



COMHAIRLE NAN EILEAN SIAR: 9 JUNE 2011

COMMITTEE DECISION REPORT

POLICY AND RESOURCES COMMITTEE: 9 JUNE 2011

At its meeting on 9 June 2011 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>
		<p>It was agreed to recommend that the Chief Executive be authorised to request the support of Angus Brendan Macneil MP and Scottish Government in expressing the Comhairle's concerns in relation to the impact of proposed welfare reforms by the UK Government.</p> <p>It was agreed to recommend that the Director of Finance and Corporate Resources submit a Report to the next meeting of the Committee in relation to participation by the Comhairle in the Local Authority Mortgage Scheme.</p>
Minute of Meeting of 31 March 2011	1	The Minute of Meeting of 31 March 2011 was approved.
Declaration of Interest	2	<p>Mrs Annie Macdonald declared an interest in items 10 and 33 due to the employment of a member of her family by a subcontractor of the main contractor for the Western Isles Schools Project.</p> <p>Mr Norman A MacDonald declared an interest in item 28 due to the employment of a member of his family in the home care service.</p> <p>Mr Alex A MacDonald declared an interest in item 40 due to the employment of a member of his family in the enterprise network.</p>
Minute of Meeting of Outer Hebrides Community Planning Partnership of 3 March 2011	3	The Minute of Meeting of Outer Hebrides Community Planning Partnership of 3 March 2011 was noted.
Minute of Meeting of Local Government Employees Joint Consultative Committee of 18 May 2011	4	The Minute of Meeting of the Local Government Employees Joint Consultative Committee of 18 May 2011 was recommended for approval.
Minute of Meeting of Human Resources Sub-Committee of 2 June 2011	5	The Minute of Meeting of Human Resources Sub-Committee of 2 June 2011 was noted with the exception of items 25 and 34 which were recommended for approval.
Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 2 June 2011	6	The Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 2 June 2011 was recommended for approval.
Minute of Meeting of Comataidh Buileachaidh Plana Cànan of 2 June 2011	7	The Minute of Meeting of Comataidh Buileachaidh Plana Cànan of 2 June 2011 was recommended for approval.

Minute of Meeting of Joint Services Committee of 3 June 2011	8	The Minute of Meeting of Joint Services Committee of 3 June 2011 was recommended for approval.
Single Outcome Agreement: Revision	9	<p>It was agreed to recommend that the Comhairle agree for its interest the draft revised Single Outcome Agreement for the Outer Hebrides for submission to Scottish Government.</p> <p>Mrs Annie Macdonald declared an interest in the following item due the employment of a member of her family by a subcontractor of the main contractor for the Western Isles Schools Project.</p>
Western Isles Schools Project: Options for Delivery	10*	<p>It was agreed to recommend that:</p> <ol style="list-style-type: none"> (1) the contents of the Report, particularly the updated assessments as to affordability, risk analysis and issues of operational delivery, be noted; (2) the only options for the model of the Western Isles Schools Project should be: <ol style="list-style-type: none"> (i) the Construction hybrid model; and (ii) the Partial Construction hybrid models; (3) the construction hybrid model be adopted on the basis of a single assignation of the lifecycle and FM contract at the end of the construction and that further Reports be submitted by the Chief Executive in relation to: <ol style="list-style-type: none"> (i) the facilities management/lifecycle maintenance of the schools post construction; and (ii) how areas of good practice in the WISP could be extended to other capital projects; and (4) authority be delegated to the Chief Executive, in consultation with the Project Board, Board of Sgoiltean Ùra, Scottish Futures Trust and Scottish Government, to implement recommendation (3) above.
Service Business Plans 2010/11 – End of Year Report	11	It was agreed to recommend in so far as the Committee's interests were concerned that the Comhairle note the Report.
BBC Alba on Freeview	12	It was agreed to recommend that the Comhairle note the successful outcome of the campaign and that the Chief Executive be authorised to have discussions with MG Alba in relation to the potential of broadcasting Comhairle meetings on BBC Alba.
General Fund Capital Outturn 2010/11	13	<p>It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:</p> <ol style="list-style-type: none"> (1) note that the Western Isles Schools Project is on schedule to deliver the schools in accordance with the contract; (2) note the capital expenditure to 31 March 2011; and (3) agree the revised programme set out in the table at 4.1 for the remainder of the 2008-13 Capital Programme. <p>Arising out of consideration of this matter it was agreed to recommend that information in relation to the decision to implement an IP Telephony system and the progress in implementation of the system would be circulated to all Members.</p>
Annual Treasury Management Report 2010/11	14	It was agreed to recommend that the Report be noted.
General Fund Revenue Update 2010/11	15	<p>It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:</p> <ol style="list-style-type: none"> (1) note the Report; (2) agree the carry forward of budgets as detailed in Appendix C to the Report; (3) agree that 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 2012/13 onwards; (4) agree to allocate £30k from the Chief Executive's carry forward outwith tolerances to fund six Modern Apprentices for a year; and

