



COMHAIRLE NAN EILEAN SIAR

SUSTAINABLE DEVELOPMENT COMMITTEE

Minute of Meeting held via MS Teams on
Wednesday, 23 September 2020 at
2.00pm.

PRESENT	Mr Donald Crichton (Chair) Mr Norman MacDonald (Vice-Chair) Mr Calum Macmillan Mr Iain A MacNeil Mr Donald Manford Mr Roddy Mackay Mr Uisdean Robertson	Mr Norman A MacDonald Mr Alasdair Macleod Mr Angus McCormack Mr Gordon Murray Mr Roddie Mackay Mr John Mackay
APOLOGIES	Mr Iain M Macaulay Mr Neil Mackay	Mr John A Maciver
MEMBERS IN ATTENDANCE	Mr Paul Steele Mr Iain M Macleod Mr Paul Finnegan Mr Ranald Fraser	Mr Angus Morrison Mr Charlie Nicolson Me Kenny John Macleod
OFFICERS IN ATTENDANCE	Mr Calum Iain Maciver Mr Robert Emmott Mr Joe Macphee Mr Pete Middleton Mr Murdo Mackay Mrs Anne Macdonald Mr Colin George Morrison	Mrs Mairi Maciver Ms Seonaid MacDonald Miss Mairi Sine MacDonald Mrs Fiona Maciver Mr Derek Mackay Mr Nigel Scott Mr Alan MacDonald

Prayer The Meeting was preceded in prayer by Mr Charlie Nicolson.

Tribute: Mr Archie Campbell The Chairman paid tribute to Mr Archie Campbell who had passed away on Friday 6 March 2020. Mr Campbell had served as Vice Chairman and Chairman of the committee and had carried out his duties with professionalism. He was very articulate and was able to defuse any situation with his wit and charm. His chairmanship was a masterclass on how to do the job and he had left a legacy for his successors to learn from. He was also a dedicated public servant for his ward and the wider community and the pleasure of his company would continue to be missed.

On behalf of the Committee, the Chairman extended sincere condolences to Archie's wife Ada and family.

Tribute: Officers and Staff The Chairman paid tribute to all Comhairle officers and staff for the resilience they had shown in the face of unprecedented challenges arising from Covid-19 and the speed with which they had responded to the needs of the community. The Chairman, on behalf of the Committee, thank colleagues at Business Gateway who had assisted individuals and local businesses in these difficult times and also the, Director for Communities and the Head of Economic Development and Planning for their leadership and coordination of response and recovery plans.

The Chairman highlighted the recent news that BiFab had been unsuccessful in bidding for the SSE Renewables Contract for the East Coast which would have implications for the Arnish fabrication yard, its workforce and the local economy. He indicated that both he and the Director for Communities would be meeting with Mr Paul Wheelhouse, Minister for Energy, Connectivity and the Islands on 30 September and that they would raise the matter to highlight concerns with a view to open a new dialogue with all stakeholders and to seek a more sustainable future for Arnish.

MINUTES

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| Minute of Meeting of Fisheries Joint Consultative Committee of 28 August 2020 | 1 | The Minute of Meeting of Fisheries Joint Consultative Committee of 28 August 2020 was noted . |
| Declaration of Interest | 2 | Mr Calum Macmillan declared a non-pecuniary interest as his wife was employed in the Economic Development Department and remained in the meeting during consideration of item 4. |

PERFORMANCE MANAGEMENT

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| Performance Management 2019/20 Quarter 1 Economic Development and Planning | 3 | With reference to item 8(a) of the Minute of Meeting of Comhairle of 24 June 2020 the Head of Economic Development and Planning submitted a Report providing an overview of the Communities Department Business Plan progress and related performance as at Quarter 1. The Report stated that the Communities Department Business Plan had 16 Actions and 18 Key Performance Indicators of relevance to the Committee in respect of Building Standards, Business and Regeneration Support, Sectoral and Project Support, Heritage Services and Planning Services. The Report indicated that all Business Units were anticipated to out-turn to or ahead of budget and that no complaints had been received in the quarter. |
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The Report provided an overview of business performance, risk management, financial performance and stated that the key area of concern through Quarter 1 had been ensuring an appropriate response to the COVID-19 pandemic across all service areas. Services had coped well in a disciplined manner that ensured the community received a service appropriate to the stage of the Scottish Government Route Map in operation at the particular time.

