



COMHAIRLE NAN EILEAN SIAR

Minute of Meeting held by Microsoft Teams on Wednesday 24 June 2020 at 10.00am.

PRESENT

Mr Norman A MacDonald (Convener)
Mr Roddie Mackay (Leader)
Mr Calum Macmillan
Mr Iain A McNeil
Mr Donald Manford
Mr Paul F Steele
Mr Roddy MacKay
Mr Iain M Macleod
Mr Uisdean Robertson
Mr Finlay Cunningham
Mr Paul A Finnegan
Mr John G Mitchell
Mr Angus Morrison
Mr Norman Macdonald
Mr Ranald Fraser
Mr Alasdair Macleod
Mr Charlie Nicolson

Mr Finlay Stewart
Mr Keith Dodson
Mr Gordon Murray
Mr Charlie Nicolson
Mr Rae Mackenzie
Mr Angus McCormack
Mr Ian M Macaulay
Mr Neil Mackay
Mr John A Maciver
Mr Donald F Crichton
Mr Calum Maclean
Mr John Mackay
Mr Kenneth Macleod
Mr Kenny J Macleod
Mr John N Macleod

IN ATTENDANCE

Mr Malcolm Burr
Mr Robert Emmott
Mr Bernard Chisholm
Mr Iain Mackinnon
Mr Calum Iain Maciver
Mr David Macleod
Mr David Gibson
Mr Iain Watson
Mr Colm Fraser
Mr Joe Macphee
Mr Kenneth Morrison

Mrs Mairi Maciver
Mr Norman MacDonald
Mr Calum Mackenzie
Mr Tim Langley
Mr Derek Mackay
Mr Nigel Scott
Mr Colin G Morrison
Mrs Marina Macaulay
Mr Steven Ferguson

Tribute: Ongoing Response to COVID-19

The Convener referred to all the key workers for their continued work during the COVID-19 pandemic. He stated that he was full of admiration for the ongoing response work being carried out locally by all agencies.

The Convener, on behalf of the Comhairle, thanked all of the communities throughout the Western Isles who had responded magnificently during this difficult and challenging period and paid tribute to all key workers and the communities of the Western Isles for the response to COVID-19 throughout the islands.

Tribute: St Valery

The Convener referred to the commemoration ceremony which took place on 12 June 2020, at the Clock Tower, outside the Nicolson Institute, where members of the Schools' Pipe and Brass Bands played, to mark the 80th Anniversary of the Battle at St Valery which saw the capture of thousands of allied troops during World War II.

The Convener, on behalf of the Comhairle, thanked the School's instrumental tutors for their organisation of this commemoration and the school's talented musicians for giving up their time to take part.

Tribute: Armed Forces Week

The Convener, on behalf of the Comhairle, paid tribute to the Armed Forces on Armed Forces Week.

On behalf of the Comhairle, the Convener paid tribute to all those who had served in the Armed Forces and to all those who were currently serving in many capacities to help safeguard the nation.

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Tribute: Cllr Paul Steele	The Convener, on behalf of the Comhairle, extended sincere condolences to Cllr Paul Steele, whose Grandmother had passed away last week in the Sacred Heart Care Home, South Uist.
Tribute: Doileag Macleod	The Convener, on behalf of the Comhairle, extended sincere condolences to Doileag Macleod in Sgioba na Gaidhlig, whose husband Aonghas Iain had passed away in May and also extended best wishes to the extended family and in particular the daughters, Mairead and Dena Anne.
Tribute: Comhairle Website	<p>The Convener referred to the Comhairle website which had come in at number 7 in the 2020 Quarter 2 Local Government Index with a score of 8.8 out of 10 and was the only Scottish website in the top 10.</p> <p>The Convener, on behalf of the Comhairle, paid tribute to all the IT and Communications Officers involved in the work that had gone in to the website.</p>
Tribute: Katie Campbell, Daliburgh School Canteen	<p>The Convener paid tribute to Katie Campbell, who worked in Daliburgh School Canteen and had been with the Comhairle for 45 years.</p> <p>The Convener, on behalf of the Comhairle, paid tribute to Katie's long and faithful service.</p>
Tribute: Diamond Wedding Anniversary	<p>The Convener paid tribute to Angus and Murdina Mackenzie, from Lionel, Ness who had recently celebrated their Diamond Wedding Anniversary on 15 June 2020.</p> <p>The Convener, on behalf of the Comhairle, wished them both many more happy and healthy years together.</p>
Prayer	The Meeting was preceded by prayer, led by Mr Gordon Murray.

