



# COMHAIRLE NAN EILEAN SIAR

## POLICY AND RESOURCES COMMITTEE

Minute of Meeting held in the  
Council Offices, Stornoway,  
on Thursday 18 February  
2010 at 9.30am

### PRESENT

Mr Angus Campbell (Chairman)  
Mr Norman A MacDonald (Vice-Chairman)  
Mr Alex A MacDonald  
Mrs Morag Munro  
Mr Archie K Campbell  
Mr Donald Manford  
Mrs Agnes Rennie

Mr John A Maciver  
Mr Norman M Macleod  
Mr Roddie Mackay  
Mr Charlie Nicolson  
Mrs Annie Macdonald

### Fishing Industry

With reference to the preamble to the Minute of Meeting of 17 December 2009 the Chairman referred to ongoing difficulties being encountered in the fishing industry and informed the Committee that a strategic approach to this issue was being investigated by Officers. The Chairman further informed the Committee that Mr Neil Campbell, Chair of the Fisheries JCC, Mr Donald Manford and himself had recently met representatives of the fishing industry.

**It was agreed to recommend that the Chief Executive and Director of Development submit a Report to the next meeting of the Committee in relation to the feasibility of the Comhairle developing a scheme to purchase and lease fishing licences for the benefit of the Outer Hebrides.**

### Crown Estate

The Chairman referred to the Comhairle's position in relation to the Crown Estate and informed the Committee that he had been invited to give evidence to the Scottish Government Finance Committee on 24 February 2010 in relation to the Comhairle's position on the Crown Estate.

**It was agreed to recommend that the Chairman represent the Comhairle's position in relation to the Crown Estate at the Treasury Sub-Committee meeting on 24 February 2010.**

### Minute of Meeting of 17 December 2009

- 1 The Minute of Meeting of 17 December 2009 was **approved**.

### Declaration of Interest

- 2 Mr Norman A MacDonald declared an interest in items 40 and 43 as a relative was employed in the Home Care Service and left the meeting during consideration of the matter.

Mr Norman A MacDonald declared an interest in item 37 as he had an involvement in one of the proposed projects namely a St Kilda centre.

Mr Norman M Macleod declared an interest in item 16 as he had a family connection with an employee in the Advocacy Service.

Mr Charlie Nicolson declared an interest in item 23 as a member of The Stornoway Trust.

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- Minute of Meeting of Outer Hebrides Community Planning Partnership of 3 December 2009 3 The Minute of Meeting of the Outer Hebrides Community Planning Partnership of 3 December 2009 was **noted**.
- Minute of Meeting of Comataidh Buileachaidh Plana Canan of 11 February 2010 4 The Minute of Meeting of Comataidh Buileachaidh Plana Canan of 11 February 2010 was **recommended for approval**, subject to the addition of Mr Uisdean Robertson as a Member of the Mod 2011 Joint Liaison Committee.
- Minute of Meeting of Human Resources Sub-Committee of 11 February 2010 5 The Minute of Meeting of Human Resources Sub-Committee of 11 February 2010 was **noted**.
- Minute of Meeting of Joint Services Committee of 12 February 2010 6 The Minute of Meeting of Joint Services Committee of 11 December 2009 was **recommended for approval** subject to amendments being made to item 3 to reflect that Mrs Morag Munro had declared an interest as a Co-ordinator of Crossroads Harris and that Mr Norman Macleod's interest was due to a family connection with an employee of the Advocacy Service.
- 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 1 & 8 of Schedule 7A of the Local Government (Scotland) Act 1973, namely, information relating to any terms proposed or to be proposed by or to the Comhairle in the course of negotiation of a contract for the acquisition or disposal of property or the supply of goods or services would be disclosed.
- Commercial Operations Unit: Third Quarter Monitoring Report 2009/10 CB011 7\* With reference to item 14 of the Minute of Meeting of 5 November 2009 the Director of Technical Services submitted a Report concerning the trading performance of the Commercial Operations Unit as at 31 December 2009. A summary of the Building Maintenance STO's three year rolling target and an analysis of income and expenditure were appended to the Report.
- It was agreed to recommend that the Comhairle note the Report.**

Community  
Care Third  
Quarter  
Monitoring  
Report 2009/10  
PR100.01

- 8 The Director of Social and Community Services submitted a Report which detailed the forecast revenue outturn for 2009/10. It was indicated in the Report that the forecasted overspend for 2009/10 in the Community Care budget was £47k, which was made up of a £20k underspend in respect of the Policy and Resources Committee and an overspend of £67k in relation to the Transportation Committee. It was further indicated in the Report that in addition to the current year forecast overspend of £47k, a further £218k in respect of the overspend from 2008/09 had been carried forward to 2009/10, of which £37k of savings had been identified and reported to Committee in December 2009. It was stated that, in light of the current economic climate, the Comhairle agreed to prioritise projects that would maximise support to the local economy and to accelerate as much work as possible in 2009/10 to help the economic climate locally and to ensure that there was a consistent flow of construction work being tendered across the period to March 2013. Projects funded by accelerated Capital Grant were detailed in Appendix 3 to the Report. It was further stated in the Report that, should there be any delay in completing any of these projects within the necessary timescale, the Head of Project Delivery proposed to substitute projects which met the terms and conditions of the grant and could be delivered on time.

