



# COMHAIRLE NAN EILEAN SIAR

Minute of Meeting held in the Council Chamber, Council Offices, Stornoway, on Wednesday 13 December 2017 at 5.00pm.

## PRESENT

### Members

Mr Norman A MacDonald (Convener)  
Mr Roddie Mackay (Leader)  
Mr Calum Macmillan  
Mr Iain A Macneil  
Mr Paul Steele  
Mr Iain M Macleod  
Mr Donald Manford  
Mr John G Mitchell  
Mr Uisdean Robertson  
Mr Paul Finnegan  
Mr Finlay Cunningham  
Mr Angus Morrison  
Mr Ranald Fraser  
Mr Alasdair Macleod  
Mr Finlay Stewart  
Mr Norman MacDonald

Mr Rae Mackenzie  
Mr Angus McCormack  
Mr Charlie Nicolson  
Mr Keith Dodson  
Mr Gordon Murray  
Mr Iain M Macaulay  
Mr Neil Mackay  
Mr Donald Crichton  
Mr John A Maciver  
Mr John Mackay  
Mr Kenneth Macleod  
Mr Kenny J Macleod  
Mr John N Macleod

## APOLOGIES

Mr Roddy Mackay  
Mr Calum Maclean

### Officers in Attendance

Mr Malcolm Burr  
Ms Lesley McDonald  
Mr Iain Mackinnon  
Mr Ron Culley  
Mr Robert Emmott  
Mr Bernard Chisholm  
Mr Calum Iain Maciver

Ms Morag Ferguson  
Mr Nigel Scott  
Mrs Dolina Macleod  
Mr Colin George Morrison  
Mrs Marina Macaulay

## Prayer

The Meeting was preceded by prayer led by Mr Charlie Nicolson

### Anton Michael

The Convener referred to the recent tragic events which had taken place at The Nicolson Institute on Tuesday 12 December 2017 which resulted in the death of a 15 year old boy.

**The Convener, on behalf of the Comhairle, extended the Comhairle's condolences to Anton's parents and sympathies to his classmates and all the pupils who had been affected by his death.**

### Kenny John Macleod

The Convener, on behalf of the Comhairle, extended condolences to Cllr Kenny John Macleod whose mother had passed away recently.

### John A Maciver

The Convener, on behalf of the Comhairle, extended condolences to Cllr John A Maciver whose father had passed away recently.

### Calum Maclean

The Convener referred to Cllr Calum Maclean who had recently been taken to hospital.

**The Convener, on behalf of the Comhairle, wished Cllr Calum Maclean a speedy recovery.**

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Tribute: Mod Naiseanta Rioghail 2017

The Convener referred to the Western Isles participants at the Royal National Mod in Lochaber in October.

**The Convener, on behalf of the Comhairle, congratulated all those who had participated and won awards and in particular, Alice Macmillan from Point who had won the Girls Silver Medal and the Traditional Silver Medal, Ruairidh Gray from Sgoil Lionacleit who had won the Boys Silver Medal, Hannah Knight from Carloway who had won the Ladies Traditional Medal and John Joe MacNeil who had won the Men's Traditional Medal and Coisir Sgir A Bhac and Coisir nan Loch.**

Tribute: Gaelic Schools Debate 2017

The Convener referred to the 16 teams which had participated in the recent National Gaelic Schools Debate 2017. In the semi-final Sgoil Gàidhlig Ghlaschu faced Lochaber High School and The Nicolson Institute A faced Gairloch High School. The winning teams were Lochaber High School and The Nicolson Institute A who had gone through to the final at the Scottish Parliament on 29 November 2017.

**The Convener, on behalf of the Comhairle, congratulated the winners from The Nicolson Institute A, John Alasdair Bain and Calum MacIennan and also Claire Francis MacNeil from Lochaber who had won the Best Debater Award.**

Tribute: The Scottish Drum Events Awards

The Convener referred to the HebCelt Festival Team who had won the Festival of the Year Award and the top Grand Prix Prize at the recent Drum Scottish Event Awards 2017.

**On behalf of the Comhairle, the Convener congratulated all those involved with the HebCelt Festival on this fantastic achievement and paid tribute to their hard work and dedication.**

Tribute: Gaelic Awards

The Convener paid tribute to all the nominees at the Scottish Gaelic Awards run by the Daily Record with support from Bord na Gaidhlig.

