agenda planning be noted. |
| Update on Home Care Contracted Workforce | 25 | <p>It was agreed to recommend that the progress with the implementation of a contracted Home Care workforce be noted and that an updated Report be submitted to the August/September 2010 series of meetings.</p> |
| Local Area Co-ordination | 26(a) | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the Local Area Co-ordination service transfers to the Comhairle as at 1 September 2010 and that the Service Level Agreement with Advocacy, Western Isles be terminated at that date; (2) the rental costs for its continued use of office accommodation at Advocacy Western Isles and Tagsa Uibhist at a cost of £4,300 for the full year be met by the Comhairle, subject to review as part of the 2011/12 budget setting process; and (3) the provision of the service be monitored and evaluated against the draft Framework for Local Area Co-ordination in Scotland and Reports submitted to the Joint Services Committee on a six monthly basis. |
| Local Area Co-ordination – Employment Implications | 26(b)* | <p>It was agreed to recommend that it be noted that the two local area co-ordinator workers (Lewis and Harris one full time worker and Uist and Barra half time worker) would transfer to the employment of the Comhairle in terms of TUPE Regulations effective from 1 September 2010 and that transferring employees' employed rights be protected.</p> |
| Community Meals Service – Care at Home | 27 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) an exercise be undertaken to determine the level of interest and indicative costs in relation to a frozen meals service and that that exercise take account of local provision and sustainability; |

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| | | (2) | an Equality Impact Assessment be undertaken in respect of a frozen meals service; and |
| | | (3) | a further Report be submitted in relation to the detailed analysis of the preparation of meals for hot delivery by the Comhairle, its community planning partners or social enterprises. |
| Management of the Home Care Service Delivery Hours | 28 | | It was agreed to recommend that: |
| | | (1) | the content of this Report be noted; |
| | | (2) | the appropriate level of Equality Impact Assessment and consultation with service users, their representatives and other relevant stakeholders be undertaken in relation to proposed model of service delivery and the outcomes reported to the next series of Meetings; and |
| | | (3) | it be noted that interim measures be put in place to manage the number of home care hours within the delegated authority of the Director of Social and Community Services. |
| Appointment of Council Officers Under the Adult Support and Protection (Scotland) Act 2007 | 29 | | It was agreed to recommend that it be delegated to the Chief Social Work Officer to appoint such persons as necessary, to exercise the functions of Council Officer as provided for in terms of s.53 of the Adult Support and Protection (Scotland) Act 2007 to ensure the Comhairle fulfils its duties in terms of the Act. |
| Capital Works: Programme and Progress | 30 | | It was agreed to recommend that the Report be noted. |
| Western Isles Schools Project Update | 31* | | It was agreed to recommend, insofar as the Committee's interests were concerned, that: |
| | | (1) | the current status of the Western Isles Schools Project be noted; and |
| | | (2) | delegated authority be granted to the Chief Executive to approve any design specification documents, such as Accommodation Schedules, with respect to the proposed school at Daliburgh. |
| | | | Arising out of consideration of this item it was agreed to recommend that the Director of Education and Children's Services engage with Parent Fora at feeder schools for the Nicolson Institute and Sir E Scott School to enable parents and pupils to be advised fully of the facilities available at the new secondary schools. |
| New School Provision at Daliburgh, South Uist | 32 | | It was agreed to recommend that: |
| | | (1) | the award of funding support, in the minimum sum of £2,122,344, and with the conditions set out in paragraph 4, for the provision of a new Primary School provision at Daliburgh, South Uist, be noted; and |
| | | (2) | it be delegated to the Chief Executive, in consultation with the Leader, Chairman and Vice-Chairman of the Education and Children's Services Committee, Director of Education and Children's Services and Director of Finance and Corporate Resources, to take all necessary actions – |
| | | (i) | to ensure the preparation of a satisfactory financial package; and |
| | | (ii) | conditional on (i) above, to issue the necessary instructions to Sgoiltean Ura LLP as soon as reasonably possible, all on such terms and conditions as he should deem appropriate. |
| Capital Programme 2008-13: Pontoon Development Programme | 33 | | It was agreed to recommend, insofar as the Committee's interests were concerned, that: |
| | | (1) | the Project Initiation Document for stage 1 of the Pontoon Development Programme at Appendix 1 to the Report be approved; and |
| | | (2) | the Director of Development be authorised to investigate the submission of match funding grant applications to Highlands and Islands Enterprise and LEADER/Fisheries Local Action Group for the Miavaig and Leverburgh projects. |
| Winter Maintenance Contracts | 34* | | It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle: |
| | | (1) | note that all current contractors have agreed to reduce the contract period of notice to twelve weeks; |
| | | (2) | seek the agreement of all existing winter maintenance contractors to reduce the |

mileage rate payable for season 2010/11, for priority 1 and 2 routes only, by 15%, from the 2009/10 rate, and that no inflation is allocated to either the standing charge or the mileage rate for next winter season 2010/11, with contractors required to vary their contract, to incorporate the policy changes approved by the Comhairle on 5 November 2009;