MINUTES

Minute of Meeting of Comhairle nan Eilean Siar of 6 May 2020	1	The Minute of Meeting of Comhairle nan Eilean Siar of 6 May 2020 was approved , subject to the addition of Mr John N Macleod, in the list of those present.
Minute of Meeting of Planning Applications Board of 14 May 2020	2	The Minute of Meeting of the Planning Applications Board of 14 May 2020 was noted .
Minute of Meeting of Employee Joint Consultative Committee of 5 June 2020	3	The Minutes of Meetings of the Employee Joint Consultative Committee of 5 June 2020 and 17 June 2020 were approved .
Decision Report of Audit and Scrutiny Committee of 23 June 2020	4	The Decision Report of the Audit and Scrutiny Committee of 23 June 2020 was approved .
Minute of Meeting of Human Resources Sub-Committee of: (a) 28 May 2020 (b) 23 June 2020	5	The Minutes of Meeting of the Human Resources Sub-Committee of 28 May 2020 and 23 June 2020 were noted .
Declaration of Interest	6	<p>Mr Iain M Macleod, Mr Roddy Mackay and Mr Finlay Cunningham declared an interest in Item 10, as Board Members of Tighean Innse Gall, and left the meeting during consideration of the matter.</p> <p>Mr Norman A MacDonald declared an interest in item 10 as his brother was employed by Tighean Innse Gall and left the meeting during consideration of the matter.</p>

Mr Donald Crichton declared an interest in Item 10, as his nephew was employed by Tighean Innse Gall and left the meeting during consideration of the matter and in item 29, as he was a representative of the LEADER Group, and remained in the meeting during consideration of the matter.

Mr Calum Macmillan declared an interest in item 24, as a Director of South Uist Estates, and remained in the meeting during consideration of the matter and in item 28 as his wife was employed in the Business Gateway Service and left the meeting during consideration of the matter.

QUESTIONS

Written Questions
to the Convener
and Chairmen of
Committees

7 The following written question was submitted by Mr John Mitchell:

“Should community consultation take place before or after decisions?”

The Chief Executive responded as follows:

“If a future decision is one on which the Comhairle is obliged to consult, or is a decision about which a community has a legitimate expectation of being consulted, consultation should clearly take place before a decision is made, and the Comhairle’s consultation policy makes provision for doing so. But not all decisions are the subject of consultation, for example, operational decisions about implementation of an agreed policy, or about employee matters, or about basic matters of service provision. Implementation of these decisions may be communicated, so that there is information and awareness, and transparency as to how decisions are being implemented, and to give communities an opportunity to comment on how well or not well a policy is working, but that is different from consultation.”

The following supplementary question was submitted by Mr John Mitchell to the Chairman of the Education, Skills and Children’s Services Committee:

“Is the Chairman of the Education, Skills and Children’s Services Committee happy with the level of consultation in relation to the Executive Head Teacher posts?”

The Convener indicated that he would ask the Chairman of the Education, Skills and Children’s Services Committee to respond directly to Mr Mitchell.

PERFORMANCE MONITORING PERFORMANCE MANAGEMENT 2019/20: QUARTER 4

Communities
Department

8(a)

With reference to item 10(a) of the Minute of Meeting of 6 May 2020 the Director for Communities submitted a Report providing a summarised, consolidated overview of performance issues across the Communities Department for the period up to 31 May 2020. The Report stated that the Communities Department covered the following service areas: Consumer and Environmental Services; Housing Services; Municipal Services; Building Standards; Library and Information Service; Heritage Service; Development Planning and Management; and Economic Development. The Report provided an overview of key activities and highlights for each service area.

