



COMHAIRLE NAN EILEAN SIAR: 13 OCTOBER 2011

COMMITTEE DECISION REPORT

POLICY AND RESOURCES COMMITTEE: 13 OCTOBER 2011

At its meeting on 13 October 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>
Emergency Towing Vessels (ETV)		The Chairman referred to the Action Plan submitted by the Comhairle in relation to funding options to continue ETV provision and to the three month extension to this contract agreed by UK Government. He further stated that the Comhairle would continue to work with the Scotland Office to ensure a sustainable permanent provision of this essential service and referred to a meeting with the Scotland Office on 17 October 2011 which he had been invited to attend.
Marine Renewable Energy		<p>The Chairman stated that Marine Renewable Energy over the past two years, the Comhairle had lobbied hard for the waters around the Outer Hebrides to be granted development status in terms of marine renewable energy. This status had been granted late in 2010 when the Scottish Government and The Crown Estate had announced that the area West of Hebrides was one of two preferred areas for deployment under the Scottish Government's Saltire Prize for marine renewables.</p> <p>The first application window for Saltire Prize and Demonstration Projects had closed in April 2011 when Aquamarine Power Limited had been successful in securing a 40MW seabed lease West of Lewis for their Oyster Device.</p> <p>The second application window had closed recently and he advised that he was pleased to announce that Pelamis Wave Power Limited had secured a 10MW seabed lease off the mouth of Loch Roag for their Wave Energy Converter.</p> <p>He further stated that the Outer Hebrides a fifth of Europe's total wave energy resource and these leases demonstrated the level of interest in the area among major developers. This resource made the Outer Hebrides leaders in Europe and it was essential that the development opportunity it presented was not squandered by lack of Grid or excessive Transmission Charges.</p>
Transmission Charges		He indicated that he had written to Energy Minister, Charles Hendry MP, urging him to intervene in the current review of Transmission Charges to ensure some equity between the islands and mainland in UK in order that the essential interconnector project could proceed. This achievement by Pelamis Wave Power placed more pressure on decision makers to cap Transmission Charges and support the interconnector.
Solar Panels		The Chairman also advised that he had written to Ian Merchant at SSE expressing the Comhairle's disbelief that the islands had been excluded from the recently announced scheme for solar panels.
Minute of Meeting of 1 September 2011	1	The Minute of Meeting of 1 September 2011 was approved.
Declaration of Interest	2	The Chairman, Vice-Chairman and Mr Norman M Macleod declared an interest in item 21 as they were engaged in the supply of fuel and left the meeting during consideration of the matter.
Minute of Meeting of Outer Hebrides Community	3	The Minute of Meeting of Outer Hebrides Community Planning Partnership of 18 August 2011 was noted.

Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 6 October 2011	4	The Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 6 October 2011 was approved.
Minute of Meeting of Comataidh Buileachaidh Plana Cànan of 6 October 2011	5	The Minute of Meeting of Comataidh Buileachaidh Plana Cànan of 6 October 2011 was noted and it was agreed to recommend that the request detailed at item 3 of the Minute be implemented by the circulation of the Reports to Human Resources Sub-Committee in this regard to all Members.
Minute of Meeting of Human Resources Sub-Committee of 6 October 2011	6	The Minute of Meeting of Human Resources Sub-Committee of 6 October 2011 was noted and items 15 and 16(c) were recommended for approval.
Minute of Meeting of Joint Services Committee of 11 October 2011	7	The Minute of Meeting of Joint Services Committee of 11 October 2011 was noted.
Risk Management Update	8	<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 progress with the implementation of risk management within the Comhairle; and(2) agree to add Partnership Working to the Strategic Risk Register as an emerging risk.

