Minute of Meeting held in the Council Offices, Stornoway on Wednesday 14 December 2016 at 9.30am.

PRESENT
Mr Angus Campbell (Chairman)
Mr Roddie Mackay (Vice-Chairman)
Mr David Blaney
Mr Uisdean Robertson
Mr Norman A MacDonald
Mr Norman M Macleod
Mr John Mackay
Mr Kenneth Macleod
Mr Gordon Murray
Mr Alasdair Macleod
Mrs Catriona Stewart

APOLOGIES
Mr Philip R McLean

Integration Joint Board
The Chairman referred to the first informal meeting of the Integration Joint Board which had taken place on Thursday 8 December and informed the Committee that he had received feedback from those who had attended and they had found the meeting to be very useful and informative and the Chairman indicated that the Comhairle looked forward to further meetings as the delivery of the Strategic Plan continued.

Western Isles Interconnector
The Chairman referred to a meeting he and Mr Calum Iain Maciver, Director of Development, had attended with Paul Wheelhouse, Minister for Business, Innovation and Energy in relation to the Western Isles interconnector. The Chairman informed the Committee that Mr Wheelhouse had since confirmed that he had contacted UK Government seeking an early meeting of the Scottish Islands Delivery Forum.

Visit by Kevin Stewart MSP
The Chairman referred to a recent visit by Mr Stewart, MSP, who had visited Lewis and Harris on 5 December in his capacity as Minister for Local Government and Housing. The Chairman mentioned that Mr Stewart was particularly interested in the Comhairle’s work in relation to apprenticeships and participatory budgeting. The joint piece of work with the CPP and Hi-Trans in relation to the Uist and Barra bus services which used community choices budgeting to put people at the heart of decision making had also been recognised at the recent Go Procurement awards where the Comhairle had received an award. On behalf of the Committee, the Chairman congratulated Mrs Helen Mackenzie, Ms Gayle Findlay, Mr David Macleod and all those involved with the Team on this recognition.

Calum Smith
The Chairman, on behalf of the Committee, extended congratulations to Calum Smith, Finance and Corporate Resources Department, who had recently qualified as a CIPFA Accountant.

Simplified Planning Zone
The Chairman referred to a recent simplified planning zone scheme to promote economic activity which had been introduced in Aberdeenshire which removed the need to obtain planning permission for certain types of developments.

It was agreed to recommend that the Director of Development submit a Report to the Sustainable Development Committee in relation to the potential to introduce a simplified planning zone scheme to promote economic development in the Outer Hebrides.

MINUTES
The Minute of Meeting of 5 October 2016 was approved.
Declaration of Interest

2 Mr Donald Crichton declared an interest in item 17 as his wife was a Board Member of Third Sector Hebrides and left the meeting during consideration of the matter.

Mr Charlie Nicolson declared an interest in item 37 as he was Chairman of Stornoway Amenity Trust and left the meeting during consideration of the matter.

Mr David Blaney, Mr Gordon Murray and Mr Norman M Macleod declared an interest in item 40 as they were Board Members of HHP and left the meeting during consideration of the matter.

Mr Donald Macleod declared an interest in item 42 as his wife was employed by FES FM and left the meeting during consideration of the matter.

Minute of Meeting of Outer Hebrides Community Planning Partnership of 14 September 2016

3 The Minute of Meeting of the Outer Hebrides Community Planning Partnership of 1 June 2016 was noted.

Minute of Meeting of Joint Consultative Committee: Local Government Employees of 2 November 2016

4 The Minute of Meeting of the Joint Consultative Committee: Local Government Employees of 2 November 2016 was recommended for approval.

Minute of Meeting of Continuous Improvement Sub-Committee of 23 November 2016

5 The Minute of Meeting of the Continuous Improvement Sub-Committee of 23 November 2016 was recommended for approval.

Minute of Meeting of Comataidh Buireachaidh Plana Canan of 5 December 2016

6a The Minute of Meeting of Comataidh Buireachaidh Plana Canan of 5 December 2016 was noted and item 3 was recommended for approval.

Minute of Meeting of Human Resources Sub-Committee of 29 September 2016

6b The Minute of Meeting of Human Resources Sub-Committee of 8 December 2016 was noted.

PERFORMANCE MANAGEMENT

7 With reference to item 8 of the Minute of Meeting of 5 October 2016 the Chief Executive, Director of Finance and Corporate Resources, Chief Officer, Health and Social Care and Director of Technical Services submitted a Joint Report which provided an overview of Business Plan performance and other related performance issues to the end of September 2016. The Chief Executive, Director of Finance and Corporate Resources, Chief Officer Health and Social Care and Director of Technical Services each gave a short presentation on their respective remits.
It was agreed to recommend that the Comhairle agree to scrutinise business plan performance through engagement with the performance monitoring presentations and through Interplan.

With reference to item 9 of the Minute of Meeting of 5 October 2016 the Chief Executive submitted a Report which detailed progress to date on reaching or exceeding the targets set for the indicators within the Single Outcome Agreement. The Report highlighted that of particular relevance to the Policy and Resources Committee was the second indicator in relation to older people contributing to the economy and receiving high quality services which was currently showing as not achieving its target but moving in the right direction.

It was agreed to recommend, in so far as the Committee’s interests were concerned, that the Comhairle note the Single Outcome Agreement Measuring Success 2015/16 Annual Report at Appendix 2.