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

HERITAGE SERVICES

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| Museum and Archive Accreditation: Extension of Validity Period for Museum and Archive Policies | 4 | With reference to item 15 of the Minute of Meeting of 1 March 2017 and item 12 of the Minute of Meeting of 27 September 2017 the Head of Economic Development and Planning submitted a Report which sought approval for the extension of the validity period for all operational policies for Heritage Services in line with Accreditation timetables. The Report stated that the Museum Accreditation Scheme was the UK industry standard for museums and galleries which set out nationally-agreed standards of good practice and enabled museums to assess their current performance, as well as supporting them to plan and develop their services. |
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The Report summarised the benefits of being fully Accredited and stated that to achieve Accreditation, a museum must meet published requirements on how it was governed and managed, how it cared for and managed its collections, and what information and services it offered to museum users. A list of the Comhairle's current Heritage Service Policies was provided in the Appendix to the Report.

Members acknowledged the significant amount of work involved in the Accreditation process and sought assurances that there were sufficient resources to undertake the work. Management indicated that there were concerns but that this will be addressed going forward.

It was agreed to recommend that the Comhairle approve the extension of the validity period to March 2022 for the Policies detailed in the Appendix in order to support the accreditation process for Museum nan Eilean (Steornabhagh), Museum nan Eilean (Sgoil Lionacleit) and Tasglann nan Eilean.

ABATTOIRS

It was agreed that the public, including the press, be excluded from the meeting during consideration of the following two items 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).

Uist and Barra 5*
Abattoirs

With reference to item 7 of the Minute of Meeting of 26 February 2019 the Head of Economic Development and Planning submitted a Report seeking approval of the continued support for the provision of abattoir services in Uist and Barra during 2020/21. The Report stated that the Comhairle had entered into a short-term lease arrangement with the Lochmaddy and Gearradhnmhor abattoirs in previous years. The Lochmaddy facility had subsequently closed to community use during the 2019 lease period and the Comhairle had agreed additional funding for Gearradhnmhor Abattoir to reflect the increase in throughput as a result of the closure of the Lochmaddy Abattoir.

The Report further stated that, subject to confirmation from Lochmaddy Abattoir, it was proposed that the funding be split 50/50 and in the event that Lochmaddy Abattoir did not open, it was proposed to follow the same process that had been adopted for the 2019 season, namely that the balance of funds be made available to the Gearradhnmhor Abattoir subject to evidence being provided on the additional throughput. Throughput remained low and both operators had indicated in the past that support from the Comhairle was essential to allow continuation of the service.

It was agreed to recommend that the Comhairle agree to lease the Gearradhnmhor and Lochmaddy Abattoirs for a 22-week period during 2020/21, on such terms and conditions as the Chief Executive, in consultation with the Director for Communities, shall determine.

FISHERIES

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 as amended namely information relating to the financial or business affairs of any particular person (other than the Comhairle).

Fisheries 6*
Investment Scheme

With reference to Item 12 of the Minute of Meeting of 28 November 2012 and item 10 of the Minute of Meeting of Audit and Scrutiny Committee of 5 December 2012, the Head of Economic Development and Planning submitted a Report seeking to homologate the approval of a grant application to the Fisheries Investment Scheme (FIS) which fell out with the criteria of the Scheme of Administration. The Report stated that the current Fisheries Investment Scheme had been in operation since October 2012 and had loaned over £1.5M to over 40 applicants across the islands.

A Fisheries Investment Scheme application has been received from an applicant who had identified and wished to purchase a new fishing vessel. The Report provided details of the total project cost including contributions from the applicant, the Comhairle and Bank funding and stated that, due to Covid-19, the applicant had been unable to secure funding from his own bank and had approached the Comhairle for 60% funding. The current FIS Scheme of Administration allowed for 40% contribution from the Comhairle.

The Report further stated that no changes were proposed to the current FIS Scheme of Administration. However, with the prospect of other similar cases, it was proposed to delegate authority to the Director for Communities and the Director for Assets, Finance and Resources to approve FIS projects up to 60% in exceptional circumstances.

