



COMHAIRLE NAN EILEAN SIAR

POLICY AND RESOURCES COMMITTEE

Minute of Meeting held in the
Council Offices, Stornoway,
on Thursday 17 February
2011 at 9.30am

PRESENT

Mr Angus Campbell (Chairman)	Mrs Agnes Rennie
Mr Norman A MacDonald (Vice -Chairman)	Mr John A Maciver
Mr Alexander A MacDonald	Mr Norman A Macleod
Mrs Morag Munro	Mr Charlie Nicolson
Mr Archie K Campbell	Mrs Annie Macdonald
Mr Donald Manford	

APOLOGIES

Mr Roddie Mackay

Economic Climate

The Chairman indicated the pressures that the Comhairle faced in the current economic climate and expressed the hope that the Comhairle could go some way towards addressing these pressures in the Spend to Save reports on Roads and Buildings that were being considered at the Committee. Capital expenditure of £5million on roads would take place over the next three years and £2million would be spent on the Comhairle's buildings. This should not only allow the damage caused to the roads by recent extreme weather to be addressed and works to be carried out on buildings which was urgently needed but also provide a workstream for the Comhairle employees and other businesses. It was essential that all that could be done to expedite these works be done including, if necessary, engaging additional support to specify and design the works. Funding these works from capital would also allow the Comhairle to utilise revenue more flexibly to meet areas of greatest need.

Single Public Authority

The Chairman further stated that in these difficult times it was even more important that the Comhairle work with communities and other public sector partners. The Comhairle and its partners had been discussing the concept of a "Single Public Authority" for some time and the work was particularly apposite given the establishment of the Christie Commission which provided an opportunity to put forward a bespoke model of joint working rather than having a less attractive reform proposal forced on the Outer Hebrides. Consistent with this theme of joint working the Chairman was pleased to welcome the Scottish Government's commitment to change with the allocation of £0.5m to NHS Eilean Siar to facilitate new partnership initiatives that would shift the balance of care further into the community.

MINUTES

Minute of
Meeting of 16
December 2010

1

The Minute of Meeting of 16 December 2010 was **approved**.

Declaration of Interest	2	<p>Mrs Morag Munro declared an interest in Item 16 as a Director of Harris Development Ltd and left the meeting during consideration of the matter.</p> <p>Mrs Annie Macdonald declared an interest in Item 23, as a relative was employed on the Western Isles Schools Project and left the meeting during consideration of the matter.</p> <p>Mr Donald I Nicholson declared an interest in Items 24 as a Board member of HHP and in Items 29 and 38 as he had a business relationship with the principals involved and left the meeting during consideration of the matters.</p> <p>Mr John A Maciver declared a non-pecuniary interest in Item 38 as the Report related to a relative.</p>
Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 10 February 2011	3	<p>The Minute of Meeting of the ICT, Procurement and Asset Management Sub-Committee of 10 February 2011 was recommended for approval.</p>
Minute of Meeting of Comataidh Buileachaidh Plana Canan of 10 February 2011	4	<p>The Minute of Meeting of Comataidh Buileachaidh Plana Canan of 10 February 2011 was recommended for approval.</p>
Minute of Meeting of Human Resources Sub-Committee of 10 February 2011	5	<p>The Minute of Meeting of the Human Resources Sub-Committee of 10 February 2011 was noted.</p>
Minute of Meeting of Joint Services Committee of 11 February 2011	6	<p>The Minute of Meeting of Joint Services Committee of 11 February 2011 was recommended for approval, subject to Item 18 being amended to read as follows:</p> <p>It was agreed to recommend that the Comhairle:</p> <ol style="list-style-type: none"> (1) note the Scottish Government Change Fund Guidance for Reshaping Care for Older People; (2) note the requirement for local partnerships a prepare change plans that set down how the funding would be used to achieve a shift in the balance of care; (3) note that change plans should be prepared and agreed by the Comhairle, NHS Board, Third Sector and independent sector partners and submitted to the Scottish Government by 28 February 2011; (4) note the allocation of £531k to NHS Western Isles and Eilean Siar Partnership for 2011/12; (5) remit to the Joint Planning and Liaison Group to lead on the preparation of the initial Change Fund application, ensuring appropriate early interaction with Voluntary, Independent and Community Planning Partners and, insofar as the Comhairle's interests are concerned, it be delegated to the Director of Social and Community Services, in consultation with the Chairs of Joint Services and Policy and Resources Committees, to agree the final submission of the application ; and

- (6) **agree that the Outer Hebrides Community Planning Partnership was best placed to oversee and monitor the delivery of the Change Fund within the Western Isles.**

Minute of Meeting of Local Government Employees Joint Consultative Committee of 15 February 2011

- 7 The Minute of Meeting of Local Government Employees Joint Consultative Committee of 15 February 2011 was **noted** and **it was agreed to recommend as follows:**
- (a) **that the views of the Joint Consultative Committee in relation to Item 3 would be incorporated in the Report to be submitted to the next meeting of the Committee;**
- (b) **in relation to Item 4 that the recommendations be agreed in principle subject to negotiation between the Comhairle and its recognised trade unions in relation to mileage;**
- (c) **in relation to Item 7 that further discussions take place in relation to mileage and that the rate be formally approved at the next series of meetings; and**
- (d) **that an additional day's leave be granted to employees required to work on 29 April 2011 and that it not be designated an additional public holiday.**

PRESENTATION

Report to Members and the Controller of Audit SS05

- 8 With reference to Item 9 of the Minute of Meeting of 16 December 2010 the Director of Finance and Corporate Resources submitted a Report on the 2009/10 Audit dated October 2010, which was appended to the Report and provided details of the Action Plan which had been drawn up to address the issues raised. The Report stated that copies of the published accounts for 2009/10 had been issued to Members and the Audit Certificate was reproduced in the Report. The Action Plan, agreed between Comhairle officers and Audit Scotland was appended to the Auditor's Report.