GOVERNANCE

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 9 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 and information relating to 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.

With reference to item 10 of the Minute of Meeting of 5 October 2016 the Chief Executive submitted a Report which sought approval of the themes of a Deal for the Islands and delegation to progress the deal with UK and Scottish Governments. Updates on the work of the Strategic Islands Group and in relation to the Crown Estate was also provided in the Report. The Report stated that work on Enhancing Local Democracy had continued and the proposals listed at paragraph 5.3 of the Report were grouped under three main headings, namely, greater autonomy, governance and fiscal measures.

The Report indicated that the Deal for the Islands aimed to address, at a policy level, the distinctive economic and social needs of communities in the three islands areas and it recognised and built on the unique opportunities in island communities, both their common and distinctive features, and the central role that enhanced economic activity could provide in stabilising and improving island life in the twenty first century. The Report stated that this would ensure that the Deal for the Islands would provide a route to avoid dependency and aim towards sustainability and enable the islands areas to become net contributors to Scotland and the UK in both economic and social capital terms.

It was proposed the Deal for the Islands would include a diverse package of measures to sustain and enhance the mix of social, cultural, environmental and economic factors that defined the communities of the islands areas and could empower each island community to plan, invest and deliver a sustainable future. Updates on the two principal strands were provided in the Report.

It was agreed to recommend that the Comhairle:

(1) note progress in relation to a Deal for the Islands and the ‘Our Islands: Our Future’ campaign ; and

(2) having considered the principles outlined at parts 4 and 5 of the Report, authorise the Chief Executive, in consultation with the Leader, to finalise, for the Comhairle’s interest, the initial submission for discussion with UK and Scottish Governments.
With reference to item 8 of the Minute of Meeting of 5 October 2016 the Chief Executive and the Director of Finance and Corporate Resources submitted a joint Report which provided an update on the work of the Continuous Improvement Sub-Committee. The details of the issues discussed at the meeting of 23 November 2016 were provided in the Report. The Report stated that the Sub-Committee had continued its scrutiny of the Comhairle’s budget efficiency programme and a number of actions had been identified and were recommended for the approval of the Comhairle. An update on progress with the self-assessment exercise in relation to criterion 3(b) 2 “Developing People” was also provided in the Report which indicated that the findings would be reported to the next meeting of the Sub-Committee.

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

1. note the progress with the Public Service Improvement Framework self-assessment exercise on criterion 3(b)2 “Developing People”
2. note the progress with year one and year two budget efficiency projects;
3. authorise the Director of Technical Services, in consultation with Asset Management Senior Officers Group, to review the Policy on Disposal of Surplus Assets in light of the recently published Scottish Government Guidance under the Community Empowerment (Scotland) Act 2015;
4. agree that the Director of Technical Services would submit a detailed Report to the next meeting of the Sub-Committee in relation to Work Package 4 (Working With Our Suppliers);
5. agree that the Director of Technical Services would consider whether any additional efficiencies would be achieved by engagement with the Non Domestic Energy Efficiency Framework and report back to the Sub-Committee;
6. agree a target efficiency of a 20% reduction in paper use across the Comhairle and that a Report be submitted to the next meeting of the Sub-Committee; and
7. agree that learning from complaints be added to the remit of the Continuous Improvement Sub-Committee.

EUROPEAN FUNDING

With reference to item 13 of the Minute of Meeting of 5 October 2016 the Chief Executive submitted a Report which provided an update on the current state of the Comhairle’s EU Strategic Interventions and some other interventions.

The Report stated that the Western Isles Employability ESF Operations bid showed expenditure of £402,343 up to the end of October 2016 and although it was now unlikely that an ESF claim would be made before the end of 2016 due to delays at Scottish Government in relation to agreement of milestones.

The status of all ‘Inclusive Operations’ nationally, as at 17 November 2016, was appended to the Report and it was stated in the Report that the potential value to the Highlands and Islands in terms of EU funding was £15,998,568.

It was agreed to recommend that the Comhairle note the Report.
With reference to item 14 of the Minute of Meeting of 5 October 2016 the Chief Executive submitted a Report which provided an update on the implications of Brexit for the Outer Hebrides and the Highlands and Islands region. Further background information in relation to the Brexit process nationally was provided in the Report.

In relation to ESIF programmes, on current timescales, Lead Partners were being given until March 2019 to commit EU funds, with spend thereafter until 2020/21 which should ensure that the Highlands and Islands region would receive most if not all of the funding that had been allocated.

Other Brexit concerns for local authorities in Scotland were outlined in the Appendix to the Report and these were split into the following headings:

- Broad immediate impacts;
- Particular Local matters; and
- Local economy & industrial sectors

CoSLA’s activities to date were summarised in the Report and it was stated that CoSLA had established a short life Task Group which it was hoped would have a more influential role in Brexit discussions from a local government perspective.

It was agreed to recommend that the Comhairle:

1. note the Report; and
2. agree that the Comhairle and partners continue to lobby UK and Scottish Governments in relation to future Highlands and Islands regional policy and funding post-2020.

FINANCE

With reference to item 15 of the Minute of Meeting of 5 October 2016 the Director of Finance and Corporate Resources submitted a Report which provided an update of capital resources and capital expenditure at 30 September 2016. The Report stated that a total of £60m of expenditure had been incurred in the first three years of the 2013-18 Programme, with £35.5m of this relating to the projects carried forward from the previous five year Programme. It was further stated that the completion of the Ardseileach Care Development, Ardveenish Harbour and the Lews Castle and Museum nan Eilean Projects would conclude the 2008-13 Capital Programme. Details of projects which had slipped into the 2017/18 financial year were also outlined in the Report.