The financial performance relating to Communities and Housing Committee, Sustainable Development Committee and the Transportation and Infrastructure Committee in relation to Municipal Services were detailed in Section 13 to the Report. Across the Communities Department there had been variances across different budget lines and between Committees. Overall, however, the final Departmental out-turn was a £45k underspend on total budget.

The Report further stated that the Covid-19 pandemic had resulted in normal business activities being severely disrupted and curtailed, with the vast majority of Department staff working remotely since lockdown measures were introduced. Through the utilisation of IT and telephony most Services continued to operate in as close-to-normal as possible while observing the required isolation and social distancing measures.

The Director for Communities would circulate further information to Members on revised Funding agreements with Arts Organisations in light of COVID 19 and progress with the Countryside Trust.

It was agreed to note the Performance Management 2019/20: Quarter 4 (Year End) Report for the Communities Department.

Education, Skills and Children's Services 8(b) With reference to item 10(b) of the Minute of Meeting of 6 May 2020, the Director for Education, Skills and Children's Services submitted a Report providing an overview of the Education, Skills and Children's Services Department Business Plan progress and related performance for the fourth quarter of 2019/20. The Report stated that the Education, Skills and Children's Services Department Business Plan had 22 Actions, five of which required monitoring and the remainder were on track. The Report indicated that the Department had reported on 32 Performance Indicators (PIs). 17 of the PIs had achieved their target (Green), eight were within the target variance (Amber) and seven did not achieve their target (Red). Details of the PIs that did not achieve their target were detailed at Section 5 of the Report.

The Report stated that Operational Risk within the Department was monitored on Interplan and reported externally via the Comhairle's website. At quarter four it indicated that twelve risks were being monitored and they were detailed at Section 6 of the Report. The Report detailed the financial position of the Department at the end of quarter four, provided by accountancy, at section 7 of the Report. The Report highlighted that the Department outturn was within budget tolerances. The Report further stated that in quarter four the Department received four Stage 2 complaints and 62 Freedom of Information request.

It was agreed to note the Performance Management 2019/20: Quarter 4 (Year End) Report for the Education, Skills and Children Department.

Chief Executive's Department 8(c) With reference to Item 10(c) of the Minute of Meeting of 6 May 2020 the Chief Executive submitted a Report which provided an update on the the progress of corporate policy matters and presented the End of Year Report for the 2019/20 Departmental Business Plan.

The Chief Executive's Department Business Plan showed that there were 32 Actions and 32 Key Performance Indicators in the 2019/20 Business Plan. 27 out of the 32 actions set out showed that they have been completed at the end of Quarter 4, with five actions showing amber. Key Performance Indicator information highlighted that of the 32 KPIs: 26 were on track, one required monitoring and five were off track.

The Report stated that the Chief Executive's Department had no Stage 1 or stage 2 complaints during 2019/20.

In conclusion, the Report stated that the Chief Executive's Department had good controls on business planning, governance and budget management.

It was agreed to note the Policy Overview and progress of specific policy areas; and the End of Year Business Plan Performance Monitoring Report for Chief Executive's Department.

Assets, Finance and Resources 8(d) With reference to item 10(d) of the Minute of Meeting of 6 May 2020 the Director for Assets, Finance and Resources submitted a Report which provided an overview of the Strategic Finance, IT and Internal Audit Business Plan progress and related performance for Quarter 4, 2019/20.

The Report stated that the Business Plan had 9 Actions, of which 4 had met their target and the service has 10 Performance Indicators (PIs), 8 of which had met their target.

From a strategic financial point of view, it was stated in the Report that the biggest challenge was realising redesign savings which was addressed in the concurrent Budget Strategy Update Report. It was noted in the Report that the IT team had made a vital contribution to the work of the Comhairle during the pandemic supporting some 350 staff working remotely.