**It was agreed to recommend that the Comhairle note that:**

- (1) **the Community Care budget was forecasting a £47k overspend in 2009/10; and**
- (2) **to date the carry forward overspend from 2008/09 had been reduced in £181k which was referred to in the third quarter revenue monitoring report.**

Integrated  
Special Needs  
Transport  
Overspend  
PR100.01

- 9 With reference to item 16 of the Minute of Meeting of the Transportation Committee of 9 December 2009 the Director of Social and Community Services submitted a Report in relation to action currently underway to control and minimise costs in the integrated special needs transport budget. It was indicated in the Report that it had become clear early in the financial year that the budget for Integrated Special Needs Transport was under pressure and forecasting an overspend. Control measures had been introduced to ensure appropriate processes were in place to authorise individual transport needs. Three specific control measures had been implemented and were highlighted at paragraph 2.2 of the Report.

**It was agreed to recommend that the Comhairle note the action currently underway to control and minimise costs associated with Integrated Special Needs Transport within the Social and Community Services Department.**

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.

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Mainland Placement Panel SW01.17 10\* With reference to item 20 of the Minute of Meeting of 17 December 2009 the Director of Social and Community Services submitted a Report concerning decisions of the eleventh meeting of the Mainland Placement Panel and detailing the current list of mainland placements. The financial implications were detailed at paragraph 4 of the Report.

**It was agreed to recommend that:**

- (1) the decisions taken by the Mainland Placement Panel be noted;**
- (2) the forecasted combined expenditure of £1.192m detailed in Appendix 1 to the Report be noted;**
- (3) the membership of the Panel be extended to include the following additional Members:**

**Joint Care Services Co-ordinator, CnES  
Adult Services Manager, CnES  
Consultant Psychiatrist, NHS Western Isles  
Head of Mental Health and Learning Disabilities, NHS Western Isles;  
and**

- (4) the accountant representatives from the Comhairle and NHS Western Isles act as advisers to rather than members of the panel.**

Specialist Mainland Placements for Children 2009/10 SW02 11 With reference to item 12 of the Minute of Meeting of 5 November 2009 the Chief Executive submitted a Report concerning the current position in relation to specialist mainland placements and the continuing budgetary pressures arising from these placements. It was indicated in the Report that there had been two meetings of the Mainland Placement Panel since the last Report and that at the third quarter the forecast spend on mainland placements was £1,607, 830 which represented an overspend of £809,058 on the existing budget of £798,772. It was further indicated in the Report that reviews of Foster Care and Services for Children with a Disability were underway and progress with these reviews would be reported to a future meeting of the Committee.

**It was agreed to recommend 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.**

Winter Maintenance Budget T08.05.04 12 With reference to item 15 of the Minute of Meeting of 18 June 2009 the Director of Technical Services submitted a Report which detailed the current position in relation to winter maintenance activities and expenditure. The main changes to the Winter Maintenance Policy which had been approved in October 2009 were detailed in the Report. It was indicated in the Report that, due to the recent period of sustained cold weather it had not been possible to implement the changes to the Winter Maintenance Policy and that the Comhairle faced additional pressures on resources and manpower due to the severe weather conditions. It was further detailed that the estimated position, as at 10 February 2010, with winter maintenance expenditure was £1.96 million and that that figure did not take into account the carry forward overspend of £235k from 2008/09.

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

**It was further agreed to recommend that the experience of the 2009/10 winter be considered by the Finance and Strategy Working Group and a Report be submitted to the August 2010 meeting of the Transportation Committee in relation to any recommendations for future service delivery.**