**The Convener, in particular, congratulated those from the Western Isles who had won prizes, Comunn Eachdraidh Nis for the war graves visit, Padruig Morrison from North Uist who had won the Young Ambassador of the Year Award, Alex Macdonald from An Lanntair who had won the Arts and Culture Award for her role in producing Ballantyne and the Lifetime Achievement Award which had been won by Dr Finlay Macleod.**

Tribute: Sgoil Lionacliet Pipe Band

The Convener paid tribute to Sgoil Lionacliet Pipe Band who intended to travel to New York in April 2018 to participate in Tartan Week. The Band had earned an excellent reputation at national level, winning competitions, something which was particularly remarkable for a small School in the Western Isles competing mainly against large fee paying schools on the mainland.

**The Comhairle agreed that the Sgoil Lionacleit Pipe Band should be named as Youth Cultural Ambassadors for the Western Isles and the Convener, on behalf of the Comhairle, wished the Band a very successful trip to New York.**

#### **MINUTES**

Minute of Meeting of 1 The Minute of Meeting of 21 June 2017 was **approved**.

Declaration of Interest 2 There were no declarations of interest.

#### **QUESTIONS**

Written Questions to the Convener and Chairmen of Committees 3 There were no written questions.

## COMMITTEES

Committee  
Decision  
Reports

4 The Committee Decision Reports were approved, except as indicated below:

- (a) Communities and Housing Committee – 5 December 2017
- (b) Education, Sport and Children's Services – 5 December 2017
- (c) Transportation and Infrastructure Committee – 6 December 2017
- (d) Sustainable Development Committee – 6 December 2017
- (e) Audit and Scrutiny Committee – 12 December 2017
- (f) Policy and Resources Committee – 13 December 2017

Councillor Gordon Murray, seconded by Councillor Donald Manford proposed moving the following: amendment to item 10 of the Policy and Resources Committee Decision Report -

"That the Comhairle: -

1 approves recommendation by the Policy & Resources Committee to approve the revised draft Corporate Strategy 2018 -21 contained in Appendix 1 of the report by the Chief Executive to the Policy & Resources Committee, **subject** to incorporation of the following:-

A. **Local Democracy and Empowerment**

**Outcomes** (a) the **decentralisation of control and/or influence** over local functions where practicable, cost effective, and desired by localities; (b) the **widest practicable publication and timely sharing of information**; (c) leading a Council that is open and transparent - that is ready for business and **open to public scrutiny** (d) Obtaining a commitment from Community Planning partners to ensure that **communities have legitimate oversight and influence** over key partner's **strategic and local decision-making**.

**Key Actions/Outputs** to be included in the Strategy/Council Business Plans as appropriate, in support of these outcomes to include: -

The Comhairle will: -

- A1 Establish **locality planning bodies with delegated powers across the Hebrides**. The intention being to work at including representation from other statutory agencies, Community Councils, Community Land Trusts, other local voluntary and community groups, local businesses and other private bodies;
- A2 Develop **Local Outcome Improvement Plans in each locality planning area**, linked to our service planning processes;
- A3 Identify senior lead officers (within the Comhairle) who will be required to work with their locality planning body **to advance a Locality's aims and objectives**.
- A4 Set a council target of at least **1 per cent of the Comhairle's budget** to be **determined by locality planning groups**, subject to **participatory budgeting**;
- A5 **Survey 5% of the Islands' population** which will be age, gender, and location balanced and include this with the Council's annual Tax notices on the basis that this proposal will be fully costed and included in the Council's Revenue Budget for 2018/19;
- A6 Put in place arrangements to provide for **female representation, drawn from Community Councils for appointment to the Council's Standing Committees as co-opted members** on the basis that Community councils are the primary democratic authority in our localities and, where there are no Community Councils that female representation will be drawn from **Resident Associations and Youth Groups**.