It was agreed to recommend that the Comhairle note the capital resources and expenditure at 30 September 2016.

With reference to item 16 of the Minute of Meeting of 5 October 2016 the Director of Finance and Corporate Resources submitted a Report which detailed the forecast revenue outturn for 2016/17.

A summary of the financial performance to the end of September 2016 was appended to the Report and it was stated in the Report that the forecast outturn showed a net underspend of £338k. The Report stated that the majority of the underspend related to the Comhairle services delegated to the Integration Joint Board (IJB) and these services were anticipating an underspend of £282k at the end of the financial year. The main reasons for the underspend were detailed in Appendix D to the Report and mainly related to lower than anticipated expenditure within the Home Care Service.

It was agreed to recommend that the Comhairle note the forecast outturn for 2016/17.
With reference to item 17 of the Minute of Meeting of 5 October 2016 the Chief Executive and the Director of Finance and Corporate Resources submitted a Report which provided an update on the Comhairle’s budget strategy. The projections for 2017/18 were provided in Appendix A to the Report.

The Report stated that, to ensure that the Comhairle was best placed to respond to the actual settlement it was recommended that in the event that it was necessary to bring forward additional savings for the 2017/18 budget, the Chief Executive, in consultation with the Director of Finance and Corporate Resources, be authorised to present additional budget options to a Members’ Seminar in January 2017. It was also recommended, in the Report, that the Comhairle hold a two day series of meetings on 7 and 8 February 2017 to consider and set the 2017/18 budget.

It was agreed to recommend that the Comhairle agree:

(1) to note the Local Government Scotland: Financial Overview 2015/16 Report, published by Audit Scotland and that Members be encouraged to review the councillor checklist and refer any questions arising from this review to the Chief Executive;

(2) the principles set out in section 2.9 of the Report in relation to the Integration Joint Board;

(3) that in the event the Comhairle’s Budget Strategy could not be implemented as planned that the Chief Executive, in consultation with the Director of Finance and Corporate Resources, be authorised to present additional budget options to a Members’ Seminar in January 2017; and

(4) to hold its budget setting Committee and Comhairle meetings on 7 and 8 February 2017.

With reference to item 19 of the Minute of Meeting of 2 December 2015 the Director of Finance and Corporate Resources submitted a Report which provided a Summary Report of Treasury Management activity during the first six months of 2016/17. The Treasury Management Strategy for 2016/17, which had been approved by the Comhairle on 30 March 2016, included the recommended Prudential Indicator estimates for the year and the indicators had been updated to reflect the changes to date and were shown at paragraph 10 to the Report. The Report stated that savings of £250k were expected in the current financial year due to a combination of slippage in capital expenditure, additional capital grant income, the application of revenue balances to fund capital expenditure and the use of internal resources in lieu of borrowing to fund capital expenditure and loan maturities.

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

Mr Donald Crichton declared an interest in the following item as his wife was a Board Member of Third Sector Hebrides and left the meeting during consideration of the matter.

With reference to item 38 of the Minute of Meeting of 5 October 2016 the Director of Finance and Corporate Resources submitted a Report which sought approval for prudential borrowing to provide suitable kitchen facilities at Stornoway Town Hall. The Report stated that initial estimates had suggested that the provision of suitable kitchen facilities at Stornoway Town Hall would cost approximately £55k although detailed designs had not yet been carried out. Prudential borrowing over a ten year period would amount to £7,123. As there were no available capital resources to undertake this work, it was proposed that the Comhairle approve prudential borrowing to enable the provision of suitable kitchen facilities subject to a viable business plan being provided for the future operation of the bookable spaces in the Town Hall.

It was agreed to recommend that the Comhairle approve prudential borrowing to enable the provision of suitable kitchen facilities at Stornoway Town Hall, subject to a viable business plan being developed as part of the outcome improvement process, to the satisfaction of the Director of Finance and Corporate Resources, for the future operation of the bookable spaces in the Town Hall.

Arising out of consideration of this matter it was agreed to recommend that a Report be submitted to the next meeting of the Committee providing an update on the development of the business plan and detailing any known instances of loss of bookings as a result of lack of kitchen facilities.
Write Off of Debts 18

With reference to item 21 of the Minute of Meeting of 15 June 2016 the Director of Finance and Corporate Resources submitted a Report which recommended that a number of irrecoverable debts totalling £66,443.53 in respect of Council Tax, Sundry Debts and Housing Benefit overpayments be written off.

An overview of the total debt written off for the financial year 2016/17, excluding the debts in Appendix 1 to the Report, was provided in the Report.

It was agreed to recommend that the debts listed in Appendix 1 to the Report, totalling £66,443.53 be written off.

Specialist Mainland Placements for Children 2015/16 19*

With reference to item 19 of the Minute of Meeting of 5 October 2016 the Director of Education and Children’s Services submitted a Report which advised the Comhairle of the position with regard to Specialist Mainland Placements for Children and Young People, and of the budgetary implications arising from these placements. The financial update for the 2016/17 financial year was detailed in the appendix to the Report.