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| <p>General Fund<br/>Third Quarter<br/>Revenue<br/>Monitoring<br/>2009/10</p> | <p>13</p> | <p>With reference to item 12 of the Minute of Meeting of 17 December 2009 the Director of Finance and Corporate Resources submitted a Report and Appendices detailing the Comhairle's forecast revenue out-turn for 2009/10 and stated that the forecast out-turn at the end of the third quarter showed a net overspend of £728k.</p> <p><b>It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle:</b></p> <ol style="list-style-type: none"> <li>(1) note the Report; and</li> <li>(2) <b>authorise the Director of Social and Community Services to take all possible steps within delegated authority to bring the Department's budget into balance.</b></li> </ol>   |
| <p>General Fund<br/>Third Quarter<br/>Capital<br/>Monitoring<br/>2009/10</p> | <p>14</p> | <p>With reference to item 11 of the Minute of Meeting of 17 December 2009 the Director of Finance and Corporate Resources submitted a Report providing an update on the progress of the 2009/10 Capital Programme and stated that the forecast 2009/10 Capital Expenditure at 31 December 2009 was £15,377k and 57% of the forecast expenditure for the year had been achieved.</p> <p><b>It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle:</b></p> <ol style="list-style-type: none"> <li>(1) <b>approve the forecast out-turn as the revised approved programme for 2009/10; and</b></li> <li>(2) <b>authorise the Director of Finance and Corporate Resources, to substitute projects identified under the Scottish Government's accelerated capital grant initiative with those that can be delivered within the necessary timescale if this was required.</b></li> </ol>  |
| <p>Community<br/>Care Services:<br/>Fees and<br/>Charges<br/>2010/2011</p>   | <p>15</p> | <p>With reference to Item 22 of the Minute of Meeting of 18 February 2009 the Director of Social and Community Services, CnES, submitted a Report which sought approval of revised charges for the Comhairle Community Care Services, to be effective from Monday 5 April 2010. The Report set out the framework of charges for 2010/11 for Community Care Services, in the context of CoSLA guidance on charging for Social Work Services.</p> <p><b>It was agreed to recommend that</b></p> <ol style="list-style-type: none"> <li>(1) <b>the charge per hour for a Care at Home Service (Home Care) for 2010/11 be set at £15.00;</b></li> <li>(2) <b>the Care at Home service (Home Care) thresholds be increased to £160 for a single person and £239 for a couple;</b></li> <li>(3) <b>the standard weekly charge for care homes for the elderly in 2010/11 be £992 for single rooms and £893 for shared accommodation;</b></li> <li>(4) <b>the standard weekly charge for the Area Care Units remain at £680;</b></li> <li>(5) <b>the standard weekly charge for Ardseileach Care Home for 2010/11 be £1,442;</b></li> <li>(6) <b>the fee for residential assessment/respice care 2010/11 be £110;</b></li> <li>(7) <b>the fee per bed for Bethesda Nursing Home for 2010/11 be set at the rate of £585 per week;</b></li> </ol> |

- (8) the charge per hour for a Care at Home Service (Home Care) for 2010/11 be set at £15.00;
- (9) the Care at Home service (Home Care) thresholds be increased to £160 for a single person and £239 for a couple;
- (10) the standard weekly charge for care homes for the elderly in 2010/11 be £992 for single rooms and £893 for shared accommodation;
- (11) the standard weekly charge for the Area Care Units remain at £680;
- (12) the standard weekly charge for Ardseileach Care Home for 2010/11 be £1,442;
- (13) the fee for residential assessment/respice care 2010/11 be £110;
- (14) the fee per bed for Bethesda Nursing Home for 2010/11 be set at the rate of £585 per week;
- (8) the fee per bed for Leverburgh Care Home for 2010/11 be set at the rate of £510 per week;
- (9) the fee per bed for Blar Buidhe Care Home for 2010/11 be set at the rate of £558 per week;
- (10) the charges for each lunch/cooked meal received by day users and other community based service users for 2010/11 be £0.60 for tea/coffee and lunch/cooked meal £2.50 per meal and £3.70 total daily charge;
- (11) the room hire and other facilities related charges is increased by 5%, subject to a review of the complete range of these charges in the 2010/11 financial year;
- (12) the current housing support services 2009/10 charge be retained, pending a review of this area of service provision and charges during the financial year 2010/11;
- (13) the charge for each single journey of £0.50 be set for transport provided for an individual service user; and
- (14) the hourly rate for direct payments be set at £12.32.

Mr Norman M Macleod declared an interest in item 16 as he had a family connection with an employee of the Advocacy Service.

Business Plans  
and Budget  
2010/11

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With reference to item 13 of the Minute of Meeting of 17 December 2009 the Chief Executive Submitted a Report seeking approval of the Comhairle's draft Departmental Business Plans 2010/11 based on the 2009/10 Single Outcome Agreement (SOA) which set out the Comhairle's commitment to meeting SOA National Outcomes. The Report stated that the Comhairle had procured Interplan, an integrated business planning and performance management system in February 2009 and all Comhairle Departmental Business Plans had been input on the system. The Comhairle was currently in a transitional period in terms of moving away from a paper based exercise to an online system, and there were a number of other features that would be incorporated into business plans in due course, once appropriate training had been delivered, e.g. departmental risk registers, Capital Programme monitoring, etc. The Report further stated that Interplan facilitated more frequent and flexible reporting and the Comhairle was committed to quarterly reporting. Third quarter updates on Business Plans and Performance Indicators 2009/10 were now available on the Comhairle's website and directly via Interplan. Individual Draft Departmental Business Plans were contained in the Appendices to the Report.

The Director of Finance and Corporate Resources submitted a Report seeking approval of the Draft Budget for 2010/11. 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 2010/11 was broken down by the major expenditure headings and a narrative provided on any changes in service.