B. **Council Services, Management and Employees -**

**Outcomes** (a) improved **collective responsibility** for the delivery of more improved outcomes across the Hebrides with a genuine role within the Comhairle for **all** members based on mutual trust and respect (b) a strengthening of **Strategic Planning and Audit and Scrutiny functions** (c) a more **streamlined and more responsive** Performance management regime set within an improvement culture where everyone is responsible for improving services and outcomes (d) higher levels of leadership and flexibility with **scrutiny by Elected Members Partners and employees** (e) **improved collaborative working** between Management and their Teams to **reduce bureaucracy and inefficiencies** and increase the **sharing of resources** across the Comhairle (f) the achievement of a **transformational agenda** based on **public sector reform** so as to ensure that **people's aspirations for the Hebrides are achieved**.

**Key Actions/Outputs** to be included in the Strategy/Council Business Plans as appropriate, in support of these outcomes to include: -

The Comhairle will: -

- B1 Undertake a **base-line review of the Council's Revenue and Capital spend** including monies held in balances to release funds to protect local services;
- B2 Conduct, with support from the Improvement Service, a **transformational review of the Council's Management and structures** as part of the Council's budget process for 2019/20 taking cognisance of the feedback on consultation on the proposed Local Governance Bill;
- B3 Undertake a **review of the Comhairle's Governance regime**, supported by the **Improvement Service and Internal Audit**, and taking cognisance of the outcomes from B2 above, to further open-up decision-making and make it more inclusive and transparent and **easier for Members to engage and scrutinise** etc. (including Council and Committee Structures, the Scheme of Delegation, Standing Orders, Financial Regulations and Contract Standing Orders).
- B4 Introduce a **bi-annual performance review process for the Chief Executive and Directors** (or their equivalent) which will require to be approved by Council and which will include 360-degree feedback involving input by elected members, employees and key Community Planning agencies (Head of HR, in consultation with the relevant Trade Unions as appropriate);
- B5 Require the **Chief Executive and Members of the Senior Management Team** to prepare a quarterly, standardised and **public report on their achievements and activities** including time spent off-island on non-Council activities on the basis that this will be trialled internally to incorporate feedback from Members (Head of HR in consultation with the relevant Trade Unions as appropriate);
- B6 Establish new arrangements to ensure that **all employees** have an opportunity to **formally feed-back on how Managers might better support and lead their Team/s** and how we might better support individual employees to improve performance (Head of HR in consultation with the relevant Trade Unions as appropriate);
- B7 Introduce the **widest possible flexible and home-working arrangements** to meet the needs of the Comhairle, balanced with our employees' changing lifestyle patterns, the needs of an increasingly aging workforce, and the need to reduce absence.

2 agrees: -

### C. Economy

That the following **Key Actions/Outputs** be included in the Strategy/Council Business Plans as appropriate, in support of the Strategy's objectives to grow the Economy: -

- C1 The Comhairle will work actively through locality planning arrangements (see A above) to **support the aspirations of Trusts as the potential economic drivers** of local Hebridean economies;
- C2 As the strategic Housing and planning authority, the Comhairle will **agree to delegate decisions on some local planning matters** (through Locality Planning Bodies) and especially where this will contribute to **securing the building of more affordable housing across the Hebrides and particularly in our rural communities as articulated in our Local Housing Strategy**;
- C3 The Comhairle will encourage and support the development of **'hospitality and tourism training'** and the introduction of an **Island's specific 'quality service standard'**; (and press for this to be included in the appropriate LOIP action plan in terms of how the secondary drivers of the LOIP will be delivered);
- C4 The Comhairle will work with Partners to achieve the **relocation of some government administration functions to the Outer Hebrides**.

### D. Energy

That the following **Key Actions/Outputs** be included in the Strategy/Council Business Plans as appropriate, in support of the Strategy's objectives to improve Energy efficiency: -

- D1 The Comhairle will work with Partners to set a target to **bring at least 80MW of commercial wind energy into Islands' ownership**;
- D2 The Comhairle will support and encourage existing and new community-owned generation through **consortium arrangements to link into the Scottish Government's proposed, state owned Electricity Company and so facilitate lower electricity costs** that can be **equally shared by all** islanders and contribute to the **eradication of fuel poverty** across our Islands;
- D3 The Comhairle will use any new powers available to it to ensure that all local island communities benefit from, and can guide the investment of locally raised Crown Estate revenues based on a policy promoting fairness for all whilst **ensuring that Crown Estate revenues are not used by the Comhairle to (in-directly) fund services** which the Comhairle is already funded to provide.