- (3) remove the requirement for double manning in the existing contracts;
- (4) agree that if formal agreement as detailed in recommendation (b) is not reached with any contractor by 8 July 2010 to authorise the Chief Executive to serve notice of termination in respect of any such contract currently in place, and retender that contract, ensuring that any new contract is in place for the start of the next winter maintenance period on 1 October 2010;
- (5) agree to extend for a further one year period, the contract with the Met Office to provide winter maintenance forecast on no more than the current terms as agreed by the Chief Executive; and
- (6) agree that the remit of the Winter Maintenance MOWG be extended to carry out a review of the amended contracts.

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| Standing Lists of Contractors – 2010 Review | 35 | It was agreed to recommend that the Report be noted. |
| Patient Travel Service – Proposed SLA with NHS Western Isles | 36 | It was agreed to recommend that the Director of Finance and Corporate Resources be authorised to enter into a Service Level Agreement with NHS Western Isles for the provision of a patient travel service from July 2010 onwards, subject to no transfer of employees taking place. |
| Stornoway Townscape Heritage Initiative Year 4 Action Plan | 37 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) progress made with the Townscape Heritage Projects be noted; and (2) the changes proposed for inclusion in the Year 4 Action Plan for submission to the Heritage Lottery Fund, as detailed in paragraph 6.1 of the Report. |
| Harris Tweed Investment Fund | 38 | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the operation of the Second and Third Rounds of the Harris Tweed Investment Fund be noted; and (2) further Rounds of the Harris Tweed Investment Fund be implemented as appropriate. |
| Service Business Plans 2009/10 – End of Year Progress Report | 39 | It was agreed to recommend that the Report be noted. |
| Human Resources Strategy | 40 | It was agreed to recommend that the Human Resources Strategy, at Appendix 1, be approved, subject to the Chief Executive, in consultation with the Director of Education and Children’s Services, being authorised to amend the Redundancy Policy for Teaching Staff as agreed by the Local Negotiating Committee (Teaching Staff). |
| Provision of Pre-School Education in the Western Isles | 41 | It was agreed to recommend, insofar as the Committee’s interests were concerned, that any increase in pre-school hours be deferred until the Comhairle had identified its budget priorities for 2011/12. |
| Legal Action v Comhairle nan Eilean Siar | 42* | It was agreed to recommend that the action referred to in the Report be settled in the terms set out in paragraph 4.7 of the Report and that payment of the settlement be drawn from the Contingency Fund. |
| Reports Outstanding: Progress | 43 | It was agreed to recommend that the Report be noted. |

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| Hebrides Range | 44* | It was agreed to recommend that the Comhairle agree not to seek competitive tenders for policy and media services in terms of Contract Regulations 4.2(i) (n) for the reasons outlined in paragraph 2.2 of the Report and to engage Burson-Marsteller on such terms and conditions as the Chief Executive, in consultation with the Director of Development, should determine. |
| Facilities for Campervans and Caravans | 45 | <p>It was agreed to recommend, insofar as the Committee's interests were concerned, that:</p> <ol style="list-style-type: none"> <li data-bbox="528 322 1509 376">(1) up to £20k from the 2008-13 Capital Programme Tourism Projects be allocated for the provision of chemical toilet facilities at Comhairle owned sites; and <li data-bbox="528 407 1509 488">(2) authority be delegated to the Director of Development, in consultation with the Director of Technical Services and the Chief Executive, to agree the sites for development and to expedite the associated works. |
| Bayhead Bridge Centre | 46* | <p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> <li data-bbox="528 573 1509 627">(1) the action of the Director of Finance and Corporate Resources in providing a loan to Bayhead Bridge Centre (Trading) Ltd be homologated; and <li data-bbox="528 658 1509 817">(2) a further loan as requested by Bayhead Bridge Centre (Trading) Ltd be agreed subject to the Director of Finance and Corporate Resources being satisfied that the loan did not present an unacceptable risk to the Comhairle and on such terms and conditions as the Chief Executive should determine, including without prejudice to the foregoing generality, that all partners were committed to the ongoing sustainability of the Centre. |