		(5) agree that the Director of Technical Services submit a Report to the August 2011 series of meetings setting out the reasons for the overspend within Technical Services and recommending how this overspend could be addressed.
Mainland Placement Panel	16*	It was agreed to recommend that: <ul style="list-style-type: none"> (1) the decision taken by the Mainland Placement Panel be noted; and (2) the forecasted combined expenditure of £1.701m for 2010/11, in respect of the placements detailed in the Appendix attached to the Report, be noted.
Specialist Mainland Placements for Children: 2010-11	17*	It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the forecasted costs for special mainland placements, as detailed in the Report, and the actions being taken to address this issue.
Winter Maintenance Expenditure 2010/11	18	It was agreed to recommend that the Comhairle note the Report.
Technical Services: Building Maintenance STO Progress Update	19	It was agreed to recommend that the Comhairle note the Report.
Draft Annual Accounts for Year Ended 31 March 2011	20	It was agreed to recommend that: <ul 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 completed 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 and also to finalise Note 18. <p>Arising out of consideration of this matter it was agreed to recommend that a Seminar be arranged for Members in relation to the new format of accounts following the publication of the relevant CIPFA guidance.</p>
Write Off of Debts	21	It was agreed to recommend that the debts listed in Appendix 1 to the Report, totalling £10,243.14 be written off. <p>Arising out of consideration of this matter it was agreed to recommend that the Chief Executive be authorised to make representations to the UK Government in relation to mechanisms for payment of housing benefit and recovery of overpayments thereof.</p>
Innovation and Investment Fund Submission	22	It was agreed to recommend that the Comhairle note the Report.
Budget Strategy 2012-15	23	It was agreed to recommend that the Comhairle: <ul style="list-style-type: none"> (1) note progress with the development of the 2012/13 budget; and (2) agree to continue to engage with COSLA and the Scottish Government in relation to the distribution of funding.
Risk Management Update	24	It was agreed to recommend that the Comhairle: <ul style="list-style-type: none"> (1) note the progress with the implementation of risk management within the Comhairle; (2) agree the Risk Management Action Plan in the Appendix; and (3) agree that update reports be presented to the Comhairle quarterly and that if practicable such reports should adopt a 'traffic light' monitoring system.
Best Value Service Reviews 2011/12	25	It was agreed to recommend that the Comhairle approve the Best Value Reviews, and related scopes, for 2011/12 and that consideration be given in the Procurement Contracts and Capital Project reviews to the inclusion of clauses allowing local input to Comhairle contracts to the maximum level permitted by law within the terms of the Comhairle's obligation to achieve best value.