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

- (1) to homologate the action of the Director for Communities and the Director for Assets, Finance and Resources to approve the Fisheries Investment Scheme application; and**
- (2) to delegate authority, in exceptional circumstances, to the Director for Communities and the Director for Assets, Finance and Resources to approve Fisheries Investment Scheme applications for up to for 60% of eligible project costs up to a maximum of £100,000.**

Kallin Harbour Improvement Update	7	<p>The Head of Economic Development and Planning submitted a Report providing an update on improvements proposed at Kallin Harbour to maximise the space and ensure the safety of users. The Report stated that Kallin Harbour was an increasingly busy harbour supporting several fishing and non-fishing industry sectors and that in order to identify and address congestion issues in and around Kallin harbour a series of meetings had been held with harbour users and stakeholders. The area had been surveyed for solutions to remove a derelict live-storage shed and the former ice-plant's reinforced-concrete base plinth, the provision of additional berthing on the pier's outer face and an additional fuel-tank at the end of the pier; and importantly improvements to the port safety layout of the harbour. The Report stated that the impact of the COVID-19 lockdown had delayed development of the plan proposed and provision of certain pre-tender information requirements. An initial draft plan for a revised layout at Kallin Harbour was provided in the Appendix to the Report.</p> <p>The Report indicated that officers were investigating potential funding sources to take the improvements forward, including: the local European Maritime and Fisheries Fund (EMFF) (deadline 30 October 2020) and the Rural Tourism Infrastructure Fund (RTIF), the deadline for applications being 30 September 2020.</p> <p>It was agreed to recommend that the Comhairle note the progress on improvements proposed at Kallin Harbour, Grimsay, Isle of North Uist.</p>
Outer Hebrides European Maritime and Fisheries Fund Community Led Local Development 2014-2020	8	<p>With reference to item 3 of the Minute of Meeting of 1 May 2019, the Head of Economic Development and Planning submitted a Report providing an update on progress of the Outer Hebrides European Maritime and Fisheries Fund (EMFF) Community Led Local Development Programme (CLLD). The Report stated that the Outer Hebrides Fisheries Local Action Group (FLAG) had been awarded £528,000 to deliver the Community-led Local Development (CLLD) element of EMFF. To date sixteen projects detailed in the table in the Report, had been approved by the FLAG with grant assistance of £427,627 supporting project costs of £1,444,238. The Report confirmed that irrespective of the final outcome of leaving the EU, funding for projects through EMFF must be committed by 31 December 2020. In addition, projects could be completed and grant assistance claimed to 30 September 2022. It was noted that £100k required to be committed by the end of the year and that there had been some expressions of interest.</p> <p>It was agreed to recommend that the Comhairle note the Report.</p>
Improving Protection for Priority Marine Features outside the MPA Network and Management Measures for the Sound of Barra SAC	9	<p>With reference to item 10 of the Minute of Meeting of 26 September 2018 the Head of Economic Development and Planning submitted a Report providing an update on progress from Marine Scotland consultation meetings on Priority Marine Features (PMF) and proposed fisheries management measures for the Sound of Barra Special Area of Conservation (SAC). The Report stated that stakeholder meetings held during March 2020 in both Stornoway and Benbecula had been well attended by local fishermen. The Report summarised the outcomes from these meetings and stated that there was a degree of willingness by Marine Scotland to look again at the extent of PMF management zones based on feature concentration and bottom contacting fishing activity, minimising the extent of the zone and its impact on fishing activity.</p> <p>The Report stated that Marine Scotland had doubts that a zoned approach in a designated area could be achieved in in the Sound of Barra. The response at the Benbecula stakeholder meeting by local fishing and processing operators was, if the prohibition was implemented it would result not only in the loss of fishing jobs but also the closure of Kallin Shellfish with the loss of 30 onshore jobs.</p> <p>The Report highlighted that urgent discussions were required with Scottish Government Ministers to oppose the proposal for all bottom contacting gear to be prohibited from the Sound of Barra and to accelerate the agreed action in the Economic Recovery Strategy. In addition the Report highlighted that there was no commitment or proposals to undertake an Island Communities Impact Assessment in relation to this proposal.</p>

It was agreed to recommend that the Comhairle:

- (1) note the outcome of the stakeholder meetings on Priority Marine Features;**
- (2) agree that the prohibition of all bottom contacting gear in the Sound of Barra is wholly unacceptable due to the devastating impact on local jobs at a time of local and global economic crisis; and**
- (3) agree that strong representations are made to the Scottish Government as a matter of urgency.**

Outer Hebrides Pilot Pot Limitation Scheme 10

The Head of Economic Development and Planning submitted a Report providing information on the progress being made in establishing a pilot pot limitation scheme in the Outer Hebrides. The Report stated that following a Marine Scotland consultation it had been agreed that, with support from the Outer Hebrides Regional Inshore Fisheries Group (OHRIFG) and with strong support from local static gear fishermen, that the Outer Hebrides would host a Pilot Pot Limitation Scheme to ascertain whether an electronic tracking system could accurately monitor static gear fishing activity and manage a pot limitation scheme.

The Report further stated that the OHRIFG were of the view that the pilot pot limitation scheme would:

- (a) help reverse decreasing catch per unit effort rates;
- (b) help reduce gear conflict between static and mobile gear vessels;
- (c) prevent gear being placed on the ground to stop others from fishing;
- (d) help improve health and safety; and.
- (e) encourage the fishing industry to take a more responsible role in the management of the marine environment by taking an active role in the policing of creel restrictions.

A number of scheme areas were currently being developed with Marine Scotland's Policy, Science and Compliance divisions. It was anticipated that the scheme would be operational for the first 40 vessels (early adopters) by 1 November 2020. The Scheme criteria afforded an opportunity to new entrants to apply and consideration will be given on a case by case basis. A map showing the Pilot Pot Limitation Scheme Area was provided in the Appendix to the Report.

It was agreed to recommend that the Comhairle note the progress being made in establishing an Outer Hebrides Pilot Pot Limitation Scheme.

PLANNING

Planning Performance Framework 11

The Head of Economic Development and Planning submitted a Report in relation to the Comhairle's Planning Performance Framework (PPF) and stated that, as part of the ongoing modernisation of Planning Services across Scotland, Local Authorities had made a commitment to the continuous improvement of the planning system in Scotland. Positive feedback had been received from Scottish Government in relation to the Comhairle's 2018-19 PPF Report and was detailed in Appendix 1 to the Report.

The Report further stated that the service had continued to achieve good outcomes with targets being met and delivered against increasing economic cutbacks, recruitment challenges and diminishing staff resources. The Comhairle's PPF Report for 2019-2020 was provided at Appendix 2 to the Report.

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

- (1) the Scottish Government Feedback on the Comhairle's 2018/2019 PPF Report as detailed in Appendix 1 to the Report; and**
- (2) the submission of the Planning Performance Framework Report for 2019-2020 to the Scottish Government based on the approved Communities Department Business Plan and ongoing work within the Service.**

Scottish Government Consultation Planning - Pre-Application Consultation (PAC) with Communities - Major and National Developments 12

The Head of Economic Development and Planning submitted a Report seeking delegation to respond to a Scottish Government Consultation on Pre-Application Consultations (PAC) by developers with communities on developments classed as major or national in the Planning Hierarchy. The Report stated that the Scottish Government sought views on the detail of the proposed changes to the PAC process by the deadline of 6 November 2020. The proposed changes to PAC followed on from the Planning (Scotland) Act 2019 and were part of a wider package of measures on further improving community engagement in planning matters and building public trust.

The Report stated that the proposed changes sought to strengthen and add more structure to the process and would aid developers by seeking to clarify situations where PAC required to be repeated. It was proposed that a response be prepared in respect of the changes proposed (which were subject to an island communities impact assessment (screening)) with due regard to the particular development context in the Outer Hebrides.

It was agreed to recommend that the Comhairle authorise the Director for Communities to prepare and submit a response to the consultation document ahead of the closing date for responses.

Scheme of Administration Planning Applications Board - Change to Time Out Protocol 13

With reference to item 6 of the Minute of Meeting of Comhairle of 16 May 2017 the Head of Economic Development and Planning submitted a Report seeking approval of an update to the Scheme of Administration in regard to the Time Out Protocol when determining planning applications. The Report stated that the Comhairle had established the Planning Applications Board on 16 May 2017 as part of a review of its Scheme of Administration. The Planning Board acts to discharge certain statutory duties of the Comhairle, acting in the capacity of the Planning Authority for the Eilean Siar administrative area.