**It was agreed to note progress in relation to Business Plan monitoring and that recommendations relating to the Draft Departmental Business Plans, Budget Book 2010/11, efficiency savings and proposed savings/reductions would be considered at the meeting of Comhairle on 18 February 2010 at 4.30pm.**

Treasury Policy Statement 2010/11 PR120.06	17	With reference to item 15 of the Minute of Meeting of 18 February 2009 the Director of Finance and Corporate Resources submitted a Report which set out the Comhairle's approach to all treasury operations. It was indicated in the Report that the Comhairle was committed to the principles of achieving best value in treasury management and to employing suitable performance measurement techniques within the context of effective risk management.
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**It was agreed to recommend that the Comhairle agree to amend its Treasury Management Policy to reflect the revised CIPFA Code of Practice on Treasury Management.**

Treasury Management Strategy 2010/11 PR120.06	18	With reference to item 8 of the Minute of Meeting of 5 November 2009 the Director of Finance and Corporate Resources submitted a Report concerning the proposed Borrowing and Investment Strategy for 2010/11 and the Prudential Indicators for 2010-13. The Report outlined the requirements to adopt a Treasury Management Strategy and set out Treasury Management objectives and described the current position in relation to Treasury Management. A portfolio of investments and suggested permitted investments for Comhairle nan Eilean Siar were appended to the Report.
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**It was agreed to recommend that the Comhairle:**

- (1) adopt the Prudential Indicators, detailed in Section 7 of the Report;**
- (2) approve the borrowing strategy, set out in Section 9 of the Report;**
- (3) approve the investment strategy, set out in Section 10 of the Report; and**
- (4) any amendments required to the Treasury Management Strategy required as a result of Investment Regulations being implemented, be the subject of a Report to a future meeting of the Policy and Resources Committee.**

Housing Benefit Audit Action Plan SS02.03	19	The Director of Finance and Corporate Resources submitted a Report which sought approval of the Housing Benefit Audit Action Plan. It was indicated in the Report that the audit conducted by the Audit Scotland Team had identified a number of areas for improvement, which were detailed in the Report. The action plan arising from the audit was appended to the Report. The Report stated that an increased amount of performance information in relation to the benefits service was available and targets were included in the Finance and Corporate Resources Business Plan 2010/11.
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**It was agreed to recommend that the Comhairle approve the action plan prepared in response to the Audit of Housing and Council Tax Benefit.**

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Energy Efficiency Works: Council Tax  
PR100.03.01

20 The Director of Finance and Corporate Resources and the Director of Development submitted a Joint Report in relation to progress with developing a Council Tax discount scheme where energy efficiency works were undertaken. A number of options for the delivery of this service, which were currently being considered, were detailed in the Report and it was indicated that an evaluation of the best option for the Western Isles were being progressed.

**It was agreed to recommend that the Comhairle delegate authority to the Director of Finance and Corporate Resources, in consultation with the Director of Development, to put in place a Council Tax Rebate Scheme during 2010/11 subject to there being no financial implications for the Comhairle and that the details of the proposed scheme, when agreed, be circulated to Members.**

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 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.

Write-Off of Debts  
PR100.03.01

21\* With reference to Item 15 of the Minute of Meeting of 17 December 2009 the Director of Finance and Corporate Resources submitted a Report which recommended that debts in the sum of £90,046.98 in respect of council tax debt be written off as detailed in Appendix A to the Report as it was considered to be irrecoverable.

**It was agreed to recommend that the Comhairle write off debts totalling £90,046.98 as listed in Appendix 1 to the Report.**

**It was further agreed that the Director of Finance and Corporate Resources would explore potential links with the card system operated by the Post Office and provide information in relation to the age profile of debt on a periodic basis.**

Cycle to Work Scheme: VAT  
PR10.03

22 The Director of Finance and Corporate Resources submitted a Report which sought approval for the removal of the requirement to reclaim the VAT charged on cycles from employees participating in the cycle to work salary sacrifice scheme. It was stated in the Report that if the Comhairle did not reclaim the VAT from employees, this amount could be reclaimed from HMRC. It was further stated that the savings to each employee participating in the Scheme could amount to £87.50.

**It was agreed to recommend that the Comhairle approve the exclusion of the recovery of VAT from employees participating in the cycle to work salary sacrifice scheme.**

Mr Charlie Nicolson declared an interest in item 23 as a member of The Stornoway Trust.

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 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.

Town Centre Regeneration Fund DS40.84 23\* With reference to item 29 of the Minute of Meeting of 17 December 2009 the Director of Development and the Director of Finance and Corporate Resources submitted a Report which detailed progress with the Town Centre Regeneration Fund. The three main elements of the bid and the current status of these bids was detailed in the Report.

A supplementary Report which outlined a proposed alternative plan as the infill of Bayhead could not be achieved within the required timescale was submitted.

**It was agreed to recommend that subject to Minister's consent being obtained, the Comhairle proceed with acquisition of the former Mackay's store with ongoing lease income reinvested into a Town Centre Legacy Fund for the future benefit of all Town Centre Users on such terms and conditions as the Chief Executive, in consultation with the Director of Development, should determine.**

Procurement of IPT System PR11.09 24 With reference to item 4 of the Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 23 April 2009 the Director of Finance and Corporate Resources submitted a Report which sought approval for prudential borrowing of £705k to install IP Telephony (IPT) to replace existing legacy voice systems. It was indicated in the Report that the annual cost of this borrowing, over a ten year period, was £90k.