Best Value Service Reviews of Waste Management Services	26	It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note the completion of the Best Value Review of Waste Management Services, on the basis that the Director of Technical Services would submit an Improvement Plan, based on the recommendations contained within the Review, to the next meeting of the Environment and Protective Services Committee.
Western Isles Change Plan – Update	27	It was agreed to recommend that: <ul style="list-style-type: none"> (1) the steps to be taken to strengthen the Change Plan be noted; (2) it be noted that a Report would be submitted to the next series of meetings in respect of the Western Isles Change Plan; and (3) it be noted that a Report would be submitted to future Committee series and the Outer Hebrides Community Planning Partnership on the progress in implementing and achieving the Change Plan outcomes. <p>Mr Norman A MacDonald declared an interest in item 28 due to the employment of a member of his family in the home care service.</p>
Monitoring and Management of Home Care	28	It was agreed to recommend that the Report be noted,
Garrabost Care Unit	29	It was agreed to recommend that the Comhairle: <ul style="list-style-type: none"> (1) note the outcome of the feasibility study on the future operational sustainability of Garrabost Care Unit; and (2) agree that the Unit continue to operate on its current basis.
National Care Home Contract	30	It was agreed to recommend that the Comhairle approve the use of the National Care Homes Contract model as the basis for the contractual arrangement with existing external residential and nursing care providers in 2011/12.
Capital Works: Programme and Progress	31	It was agreed to recommend that the Comhairle note the Report.
Repairs and Maintenance (Revenue) Programme 2010/2011: Quarterly Expenditure Report to 31 March 2011	32	It was agreed to recommend that the Comhairle note the Report and note that further Reports on the repairs and maintenance of properties held on the Service and Policy and Resources Committee accounts would continue to be placed before the Comhairle at quarterly intervals. <p>Mrs Annie Macdonald declared an interest in the following item due the employment of a member of her family by a subcontractor of the main contractor for the Western Isles Schools Project.</p>
Western Isles Schools Project: Update	33	It was agreed to recommend that the Comhairle note the Report.
Private Sector Housing Budgets and Review of the Scheme of Assistance	34	It was agreed to recommend, insofar as the Committee's interest were concerned, that the Comhairle: <ul style="list-style-type: none"> (1) note the approach to the review of the Scheme of Assistance and that the results of the review and any proposals for change be reported to the Comhairle in December 2011; (2) agree that a review of the Care and Repair Service be carried out and reported to the Comhairle in December 2011; (3) agree to consider a progress Report on the 2012/13 Private Sector Housing Budget in August 2011, on the basis that this matter would be considered by the Local Housing Strategy Member Officer Working Group, as soon as possible.

Major Harbour Development - Ardveinish	35	<p>It was agreed to recommend, in so far as the Committee's interests were concerned, that:</p> <ol style="list-style-type: none"> (1) the Comhairle note the current position regarding the Ardveinish Harbour Development; (2) the Comhairle note that a further Report be submitted to the August 2011 Meeting of the Committee; and (3) the Comhairle agree that further consultation take place with the fishing industry prior to the production of that Report.
Office Accommodation Marybank Depot	36	It was agreed to recommend that the Comhairle approve the Project Initiation Document appended to the Report as Appendix 2.
Marybank Depot Improvements	37	It was agreed to recommend that the Comhairle agree to the strategy of improving facilities at Marybank Depot in order to rationalise and consolidate service provision, archiving storage and that a further Report be submitted not later than the December 2011 meeting of the Committee in relation to the longer term strategy with particular reference to office accommodation.
Harris Care Development	38*	It was agreed to recommend that the Comhairle agree to allocate up to £428k of uncommitted funding in the 2008-13 Capital Programme to the Harris Care Development project to enable the lowest tender to be accepted.
Outer Hebrides Community Energy Fund (OHCEF)	39	<p>It was agreed to recommend, in so far as the Committee's interests were concerned, that:</p> <ol style="list-style-type: none"> (1) the Comhairle support, in principle, the establishment of the Outer Hebrides Community Energy Fund and that the Director of Development be authorised to develop a Scheme of Administration for the operation of the Fund and to explore funding arrangements with the Comhairle's partners; and (2) the Comhairle use all reasonable endeavours in order to facilitate renewable energy development (including, if necessary, land acquisition powers) and to assist the introduction of the Western Isles Transmission Link. <p>Mr Alex A MacDonald declared an interest in item 40 due to the employment of a member of his family in the enterprise network.</p>
Review of the Purpose of an Enterprise Agency	40	It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the outcomes of the Scottish Government's Fundamental Review of the Purpose of an Enterprise Agency and the Success of the Recent Reforms.
Round 6 Applications for European Structural Funds – Outcome of Stage 1 Bids	41	It was agreed to recommend that the Comhairle note the Report.
Round 7 European Social Fund (ESF) – 2011 Challenge Round Applications	42	It was agreed to recommend that the Comhairle note that expressions of interest have been submitted for the three projects detailed in paragraph 2.2 of the Report and authorise the Chief Executive to submit Stage 1 applications.
European Fisheries Fund – Axis 4	43	<p>It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:</p> <ol style="list-style-type: none"> (1) agree to act as lead partner in the administration of the European Fisheries Fund (EFF) Axis 4 Programme; (2) note the action taken to submit an Expression of Interest to the Scottish Government; and (3) note that a further Report on all financial and administrative aspects of European Fisheries Fund (EFF) Axis 4 would be submitted to the August 2011 Committee series.
ISLE-PACT	44	It was agreed to recommend that the Comhairle note the level of progress made to date in respect of the ISLE-PACT project.