Financial performance was set out in the Report and it was expected that services would come in on budget at the end of the financial year.

The Report stated that the service had received no complaints for the fourth quarter of 2019/20.

It was agreed to:

- (1) note the Report;**
- (2) extend the timeline on Council Tax exemptions and discounts for a six-month period where permitted in law; and**

- (3) authorise the Director for Assets, Finance and Resources, to extend the exemption of 100% additional Council Tax on long term empty properties for those properties under repair and unoccupied, by up to twelve months (beyond the current two year maximum), where he was satisfied that exceptional circumstances had prevented the works being completed and this be backdated to 1 April 2019.**

Accountancy and Exchequer Services 8(e)

With reference to item 10(e) of the Minute of Meeting of 6 May 2020 the Director for Assets, Finance and Resources submitted a Report which provided an overview of the Accountancy and Exchequer Services Business Plan progress and related performance for Quarter 4, 2019/20.

The Report stated that the Business Plan had 8 Actions for 2019/20, all of which had come in on target. The service had 18 Performance Indicators (PIs), and at the end of the year 14 had come in on target, 1 was below 100% and 3 were below 79% of their target.

A detailed analysis of the section's performance was provided in the Report.

The financial performance was set out in the Report and showed that the service had an underspend of £93k for the financial year 2019/20.

It was stated in the Report that the service had received no complaints for the fourth quarter of 2019/20.

It was agreed to note the Performance Management 2019/20: Quarter 4 (Year End) Report for Accountancy and Exchequer Services.

Investment Delivery 8(f)

With reference to item 8(f) of the Minute of Meeting of 6 May 2020 the Director for Investment Delivery submitted a Report which provided an overview of the Property and Infrastructure Business Plan progress and related performance for the year 2019/20.

The Report stated that the Business Plan had 21 Actions for the year of which 16 had met their target, 3 were between 79 and 100% complete, 2 were less than 79% complete and there were no performance indicators to report.

A detailed analysis of the section's performance for the year was provided in the Report and it was stated that operational risk within Property and Infrastructure was monitored on Interplan and reported externally via the Comhairle's website.

The Report provided details of the final outturn financial position of the Property and Infrastructure Service for 2019/20, provided by Accountancy, which was £240k overspent including Winter Maintenance.

The Report stated that the service received no complaints for the fourth quarter of 2019/20.

It was agreed to note the Performance Management 2019/20: Quarter 4 (Year End) Report for Investment Delivery.

Property and Infrastructure 8(g)

With reference to item 6 of the Minute of Meeting of Transportation and Infrastructure Committee of 26 February 2020, the Head of Property and Infrastructure submitted a Report providing an overview of the Property and Infrastructure Business Plan progress and related performance for the year 2019/20. The Report stated that there were twenty one Actions recorded in the Business Plan for 2019/20, sixteen were to target and five required further monitoring. Of the five actions that were off track the three highlighted in amber related to the implementation of the Internal Audit recommendation for roads maintenance, piers and harbours and operational depots. The two actions in red related to the delivery of actions and projects within the 2016-2021 Outer Hebrides Local Flood Risk Management Plan and the management of the building service contracts.

The financial performance figures showed a £240k overspend of a total budget of £5,132k for the Property and Infrastructure Service for 2019/20. The service received no complaints for the fourth quarter of 2019/20 and the key highlights and areas of concern were detailed in Section 9 to the Report. The Report stated that Covid-19 had had a marginal effect on 2019/20 year end, but it would likely to have a significant impact on 2020 Business Plan Targets.

It was agreed to note the Report.

COMMUNITIES AND HOUSING

Consumer and Environmental Services Service Plan 2020-21 9 With reference to item 8 of the Minute of Meeting of the Communities and Housing Committee of 18 June 2019 the Director for Communities submitted a Report which sought approval for the Consumer and Environmental Services Plan for 2020-2021. The Report stated that the Comhairle was required to develop certain Service Plans to satisfy external agreements such as the Framework Agreement on Local Authority Food Law and Enforcement, the National Performance Framework for Trading Standards Services and the framework agreement in place that related to Animal Health and Welfare. The Framework Agreements required that these Plans be approved by the relevant member forum to ensure local transparency and accountability. The combined Consumer and Environmental Services Plan for 2020/21, including external agreements, was detailed in the Appendix to the Report.