### E. Connectivity

That the following **Key Actions/Outputs** be included in the Strategy/Council Business Plans as appropriate, in support of the Strategy's objectives to improve connectivity: -

- E1 The Comhairle will make every effort to strengthen internal transport links between all the islands of the Hebrides and pursue, as the **number one priority**, through the **Our Islands Our Future negotiations (and/or by all other available means)**, the **re-newal and revitalisation of the Butt to Barra Spinal Route** with the objective of dualing the road by 2021/22;
- E2 The Comhairle will re-appraise the its existing feasibility study of **building a road link from Harris to Berneray** to act as a **further stimulant to inter-island connectivity and economic growth** through the Our Islands Our Future negotiations **and/or by all other available means**;

- E3 The Comhairle will continue **enhancement to Concessionary Fares** on the Sounds of Harris and Barra on the basis that this proposal will be fully costed and included in the Council's Revenue Budget for 2018/19;
- E4 The Comhairle will establish **regular air flights between Stornoway and the Islands of Uist & Benbecula and Barra** on the basis that this proposal will be fully costed and included in the Council's Revenue Budget for 2018/19;
- E5 The Comhairle will, in consultation with others, examine the feasibility of a **Mainland fixed link**.

#### F. Tackling Poverty

That the following **Key Actions/Outputs** be included in the Strategy/Council Business Plans as appropriate, in support of the Strategy's objectives to tackle poverty: -

- F1 The Comhairle will work with Partners to determine a **% figure for a reduction in fuel poverty** over the plan period (and press for this to be included in the appropriate LOIP action plan in terms of how the secondary drivers of the LOIP will be delivered);
- F2 The Comhairle will actively promote the **payment of the local living wage amongst all private and third sector bodies** across the Hebrides;
- F3 The Comhairle will determine action to condone and **mitigate the impact of UK welfare reforms locally** that risk more of our children being pushed into poverty;
- F4 The Comhairle will look to work in partnership with HHP to **develop new, more dynamic and** more rent arrangements aimed at low income families;
- F5 The Comhairle will work more closely with other agencies in jointly collecting data and **increasing engagement with other organisations to support vulnerable homeless people**;
- F6 The Comhairle will work with the Scottish Government to **pilot a scheme to make it easier to acquire/dispose of land** so that it has more freedom to facilitate affordable housing supply.

#### G. Health & Social Care

That the following **Key Actions/Outputs** be included in the Strategy/Council Business Plans as appropriate, in support of the Strategy's objective's in relation to Health & Social Care: -

- G1 The Comhairle will promote a healthy environment and **encourage preventative life-style choices** within the Comhairle;
- G2 The Comhairle will actively encourage and support the IJB to **make appropriate representations to the Scottish Government where legislative provisions as between Health Board and the Comhairle are inhibiting progress**;
- G3 The Comhairle will further examine the budget contribution made by the Comhairle to the IJB **and ensure that any further, additional Government funding made available to the Comhairle is passed on to the IJB** and not retained against balances or for any other purposes;
- G4 The Comhairle will work to become a **'Carer Positive' employer** (i.e. through the Government sponsored award system - ensuring that the Comhairle **actively** supports carers to manage the difficult job of **balancing work with caring responsibilities** so assisting in the retention of experienced members of staff, reducing absence, and cutting down on avoidable recruitment costs);
- G5 The Comhairle will explore the means to make sure that **our services are easier to use for people with mental health** conditions;

## H. Children & Young People

That the following **Key Actions/Outputs** be included in the Strategy/Council Business Plans as appropriate, in support of the Strategy's objectives for Children & Young People: -

- H1 The Comhairle will approach, and work with, UHI to investigate the creation of a **research hub based around energy and engineering**;
- H2 The Comhairle will ensure no cuts to the Comhairle's Special Needs provision; and examine the means to reduce Shared Headships where this is community driven; and grow our young people's learning and cultural experiences through, for example, the re-introduction of provision for itinerant music/art teachers;
- H3 The Comhairle will examine ways to **reduce its carbon footprint** by, for example, a target reduction in Officer travel to the mainland where new technologies can facilitate meetings etc;
- H4 The Comhairle will proactively work with others to determine a **% reduction in landfill tax paid** to Scottish Government by continuing investment in recycling and waste management;
- H5 The Comhairle will work proactively to enable all lifeline ferry service ports **to be aligned with the ferries plan**