Winter Maintenance Expenditure 2016/17 20

With reference to item 27 of the Minute of Meeting of 5 October 2016 the Director of Technical Services submitted a Report detailing the expenditure on the 2016/17 Winter Maintenance Budget. The Report indicated that expenditure included all commitments including Contractors’ Standing Charges to 31 March 2016 and salt used to date. The Report stated that the total budget spend at the time of writing (22 November 2016) had been £542,003 out of a total budget £1,323,030, leaving a balance of approximately £781,027. The updated figure provided at the Meeting for expenditure was £628,800 leaving a remaining balance of £694,230.

It was agreed to recommend, in so far as the Committee’s interests were concerned, that the Comhairle note the Report.

Cnoc Soilleir Project 21

The Director of Development submitted a Report providing an update on progress in relation to the Cnoc Soilleir Project developed by Ceòlas Uibhist in partnership with Lews Castle College. The Report stated that the aim of the ‘Cnoc Soilleir’ project was to establish a community-owned educational and performance centre in Daliburgh, South Uist. The Report indicated that it was the Partnership’s aim that a shared building would be in place and operational by the end of 2018, with building work underway by summer 2017. The Report highlighted that the Cnoc Soilleir project had significant potential to regenerate this area of South Uist and to create, retain and attract much needed jobs and secure external investment.

The Report further stated that the Cnoc Soilleir Partnership presented the latest iteration of their investment strategy to Comhairle Officers in September 2016. The total capital investment required currently stood at just over £7m. The Scottish Government’s Learning Directorate had agreed to front-load the project with a contribution of £1m, subject to the expenditure being committed by 31 March 2017. The Report detailed that a contribution of £3m had been requested from the Scottish Funding Council (SFC) by the University of the Highlands and Islands (UHI). UHI had ranked the project as the highest priority medium sized project. The investment strategy included a proposed contribution of £750k from the Comhairle and further work continued to review the Business Plan including project costs and funding. The Report confirmed that there was no identified provision in the current 2013–2018 Capital Programme for the Project.
It was agreed to recommend, in so far as the Committee’s interests were concerned, that the Comhairle agree to:

(1) support the aims and objectives of the Cnoc Soilleir Project; and

(2) seek to identify opportunities to identify capital support to the Project.

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.

St Brendan’s Project: Outline Business Case

With reference to item 55 of the Minute of Meeting of 28 November 2013 the Chief Officer, Health and Social Care submitted a Report which provided an update on the development of the Outline Business Case for the redesign of St Brendan’s Hospital and Care Home.

The Report stated that further work was required to refine the Outline Business Case, which would be taken forward over the next two months and authority was sought for the Chief Executive to agree the revised Outline Business Case on behalf of the Comhairle, on the basis of a £2.9 million capital contribution by the Comhairle which would require to be confirmed when setting its 2018-23 Capital Programme. The Outline Business Case would require to be subject to agreement by the Integration Joint Board in respect of the preferred model of care and NHS Western Isles in respect of its capital contribution.

It was agreed to recommend that the Comhairle authorise the Chief Executive to agree the revised Outline Business Case for the St Brendan’s Project, Isle of Barra on behalf of the Comhairle, subject to agreement by the Integration Joint Board in respect of its preferred model of care, and NHS Western Isles in respect of its capital contribution, on the basis of a £2.9 million capital contribution by the Comhairle, which would require to be confirmed when setting its 2018-23 Capital Programme.

PROCUREMENT

Procurement Strategy 2016-18

With reference to item 26 of the Minute of Meeting of 5 October 2016 the Director of Finance and Corporate Resources submitted a Report which sought approval of a Procurement Strategy for the period 2016-18. The Report stated that consultation on the proposed Strategy had been carried out following approval of the Consultative Draft by the Comhairle at the last series of meetings. Following the consultation, wording had been changed to emphasise the contribution the Strategy had made to carbon reduction. An updated Strategy and Targets which met the requirements of the Procurement Reform (Scotland) Act 2014 (“the Act”) were included as Appendices 1 and 2 to the Report. Procurement targets and actual performance in 2015/16 had also been included in Appendix 2. The draft Procurement and Sustainable Procurement Policies were included as Appendices 3 and 4 to the Report for approval. The Report stated that the policies had been updated to ensure that all of the requirements of the Act had been included in relation to food, equalities, whole life costing and innovation.

A monitoring report on the achievement of the 2016/17 Action Plan was included as Appendix 6 to the Report and this showed good progress on a number of areas with some slippage due to unplanned staffing absences in the Purchase to Pay section. An Action Plan to support the delivery of the Procurement Strategy had been developed and this was included as Appendix 7.
It was agreed to recommend that the Comhairle:

(1) approve the Procurement Strategy and Targets 2016-18 detailed in Appendices 1 and 2 to the Report respectively;

(2) approve the Procurement Policy detailed in Appendix 3 to the Report;

(3) approve the Sustainable Procurement Policy detailed in Appendix 4 to the Report;

(4) note the Procurement Guide as detailed in Appendix 5 to the Report and authorise the Director of Finance and Corporate Resources to amend the Guide to reflect any changes agreed to the Contract Regulations;

(5) note the progress made to achieve the Procurement Strategy Action Plan 2016/17 as detailed in Appendix 6 to the Report; and

(6) approve the Procurement Strategy Action Plan 2017/18 as detailed in Appendix 7 to the Report.