The Chairman welcomed Mr Peter Tait, Assistant Director (Local Government), Audit Scotland who gave a presentation on the 2009/10 Audit. It was stated that Mr Tait was the certifying auditor for the Comhairle along with seven other Scottish Councils. An opportunity was afforded for Members to ask questions of Mr Tait. The Chairman thanked Mr Tait for the presentation

It was agreed to recommend that the Audit Report and the Action Plan be noted.

FINANCE

General Fund Third Quarter Capital Monitoring 2010/11 PR110.08

- 9 With reference to Item 10 of the Minute of Meeting of 16 December 2010 the Director of Finance and Corporate Resources submitted a Report which provided an update on the progress of the Capital Programme as at 31 December 2010. An update in respect of all Committee projects was detailed in the Report and it was stated that resources of £223k funded by Prudential Borrowing had been included for the purchase of 4 buses which had been approved at the November 2010 series of meetings. £80k of the resource required for the IT Disaster Recovery project was being funded from capital grant. £81k of work to the Comhairle offices, including £11k of work to Community Access Points had slipped to 2011/12. A summary of expenditure was detailed in Appendix 1 to the Report.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle approve the forecast outturn as the Revised Approved Programme for 2010/11.

General Fund 10
Third Quarter
Revenue
Monitoring
2010/11
PR110.08

With reference to Item 11 of the Minute of Meeting of 16 December 2010 the Director of Finance and Corporate Resources submitted a Report which detailed the Comhairle's forecast revenue outturn for 2010/11. A summary of the financial performance to 31 December 2010 was detailed in Appendix A which indicated a net forecast outturn overspend of £1,356k. Appendix B detailed the forecast planned surplus and changes that had already occurred in the current year, which would leave balances of £2,837k, and an analysis of each Department's controllable budgets was shown at Appendix C. The work of officers within the Social and Community Services Department in bringing its forecast overspend within tolerances was highlighted. The pressures resulting from the recent increases in fuel costs were also emphasised.

It was agreed to recommend that the Comhairle:

- (1) note the Report; and**
- (2) request that the Director of Technical Services submit a Report to the next meetings of service Committees in relation to the budgetary pressures arising from the cost of fuel particularly in relation to bus contracts and heating costs and detailing the steps being taken to address these pressures.**

Budget Strategy and Council Tax Setting 2011/12 11(a)

The Director of Finance and Corporate Resources submitted a Report and Appendices seeking approval of the Comhairle's budget for 2011/12, to set the Council Tax for 2011/12 and to propose a forward budget strategy for 2012-15. The Report stated that the deficit the Comhairle required to address was £5,495k, made up of a funding reduction of £3,764k, inflation of £904k and budget pressures of £441k.

Appendix A to the Report set out the updated budget strategy and showed how efficiencies of £2,624k, together with the savings of £1,741k left a balance of £784k of savings to find and, taking account of the adjustments set out in paragraph 4.8 of the Report, along with the need to set aside some provision for fuel costs, the deficit balance increased to £917k. The Report stated that if the £990k from the eleven budget saving proposals were implemented, the Comhairle would have a surplus of £73k for the year. Appendix B detailed centrally held budgets included in the draft budget 2011/12. Appendix C set out the Comhairle's current financial risks and Appendix D provided notes of the public Budget Consultation meetings together with any comments received.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle:

- (1) formally agree the settlement offer from the Scottish Government;**
- (2) agree the budget strategy for 2011/12 as detailed in Appendix A to the Report;**
- (3) approve the business plans as set out in Section 4 of the Budget Folder;**
- (4) approve the draft budgets as set out in Section 5 of the Budget Folder, as amended by the Budget Strategy in Appendix A;**
- (5) approve the savings proposals as set out in Sections 6 of the Budget Folder as amendments to the draft budget;**
- (6) approve the recommendations for fees and charges as set out in the reports in Sections 7 of the Budget Folder;**
- (7) agree to freeze the 2011/12 Council Tax at the 2007/08 level of £1,024 for Band D properties;**
- (8) retain the level of uncommitted balances at £3.0m for 2011/12;**
- (9) agree that a Report providing an update in respect of the forecast uncommitted balances at 31 March 2011 be presented to the Policy and Resources Committee in March 2011; and**

(10) agree the planning assumptions and strategy set out in Section 8 of the Report for the development of the 2012-15 budgets.

Departmental Business Plans 2011/12

11(b) The Chief Executive submitted a Report seeking approval of the Comhairle's draft Service Business Plans 2011/12 based on the Single Outcome Agreement (SOA) 2009/11 which set out the Comhairle's and local Community Planning Partners' commitment to meeting SOA National Outcomes. Individual Draft Departmental Business Plans were contained in the Appendices to the Report and would be reported on a quarterly basis via Interplan.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle approve the draft Service Business Plans 2011/12 in Appendix 1 to the Report.

Draft Budget Book 2011/12

11(c) The Director of Finance and Corporate Resources submitted a Report seeking approval of the Draft Budget for 2011/12. The Report detailed a total budget summary for all departments and the draft budget pages produced by each Department showed a summary page and a page for each major division of service. The initial budget and revised budget for the current financial year and the proposed budget for 2011/12 was broken down by the major expenditure headings and a narrative provided on any changes in service.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle approve the Draft Budget Book 2011/12.

Fees and Charges 2011/12

11(d) The Director of Finance and Corporate Resources submitted a Report recommending fees and charges for 2011/12. The Report sought approval of revised charges for Comhairle Community Care Services, to be effective from Monday 11 April 2011. The Report stated that the Comhairle continued to follow COSLA Guidance on charges, so that income equivalent to basic welfare benefits was disregarded. The Report stated that the charges set out in the Report were the maximum charge for each service, and did not translate into the amount that all individuals would pay towards their care.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle approve the recommendations for fees and charges as set out in the Budget Folder.