It was highlighted in the Report that the majority of the Plan had been prepared prior to Covid-19 and that Services were aiming to implement it, where achievable, whilst following current restrictions. The Services were also involved in ensuring that some of the legislative requirements of the new Covid-19 regulations were implemented.

It was agreed to approve the Consumer and Environmental Services Service Plan for 2020/21.

Home Energy Efficiency Programmes: Area Based Schemes – Reappointment of Tighean Innse Gall as Managing Agent for 2020/21 10 With reference to item 9 of the Minute of Meeting of the Communities and Housing Committee of 30 April 2019 the Director for Communities submitted a Report which sought approval to reappoint Tighean Innse Gall as Managing Agents for the Home Energy Efficiency Programmes: Area Based Schemes (HEEPS:ABS) for 2020/21. The Report stated that the Scottish Government’s HEEPS:ABS was now in its eighth year and it was intended to introduce a new national energy efficiency programme known as Energy Efficient Scotland (EES) in 2020/21 to improve the energy efficiency of homes and buildings in the commercial, public and industrial sector. HEEPS:ABS would form part of the new EES for a transitional year with full implementation expected in 2021/20.

The Report further stated that Tighean Innse Gall had acted as the Comhairle’s Managing Agent for the delivery of HEEPS:ABS since its inception and, given the successful delivery of HEEPS over the last seven years, it was proposed that Tighean Innse Gall be reappointed as Managing Agent to deliver HEEPS in 2020/21. The Report confirmed that a Voluntary Ex Ante Transparency note had been published on the Public Contracts Scotland portal and no other party had expressed an interest. The Report intimated that the Comhairle had been allocated £1.73 of HEEPS funding for 2020/21.

It was agreed to approve the reappointment of Tighean Innse Gall as Managing Agent for the Home Energy Efficiency Programme: Area Based Schemes, for the period 2020/21.

Homelessness Legislation and Rapid Rehousing Progress Update 11 With reference to item 11 of the Minute of Meeting of the Communities and Housing Committee of 26 February 2019 the Director for Communities submitted a Report providing an update on Homelessness Legislation and Rapid Rehousing. The Report stated that as part of their 70 recommendations, the Homelessness and Rough Sleeping Action Group (HARSAG) had recommended that the provisions relating to local connection and intentionality be commenced, and that the Unsuitable Accommodation Order be extended to all homeless households. On 7 November 2019 legislation was implemented to change the duty to assess intentionality to a discretion to do so. The Report further stated that it was anticipated that, following a period of consultation, Scottish Ministers would enforce any changes to local connection by May 2021.

The Report intimated that the Comhairle had submitted its Rapid Rehousing Transition Plan (RRTP) 2019/20-2023/24 in December 2018 and that the Scottish Government had requested the submission of a second iteration by 30 June 2020. Due to the challenges faced by homelessness services in dealing with the current pandemic, a Position Statement and Funding and Activity Monitoring template would be accepted until such time as a second iteration could be submitted.

The Report further stated that it was anticipated that legislative changes to Local Connection and Intentionality would not significantly impact the Comhairle. However, the COVID-19 pandemic had presented the Comhairle with challenges with regard to ongoing provision of temporary accommodation, particularly in light of the amendment to the Unsuitable Accommodation Order. The Report concluded that the Comhairle would continue to work closely with HHP to seek to ensure sufficient allocations of permanent tenancies in order to prevent breaches to the Order as much as could be reasonably achieved and would continue to work in partnership with statutory and third sector agencies in order to progress the objectives of its RRTP.

It was agreed to note the Report.