**It was agreed to recommend that the Comhairle approve prudential borrowing to fund the upgrade of the telephony system to IPT.**

Scheme of Assistance: Budget 2010/11 H01.01 25 The Director of Development submitted a Report which recommended a budget for the Scheme of Assistance for the financial year 2010/11. The Report stated that in 2010/11 the Comhairle would receive an allocation of £2.984m and, although this grant would no longer be ring fenced, the Scottish Government had recommended that it be used for the purposes of Public Sector Housing Grant in 2010/11. The proposed private sector housing expenditure and the proposed private sector housing expenditure for 2010/11 was appended to the Report.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:**

- (1) **agree that £2.984m of Government funding be allocated towards Private Sector Housing purposes in 2010/11;**
- (2) **approve the expenditure budget towards Private Sector Housing for financial year 2010/11, as shown in Appendix 1 of the Report;**
- (3) **approve that the Director of Development be authorised to vire funds between the various budget heading, subject to expenditure being contained within the overall allocation of £2.984m or any subsequent amendment to that amount; and**
- (4) **note the need to create a "bond" from within the Private Sector Housing Budget for the proposed loan guarantee scheme.**

**It was further agreed to recommend, in so far as the Committee's interests were concerned, that the Director of Development be requested to prepare a Report detailing historical budget comparisons on works and administration costs for Private Sector Housing Grant, on the basis that this Report would be prepared by the Director of Development for consideration at the April 2010 meeting of the Committee.**

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 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.

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Procurement of Fleet Maintenance Equipment CB04 26\* The Director of Technical Services submitted a Report which sought approval for the procurement of Diagnostic Equipment and Mechanical hoists for vehicle repair and maintenance. It was proposed in the Report that the Comhairle purchase suitable diagnostic equipment to cover the gap for specialist vehicles operated by the Comhairle. The Report stated that the current vehicle lifting ramps at Marybank and Market Stance Depot were inadequate for the range of vehicles now operated by the Comhairle and appropriate and more flexible mobile lifting units were required.

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

- (1) authorise the Director of Technical Services to procure two sets of TEXA Diagnostic Equipment on the basis of the submitted quotation of £13,846; two sets of 30 tonne mobile Steril Lifting Columns and ancillaries, on the basis of the quotation of £38,842 from Steril UK; one Steril 5 Tonne fixed hoist on the basis of the submitted quotation of £6850 from Steril UK; and**
- (2) release the funding for the procurement of the items indicated in 3.1 (a) from the provisional allocation made in the Comhairle's Capital Programme 2008-12 for such expenditure, as outlined in paragraph 5.1 of the Report.**

Review of Capital Programme 2008-12 PR110.01 27 The Director of Finance and Corporate Resources submitted a Report which provided an update on the review of the Capital Programme and sought approval for the inclusion of Daliburgh School in the approved programme for 2008-13. The initial findings of the review were detailed in the Report and identified a number of issues which had led to delays including the need to complete the delivery of 2004-08 programme projects, available staff resources, new pressures and agreeing the scope of the projects. It was indicated in the Report that the requirement to identify match funding for the new primary school in Daliburgh was the most pressing identified additional resource required and at present the total cost of the School was estimated at £7m and £3.5m was being sought from the Capital Programme.

**It was agreed to recommend that the Comhairle:**

- (1) approve match funding from the capital programme for the construction of a new Daliburgh Primary School; and**
- (2) note that a further Report on the Capital Programme would be submitted to the next meeting of the Policy and Resources Committee.**

Capital Programme: New Care Home, Tarbert (Harris House Replacement) SW07.04.02 28 The Director of Technical Services submitted a Report which sought approval of the release into the Comhairle's Capital Programme for 2008-13 of a capital sum for works associated with the construction of a new Care Home in Tarbert. A Project Initiation Document, the Programme of Work and Risk Register were appended to the Report. The Report stated that Planning Permission for the Project had now been granted and the project was proceeding towards application for a Building Warrant. It was further stated that preparation of contract documentation had commenced, in anticipation of a start on site in July 2010 and completion in November 2011.

**It was agreed to recommend that the Comhairle agree to release £4810k from the approved Capital Project, JS2 Harris Care Development and CS-JS4 Harris House Replacement, as detailed in the Project Initiation Document attached as Appendix 1 to the Report.**