Budget Consultation Proposals

11(e) With reference to Item 5 of the Minute of Meeting of 8 December 2008, The Director of Finance and Corporate Resources submitted a Report seeking approval of the budget proposals agreed for consultation in December 2010. The Report stated that [the proposals could deliver a total saving of £83k, and insofar as this Committee's interests were concerned, approval was sought for the budget savings as detailed in the Appendices relating to:-

JS1 Closing of lochdar Care Unit

The Report detailed out the range of options considered for lochdar Care Unit and to inform the Committee on the usage of the Care Units at Garrabost, Carloway and Uig since operating a 24 hour service.

It was agreed to recommend that

- (1) savings of £83k be achieved by the closure of lochdar Care Unit on 31 March 2011;**
- (2) Uig and Carloway Care Units remain open; and**
- (3) a consultation process regarding the feasibility of closure of Garrabost Care Unit be undertaken and a Report be submitted to the June 2011 Committee series of meetings.**

It was agreed that the public, including the press be excluded from the meeting during consideration of the following item on the grounds that exempt information as defined in Paragraph 3 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to any particular application for, or recipient or former recipient of, any service provided by the Comhairle, would be disclosed.

Mainland Placement Panel SW01.17

12*

With reference to item 12 of the Minute of Meeting of 16 December 2010 the Director of Social and Community Services submitted a Report detailing the decisions of the latest meeting of the Mainland Placement Panel and the current updated list of mainland placements. The Report stated that there were currently twenty seven adult mainland placements with a total estimated cost of £1.799m. The Report stated that eleven of the placements were currently 100% funded by NHS Western Isles (£453k), NHS Western Isles made a contribution of 50% towards seven placements (£288k) and £5.2k towards another. A further eight placements were currently wholly funded by the Comhairle (£667k), which also made a contribution of 50% towards seven placements (£288k) and £9.2k towards another placement. All twenty seven placements were managed by the Comhairle's Social and Community Services Department.

It was agreed to recommend that the Comhairle note:

- (1) the decisions taken by the Mainland Placement Panel; and**
- (2) the forecasted combined expenditure of £1.174m in respect of the placements detailed in the Appendix attached to the Report.**

It was agreed that the public including the press be excluded from the meeting during consideration of the Appendix to the following item on the grounds that exempt information as defined in Paragraph 5 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement made in respect of that child under the Social Work (Scotland) Act 1968 would be disclosed.

Specialist Mainland Placements for Children SW02

13*

With reference to item 13 of the Minute of Meeting of 16 December 2010 the Director of Education and Children's Services submitted a Report which detailed the current position in relation to specialist mainland placements for children and detailed the budgetary implications arising from these placements. The total projected costs for Mainland Placements in 2010/11 was £1,821,605 and this represented a projected overspend of £168,105 against the revised budget of £1,653,500 for 2010/11. It was stated in the Report that there were currently fifteen children and young people in mainland placements and updated costs of full time residential and foster care on the mainland and of residential respite costs on the mainland for 2010/11 were detailed in the Appendix to the Report.

It was indicated in the Report that the strategy to develop foster care resources locally was currently underway but that it was not anticipated that this would impact on the mainland placement budget until near the end of the current financial year.

It was agreed to recommend, insofar 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 the issue.

Arising out of consideration of the above item it was agreed to recommend that the Director of Education and Children's Services be requested to submit a further Report examining the possibility of establishing a Behavioural Unit in the Western Isles, on the basis that the Report would also include information in relation to:

- (1) Extended Learning Provision; and**
- (2) an estimate of the number of young people who would be continuing in mainland placements as adults.**

It was agreed that the public including the press be excluded from the meeting during consideration of the following items 14(a) and 14(b) on the grounds that exempt information as defined in Paragraph 1 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder or former office holder, or applicant to become an office holder under, the Comhairle would be disclosed.

Technical Services: Building Maintenance STO Progress Update
CB015

14(a)* With reference to item 14(a) of the Minute of Meeting of 16 December 2010 the Director of Technical Services submitted a Report which provided an update on the financial and operational position within the Property Maintenance Delivery STO (Building Maintenance STO). The currently reported financial position was detailed in the Report and it was indicated that the key focus remained on establishing the resources required to deliver the available contracts and projects and ensuring that the operational expenditure would be within the potential available income. It was stated in the Report that there was a requirement to reduce the number of staff which was initially being undertaken through the voluntary severance route and the management structure was also being reviewed.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note the Report.

Building Maintenance STO
CB015

14(b)* With reference to item 14(b) of the Minute of Meeting of 16 December 2010 the Chief Executive and the Director of Finance and Corporate Resources submitted a joint Report recommending a way forward in relation to the future delivery of Building Maintenance services. The Report indicated that at the end of the third quarter the Building Maintenance STO was forecasting a deficit which meant the Comhairle would not meet its statutory obligation for the operation in 2011/12. This would be the fourth year in which the STO had not broken even over a rolling three year period it was evident that significant change was required. There were proposals appended to the Report setting out the framework of a sustainable operation for the future delivery of building maintenance within the Comhairle.

It was agreed to recommend that the Comhairle agree the recommendations of the Director of Technical Services, as set out in the appended paper to the Report, as the basis of a revised operating model for the delivery of building maintenance and that the Director of Technical Services, in consultation with the Chief Executive and Director of Finance and Corporate Resources, would bring forward a detailed Report to the March 2011 meeting of the Policy and Resources Committee setting out the financial and operational changes for implementation from 1 April 2011 and that that Report would contain clear timescales and a deadline for achieving a break-even position.