EDUCATION, SPORT AND CHILDREN'S SERVICES

- Minute of Meeting of Local Negotiating Committee: Teaching Staff of:
(a) 20 May 2020
(b) 3 June 2020
- 12 The Minutes of Meetings of the Local Negotiating Committee: Teaching Staff of 20 May 2020 and 3 June 2020 were **noted**.

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 5 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to the adoption, care, fostering or education of any particular child or relating to the supervision of residence of any particular child in accordance with a supervision requirement made in respect of that child under the Social Work (Scotland) Act 1968 would be disclosed.

- Residential Placements for Children and Young People
- 13* With reference to item 13 of the Minute of Meeting of 6 May 2020, the Head of Children's Services submitted a Report advising the Comhairle of the position with regard to Specialist Mainland Placements for Children and Young People and of the budgetary implications arising from those placements. The final under and over-spend figures for 2019/20 were detailed in the Appendix to the Report.

It was agreed to note:

- (1) the final financial position for the financial year 2019/2020 and the projected financial position for specialist residential provision for 2020/21; and**
- (2) the potential for increasing demand, potentially in the long run, on provision as a result of lockdown and the Covid-19 pandemic.**

- Integrated Children's Services Plan 2020-23
- 14 The Head of Children's Services submitted a Report providing an update on progress towards publishing the 2020–2023 Integrated Children's Services Plan (ICSP). The Report stated that the Integrated Children's Services Plan was based on the legal requirements set out in the Children and Young People (Scotland) Act 2014 and the subsequent Statutory Guidance on Part 3: Children's Services Planning – Second Edition 2020. The Report indicated that the Children and Young People's Planning Partnership were required to have an Integrated Children's Services Plan running from 1 April 2020 until 31 March 2023. The Report further stated that the Scottish Government extended the deadline of 1 April 2020 for the 'foreseeable future' due the Covid-19 pandemic, however work had continued within the local partnership and the Integrated Children's Services Plan was now in final draft form and would be used as a basis for consultation with relevant stakeholders.

It was agreed to:

- (1) note the draft Integrated Children's Services Plan 2020-23; and**
- (2) defer approval of the draft Plan for consultation with relevant stakeholders until the next meeting to enable Elected Members to consider the content in more detail.**

- Children's Rights
- 15 With reference to item 16 of the Minute of Meeting of 6 May 2020, the Director for Education, Skills and Children's Services submitted a Report providing an update on progress with the Children's Rights agenda in the Western Isles. The Report stated that the United Nations Charter for the Rights of the Child had published guidance, detailed in Appendix 1 to the Report, following the emergence of COVID 19 which stated that there was a need to 'Consider the health, social, educational, economic and recreational impacts of the pandemic on the rights of the child.' It stated that children should understand what was happening and feel that they were taking part in the decisions that were being made in response to the pandemic.

The Report further stated that UNICEF UK had published a response to the UNCRC guidance, detailed at Appendix 2 to the Report, which was reflective of its global emergency experience to call for greater coordination at the top of the UK Government to ensure the voices of children were heard, that issues were identified and addressed efficiently, and that children's rights remained a priority for all. The Report highlighted

the importance of ensuring that the voice of children and young people continued to be heard, and that identifying social media platforms most favoured by young people was essential.

It was agreed to note the content of the Report and the appendices.

eSgoil National Offer and Funding

16 This item was withdrawn from the Agenda.

Report by HM Inspectors of Education and Care Inspectorate : Further Engagement Inspections at Tong School and Nursery

17 With reference to item 15 of the Minute of Meeting of 4 December 2018 the Director for Education, Skills and Children's Services submitted a Report informing the Comhairle of the outcome of a further joint inspection of Tong School by Her Majesty's Inspectors from Education Scotland. The inspection was a follow-up on the inspection of the school and Sgoil Àraich, published in November 2018. The Report stated that the follow-up inspection took place from 9 December 2019 with the school receiving 13 working days' notice. The inspection involved a full team of inspectors from Education Scotland and an inspector from Care Inspectorate visiting the school over four days. Education Scotland and the Care Inspectorate published separate findings of the re-inspection with the Care Inspectorate issuing a Report in January 2020 and Education Scotland published a letter on 10 March 2020. The HMIE Inspection letter was detailed at Appendix 1 to the Report and the Care Inspectorate Report at Appendix 2 to the Report.

