



# COMHAIRLE NAN EILEAN SIAR

Minute of Meeting held in the Council Chamber, Council Offices, Stornoway, on Tuesday 2 October 2018 at 5.00pm.

## PRESENT

Mr Norman A MacDonald (Convener)	
Mr Roddie Mackay (Leader)	
Mr Calum Macmillan	Mr Keith Dodson
Mr Iain A. Macneil	Mr Rae Mackenzie
Mr Donald Manford	Mr Angus McCormack
Mr Paul Steele	Mr Charlie Nicolson
Mr Roddy Mackay	Mr Iain M Macaulay
Mr Iain M. Macleod	Mr Neil Mackay
Mr Uisdean Robertson	Mr Gordon Murray
Mr Paul A. Finnegan	Mr Donald F. Crichton
Mr John G Mitchell	Mr John A Maciver
Mr Ranald Fraser (by video-link)	Mr Calum Maclean
Mr Angus Morrison	Mr John Mackay
Mr Norman MacDonald	Mr John N Macleod
Mr Alasdair Macleod	Mr Kenneth Macleod
Mr Finlay Stewart	Mr Kenny J Macleod

## APOLOGIES

Mr Finlay Cunningham

## OFFICERS IN ATTENDANCE

Mr Malcolm Burr	Mrs Dolina Macleod
Mr Iain Mackinnon	Mr Colin George Morrison
Mr Bernard Chisholm	Mr Derek Mackay
Mr Nigel Scott	Mrs Marina Macaulay

## Prayer

The Meeting was preceded by prayer led by Mr Angus Morrison.

Tribute: Mr Kenneth John Macleod and Mr Iain Mackinnon

**The Convener, on behalf of the Comhairle, extended condolences to Mr Kenny John Macleod, Councillor for An Taobh-siar agus Nis and Mr Iain Mackinnon, Director of Technical Services, on the recent death of their mother in law.**

Tribute: Hannah Mackenzie

The Convener paid tribute to Hannah Mackenzie, who died shortly after the start of the school term in August.

**The Convener, on behalf of the Comhairle, extended condolences to Hannah's parents, sister, friends and classmates at this sad time.**

Tribute: Angela Mackenzie

The Convener paid tribute to Angela Mackenzie who had passed way last month. Mrs Mackenzie had worked at the Nursery at Stornoway Primary School since 2008.

**The Convener, on behalf of the Comhairle, extended condolences to Mrs Mackenzie's husband, Ivor and their daughter at this sad time.**

Tribute: Lesley McDonald

The Convener paid tribute to Lesley McDonald who had taken early retirement since the last meeting of the Comhairle. He indicated that Lesley had started work with the Comhairle in 1993. She had taken up the post of Head of Legal Services in 1999 and had been appointed as Head of the Executive Office in 2003, a post she had remained in until her retirement in July this year. The Convener paid tribute to Lesley as a diligent, conscientious and efficient officer, who always had the interests of the Comhairle at the core of all her actions.

**The Convener, on behalf of the Comhairle, extended grateful thanks to Lesley McDonald and wished her all the best in the health challenges she faced.**

Tribute: Harris Gin Distillery

The Convener paid tribute to the Harris Gin Distillery who had earned a national reputation for its product and had recently won the Scottish Distillery of the Year Award.

**The Convener, on behalf of the Comhairle, congratulated the Distillery on this recognition of its work.**

### MINUTES

- Minute of Meeting of 20 June 2018 1 The Minute of Meeting of 20 June 2018 was **approved**.
- Declaration of Interest 2 Mr Roddie Mackay declared an interest in item 32 of the Policy and Resources Committee Decision Report of 2 October 2018 as his brother in law is the lessee of the premises.

### QUESTIONS

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

### GOVERNANCE

- Standards Commission Hearing: Councillor Finlay Cunningham 4 The Chief Executive submitted a Report concerning the findings of the Standards Commission Hearing Panel in relation to Councillor Finlay Cunningham. A full copy of the decision of the Standards Commission was appended to the Report and further detail of the reasons for the Panel's decision was provided in the Report.

#### **It was agreed that:**

- (a) the requirement of Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 be noted; and**
- (b) the findings of the Standards Commission following a Hearing in respect of Councillor Finlay Cunningham as set out in the Appendix to the Report be noted.**

- Appointment of Proper Officers 5 The Chief Executive submitted a Report which made recommendations for the appointment of Proper Officers of the Comhairle for the purpose of authentication of documents and execution of deeds.

**It was agreed that Mr Timothy Isaac Langley and Mr Allan Joseph MacDonald be appointed Proper Officers of the Comhairle for the purpose of authentication of documents and execution of deeds in terms of Section 193 and 194 of the Local Government (Scotland) Act 1973 as amended.**

Timetable of  
Committee/Com  
hairle Meetings  
2019: Public  
and Local  
Holidays 2019

- 6 With reference to item 5 of the Minute of Meeting of 3 October 2017 the Chief Executive submitted a Report which sought formal approval for the proposed public and local holidays in 2019 together with the proposed programme of Committee and Comhairle meetings. The draft Year Planner for 2019 was appended to the Report and, for ease of reference, the proposed local and public holidays were set out at Appendix 2 to the Report.