Appointment of Advisers 24

The Director of Finance and Corporate Resources submitted a Report which sought authority to engage Arlingclose as Treasury Management advisors for two years from 1 April 2017.

The Report stated that Arlingclose had been appointed Comhairle Treasury Advisors for three years from 1 April 2007 and this contract had included an option to extend for two years which had been invoked due to the high quality of service being received. The subsequent tender exercise for three years from 1 April 2010 had also been won by Arlingclose and again the option to extend for an additional two years had been invoked.

The Report further stated that Arlingclose provided high quality, responsive and independent treasury advice which had supported the success of the Comhairle’s treasury function since 2007. The view of the Director of Finance and Corporate Resources was that it was in the best interests of the Comhairle to enter into a two year contract from 1 April 2017 to 31 March 2019.

Approval from the Comhairle was required to proceed on this basis as the contract sum would exceed the £25k limit in the Contract Regulations that would require the contract to be tendered unless the Comhairle agreed otherwise.

It was agreed to recommend that the Comhairle agree to authorise the Chief Executive, in consultation with the Director of Finance and Resources to agree a two year contract with Arlingclose for the provision of treasury advice for the period 1 April 2017 to 31 March 2019.

POLICY

Winter Maintenance Policy and Operational Plan 25

With reference to item 27 of the Minute of Meeting of 5 October 2016 the Director of Technical Services submitted a Report which sought approval for the Winter Maintenance Policy and Operational Plan to be implemented from 1 October 2017. The Report stated that the current contractual arrangements for Winter Maintenance Service delivery would expire on 30 September 2017, at which time new contracts must be in place to ensure service continuity. The revised Policy and Operational Plan for 2017/18 was included in the Appendix to the Report which had been the subject of a review which afforded an opportunity to assess the WMPOP to take account of financial resources, operational limitations and treatment effectiveness.

The Report further stated that the Policy and Operational Plan was the basis for the contracts which would be returned in January 2107, and it was necessary to ensure that the policy was formally approved in advance of the award of any tender. Any changes to the Policy or Operational Plan post award would likely have both contractual and financial implications for the Comhairle.

It was agreed to recommend, in so far as the Committee’s interests were concerned, that the Comhairle approve the Winter Maintenance Policy and Operational Plan, included in the Appendix to the Report, for implementation in line with the new service contracts commencing October 2017.
The Chief Executive and the Chief Officer, Health and Social Care submitted a Report which proposed new or revised policies in respect of Medication Management, Management of Risks from Hot Water and Infection Prevention Control. The Report stated that the proposed Policies had been discussed at the Local Government Employee Joint Consultative Committee and the JCC had recommended that the Policies be approved provided that the supporting manuals/guidelines were approved by the Departmental Safety Committee and a clear training plan was in place for all staff who would be implementing the Policies. The Health and Social Care Safety Committee had met since the meeting of the Joint Consultative Committee: Local Government Employees and had approved the policies, manuals and training plans for its interests.

The Report further stated that all Policies had supporting procedure manuals including guidelines for staff training and induction. These manuals/guidelines had been discussed with staff representatives through the Health and Social Care Safety Committee.

It was agreed to recommend that

(1) the Medication Management Policy attached at Appendix 1 be approved,

(2) the Management of Risk from Hot Water Policy attached at Appendix 2 be approved, and that the costs of implementation would be determined by the Chief Officer, Health and Social Care and the Director of Technical Services and that the allocation of costs should be determined by the Director of Finance and Corporate Resources, in consultation with the Chief Officer, Health and Social Care and Director of Technical Services, and

(3) the Infection Prevention and Control Policy attached at Appendix 3 be approved.

With reference to item 42 of the Minute of Meeting of 23 April 2014 the Director of Finance and Corporate Resources submitted a Report which sought approval of a revised Information Security Policy, which was appended to the Report. The Report indicated that the current Information Security Policy had been approved in April 2014 and, following review by the Information Management Security Group, the Policy had been amended to reflect proposed changes in the membership of the Information Management Security Group and to bring the Policy up to date. The revisions to the Policy had been agreed by the Corporate Management Team.

It was agreed to recommend that the Comhairle approve the revised Information Security Policy and that the Policy be reviewed again in December 2018.

The Chief Executive submitted a Report which proposed a revised policy to manage time off for employees while undertaking Trade Union duties and activities. A draft Policy was submitted for consideration to the JCC – Local Government Employees and a submission was received from both Trade Unions. The draft Policy, appended to the Report, reflected amendments proposed by the JCC and it was also recommended that the Policy be reviewed after one year.

It was agreed to recommend that the Policy on Time Off For Trade Union Duties and Activities attached at Appendix 1 be approved and that the Policy be reviewed after one year of operation.

With reference to item 25 of the Minute of Meeting of the Human Resources Sub-Committee of 1 October 2014 the Chief Executive submitted a Report in relation to a Job Evaluation Appeals Procedure for the re-evaluation of existing jobs. The Report stated that the draft Procedure, detailed at Appendix 1 to the Report, was based on the Model Job Evaluation Appeal Procedure endorsed by the Scottish Joint Council. The draft Procedure had been recommended for approval by the Local Government Employee JCC.