Outer Hebrides LEADER Programme 2007-2013: Match Funding Shortfall	45	It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle agree to allocate up to £80k from the Comhairle's EU Revenue match Fund to address the identified financial shortfall in the Outer Hebrides LEADER Programme 2007-2013.
Trade Union Representation	46	It was agreed to recommend that the Comhairle agree to maintain its support for Trade Union Representation at the current level until March 2014 on the basis set out in this Report.
Mobile and Landline Communications Policy	47	It was agreed to recommend that the Mobile and Landline Communications Policy attached at Appendix 1 to the Report be approved with an implementation date of 1 July 2011.
Policy on the Payment of Travelling Expenses and the Re-imburement of Expenditure	48	It was agreed to recommend that the Policy on Payment of Travelling Expenses and Reimbursement of Expenditure attached at Appendix 1 of the Report be approved with an implementation date of 1 August 2011 taking into account the views expressed by the Local Negotiating Committee: Teaching Staff.
Employee Expenses – Efficiencies	49	It was agreed to recommend that: <ul style="list-style-type: none"> (1) claims above £3000 on total expenses of any employee be reported to Human Resources Sub-Committee; (2) mileage claims above £2000 of any employee be reported to Human Resources Sub-Committee; and (3) claims above £500 for island subsistence expenses of any employee be reported to Human Resources Sub Committee.
Grievance Procedure – Chief Executive	50	It was agreed to recommend that the amendment to the existing Grievance Procedure to cover grievances directly against the Chief Executive detailed at Appendix 1 be approved.
Revised Violence and Aggression Policy	51	It was agreed to recommend that the Comhairle approve: <ul style="list-style-type: none"> (1) the revised Violence and Aggression policy attached as Appendix 1 to the Report; and (2) the Public Notice attached as Appendix 2 to the Report.
Single Equality Duty	52	It was agreed to recommend that the Comhairle approve the Single Equality Scheme attached as Appendix 1 to this Report.
Equality Act 2010	53	It was agreed to recommend that: <ul style="list-style-type: none"> (1) the Comhairle approve the list of policies prioritised for equality impact assessment and agree that interlinked policies be subject to combined consultation exercises; (2) those policies that require to be equality impact assessed be reviews by the responsible persons detailed in Appendix 2 of the Report in accordance with the provisions of paragraph 2.8 be approved; and (3) copies of all new or revised policies be submitted to the Chief Executive for inclusion in the Corporate Policy Register.
Integrated Children's Services Plan 2010-2013 – Annual Review of Progress (April 2011)	54	It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the progress that had been made in implementing the Integrated Children's Services Plan (2010-13) Action Plan.
Reports Outstanding: Progress	55	It was agreed to recommend that the Comhairle note the Report.

URGENT ITEMS

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| Coastal Protection Schemes: Update Report | 56* | It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle proceed with the work at Ludag Road and consider the allocation of any additional funding for the remaining two schemes, at Balivanich and Pol na Crann, as part of the forthcoming review of the 2008-13 Capital Programme. |
| Scottish Affairs Committee Inquiry (The Crown Estate) | 57 | It was agreed to recommend that the Comhairle approve the draft response to the Scottish Affairs Committee's current Inquiry into the management of The Crown Estate in Scotland. |
| Cross School and Schoolhouse | 58* | It was agreed to recommend that the Comhairle agree the transfer of title of Cross School and Schoolhouse to Comunn Eachdraidh Nis in return for a quarter acre site adjacent to the current museum site in Habost on the basis that the current capital grant funding of £40k to Comunn Eachdraidh Nis be reallocated within the Comhairle's Capital Programme and that Croileagan Nis would continue to be accommodated in the premises until after their accommodation at Lionel School was ready for occupation and on such other terms and conditions as the Chief Executive, in consultation with the Director of Education and Children's Services and the Director of Technical Services should determine. |
| Schools Estate Strategy: Request from Scottish Government for Moratorium on School Closures | 59 | It was agreed to recommend that the contents of the Report be noted and that the Comhairle respond to the Cabinet Secretary's request in conjunction with other Local Authorities through CoSLA. |
| Pairc Trust | 60* | It was agreed to recommend that the Comhairle authorise the Director of Development to make contact with the Scottish Government and Pairc Trust to determine the full details of the situation to enable the Comhairle to provide appropriate assistance towards achievement of the purposes of the community's application to acquire to acquire the land.. |