Capital Programme Update 2008-2013	9	<p>It was agreed to recommend that the Comhairle:</p> <ol style="list-style-type: none"> (1) note the reduction in the estimated level of resources for capital in 2012/13 and agree that the Capital Programme should be managed to match the funding available; (2) agree to release funding of £2.652m of resources by implementing the changes to the Programme as set out in section 5 of the Report; (3) agree to allocate the funding released in 3.1 (b) as follows: <ol style="list-style-type: none"> (i) £0.800m to bridge the projected funding gap in the programme; (ii) £1.560m to the Lews Castle Project; and (iii) £0.292m to cover the overspend on South Uist Care Development; (4) note that the Director of Technical Services and Director of Social and Community Services would submit a joint Report on the outturn of the South Uist Care Development project to a future meeting of the relevant Committees; and (5) agree in principle to provide support to Storas Uibhist on the basis set out in the Report subject to a future Report by the Director of Finance and Corporate Resources on the details of such support.
Budget Strategy Update 2012-15	10	<p>It was agreed to recommend that the Comhairle:</p> <ol style="list-style-type: none"> (1) note the outcome of the Scottish budget; (2) continue to engage with COSLA and the Scottish Government in relation to the distribution of funding; (3) agree the proposed consultation process as set out in the Report, subject to the meeting on 1 November 2011 taking place in Barvas rather than Lionel; and (4) remit consideration of the delivery of the Early Years Change Fund to the Education Strategy Member Officer Working Group
Technical Services: Building Maintenance STO Progress Update	11 *	<p>It was agreed to recommend that the Comhairle note the Report.</p>
Specialist Mainland Placements for Children: 2011/12	12 *	<p>It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the forecasted costs for specialist mainland placements, as detailed in the Report, and the actions being taken to address this issue.</p> <p>Arising out of consideration of this item it was agreed to recommend that future Reports would provide details of the difficulties the young people concerned were facing and why their needs were best met in an off-island environment.</p>
Stornoway Library Building	13 *	<p>It was agreed to recommend that the Comhairle agree:</p> <ol style="list-style-type: none"> (1) to authorise the Director of Finance and Corporate Resources, in consultation with the Chief Executive, to negotiate with the owner of Stornoway Library in relation to the extension of the lease on the basis of the suggestions made at the Committee and report back not later than the February 2012 meeting of the Comhairle; and (2) that the Director of Social and Community Services, in consultation with the Director of Education and Children's Services, present a Report to the relevant Committee on the detailed options for future delivery of the library service, not later than the February 2012 meeting of the Comhairle and that that Report would consider in more detail the options outlined in the Report.
Ward Priority Fund 2011/12	14	<p>It was agreed to recommend that the Comhairle agree that:</p> <ol style="list-style-type: none"> (1) overspends on ward funds would not be permitted in 2011/12; (2) the deadline for committing expenditure to be funded from Ward Priority Funds would be 31 January 2012; (3) any Ward Priority Funds not committed by 31 January 2012 be returned to central budgets to assist with budgetary pressures; (4) payment in respect of projects committed prior to 31 January 2012 may be made up to 31 March 2012; (5) no work or expenditure be permitted on projects funded by Ward Priority Funds in the period from 1 April 2012 until after the election; and

		(6) outstanding work or expenditure for projects committed by 31 January 2012 but not completed by 31 March 2012 be deferred until after the election.
Customer Services Update	15	It was agreed to recommend that the Comhairle note the Report.
Inter-Island Business Development Scheme	16	It is recommended, in so far as the Committee's interests were concerned, that the Comhairle agree: <ul style="list-style-type: none"> (1) to continue the Inter-Island Business Development Scheme to 31 March 2012 subject to availability of existing resources; and (2) that the future funding of the Inter-Island Business Development Scheme be considered as part of the service choices for the 2012/13 budget setting process.
Technical Services: Property Investment Programme 2011 – 2014 Update	17	It was agreed to recommend that the Comhairle: <ul style="list-style-type: none"> (1) note progress with Phase 1 of the Property Investment Programme; and (2) approve Phase 2 detailed in Appendix 2, noting that further phases of the programme would be submitted at appropriate intervals.
Procurement of Coach for Bus na Comhairle	18	It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle approve Prudential Borrowing of £45k to enable the procurement of a replacement coach for Bus na Comhairle operations on the basis that the loan charges would be funded within the existing budgets for the Trading Operation.
Capital Works: Programme and Progress	19	It was agreed to recommend that the Comhairle note the Report. Arising out of consideration of this item it was agreed that the Director of Technical Services would circulate information to all Members in relation to the current position with the Harris House Development.
Western Isles Schools Project: Update	20	It was agreed to recommend that the Comhairle note the Report. Arising out of consideration of this item it was agreed that the Chief Executive would advise all Members of the provisions of the specification in relation to lighting of the linkpath between the filling station and Sgoil an Taobh Siar.
Universal Home Insulation Scheme – Offer of Grant by Scottish Government	21	It was agreed to recommend, in so far as the Committee's interests were concerned, that: <ul style="list-style-type: none"> (1) the offer for Universal Home Insulation Scheme funds of £350k by the Scottish Government be accepted by the Comhairle; and (2) the Chief Executive be authorised, in consultation with the Director of Development, to award the contract for the Universal Home Insulation Scheme Works to the tenderer whose tender is judged to be the most advantageous in terms of the tender assessment criteria set out in paragraph 6.3 of the Report. <p>Arising out of the reference to fuel poverty it was agreed to recommend that when the information promised at that meeting was received it would be considered by the Fuel Member Officer Working Group in the first instance.</p>
Innovation and Investment Fund	22	It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle approve: <ul style="list-style-type: none"> (1) the use of £140k Additional Council Tax Income from Second Homes (ACTISH) funding to support the Melbost Farm Phase 2 Project, (2) the use of a short-term repayable grant of up to £910k (funded by £510k from Housing Reserves and £400k from the Private Sector allocation), to Hebridean Housing Partnership to support the Melbost Farm Phase 2 Project on terms and conditions to be determined by the Chief Executive, in consultation with the Director of Finance and Corporate Resources, (3) that a Report be submitted to a future meeting of the Comhairle on the use of the Allt Na Broige site: and (4) that a continued partnership approach be pursued to develop the Comhairle's Strategic Housing Investment Plan.