## I. Third Sector

That the following **Key Actions/Outputs** be included in the Strategy/Council Business Plans as appropriate, in support of the Strategy's objectives in relation to the Voluntary Sector: -

- I1 **The Comhairle will facilitate** more effective and regular engagement with the Third Sector Interface-Western Isles to ensure that **third sector organisations feel better connected and can influence and contribute effectively to the design and delivery of services**;
- I2 The Comhairle will work with the Third Sector to draw up new **partnership agreements** which clearly set out the **purpose of, and the expectations of**, each partner (i.e. including the Comhairle);
- I3 The Comhairle will examine the potential to **co-produce and support the delivery of a local programme of leadership development** for senior Third Sector employees;
- I4 The Comhairle will examine the potential to **establish civic awards for our wonderful community volunteers**.

- 3 agrees that whatever format is agreed for performance management and reporting, then this should include, but not be restricted to, the inclusion of the following information: -

Strategic Aim (to be achieved by the end of the Plan period or beyond since these are usually aspirational – but ultimately achievable etc.									
Strategic Objective – i.e. outcomes in support of this aim (to be achieved by the end of the Plan period)									
Plan Reference	Indicator/Action to ensure Outcomes are achieved (i.e. These must be specific, measurable etc).	Target 2018/19	Target 2019/20	Target 2020/21	Target 2021/22	Revenue Cost  (broad estimates permitted)	Capital Cost  (broad estimates permitted)	Responsible Committee	Responsible Director
And so on...									

- 4 agrees that the Strategy should, as soon as practicable, be accompanied by a high level medium term financial strategy that includes indicative costing for each outcome/objective, high-level revenue and capital forecasts of future income, cost pressures, and financial and other risks in delivering or not delivering, the Strategy's objectives; and finally,
- 5 agrees to authorise the Chief Executive, in consultation with the Chairman and Vice Chairman of the Committee, the Convener of the Comhairle, and Leaders of the SNP Group and the Uist Group to finalise the strategy and decide arrangements for its publication, subject that all Members will be provided with a proof copy, seven days prior to the final print-run, publication and launch.

The Convener asked the Clerk to provide advice to enable him to rule on the competency of the amendment. The Clerk advised that an amendment required to be relevant to the matter being considered, within the Comhairle's legal powers and to meet the requirements for financial competency detailed in the Comhairle's Standing Orders. She highlighted elements of the amendment which may not be relevant to the motion as they dealt with individual employees –a matter which the Comhairle had delegated to Human Resources Sub-Committee- and areas where there would be financial consequences and the funding source had not been identified.

The Convener considered the advice and ruled that, as he considered that certain elements of the amendment were not competent, the amendment as a whole was not competent and the matter could not proceed to debate..



17/00282/PPDM  
– Drium  
Leathann:  
Construct a  
wind farm  
comprising of 14  
wind turbines  
(up to 126.5m to  
blade tip and  
maximum  
combined output  
of 46.2MW) and  
associated  
infrastructure

- 5 The Director of Development submitted a Report concerning the proposed Drium Leathann Wind Farm which was classed as a 'Major Development'. The planning application, to develop land without compliance with conditions subject to which a previous planning permission was granted, required a recommendation by the Board prior to determination by the Comhairle.

It was stated at the meeting that the Minute of Meeting of the Planning Applications Board of 12 December 2017 recommending approval of the application had been circulated to all Members.

**It was agreed that:**

**(1) the planning application be APPROVED subject to:**

- (i) the planning conditions in Appendix 1 to the Report; and**
- (ii) the completion of a new planning obligations Agreement under section 75 of the Town and Country Planning (Scotland) Act 1997 (the Act), a draft of which agreement is attached at Appendix 2;**

**(2) the Chief Executive be given delegated authority, in consultation with the Director of Development to conclude the Section 75 Agreement referred to in a) ii above within four months of the decision of the Comhairle and to discharge the Existing Agreement (as defined in the Draft Agreement) following an application from the Developer once the new agreement has been registered; and**

**(3) A Direction be made under Section 58(2) of the Town and Country Planning (Scotland) Act 1997 the effect of which would be to direct that subsection 58(1) of the Act is not to apply as respects the permission and instead that the permission is to lapse on the expiration of a 5 year period from the date upon which it is granted.**