It was agreed to recommend that the Comhairle agree the Job Evaluations Appeal Procedure at Appendix 1.
With reference to item 36 of the Minute of Meeting of 6 September 2012 the Chief Executive submitted a Report which sought approval of proposals to update the Comhairle’s Reporting Concerns at Work Policy. The Report stated that the Policy had last been reviewed in 2012 and it was proposed to update the policy further in light of case law and best practice and to reflect an amendment made to the Employment Rights Act 1996 in relation to the introduction of a public interest test. The revised Policy also sought to provide a simpler procedure for employees and managers to follow and draft guidance for employees and managers had been produced.

The Report further stated that the Policy, Procedure and Draft Guidance had been the subject of consultation with Corporate Management Team and the Local Government Employee JCC and their comments had been adopted in the versions appended. It had not yet been considered by the Local Negotiating Committee – Teaching Staff (“LNC”) as their meeting had been postponed to 19 December 2016 and it was therefore proposed that the policy be approved subject to no substantive concerns being raised by the LNC.

**It was agreed to recommend that:**

1. the draft Reporting Concerns at Work/ Whistle-blowing Policy and Procedure appended to the Report as Appendices 1 and 2 respectively be approved subject to the Local Negotiating Committee: Teaching Staff not raising any concerns which the Chief Executive considered to be substantive; and

2. the draft Guidance to employees and managers at Appendices 3 and 4 respectively be approved.

**ECONOMIC DEVELOPMENT**

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.

The Director of Finance and Corporate Resources and the Director of Development submitted a Report which provided an update in relation to the British Legion Site, Stornoway. The Report provided background information and stated that at present there was no forward plan for the use of the building.

**It was agreed to recommend 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 6 and 9 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 and information relating to 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.

With reference to item 28 of the Minute of Meeting of 5 October 2016 the Director of Development submitted a Report which provided an update in relation to developments around the proposed site for the Hebrides Spaceport vertical launch facility.

The Report stated that the Comhairle was leading the Hebrides Spaceport project, undertaking a range of critical actions to support the development of a Concept of Operations and Business Case for a vertical satellite launch facility at a site in the Outer Hebrides. The Comhairle’s interest in the site had been formally noted and the approach proposed was detailed in paragraph 6.2 with a view to minimizing risk.

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

1. authorise the Chief Executive to obtain an expert independent valuation of the site detailed in the Report; and

2. authorise the Chief Executive, in consultation with the Director of Finance and Corporate Resources and Director of Development, to proceed as outlined in paragraph 6.4 of the Report.
With reference to item 47 of the Minute of Meeting of 15 June 2016 the Director of Technical Services submitted a Report which provided an update on the current status of energy management and renewable technology proposals. The actions being taken and options being considered by Comhairle officers were outlined in the Report.

The Report stated that the Comhairle had identified two efficiency projects relating to investment in renewable resources and reduction in energy costs which would contribute to corporate savings targets and these projects were being monitored by the Continuous Improvement Sub-Committee.

Details of the Non Domestic Energy Efficiency Framework Contract were provided at paragraph 5 of the Report.

Updates on energy from wind, solar energy, biomass heating and LED lighting were also detailed in the Report. In relation to the Ardseileach project it was proposed to assess alternative renewable heating sources against the biomass option.

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

1. note the Report;
2. authorise the Chief Executive, in consultation with the Director of Finance and Corporate Resources and Director of Technical Services, to further engage in the Non Domestic Energy Efficiency Framework, supported by the Low Carbon Infrastructure Transition Programme, to determine the level of investment and rate of return acceptable to the Comhairle; and
3. agree to assess alternative renewable heating sources to biomass for the Ardseileach Core and Cluster Project.

**ASSET MANAGEMENT**

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.

With reference to item 32 of the Minute of Meeting of 5 October 2016 the Director of Technical Services provided an update on progress with the disposal of surplus assets. An update with the current position of each property declared as surplus was detailed in Appendix 1 and recommendations were detailed at section 3 to the Report.

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

1. note the Report;
2. grant An Torc an extension of time for submission of its business plan to 31 August 2017 (with a progress update on 31 May 2017) for the acquisition of Lochmaddy School; and
3. grant Commun Eachdraidh Uibhist a Tuath an extension of time for submission of its business plan to 28 February 2017 (with a progress update on 31 January 2017) for the acquisition of Carinish School.

With reference to item 27 of the Minute of Meeting of 5 October 2016 the Director of Technical Services submitted a Report which sought approval to sell the former Eriskay School and Schoolhouse to Urras Eilean na h-Oige.

The Report stated that a Business Plan and Acquisition Application had been submitted and the Acquisition Application Form which summarised the Business Plan was included as Appendix 1 to the Report. The Business Plan was included at Appendix 2 to the Report and the evaluation of the application and Business Plan at Appendix 3 to the Report.

The Report further stated that Urras Eilean na h-Oige had not yet been incorporated as a Scottish Charitable Incorporated Organisation (SCIO) but confirmation on application status was expected in early 2017.
It was agreed to recommend that the Comhairle authorise the Chief Executive to sell the former Eriskay School and Schoolhouse to Urras Eilean na-Oige, for the offer price of £10,000, plus the non-staff costs of conveyancing, and on such terms and conditions as he, in consultation with the Director of Technical Services, deemed appropriate, including, without prejudice to the foregoing generality:

(1) that Urras Eilean na h-Oige could demonstrate incorporation by SCIO;

(2) a contract being agreed between the parties to return 50% of any private sale proceeds following deduction of the purchase price and any reasonable expenses of sale to the Comhairle if the asset, or any part thereof, was sold within ten years of the transfer date;

(3) a contract being agreed between the parties to entitle the Comhairle to purchase the property for the sale value should there be no significant development or betterment of the property within three years of the transfer date; and

(4) that missives be concluded within six months of the Comhairle notifying Urras Eilean na h-Oige that its application had been successful.