Write Offs
PR100.07

15 With reference to item 12 of the Minute of Meeting of 4 November 2010 the Director of Finance and Corporate Resources submitted a Report which recommended that a number of irrecoverable debts, totalling £34,167.30, in respect of Council Tax and Sundry Debt, be written off. Proposed write offs in respect of sums in excess of £2,000 were detailed in the Appendix to the Report and the total sum to be written off in respect of Council Tax and Non Domestic Rates in 2010/11 was detailed in the table at paragraph 2.3 of the Report.

It was agreed to recommend that the debts listed in Appendix 1 to the Report totalling £34,167.30 be written off.

Mrs Morag Munro declared an interest in Item 16 as a Director of Harris Development Ltd and left the meeting during consideration of the matter.

It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 6 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the financial or business affairs of any particular person other than the Comhairle, would be disclosed.

Loan to Harris Development Ltd. PR100.01 16* The Director of Finance and Corporate Resources submitted a Report which requested homologation of the decision made by the Director of Finance and Corporate Resources to provide a loan of £60k to Harris Development Ltd. It was stated in the Report that Harris Development Ltd had approached the Comhairle with a request to provide a factoring service for their Landscape Partnership Project and from detailed costings provided by Harris Development Ltd it was clear that factoring the project would generate a time consuming administrative burden for Comhairle staff. It was further stated that Harris Development Ltd had requested that the Comhairle consider advancing a loan of £60k to meet the peak cash flow requirement of year one of the project instead of factoring. The loan would be repaid by 31 December 2011 and this had therefore been considered to be the most efficient way to provide assistance.

It was agreed to recommend that the decision of the Director of Finance and Corporate Resources to provide a loan in the sum of £60k for cash flow purposes to Harris Development Ltd be homologated.

Winter Maintenance Expenditure 2010/11 T08.05.04 17 With reference to item 20 of the Minute of Meeting of 16 December 2010 the Director of Technical Services submitted a Report which detailed the current position in relation to winter maintenance. The current estimated position was detailed in the Report and it was indicated in the Report that the estimate to year end figure was based on an additional 23 days operation to 31 March 2011. It was reported at the meeting that the current position was that £1,984k had already been spent this financial year, leaving a deficit of £600,021.

It was agreed to recommend that the Comhairle note the Report.

Reshaping Care for Older People – Change Fund Guidance SW04 18 The Director of Social and Community Services and Medical Director, NHS Western Isles submitted a joint Report which provided details of Change Fund Guidance recently issued by the Scottish Government for reshaping care for older people which outlined what would be required of partnerships in order to assess the funds and to take forward these plans, as detailed in Appendix 1 to the Report. It was stated in the Report that each local partnership was required to submit to the Scottish Government a short Change Plan which had been agreed by all partners and that plans would be approved by the Ministerial Strategic Group for Health and Community Care and signatories to the plan must include NHS Western Isles, the Comhairle and Third and Independent Sector representatives. The provisional allocation for the Western Isles for 2011/12 was £531k and, while it was anticipated that the funding would be available for three further years, only one year's funding had been confirmed.

It was further stated in the Report that senior officers of NHS Western Isles and the Directorate of the Comhairle's Social and Community Services Department had agreed that the Change Plan would be firmly based on 'Reshaping Care' objectives and initial discussions had 'shifting the balance of care' and 'older people's services' as the central themes.

The Committee considered the recommendations of Joint Services Committee and concluded that the terms of the Guidance and advice from COSLA indicated that implementation of plans should be submitted overseen and monitored by community planning partnership.

It was agreed to recommend that the Comhairle:

- (1) **note the Scottish Government Change Fund Guidance for Reshaping Care for Older People;**
- (2) **note the requirement for local partnerships a prepare change plans that set down how the funding would be used to achieve a shift in the balance of care;**
- (3) **note that change plans should be prepared and agreed by the Comhairle, NHS Board, Third Sector and independent sector partners and submitted to the Scottish Government by 28 February 2011;**
- (4) **note the allocation of £531k to NHS Western Isles and Eilean Siar Partnership for 2011/12;**
- (5) **remit to the Joint Planning and Liaison Group to lead on the preparation of the initial Change Fund application, ensuring appropriate early interaction with Voluntary, Independent and Community Planning Partners and, insofar as the Comhairle's interests are concerned, it be delegated to the Director of Social and Community Services, in consultation with the Chairs of Joint Services and Policy and Resources Committees, to agree the final submission of the application ; and**
- (6) **agree that the Outer Hebrides Community Planning Partnership was best placed to oversee and monitor the delivery of the Change Fund within the Western Isles.**

Update Report – 19
Local Area
Coordination
SW01

With reference to Item 26(a) of the Minute of Meeting of 17 June 2010 the Director of Social and Community Services submitted a Report which provided an update on the provision of the Local Area Coordination service in the Western Isles since September 2010. The Report included information from those who used the service, feedback from staff who provided the service and outlined plans for its future development. Service feedback forms, which sought to cover the theme of any impact of change to the service being provided by Social and Community Services since September 2010, had been distributed for completion by service users and the results of these were detailed in the report. It was stated in the Report that overall the transition of the local area co-ordination service from Advocacy Western Isles to the Comhairle had gone smoothly and the continuity of staffing arrangements had been a significant factor in ensuring a seamless transition, together with the co-operation of Advocacy Western Isles.

The Chairman congratulated all concerned for their work in ensuring a smooth transition for service users within the reduced budget available.

It was agreed to recommend that the Comhairle note the Report.

Adult Day Care 20
Provision in
Barra
SW04

The Director of Social and Community Services submitted a Report which sought to establish a review of social day care provision in Barra for adults over 65, adults with a learning disability and other adults requiring day care. It was indicated in the Report that it was considered that current provision required to be reviewed in terms of strengths and weaknesses and alternatives explored in order that potential alternatives could be identified. It was stated in the Report that consultations would take place with service users, carers and relevant professionals to ensure that any changes meet needs and the impacts of any changes could be effectively assessed and mitigated. The outcome of these consultations would be reported back to the Committee.