Roads Investment Programme 2011-2014	23	<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) approve the programme of road strengthening works included as Appendix 1 to the Report as phase 2 for delivery in 2012/13, on the basis that minor changes may be necessary at departmental level due to unforeseen remedial works and other uncertainties in programming; and (2) homologate the actions of the Director of Technical Services in bringing forward the programming of the resurfacing of the A859 Creag a' Bhodaich section.
European Cohesion Policy: 2014-2020	24	<p>It was agreed to recommend that the Comhairle:</p> <ol style="list-style-type: none"> (1) note the Report; and (2) authorise the Chief Executive to make representations on behalf of the Comhairle at all relevant fora to ensure that future strategy contains a strong 'islands dimension'.
H2 Growth: Revenue Project Update	25	<p>It was agreed to recommend that the Comhairle approve match funding in support of the H2Growth Revenue project in the sum of £52,950 from its Revenue Match Fund, subject to confirmation from the Lews Castle College that it will contribute match funding in the sum of £52,950 towards the project, such confirmation being to the satisfaction of the Highlands and Islands Partnership Programme.</p> <p>Arising out of consideration of this item it was agreed that the Director of Technical Services circulate information to all Members in relation to Lews Castle College's Wave Energy Projects and any barriers to Comhairle involvement in these.</p>
Consumer Direct Scotland – Update Report	26 *	<p>It was agreed to recommend that the Comhairle:</p> <ol style="list-style-type: none"> (1) note the current situation regarding the future delivery of the Consumer Direct service and in particular, the undertaking that the Transfer of Undertakings TUPE Regulations will apply to the relevant staff currently employed by the Comhairle; and (2) continue to explore options with Citizens Advice Scotland and Citizens Advice Direct for the retention and expansion of employment opportunities in the outer Hebrides associated with the transition to the new delivery arrangements for the service.
Lews Castle and Museum nan Eilean	27	<p>It was agreed to recommend that the Comhairle:</p> <ol style="list-style-type: none"> (1) re-affirm its commitment to the Lews Castle and Museum nan Eilean project; (2) approve additional capital funding of £1.560 million for the project, subject to approval of the proposals set out in the concurrent Report on the 2008-13 Capital Programme, and the approval of all other external funding; (3) agree that provision would be made within the Social and Community Services revenue budget setting process for the delivery of this project; and (4) agree that the Director of Social and Community Services and the Director of Development would provide a detailed Report to the December 2011 series of meetings, on the management of the operational phase of the project setting out how the outputs and objectives of the Comhairle and its external partners would be met in the most cost effective way.
Communities Portal: Progress Update	28	<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) approve the Moderation Guidelines in Appendix 1 to the Report; (3) delegate authority to the Chief Executive to address the priorities outlined in item 2.6 of the Report; and (4) authorise the Chief Executive to submit a Report in relation to the possibility of Skype being utilised on the portal to facilitate engagement.
Community Benefit Clauses in Comhairle Contracts	29	<p>It was agreed to recommend that the Comhairle agree in principle to the inclusion of community benefit clauses in appropriate Comhairle contracts and that the Chief Executive submit a Report outlining a draft policy for the inclusion of such clauses not later than the February 2012 meeting of the Committee</p>

Advertising	30	It was agreed to recommend that the Comhairle note the Report.
Children's Hearings Scotland: Consultation on the Proposals for the Establishment of Area Support Teams, July 2011	31	It was agreed to recommend that the Chief Executive be authorised to respond to the Consultation Paper expressing the Comhairle's agreement with the recommendations contained therein and welcoming the establishment of an individual Area Support Team for the Western Isles, together with the comments expressed by Members at the meeting in relation to ensuring that representation from the islands was as knowledgeable as possible.
Keeping Scotland Safe and Strong: Scottish Government Consultation on Police and Fire Service Reform	32	It was agreed to recommend that it be delegated to the Chief Executive to respond to the Scottish Government consultation 'Keeping Scotland Safe and Strong' taking into account the points highlighted in the Report, raised at the meeting in relation to the importance of accountability at local level, the local command being at an appropriately senior level, an appropriate level of decision making requiring to be delegated to local control, and there being elected members on the National Board, together with any points highlighted by the Executive Group of the Outer Hebrides Community Planning Partnership.
Public Sector Equality Duty	33	It was agreed to recommend that authority be delegated to the Chief Executive to respond to the Scottish Government Consultation on Revised Draft Regulations in relation to the Public Sector Equality Duty.
Request for Financial Assistance	34 *	The Clerk sought and obtained the Chairman's permission to withdraw this item.
Reports Outstanding: Progress	35	It was agreed to recommend that the Comhairle note the Report.

URGENT ITEM

Ice Gritting and Snow Clearing Contracts	36	It was agreed to recommend that the Comhairle: <ul style="list-style-type: none"> (1) note the information detailed in the Report, and the conclusions of the Report by the Chief Internal Auditor regarding the investigation into concerns of there being material errors in documentation issued to prospective tenderers for the Winter Maintenance Contracts for 2011-15; and (2) note that the Chief Executive would report to Transportation, Audit and Scrutiny and Policy and Resources Committees, as appropriate, on all further aspects of the process.
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Arising out of consideration of this item it was agreed that the Director of Technical Services would circulate information to all Members in relation to the current status of the Policy in relation to grit bins and, in particular, the responsibility for provision of the bins themselves.