Gravir Care Unit  36

The Director of Technical Services submitted a Report which sought approval to sell the former Gravir Care Unit.

The Report stated that Pairc Trust had identified a need in the area for affordable rented accommodation and had submitted a Business Plan and offer for the former Gravir Care Unit, following discussions with the Comhairle and HHP on the matter. The Acquisition Application Form summarised the Business Plan and was included as Appendix 1 to the Report. The Business Plan was included as Appendix 2 to the Report and the evaluation of the application and Business Plan was included as Appendix 3 to the Report.

The Report stated that the content of the Business Plan submitted by the Pairc Trust was compliant with the requirements of Regulation 4 of the Disposal of Land by Local Authorities (Scotland) Regulations 2010 and included within the Business Plan was the group’s vision for the property, which related specifically to rented housing provision for an identified family.

It was agreed to recommend that the Comhairle authorise the Chief Executive to sell the former Gravir Care Unit to the Pairc Trust, for the offer price of £30,000, plus the non-staff costs of conveyancing, and on such terms and conditions as he, in consultation with the Director of Technical Services, deemed appropriate, including, without prejudice to the foregoing generality:

(1) a contract being agreed between the parties to return 50% of any private sale proceeds following deduction of the purchase price and any reasonable expenses of sale to the Comhairle if the asset, or any part thereof, was sold within ten years of the transfer date;

(2) a contract being agreed between the parties to entitle the Comhairle to purchase the property for the sale value should there be no significant development or betterment of the property within three years of the transfer date; and

(3) that missives be concluded within six months of the Comhairle notifying the Pairc Trust that its application had been successful.

Mr Charlie Nicolson declared an interest in the following item as he was Chairman of Stornoway Amenity Trust and left the meeting during consideration of the matter.

Stornoway Town Centre – Relocation of Funfair  37

The Director of Technical Services submitted a Report which sought homologation of the decision of the Chief Executive to allow the Fun Fair to relocate from South Beach Car Park to the former Fisherman’s Car Park, North Beach, Stornoway.

The Report stated that a representative from the Fun Fair had contacted the Comhairle making the request that it be allowed to relocate to the former Fisherman’s Car Park on North Beach due to poor weather experiences over the past two years in South Beach as customer experience had been affected and equipment damaged by over-topping waves and driving rain off the harbour.
It was agreed to recommend that the Comhairle homologate the decision of the Chief Executive to allow the Fun Fair to relocate from South Beach St. Car Park to the former Fisherman’s Car Park on North Beach for the period 7 to 10 December 2016.

Arising out of consideration of this item it was agreed to recommend that the Director of Technical Services convene a meeting of Stornoway Councillors in Summer 2017 to discuss the options for the future location of the funfair and the town centre letting policies.

RISK

Risk Management Review

With reference to item 7 of the Minute of Meeting of the Audit and Scrutiny Committee of 29 March 2016, the Chief Executive and Director of Finance and Corporate Resources submitted a Joint Report in respect of the Risk Management Framework and sought approval on the revised Risk Management Policy and Strategy which was appended to the Report. The Report stated that the Risk Management Policy and Strategy had been reviewed and implementation of the Strategy would ensure that the points raised in the Audit Report were met.

It was agreed to recommend, in so far as the Committee’s interests were concerned, that the Comhairle approve the Risk Management Policy and Strategy detailed at Appendix 1.

HOUSING

Local Housing Strategy 2017-22: Consultation Themes and Process

With reference to item 6 of the Minute of Meeting of the Environment and Protective Services Committee of 27 September 2016 the Director of Development submitted a Report seeking approval of the proposed themes and process for consultation on a Local Housing Strategy (LHS) for 2017-2022. The Report summarised the outcomes of the Housing Need and Demand Assessment and Private Sector House Condition Survey, along with a review of achievements against the targets of the current LHS 2011-2016, and acknowledged the potential housing related issues arising from the Population and Migration Seminar held in November 2016. Evidence from these exercises had identified four potential main Outcome themes namely: Housing Quality; Supply; Homelessness; and Independent Living, together with a range of associated actions as the basis for consultation on the content of the new LHS.

It was intimated in the Report that the consultation exercise would be carried out with a proposed consultation period of January to March 2017 with the final document being presented to the Comhairle for approval by Autumn 2017. An update on the progress against the Target and Priority Action of the LHS 2011-2016 which concluded that good overall performance had been achieved was detailed at Appendix 1 to the Report.

It was agreed to recommend, in so far as the Committee’s interests were concerned, that the Comhairle approve the process for consultation on the LHS 2017-2022, as set out in Section 10 of this Report, and that Appendices 1-5 form the basis for public consultation on the proposed themes and through the Local Housing Strategy consultation, the Director of Development be requested to explore opportunities for joint working with community landowners.