It was agreed to recommend that the Comhairle approve:

- (1) **a review of the current provision of adult social day care in Barra, in consultation with all key stakeholders, in particular NHS Western Isles and including the undertaking of an Equality Impact Assessment; and**
- (2) **that a Report, with recommendations, regarding the options for future service delivery for social day care on Barra, be brought back to the June 2011 series of Comhairle meetings.**

Capital Works: 21 With reference to item 26 of the Minute of Meeting of 16 December 2010 the Director of Programme and Progress PR33.01.12 Technical Services submitted a Report detailing Programme and Progress in respect of properties held on the Policy and Resources and Social Work accounts at pre-construction and construction stages.

It was agreed to recommend that the Comhairle note the Report.

It was agreed to note that the Director of Social and Community Services would circulate information to all Members providing an update in relation to St Brendan's Care Home.

Repairs and 22 With reference to item 22 of the Minute of Meeting of 2 September 2010 the Director of Maintenance (Revenue) Programme 2010/11: Quarterly Expenditure Report to 31 December 2010 PR33.01.12 Technical Services submitted a Report which detailed the current situation in relation to expenditure on the repairs and maintenance of properties held on Policy and Resources Committee accounts to 31 December 2010. Expenditure to 31 December 2010 was detailed in the Appendix to the Report.

The Committee was advised that the overspend on social work properties would be accommodated within departmental budgets.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note the Report.

It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 8 and 9 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the amount of any expenditure proposed to be incurred by the Comhairle under any particular contract for the acquisition of property of the supply of goods or services and any terms proposed, or to be proposed by, or to the Comhairle, in the course of negotiations for a contract for the acquisition, or disposal of property or the supply of goods or services, would be disclosed.

Western Isles 23* With reference to item 27 of the Minute of Meeting of 16 December 2010 the Chief Schools Project Update E01.02.15A Executive submitted a Report which provided information on the progress of the Western Isles Schools Project (WISP) and outlined progress made in key areas since the December 2010 meeting and detailed some of the key challenges for the WISP. The Report stated that there were no recorded delays at any of the sites, as at 21 January 2011, that would negatively impact on the Service Availability dates of the schools. Details of revised funding arrangements were provided in the Report. The Report provided an update on the five schools as follows:-

The Nicolson Institute – Progress had been made with developing and agreeing a decant strategy in relation to the refurbishment of the Pentland Building and there had been a number of meetings with the contractors, school management, Learning Community Principal, affected teachers and other Comhairle stakeholders. Confirmation of the finalised decant strategy would be brought back to the Committee.

Sir E Scott – The revised decant strategy was still awaited and the disruption management proposal would detail how the contractor was going to complete the remaining works. Confirmation of the finalised decant strategy would be brought back to the Committee.

Balivanich and Sgoil an Rubha – Draft room layouts had been issued and meetings were to take place with stakeholders to agree layouts for each room.

Westside – Scottish and Southern Energy were targeting a start date of 31 January 2011 with regard to relocating the overhead cables and FMP intended to commence site works on 4 March 2011.

It was agreed to recommend that the Comhairle note the Report.

Former Gibson 24
Hostel Site
H15.27.26

With reference to item 25 of the Minute of Meeting of 4 November 2010 the Chief Executive submitted a Report which detailed the outcome of discussions with Hebridean Housing Partnership Ltd in relation to the Gibson Hostel Site and made a recommendation in relation to suspensive conditions on the title. It was indicated in the Report that HHP had confirmed that they now wished the Comhairle to increase the number of units permissible to be constructed on the site from 22 to 24 units and there was no request at this time in relation to the removal of the mature landscaped area. It was clarified at the meeting that the current request related to 24 units notwithstanding that more units were shown on the plan appended to the Report.

In relation to future partnership working between the Comhairle and HHP, it was proposed in the Report that a Liaison Group comprising three Councillors and three HHP Board members with officer support be established and that this group would meet on a regular basis to discuss issues relevant to the development programme and any matters that would benefit from a partnership approach.

It was agreed to recommend that the Comhairle accede to the request from HHP to relax the sale conditions as detailed in Item 17 of the Minute of Meeting of the Policy and Resources Committee of 29 March 2007 to enable 24 units rather than 22 units to be constructed on the former Gibson Hostel Site, Stornoway.

Arising out of consideration of this item it was agreed to recommend that the Chairmen of Policy and Resources and Environment and Protective Services Committees and of the Local Housing Strategy MOWG be appointed to a Liaison Group with HHP to discuss matters of common interest in relation to affordable housing.

Use of Video 25
Conferencing
PR11.09

With reference to item 24 of the Minute of Meeting of 2 September 2010 the Chief Executive submitted a Report which detailed progress with plans to upgrade the video conferencing facilities in the Council Chamber, Stornoway and Committee Rooms in Balivanich and Barra and suggested some further options for consideration in the review of the Comhairle's constitutional documents. It was suggested in the Report that more flexible use of camera angles should be sought in a comprehensive upgrade of facilities and that any protocol should address how voting by secret ballot could take place remotely. The Report further indicated that there were difficulties with the sound system when a meeting was being chaired remotely. It was suggested that it could also be difficult for a Chairman to be able to preside over a debate or discussion when he or she was not able to identify who had indicated their wish to speak and the order in which they had so indicated.

The Report stated that would also be helpful to consider proposing protocols for remote participation and chairing of meetings for consideration as part of the Comhairle's review of its constitutional documents. It was further suggested that such a protocol should address how voting by secret ballot could take place.