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| Roads to Communities Programme 2008-13: A835 Doune Carloway to Kirivik Improvement T08.01.01                        | 29 | The Director of Technical Services submitted a Report which sought approval of the project budget as detailed in the Project Initiation Document. Progress to date with the project was detailed in the Report.<br><br><b>It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle approve the PID as detailed in the Appendix to the Report for the A858 Doune Carloway to Kirivik Improvement project.</b>   |
| Hub Enabling Fund PR10  | 30 | With reference to item 35 of the Minute of Meeting of 3 September 2009 the Chief Executive submitted a Report which provided details of an offer of funding in the sum of £60k from the Hub Initiative's Enabling Fund, in relation to the Ardseileach Core and Cluster Resettlement Project. It was indicated in the Report that details of how funds were to be released have yet to be circulated but if the Comhairle accepted the offer of funding from the Hub Enabling Fund, all subsequent stages of the Project would have to be progressed through Hub. The benefits of the Hub Initiative were detailed in the Report.<br><br><b>It was agreed to recommend that the Comhairle agree to accept the offer of funding from the Hub Enabling Fund as outlined in paragraph 2.3 of the Report, on such terms and conditions as the Chief Executive should deem appropriate.</b>  |
| Capital Works: Programme and Progress PR33.01.12  | 31 | With reference to Item 24 of the Minute of Meeting of 17 December 2009 the Director of 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.<br><br><b>It was agreed to recommend that the Comhairle note the Report.</b>  |
| Repairs and Maintenance (Revenue) Programme 2009/2010 – Quarterly Expenditure Report to 31 December 2009 PR33.01.12 | 32 | With reference to Item 25 of the Minute of Meeting of 17 December 2009 the Director of Technical Services submitted a Report to inform Members of the situation in respect of expenditure upon the repairs and maintenance of properties held on Service and Policy and Resources Committee accounts to 31 December 2009.<br><br><b>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.</b>   |
| Western Isles Schools Project Update E01.02.15A   | 33 | With reference to item 26 of the Minute of Meeting of 17 December 2009 the Chief Executive submitted a Report which provided an update on the Western Isles Schools Project. It was stated in the Report that project tender documentation had been issued on 23 November and 30 November 2009, with a tender submission date of 26 February 2010 and the tenders would be evaluated during March 2010. It was further stated that the Comhairle had submitted the first draft of the Key Stage Review to the Scottish Futures Trust on 13 November 2009.<br><br><b>It was agreed to recommend that the Comhairle:</b> <ol style="list-style-type: none"> <li><b>(1) note the current status of the Western Isles Schools Project; and</b></li> <li><b>(2) authorise the Chief Executive, in consultation with the WISP Board, to prepare and submit the pre-preferred bidder Key Stage Review to the Scottish Futures Review.</b></li> </ol> |

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Disposal of Comhairle Property LB06 34 With reference to item 27 of the Minute of Meeting of 17 December 2009 the Director of Finance and Corporate Resources submitted a Report which sought approval for a revised process for disposal of surplus Comhairle land and buildings and was detailed at Appendix 1 to the Report. Processes for dealing with land and buildings which had been designated as surplus and for evaluating proposals when more than one valid expression of interest had been received from community groups were detailed in the Report. It was also proposed, in the Report, that the Land and Information Technology Regulations, be amended to include the text included at paragraph 8.1 of the Report, to formalise into policy the process by which the community could be offered surplus land and buildings. In accordance with government guidance the Report also detailed, as part of the process, a provision that surplus land and buildings would in the first instance be offered to Registered Social Landlords for housing purposes.

**It was agreed to recommend that the Comhairle approve:**

- (1) the process, as described in Section 7 and in Appendix 1, for disposal of surplus assets; and**
- (2) the amendment to the Land and Information Technology Regulations as contained in paragraphs 7.4-7.11, paragraphs 8.1, and Appendix 1 of the Report.**

Information Security – Staff Guidance M07.01 35 The Director of Finance and Corporate Resources submitted a Report which detailed a proposal for raising awareness of information security issues within the Comhairle and provided new guidance for information handling. It was stated in the Report that a recent External Audit report had criticised the Comhairle for a lack of awareness amongst staff in relation to secure information handling practices. It was indicated in the Report that it was proposed to provide a series of one hour briefing sessions for all staff who handled confidential data and to distribute a staff briefing note which would describe the key issues in relation to information security. A draft staff briefing note on information security and data loss was appended to the Report.

**It was agreed to recommend that the Comhairle:**

- (1) approve the proposals for raising awareness of Information Security; and**
- (2) agree the staff note appended to the Report.**

Hebridean Archives Project AL12 36 With reference to item 41 of the Minute of Meeting of 18 June 2009 the Director of Social and Community Services submitted a Report which provided details of the proposed new Archives Service and the establishment of a Project Team. It was stated in the Report that the Comhairle had received ERDF funding towards Hebridean Archives, a three year EU funded project which aimed to enhance the preservation, accessibility and presentation of the unique cultural and social history of the Hebrides and that the project was scheduled to commence in April 2010. It was indicated in the Report that it was proposed to recruit a team dedicated to achieving project targets and it was proposed to recruit a Project Manager who would be a professional Archivist and a Project Officer. The Team would be supported by a Gaelic speaking Trainee Archivist, partly funded through Comunn na Gaidhlig's Graduate Placement Scheme.

**It was agreed to recommend that the Comhairle welcome the progress in relation to the Hebridean Archives Project.**

Mr Norman A MacDonald declared an interest in item 37 as he had an involvement in one of the proposed projects namely a St Kilda centre.

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| Prospective Applications for EU Assistance 2010<br>PR70.01 | 37 | The Chief Executive submitted a Report which provided an update in relation to bids to the EU ESF and ERDF Highlands and Islands Convergence Programmes 2007-2013. The Autumn 2009 project submissions and details of the Outer Hebrides Community Planning Partnership's bid to Highlands and Islands Convergence Programmes 2007-2013 were detailed in the Report. Proposed changes to the EU ESF and ERDF Highlands and Islands Convergence Programmes 2007-2013 were also detailed in the Report. |
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A supplementary report by the Chief Executive, which detailed prospective applications and a proposal summary for each application, was circulated.