The Report indicated that upon conclusion of the re-inspection, Education Scotland intimated an intention to conduct one further visit to the school, approximately 12 months from the publication of the letter in March 2020, to provide a final assessment of progress with improvement. The Report further indicated that the subsequent national suspension of inspection following the Covid-19 crisis now made it unclear as to when that inspection would take place but the school continued in the interim to work on concluding the delivery of their Action Plan.

It was agreed to note the findings of the Inspection Reports and recognise the work that the staff, pupils and parents of Tong School and Sgoil Àraich have undertaken to improve their school.

Operation of Hubs for the Children of Key Workers and Vulnerable Pupils during the COVID-19 School Closures

18 The Director for Education, Skills and Children's Services submitted a Report providing information on the operation and functions of the Hubs established for the children of key workers and vulnerable pupils during the period of Covid-19 school closures. The Report stated that following the announcement of national school closures due to coronavirus, the Scottish Government confirmed that childcare provision would continue for two key groups of children and young people: The children of key workers and vulnerable pupils. The Report indicated that the attendance at Hubs across the Comhairle to-date had averaged in the region of 89 and had peaked at 144. That represented an approximate equivalent of 3% to 4% of the total pupil population of the Western Isles.

The Report stated that when attending the Hubs children undertook a blend of online learning set remotely by their own teachers and activities planned by staff at the Hubs. It was highlighted that the Hubs observed social distancing requirements, maintained strong hand and nasal hygiene routines and had PPE available for defined circumstances where it was required. The Hubs were regularly deep cleaned and non-essential visitors were not permitted. The Report further indicated that as the Scottish Government gradually announced arrangements for the re-opening of schools towards August 2020, the scale and operation of the Hubs would continue to be reviewed and adjusted accordingly.

It was agreed to note the Report in terms of the operation of critical provision of Hubs during the Covid-19 crisis.

Move More Programme Update

19 The Director for Education, Skills and Children's Services submitted a Report providing an update on the Move More programme and discussions regarding the potential extension of the programme in the Outer Hebrides. The Report stated that Macmillan Cancer Support had developed a national project called 'Move More' to encourage individuals who had a cancer diagnoses to become more active. This could be pre, during or post treatment. Macmillan Cancer Support were keen to fund a project across the Outer Hebrides managed by the Comhairle.

The Report further stated that following discussions with Macmillan Cancer Support, NHS Western Isles and Sport & Health officers, agreement was reached to provide funding for a 3 year programme providing 1.4 FTE 'Move More' Activity Officers. A full time post was established covering Lewis and Harris and 0.2 FTE posts were established based at

Liniclate and Castlebay. Funding of salary and operational budgets was provided by Macmillan Cancer Support and NHS Western Isles with management and support services provided by the Sport & Health section. The Report highlighted that the programme had been well received by partners, practitioners and those in the community who had been supported and it had helped fill a service gap to some of the most vulnerable in the community.

The Report indicated that the initial funding of the programme was due to end on 13 November 2020. The Report stated that discussions had taken place with both funding partners regarding an extension of the programme through an established 'Move More' Working Group. The estimated cost of maintaining the programme was £58,000 per annum. With the financial implications of the current Covid-19 lockdown unknown decisions had had to be put on hold. A concurrent Report was being presented to Human Resources Sub Committee detailing the financial implications in event that a financial package cannot be secured.