Mr David Blaney, Mr Gordon Murray and Mr Norman M Macleod declared an interest in the following item as they were Board Members of HHP and left the meeting during consideration of the matter.
With reference to item 46 of the Minute of Meeting of 2 October 2014 the Director of Development submitted a Report providing details of a proposed Strategic Housing Investment Plan (SHIP) for the period 2017/18-2021/22. The draft SHIP was based around the draft Local Housing Strategy Action and proposed the development of 245 new houses, providing a mix of tenure and a geographical spread throughout the islands and also took account of the need for 80 units likely to be required as part of the Care Home Reprovisioning/Independent Living Project. It was intimated in the Report that new guidance for the preparation of the Strategic Housing Investment Plan (SHIP) had been issued by the Scottish Government in June 2016 and the Comhairle had been invited to submit a SHIP for the period 2017/18-2021/22 to the Scottish Government by December 2016. The proposed SHIP was outlined in the Report and highlighted that the SHIP was not site specific for the years beyond 2017/2018 in order that the programme could reflect the policy direction of the new Local Housing Strategy.

The Report further provided an update on each of the housing sites within the 2015-18 Strategic Local Programme (SLP) which had initially been based on the delivery of 108 new affordable houses (shared equity and social rent). Following a number of amendments to the SLP it was now aimed to deliver 117 units. The SHIP also took into account the need for 80 units required as part of the Care Home Reprovisioning/Independent Living Project.

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

1. note the progress made to date with the 2015/16-2017/18 Strategic Local Programme;
2. approve the draft Strategic Housing Investment Plan 2017/18 - 2021/22 as set out at Table 2 at 7.4 of this Report and grant delegated authority to the Director of Development to finalise the Plan into the Scottish Government templates;
3. an early review of the Strategic Housing Investment Plan be brought to the December 2017 Series of Comhairle Meetings to consider implications arising from the new Local Housing Strategy 2017/2022;
4. authorise the Chief Executive to transfer, on such terms and conditions as he, in consultation with the Director of Development, shall determine, the former Back Care Unit and Tigh Ceilidh, shown hatched on the plan appended to the Report, to Hebridean Housing Partnership;
5. authorise the Director of Development to organise a meeting with Hebridean Housing Partnership to discuss environmental aspects of new Housing Developments; and
6. explore opportunities for joint working with community landowners.

LEGISLATION

With reference to item 32 of the Minute of Meeting of 30 March 2016 the Chief Executive and the Director of Development submitted a Joint Report which provided details of progress being made to comply with the terms of the Public Records (Scotland) Act 2011 (PRSA) and recommended further steps.

The Report stated that a working draft Records Management Plan had been considered by the Comhairle in March 2016 and the terms of the Policy Statement appended to the Report had been approved. A draft Business Classification Scheme, retention schedule and description of destruction arrangements in respect of the Chief Executive’s and Development Departments were appended to the Report. It was proposed that the lessons learned in producing these draft schemes and schedules would be reported through the Officer Group prior to roll out to other Departments within the Comhairle.

The current position and also the next steps for the Comhairle were detailed at paragraphs 5.1-5.3 of the Report.
It was agreed to recommend that the Comhairle:

1. approve in principle the terms of the draft business classification schemes, retention schedules and details of destruction arrangements for the Chief Executive’s and Development Departments appended to the Report;

2. agree that these draft business classification schemes, retention schedules and details of destruction arrangements be further refined and that draft business classification schemes, retention schedules and details of destruction arrangements be produced for the other Departments within the Comhairle by June 2017; and

3. agree that draft archiving and transfer arrangements, information security processes, data protection statement, business continuity and vital records plan, and audit trail mechanisms, being elements 7, 8, 9, 10 and 11 of the RMP, were to be produced for Chief Executive’s and Development Departments by 30 September 2017 and the lessons learned reported through the Officer Group prior to roll out to other Departments within the Comhairle.

CONTRACTUAL MATTERS

Mr Donald Macleod declared an interest in the following item as his wife was employed by FES FM 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 8 and 9 of schedule 7A to the Local Government (Scotland) Act 1973 as amended namely; the amount of any expenditure proposed to be incurred by the Comhairle under any particular contract for the acquisition of property or 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.

Western Isles Schools Project 42* Western Isles Schools Project Building Contract

With reference to item 25 of the Minute of Meeting of 28 March 2013 the Chief Executive, Director of Finance and Corporate Resources and the Director of Technical Services submitted a Report which provided details of the outcome of an adjudication raised by FMP associated with the deduction of monies through the Western Isles Schools Project Building Contract.

The background and financial implications were detailed in the Report.

It was agreed to recommend that the Comhairle:

1. note the background to the deductions made under the Western Isles Schools Project Building Contract and the outcome of the subsequent adjudication process;

2. agree, in principle, that the principal sum be funded from capital, that a further Report on the potential impact on the capital programme be submitted to the next meeting of the Committee and that associated costs be met from Technical Services department budgets; and

3. note that the Chief Executive would initiate any further legal proceedings that he should deem appropriate.

RELATED MATTERS

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 3 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to any particular applicant for, or recipient or former recipient of, any service provided by the Comhairle.

Details of the complaint considered and conclusions reached were outlined in the Report.

It was agreed to recommend that the Comhairle approve the findings of the Social Work Complaints Review Panel as detailed at Section 5 of the Report.

It was agreed to recommend that the Comhairle approve the findings of the Social Work Complaints Review Panel of 28 October 2016.

Reports Outstanding: Progress 44 With reference to item 41 of the Minute of Meeting of 5 October 2016 the Chief Executive submitted a Report detailing those Reports Outstanding arising from decisions of the Committee.

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