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

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| Shared Risk Assessment<br>SS02 | 38 | The Chief Executive submitted a Report which detailed the Comhairle's commitment to Shared Risk Assessment (SRA). It was stated in the Report that Shared Risk Assessment was designed to facilitate a more risk based approach to scrutiny, to promote a more joined up approach to scrutiny to avoid duplication and to reduce the perception of over scrutiny. It was further stated that Local Area Networks had been established to carry out the necessary work in relation to these priorities and these groups consisted of representatives of existing scrutiny bodies. |
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**It was agreed to recommend that the Comhairle:**

- (1) note the submission and authorise the Chief Executive to provide evidence of self evaluation on an ongoing basis; and**
- (2) support the SRA process.**

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| Supporting Service Users Affected By Cancer And Long-term Conditions In The Western Isles<br>SW01.17 | 39 | With reference to item 4 of the Minute of Meeting of the Joint Services Committee of 11 December 2009 the Director of Social and Community Services submitted a Report which proposed a partnership initiative to establish an additional service to provide advice and support for people affected by cancer and other long term disabling conditions throughout the Western Isles, initiated by Macmillan Cancer Support. It was stated in the Report that the proposal was supported by the Scottish Government and would be taken forward in partnership with appropriate organisations, agencies and voluntary sector partners. The financial implications were detailed in the Report. |
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**It was agreed to recommend that:**

- (1) the contents of the Report be noted;**
- (2) the offer of financial investment of £120,000 from Macmillan Cancer Support to facilitate this proposal be noted; and**
- (3) the Chief Executive, in consultation with the Director of Social and Community Services, be authorised to establish a Partnership for a period of three years to create an additional service to provide advice and support, including income maximisation, for people affected by cancer and other long-term disabling conditions throughout the Western Isles on the basis of the model of service delivery that had been successfully implemented by Macmillan Cancer Support through partnership working in Local Authority areas throughout Scotland and on such other terms and conditions as he should deem appropriate.**

Mr Norman A MacDonald declared an interest in the following item as a relative was employed in the Home Care Service and left the meeting during consideration of the matter.

Cap on  
Community  
Care Packages  
SW01.17

40

With reference to item 38 of the Minute of Meeting of 17 December 2009 the Director of Social and Community Services submitted a Report which detailed the outcome of discussions with NHS Western Isles in respect of the implementation of a resource ceiling on meeting an individual user's assessed care needs. It was proposed, in the Report, that the Comhairle implement a ceiling on meeting an individual care user's needs on the basis that the net cost to the Comhairle of providing all the care was no more than 100% of the cost of a suitable nursing home place.

**It was agreed to recommend that the Comhairle:**

- (1) agree that a capping procedure be introduced effective from 22 February 2010, that set a ceiling on meeting an individual service user's needs on the basis that the net cost to the Comhairle of providing "all the care" was no more than 100% of the cost of a suitable nursing home place;**
- (2) agree that only in exceptional circumstances would the 100% ceiling be exceeded subject to agreement by the Joint Services Committee; and**
- (3) agree that details be circulated to Members in relation to financial arrangements between the Comhairle and NHS Western Isles.**

Respect at Work  
Policy  
PR10

41

The Chief Executive submitted a Report which sought approval of a revised Respect at Work policy, which was appended to the Report. It was indicated in the Report that one aspect of the Corporate Improvement Plan was to review the current Bullying and Harassment Policy, giving clearer rights and responsibilities to both managers and employees. It was stated that this policy had now been revised and renamed the Respect at Work policy and it had been approved by the Local Government Employee Joint Consultative Committee in December 2009.

**It was agreed to recommend that the Comhairle approve the revised Respect at Work Policy and that the Chief Executive, in consultation with the Chairman, be authorised to amend the policy to such extent as he deemed appropriate to take account of the concerns raised by the Local Negotiating Committee (Teaching Staff).**

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.

Finance and  
Corporate  
Resources  
Department  
M02.07

42\* With reference to item 47 of the Minute of Meeting of 17 December 2009 the Director of Finance and Corporate Resources submitted a Report which detailed the outcome of the consultation on the future structure of the Department of Finance and Corporate Resources and made recommendations for an interim structure which recognised the potential for a future reduction in the number of services but reflected the Comhairle's policy in relation to early retirement and redundancy.