It was agreed to recommend that:

- (1) the Report be noted;**
- (2) the points highlighted in paragraph 6.1 and 7.1 of the Report be considered in the review of the constitutional documents; and**
- (3) the facility in the Council Offices, Tarbert be expressly included in the review of video-conferencing.**

Proposed Joint Working Arrangements with Northern Constabulary PR42.01 26

The Director of Technical Services submitted a Report which sought approval to agree terms with Northern Constabulary to share office facilities. It was stated in the Report that officers from Northern Constabulary and the Comhairle had met to discuss the possibilities of realising efficiencies by sharing resources and experience. Discussions had focused on call management, operational estate and procurement. Two opportunities to share facilities were being placed before the Committee and it was proposed that rental be agreed in line with the District Valuer's recommendation and that all legal aspects of sharing premises would be incorporated within the lease agreements.

It was agreed to recommend that the Comhairle authorise the Chief Executive, in consultation with the Director of Technical Services, to agree terms for the lease to Northern Constabulary of areas within Carloway Care Centre and Tarbert Old Primary School as office facilities at a rental to be determined by the District Valuer, Scotland North West, and subject to such other terms and conditions as the Chief Executive should deem appropriate.

Capital Programme: Lionacleit Synthetic Pitch PR100.01 27

The Director of Social and Community Services submitted a Report seeking approval to release funds of £197k from the Comhairle's Capital Programme for 2008-13 to upgrade the all-weather area at Sgoil Lionacleit to a standard comparable with the Smith Avenue complex. The Report stated that the Lionacleit Synthetic Pitch facility had been closed on health and safety grounds due to a significant deterioration in the playing surface and the proposal was to upgrade the surface to provide a synthetic pitch suitable for school and community use. Furthermore, it was anticipated the provision of the proposed facility would increase income generation due to a mix of individual, family and group booking sales.

The Report further stated that the upgraded pitch would predominantly attract club bookings for football 5 a-side leagues and training as closure of the facility had created a capacity issue in terms of satisfying the demand for access to facilities in Sgoil Lionacleit games hall. It was envisaged that the displacement of football activity from the games hall to outdoors would allow individuals and families more access to the indoor facilities and increase the Sláinte Math membership which had proved challenging in the Uists.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle agree to release £197k within the approved Capital Project SD-SH10, Lionacleit Synthetic Pitch, as detailed in the Project Initiation Document attached as Appendix 1 to the Report.

Capital Programme 2008-13: Water Services Improvement Programme – Council Offices PR100.01 28

With reference to Item 30 of the Minute of Meeting of 18 June 2009 the Director of Technical Services submitted a Report concerning the release of a further capital sum for works associated with the Comhairle's statutory duties in terms of Control of Legionella and related works to Council buildings. The revenue implications were detailed in the Report and the total capital expenditure across the £325k budget was summarised in the Report.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle agree to release the remaining £85k from the approval Capital Project budget CS-PR7, Water Service Programme – Legionella Statutory, as detailed in the Project Initiation Document appended to the Report.

It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 6 and 8 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the financial or business affairs of any particular person other than the Comhairle and the amount of any expenditure proposed to be incurred by the Comhairle under any particular contract for the acquisition of property of the supply of goods or services, would be disclosed.

Craigston Coastal Protection Works Contract Costs DS62 29*

The Director of Technical Services submitted a Report which detailed the final contract costs for the Craigston Coastal Protection works. It was stated in the Report that the initial estimate for the cost of the Craigston scheme was £900k and the contract was awarded at a tender price of £313,503. The costs of all the compensation events were detailed in the Appendix to the Report with additional details provided on the works in excess of £5k.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note that significant additional works had been required to complete the Coastal Protection Project at Craigston, Isle of Barra, which had increased the overall contract costs for this work by £144,957.33.

Arising out of consideration of the above matter it was agreed to recommend that the Chief Executive be requested to submit a Report concerning the performance of consultants on marine works, with particular reference to the Craigston Coastal Protection Works Project.

POLICY

Outer Hebrides Biomass Development – Detailed Assessment DS61.19 30

The Director of Development submitted a Report seeking approval of capital expenditure of £30k for advance works associated with the Outer Hebrides Biomass Project. Insofar as this Committees interests were concerned, authorisation was sought for the Director of Technical Services to procure the necessary consultancy services to undertake a detailed assessment of biomass heating provision at Shawbost, Lionel and Sgoil Lionacleit schools.

The Report stated that in June 2009, the Comhairle had agreed that wood fuel heat provision be considered in both new and refurbishment building projects in the Comhairle's Capital Programme and an internal review of the recommended sites had established the three school sites (Shawbost, Lionacleit and Lionel) to be the most suitable for the initial development of biomass heating provision. In order to progress the project it was proposed to appoint external consultants to undertake a detailed assessment of biomass heating provision at the three school sites to address any risks and uncertainties and to prepare a detailed system design, with a viable fuel supply agreement and prepare a robust business case for proceeding to the implementation stage with a view to developing one of the three school sites as an initial demonstration installation. This work would be subject to a period of monitoring, assessment and review and the development of biomass heating systems at the other sites would depend on the success of this demonstration.