**It was agreed that the proposed timetable for Committee and Comhairle meetings and Public and Local Holidays for 2019 as detailed in Appendices 1 and 2 to the Report be approved.**

#### COMMITTEES

Committee  
Decision Reports

- 7 The Committee Decision Reports were approved, except as indicated below:
- (a) Audit and Scrutiny Committee – 24 September 2018
  - (b) Communities and Housing Committee – 25 September 2018
  - (c) Education, Sport and Children's Services Committee – 25 September 2018
  - (d) Sustainable Development Committee – 26 September 2018
  - (e) Transportation and Infrastructure Committee – 26 September 2018
  - (f) Audit and Scrutiny Committee – 24 September 2018
  - (f) Policy and Resources Committee - 2 October 2018

Councillor John G Mitchell, seconded by Councillor Calum Macmillan, moved the following amendment in respect of item 12 of the Policy and Resources Committee Decision Report of 2 October 2018.

That the Mobile Library Service continue to be delivered utilising Mobile Library Vans and that that the Comhairle proceed with the procurement of two replacement vehicles, one for Lewis and Harris and one for Uist and Barra, to be funded from the ring fenced £240k carried over from the 2013-18 Capital Programme for library van replacement and a further £40k from core and statutory capital contingency within the 2018-23 Capital Programme.

The Comhairle then proceeded to debate the motion against the amendment.

The Comhairle then proceeded to vote on the matter and the motion, having received the majority of the votes cast, became the finding of the meeting.

Councillor Gordon Murray, seconded by Councillor John A Maciver moved the following additional recommendations in respect of the Policy and Resources Committee Decision Report of 2 October 2018:

In respect of Item 10

- (1) that the Chief Executive include within the Report to be considered on 12 December 2018, the merits of the establishment of locality planning bodies/area committees with delegated powers across the Hebrides bringing together the Council, other statutory authorities, Community Councils, Community Land Trusts, other local voluntary and community groups, local businesses and other private landowners to work collaboratively to achieve community aims and objectives to empower local communities to formally deliver and enhance much of what they already do on a community needs basis voluntarily;
- (2) the Chief Executive identify senior lead officers (within the Comhairle) who will be required to work with their locality aims and objectives; and
- (3) introduce the widest possible flexible and home-working arrangements to meet the needs of the Comhairle, needs of an increasingly aging workforce, and the need to reduce absence, homeworking to broaden and deepen capability, skills and in-house knowledge.

In respect of Item 12:

- (1) the re-introduction of the provision for itinerant music/art teachers be considered through the community conversations.

In respect of Item 13

- (1) to set a council target of at least 1% of Comhairle budgets to be determined by locality planning groups, subject to participatory budgeting.

**The Leader, with the agreement of his seconder, indicated that he was prepared to accept the amendment in respect of items 10 and 13 of the Policy and Resources Committee Decision Report. Councillor Gordon Murray, with the agreement of his seconder, agreed to withdraw the additional recommendation at item 12.**

**The Comhairle agreed to accept the following additional recommendations:**

**In respect of Item 10 of the Policy and Resources Decision Report**

- (1) that the Chief Executive include within the report to be considered on 12 December, the merits of the establishment of locality planning bodies/area committees with delegated powers across the Hebrides bringing together the Council, other statutory authorities, Community Councils, Community Land Trusts, other local voluntary and community groups, local businesses and other private landowners. to work collaboratively to achieve community aims and objectives to empower local communities to formally deliver and enhance much of what they already do on a community needs basis voluntarily;
- (2) the Chief Executive identify senior lead officers (within the Comhairle) who will be required to work with their locality aims and objectives; and
- (3) introduce the widest possible flexible and home-working arrangements to meet the needs of the Comhairle, needs of an increasingly aging workforce, and the need to reduce absence, homeworking to broaden and deepen capability, skills and in-house knowledge.

**In respect of Item 13**

- (1) to set a council target of at least 1 per cent of Comhairle budgets to be determined by locality planning groups, subject to participatory budgeting.

#### **URGENT ITEM**

The Chairman ruled that in accordance with the provisions of Section 50 of the Local Government (Scotland) Act 1973, as amended, that the following item be considered as a matter of urgency to enable an appointment to be made prior to the next Series of Meetings.

Western Isles 8  
Duke of  
Edinburgh  
Committee –  
Appointment of  
Member

With reference to item 11 of the Minute of Meeting of 21 June 2017 the Chief Executive submitted a Report which requested that the Comhairle appoint a Member to serve on the Western Isles Duke of Edinburgh Committee, following the recent resignation of Mr Ranald Fraser.

**It was agreed that Mr Paul Finnegan be appointed as the Comhairle's representative on the Western Isles Duke of Edinburgh Committee.**