**It was agreed to recommend that the Comhairle agree:**

- (1) to establish an interim structure for the Department which would be subject to future review with the expectation that the number of services would reduce over time;**
- (2) that the interim structure would comprise five posts reporting to the Director: Head of Exchequer; Head of Customer Services and IT; Head of Central Services; Chief Accountant and Chief Internal Auditor;**
- (3) the following specific changes to the establishment:**
  - (i) the disestablishment of the post of Depute Director and the establishment of a post of Chief Accountant, at a grade to be determined by the Chief Executive, with recruitment being ring fenced to the existing posts of Principal Accountant and the disestablishment of the successful applicant's post;**
  - (ii) the redesignation of the post of Head of Customer and Central Services as Head of Central Services;**
  - (iii) the redesignation of the post of Head of IT as the Head of Customer Services and IT;**
- (4) to adopt the structure and reporting lines for the three Heads of Services as set out in Appendix B to the Report and that once appointed the Chief Accountant would submit a Report on the future structure of the Accountancy function;**
- (5) that for the duration of the sickness absence of employee AB:**
  - (i) The Procurement Manager would report to the Head of Exchequer;**
  - (ii) The Business Support officer would report to the Procurement Manager; and**
  - (iii) The Resources Officer would report to the Business Manager.**
- (6) that Reports in conjunction with the development of the diagnostic programme be submitted to future meetings of the Comhairle on:**
  - (i) the structure of the IT function;**
  - (ii) the centralisation and integration of procurement and creditors;**
  - (iii) the review of reprographics;**
  - (iv) a Comhairle wide review of payroll activities;**
  - (v) the development of Customer Services; and**
  - (vi) any opportunities that arise to relocate functions to area offices.**

## POLICY AND RESOURCES COMMITTEE: 18 FEBRUARY 2010

Mr Norman A MacDonald declared an interest in the following item as a relative was employed in the Home Care Service and left the meeting during consideration of the matter.

Management of  
the Home Care  
Workforce  
SW04

43 With reference to Item 48 of the Minute of Meeting of 3 September 2009 the Director of Finance and Corporate Resources submitted a Report which provided an update on the work of the Home Care Review Group. It was indicated in the Report that, in September 2009 the Comhairle had agreed on a framework for the development of a contracted home care workforce and work had been ongoing since then to determine the appropriate size of workforce in the initial phase of implementation. It was stated in the Report that the management of relief staff to cover public holidays, annual leave, sick leave and special leave was one of the biggest challenges for the Department.

**It was agreed to recommend that the Comhairle note the progress with the implementation of a contracted Home Care workforce and agree that an update Report be presented to the June 2010 series of meetings, which Report should include a date by which it was anticipated that implementation throughout the whole of the Outer Hebrides would have taken place.**

Electronic  
Publication of  
Public  
Information  
Notices  
PR11.14

44 The Chief Executive submitted a Report which detailed progress in respect of the establishment of a National Public Information Notices Portal. It was indicated in the Report that research showed that transferring to this type of system would allow for reductions of up to 50% on statutory advertising budgets in future years. The operating costs of the system were detailed in the Report. The Report stated that concerns had been raised by MSPs in respect of the potential impact on local newspapers and the matter had been debated in the Scottish Parliament on 28 January 2010. The draft Local Authority Public Information Notices (Electronic Publication) (Scotland) Order 2010 was appended to the Report.

**It was agreed to recommend that:**

- (1) the Comhairle welcome the proposal and agree not to make any further comment on the draft Local Authority Public Information Notices (Electronic Publication)(Scotland) Order 2010;**
- (2) from the date of implementation of the Order, the Comhairle agree that all national statutory advertisements be placed through the Public Information Notices portal; and**
- (3) an Equalities Impact Assessment be carried out and a further Report prepared in relation to statutory advertising in local newspapers.**

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 any instructions to Counsel and any Opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:

- (a) any legal proceedings by or against the Comhairle; or
- (b) the determination of any matter affecting the Comhairle;

(whether, in either case, proceedings have been commenced or are in contemplation) would be disclosed.

Legal Action  
against  
Comhairle nan  
Eilean Siar  
L10.242a

45\* The Chief Executive submitted a Report which provided details of an offer of settlement received in relation to ongoing litigation and seeking delegated authority to conclude settlement negotiations. Details of the current position and of current and potential liability were provided in the Report.

**It was agreed to recommend that authority be delegated to the Chief Executive, in consultation with the Leader, to conclude settlement negotiations with the solicitors acting for the pursuer in the action.**

Reports  
Outstanding:  
Progress  
PR33.01.12

- 46 With reference to Item 49 of the Minute of Meeting of 17 December 2009 the Chief Executive submitted a Report detailing the Reports Outstanding arising from decisions of the committee.

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

**URGENT ITEM**

The Chairman ruled 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 to enable progress to be made in relation to an opportunity to develop an Integrated Biomass Development Plan for the Outer Hebrides.

BEPLAN –  
Participatory  
Bio-Energy  
Action Plan  
Development  
DS61.19

- 47 The Director of Technical Services submitted a Report which detailed an opportunity to engage with the Intelligent Energy Europe project BEPLAN to develop an Integrated Biomass Development Plan for the Outer Hebrides. It was indicated in the Report that BEPLAN was a 3 year Intelligent Energy Europe Project led by the United Nations Food and Agriculture Organisation. It was suggested, in the Report, that engagement with the BEPLAN project would ensure the Integrated Biomass Development plan created for the Outer Hebrides would be to assist the Comhairle in achieving its aspirations.

**It was agreed to recommend that the Comhairle agree:**

- (1) to provide a letter of support to the BEPLAN Project as detailed in Appendix 1 to the Report;**
- (2) to authorise the Director of Technical Services to engage with Highland Birchwoods, a BEPLAN Project Partner, to identify how the Comhairle may become involved in and benefit from the outputs of the BEPLAN Project; and**
- (3) that a progress Report be submitted to the Committee following a year of operation of the Project.**