It was indicated at the meeting that this matter was before this Committee as, given the particular nature of the project, it was proposed that sums in excess of the 13% permissible in terms of the Capital Programme Operating Rules for pre-tender works would be required at the pre-tender stage.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle:

- (1) approve capital expenditure to a limit of £30k for advance works associated with project SD-G6, Outer Hebrides Biomass Project notwithstanding that the proposed level of expenditure would exceed 13% of the anticipated cost of the project; and**
- (2) authorise the Director of Technical Services to procure the necessary consultancy services to undertake the detailed assessment of biomass heating provision at the Shawbost School, Lionel School and Sgoil Lionacleit.**

Spend to Save: 31 The Director of Technical Services submitted a Report which sought approval of the development of a capital investment programme for property maintenance. It was suggested in the Report that a £2m capital investment programme be developed on a spend to save basis with a total reduction of £720k in property maintenance review budgets. The Report proposed that the urgent, identified Phase 1 works scheduled for 2011/12 be procured through the Comhairle's Property Maintenance Delivery Team, where feasible and within the context of Best Value. It was noted that it may be necessary to appoint external contractors to carry out works which the Comhairle's Property Maintenance Delivery Team did not have the capacity or capability to undertake. The Report further proposed that the second phase be developed and prioritised on the basis of the criteria included at Appendix 1 to the Report. Condition assessment information from the surveys carried out in the recent past, augmented by further technical surveys and consultations with asset users would be incorporated in the evaluation exercise and the results would be presented for approval by October 2011 for delivery in the 2012/13 and 2013/14 financial years.

It was agreed to recommend that the Comhairle agree:

- (1) to the development of an asset investment programme of £2m on the basis detailed within the Report;**
- (2) the criteria and weightings included as Appendix 1 to the Report and it be noted that a prioritised programme of works would be developed for consideration by the Comhairle in March 2011;**
- (3) that the works, where feasible and within the context of Best Value, be carried out by the Technical Services Property Maintenance Delivery Team; and**
- (4) that the Director of Technical Services be authorised to undertake as much of the work as possible during 2011/12 and 2012/13.**

Spend to Save 32 The Director of Technical Services submitted a Report seeking approval of the delivery of a three year £5m capital investment programme for roads infrastructure. The Report stated that one of the outputs from the Members' Seminar held in October 2010, as part of the Budget Choices exercise, was a general consensus that there be a greater investment in roads infrastructure in view that there was a significant increase in maintenance backlog as road surfaces had been particularly badly damaged over the past two winters. The Report proposed that a £5m capital investment programme be developed on a spend-to-save basis with a proportionate reduction in road maintenance revenue budgets.

The Report further stated that the delivery of a three year, £5m programme was a significant undertaking and to enable a start in April 2011, procured through the Comhairle's existing framework contracts, that the initial phase be developed on the basis of historic road condition assessment information and the identification of those road surfaces that had been particularly damaged as a result of weather conditions. A proposed programme for 2011/12 would be the subject of a further Report to the Committee in March 2011 and be developed and prioritised based on criteria included in Appendix 1. Condition assessment information from the surveys currently scheduled for May 2011 would be incorporated in the evaluation exercise and the results presented for approval by October 2011 for delivery in the 2012/13 and 2013/14 financial years. Options relating to the procurement of future works would be explored and recommendations would be brought to the Comhairle by October 2011.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle:

- (1) agree the development of an asset investment programme of £5m on the basis of Option 2 detailed within the Report and that the Director of Technical Services be authorised to undertake as much of the works as possible within the first two years of the programme;
- (2) note that a prioritised programme of works would be developed for consideration by the Comhairle in March 2011;
- (3) agree the criteria and weightings included as Appendix 1 to the Report; and
- (4) agree that the works to be carried out in 2011/12 be procured through a combination of the existing Area Engineering Contracts and by competitive tendering.

It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 6 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the financial or business affairs of any particular person other than the Comhairle, would be disclosed.

Isle-Pact and GP Wind Projects: Management Arrangements L10.184 33*

With reference to item 39 of the Minute of Meeting of 4 November 2010 the Chief Executive and the Director of Development submitted a Joint Report which provided details of proposed arrangements for the management of the Isle-Pact and GP wind projects. Details of the current arrangements in respect of the management of these projects was provided in the Report. It was stated in the Report that in the event that the current Project Manager were to be engaged to the conclusion of the project the whole cost of his engagement from November 2010 would exceed the tendering threshold of £25k in terms of the Comhairle's Contract Regulations but would remain well below the EU tendering threshold for services and it was therefore suggested in the Report that the Comhairle agree not to seek tenders for these services in terms of Contract Regulation 4(2)(i)(n).

It was agreed to recommend that the Comhairle:

- (1) delegate authority to continue the current project management arrangement for the duration of the ISLE-PACT and GP Wind projects, provided that the Chief Executive and Director of Development remain satisfied that these represent best value to the Comhairle; and
- (2) agree not to seek competitive tenders for these services in terms of Contract Regulation 4(2)(i)(n) due to the expertise and prior knowledge of the project of the individual concerned.

It was agreed that the public including the press be excluded from the meeting during consideration of the following item on the grounds that exempt information as defined in Paragraph 1 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder or former office holder, or applicant to become an office holder under, the Comhairle would be disclosed.

Technical Services M02.07 34*

The Director of Technical Services submitted a Report which sought approval for a restructuring of the Technical Services Department. The current management and business unit structure within the Technical Services Department and the proposed structure were detailed in the Appendix to the Report. It was stated in the Report that the proposed restructuring had formed the basis of a consultation process involving relevant stakeholders within and outwith the Department. The Report provided details of significant changes to the management structure and scale of the workforce associated with the trading operations, formerly known as the Commercial Operations Unit over the previous six months.

The Report indicated that the detail of the proposals would be considered by the Human Resources Sub-Committee.

It was agreed to recommend that the Comhairle agree, in principle, to the management, business unit and team structure detailed in Appendices 2, 3, 4, 5 and 6 to the Report, subject to consideration of the detail of the proposals by Human Resources Sub-Committee.

Local Government Boundary Commission for Scotland Consultation: Number of Councillors C32

35 The Chief Executive submitted a Report relating to the issue of a consultation paper by the Local Government Boundary Commission for Scotland on the factors to be used by the Commission in determining the number of Councillors in each Council area. It was indicated in the Report that views were sought on the factors which the Commission should use in determining Councillor numbers when it carried out its next review of electoral arrangements for all of Scotland's Councils, between 2013 and 2016. It was stated in the Report that the Comhairle had already expressed a view to Scottish Ministers and the Commission that the number of Councillors on the Comhairle should be reduced and this consultation gave the Comhairle the opportunity to set out the basis for its view and make proposals for the number of Councillors.