The Report further stated that the Board's Time Out Protocol would benefit from being updated to improve the functioning of Board meetings and to safeguard against potential challenges to decisions of the Board. The proposed amended Time Out Protocol, provided at Appendix 2, to the Report introduced a time limit while also clarifying the requirements for (and roles of) Elected Members and officers when an amendment was proposed contrary to officer recommendation. The updated protocol would also be effective at Comhairle when it is required to make a determination on a planning matter.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle agrees to replace the existing Time Out Protocol with the new protocol set out in Appendix 2 to the Report and that the Scheme of Administration is updated to reflect the change.

ECONOMIC DEVELOPMENT

Town Centre Fund - Balivanich Regeneration 14

With reference to item 11 of the Minute of Meeting of 1 May 2019 the Head of Economic Development and Planning submitted a Report seeking agreement on the use of the awarded Town Centre Fund to progress a series of improvement projects in Balivanich as part of the Balivanich Strategic Vision. The Report stated that the Comhairle had agreed to prioritise the Balivanich Strategic Vision regeneration strategy for funding under the Town Centre Fund, providing the opportunity to accelerate a set of short term 'quick win' projects identified by the community in order to build confidence and commitment to the regeneration of Balivanich. The funding also provided the opportunity to finally implement aspects of the previous Building a Better Balivanich Community Plan and to focus resources on supporting aspects of the current North Uist and Benbecula Locality Plan.

The Report further stated that the project proposals aligned with the Balivanich Strategic Vision and the North Uist and Benbecula Locality Action Plan and that discussions had been held with the North Uist and Benbecula Locality Group, Benbecula Community Council and Uist Economic Taskforce Working group.

The projects that could be delivered within the Town Centre Fund timescales and eligibility criteria, ensuring the right balance of community led priorities against cost/benefit, alignment with Comhairle policy, value for money and risk, were presented in the Appendix to the Report. As a consequence of Covid-19, estimated costs were likely to rise and therefore a prioritising exercise may be required when costs were finalised and Officers would continue to explore other funding opportunities.

It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle agree the list of proposals to be submitted under the Town Centre Fund and delegate authority to the Director for Communities in consultation with the Director for Assets, Finance and Resources to approve the allocation of Town Centre Funds to the proposed projects.

PERFORMANCE MONITORING

Reports
Outstanding

15

The Chief Executive submitted a Report detailing the Reports outstanding arising from the decisions of the Committee.

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

URGENT ITEM

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

Cinema Sgìre
Collection:
Donation to
National Library of
Scotland

16

The Head of Economic Development and Planning submitted a Report seeking approval for the donation of the Cinema sgìre Collection to the National Library for Scotland (NLS) Moving image Archive for permanent preservation and for the Heritage Service work in partnership with NLS thereafter in regard to digitisation access and cataloguing. The Report stated that Museum nan Eilean held a collection of around 100 rare format video tapes which were produced as part of the Cinema Sgìre film project between 1977 and 1981. The Report recommended that the collection be donated to the National Library of Scotland (NLS) Moving Image Archive to ensure its long-term preservation, as digitisation of the tape format on which the material was recorded was very complex. There was an urgent need to progress with the digitisation project as the tape content was deteriorating.

The Report further stated that under the proposed Donation Agreement, Comhairle nan Eilean Siar would retain ownership of the Intellectual Property Rights in the collection and would be given digital access copies for its own use and be authorised to license commercial use. The Report indicated the intention to develop a formal project partnership between the Heritage Service and the NLS Moving Image Archive to collaborate on fund raising and community engagement.

Assurances were given to the Committee that all community heritage organisations would get access and the only restriction would be for commercial access which would incur a licensing charge. The material would be put on the website of the 'Moving Image Archive' once the digital copies are complete and part of the project would be to involve the community to assist with the cataloguing process.

It was agreed to recommend that the Comhairle:

- (1) approve the donation of the Cinema Sgìre Collection to the National Library of Scotland Moving Image Archive on the basis of the Donation Agreement appended to the Report; and**
- (2) authorise the Director for Communities to enter into a Project Partnership Agreement with the National Library of Scotland on such terms as the Director, in consultation with the Chief Executive, considers appropriate.**