A draft response to the questions in the consultation paper was detailed as follows:-

The Comhairle suggest that it was not possible to adopt any definite view as to whether there required to be more or fewer Councillors from 2017 onwards; the workload of Councillors had remained fairly constant since the last Local Government reorganisation, albeit the nature of that work has been different.

The Comhairle would submit that 20 was an absolute minimum number of Councillors for any Authority regardless of population or geographic circumstances; any smaller number limits the ability and freedom of a Council to choose its own method of decision making structures, since 20 was believed to be the minimum number necessary to allow a committee system to operate effectively. It was suggested that no Council would have more than 50 – 60 Councillors, in order to ensure that each Councillor had a meaningful workload, and involvement in the work of a Council and its partnership bodies. Geographic circumstances would also be considered in determining Councillor numbers.

The Comhairle felt very strongly that greater flexibility required to be introduced into the criteria not just for determining Councillor numbers, but for determining the number of Councillors to be elected in each Ward. The Comhairle would not be supportive of a simple reduction in Councillor numbers, with a continuing requirement to elect 3 or 4 Members per Ward, since this could lead to unacceptably large Wards, or for Islands to be split up in an entirely arbitrary and unhelpful way which, in a largely independent political environment, could easily discourage members of the public from seeking election to the Comhairle. The Comhairle strongly urges the Commission and Scottish Government, to consider introducing greater flexibility in the numbers of Councillors elected per Ward.

While the Comhairle believed that the number of Councillors in the Western Isles, currently 31, was too high, the Comhairle was supportive of a recognition of the factors mentioned above, and that Elected Members in rural or very rural areas generally had a greater constituency workload than many Elected Members in urban or town areas.

It was agreed to recommend that the Comhairle authorise the Chief Executive to respond, on behalf of the Comhairle, on the basis of paragraph 6.2 of the Report and that the response highlight that the outcome of the consultation may require to be revisited in the light of public sector reform.

- | | | |
|---|------------|---|
| <p>Emergency Towing Vessels and MCA Modernisation Proposals – Progress Update
D60</p> | <p>36</p> | <p>With reference to item 8 of the Minute of Meeting of Comhairle nan Eilean Siar of 16 December 2010 the Director of Technical Services submitted a Report providing an update on campaigns relating to the proposed discontinuation of the Emergency Tug Vessel (ETV) provision and the measures being proposed as part of the modernisation of the Coastguard service. The Report stated that the Comhairle had been instrumental in setting up a multi-agency Task Group, initially to fight the proposed Coastguard closures, but with the remit extended to include the proposed discontinuation of the ETV, as it was felt that the two issues were closely interlinked. Task Group Meetings had been held on 21 December 2010 and 19 January 2011.</p> <p>The Report further stated that an independent review of both sets of proposals, including the development of a Hazard Identification and Risk Assessment, had been commissioned by the Comhairle for presentation as an integral part of the consultation response and PR consultants were being appointed to advise on lobbying strategies and Officers and Comhairle Members were in contact with their opposite numbers at councils in Highland, Orkney and Shetland to ensure a co-ordinated and mutually agreed response.</p> <p>It was agreed to recommend that the Comhairle note the progress of the Task Group.</p> |
| <p>Contractual Arrangements with the Crown Estate</p> | <p>37</p> | <p>The Clerk sought and obtained the Chairman’s permission to withdraw this item.</p> <p>It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 8 and 9 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the amount of any expenditure proposed to be incurred by the Comhairle under any particular contract for the acquisition of property of the supply of goods or services and any terms proposed, or to be proposed by, or to the Comhairle, in the course of negotiations for a contract for the acquisition, or disposal of property or the supply of goods or services, would be disclosed.</p> |
| <p>Contractual Matters
T08.05.04</p> | <p>38*</p> | <p>With reference to item 48 of the Minute of Meeting of 16 December 2010 the Chief Executive submitted a Report which outlined the outcome of the negotiations which the Comhairle authorised the Chief Executive to undertake at the last series of meetings. It was indicated in the Report that the proposed settlement could be funded from contingency.</p> <p>It was agreed to recommend that the Comhairle approve the recommendations detailed in the Report.</p> |
| <p>Reports Outstanding:
Progress
PR33.01.12</p> | <p>39</p> | <p>With reference to Item 44 of the Minute of Meeting of 16 December 2010 the Chief Executive submitted a Report detailing the Reports Outstanding arising from decisions of the Committee.</p> <p>It was agreed to recommend that the Comhairle note the Report.</p> |

URGENT ITEM

The Chairman ruled that, in accordance with the provisions of Section 50(B) (4) of the Local Government (Scotland) Act 1973 as amended, that the following item be considered as a matter of urgency in order to allow the Comhairle to take a view on the matter prior to the next series of Meetings.

Best Value
Service Review
6 Month Follow
Up – Integrated
Transport
SS02.01

40

The Chief Executive submitted a Report which provided Members with an update on the progress made following the Best Value Review of integrated Transport. The Report stated that it was understood that Integrated Transport was a sensitive area and had continually changing service requirements. Whilst it was evident that the service was moving forward in terms of operation improvements, the pace of change was slow. The key strategic areas of identifying the direction of the Transport Service across the Comhairle and updating the SLA remained outstanding.

It was agreed to recommend that the Comhairle:

- (1) note the progress following the completion of the Best Value Review of Integrated Transport; and**
- (2) agree that a Report be submitted in relation to progress in relation to integrated transport to the June 2011 meeting of the Committee.**