It was agreed to:

- (1) note the Report and the 2019 Move More Annual Report; and**
- (2) authorise the Director of Education, Skills and Children's Services to examine options with partners with a view to extending the programme and associated staff contracts.**

TRANSPORTATION AND INFRASTRUCTURE

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| Minute of Meeting of HITRANS of 24 April 2020 | 20 | The Minute of Meeting of HITRANS OF 24 April 2020 was noted . |
| Service Redesign – Roads Maintenance | 21 | With reference to item 2(a) of the Minute of Meeting of Policy and Resources Committee of 27 February 2020, the Head of Property and Infrastructure submitted a Report on the Roads Maintenance financial position following the £400k reduction in the revenue savings target agreed through the Service Redesign process. The structure of the roads revenue budget, detailed in Appendix 1 and Appendix 2 to the Report, showed the individual categories and elements of the roads revenue budget together with details of service redesign savings. The Report indicated that where budget provision had been removed there was a contingency sum of £100k set aside for emerging maintenance requirements following risk assessment and prioritisation. |

It was agreed to:

- (1) note the Report;**
- (2) agree the budget reduction measures detailed in Appendix 2 to the Report; and**
- (3) authorise the Director for Assets, Finance and Resources to reallocate capital resources within the current roads allocation to undertake preparatory works for the 2023–2028 Capital Programme.**

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| Speed Limit Review: Uig School, Cleascro, Arnol Village, Marybank, Stornoway and Temporary 20mph Zones | 22 | The Head of Property and Infrastructure submitted a Report seeking approval to promote a number of Traffic Orders related to speed limits. The Report stated that the Comhairle as Roads Authority for the Western Isles had powers to promote Traffic Orders regulating vehicle speeds on public roads where it appeared to the authority that such an Order was required. The Comhairle agreed in September 2014 that National Guidelines together with Comhairle Policy be used to establish appropriate speed limits and that any proposed changes be reported back for approval. |
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The Report indicated that subsequent to requests from Elected Members and the public, a number of speed limit locations had been assessed by the Roads, Bridges and Street lighting Section. It was important that speed limits were set within national guidelines to determine the appropriate speed for the road and this included gathering data on vehicle speeds. The degree of compliance reflected the suitability of the speed limit. The Report proposed speed limits at the various locations outlined in Section 5 and as detailed in the maps appended to the Report.

It was agreed to authorise the Director for Assets, Finance and Resources, in conjunction with the Chief Executive, to promote the following Traffic Orders:

- (1) 20mph speed limit at Uig School as detailed in Appendix 1 to the Report;
- (2) 40mph speed limit at Cleascro as detailed in Appendix 2 to the Report;
- (3) 30mph speed limit through Arnol village as detailed in Appendix 3 to the Report;
- (4) 40mph speed limit on the A859, South of Marybank as detailed in Appendix 4 to the Report;
- (5) 30mph speed limit boundary throughout Stornoway as detailed in Appendix 5 to the Report; and
- (6) temporary 20mph zones in Castlebay, Balivanich, Tarbert and Stornoway.

Port Marine Safety Code – Compliance Action Plan Update

23 With reference to item 9 of the Minute of Meeting of Transportation and infrastructure Committee of 26 February 2020, the Head of Property and Infrastructure submitted a Report providing an update on the implementation of the Action Plan arising from the review of the Comhairle’s compliance with the Port Marine Safety Code (PMSC) together with an update on the status of actions outstanding following the Designated Persons Report May 2019.

The Report stated that in relation to the Port Marine Safety Code actions, there were twenty seven recommendations, nineteen of which had been completed and eight were ongoing. Of these eight, six related to staffing and, while initial internal discussions had been held, it was agreed that a longer time frame would be required to review and implement any changes and to explore utilising personnel from other sections of the Comhairle to fill any gaps in the service.

It was agreed to note the progress made to address the outstanding actions as detailed in the Appendices to 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 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).

Disposal of Surplus Assets

24* With reference to item 19 of the Minute of Meeting of Transportation and infrastructure Committee of 26 February 2020, the Head of Property and Infrastructure submitted a Report providing an update on progress with the disposal of surplus assets. An update on the current position in respect of each property declared as surplus was detailed in the Appendix to the Report and the income from the sale of surplus assets to date was summarised at Paragraph 2.2 of the Report. The Report further sought consideration of requests related to the former Lochmaddy School and a Comhairle Quarry in Barra.

It was agreed to:

- (1) note the Report;
- (2) grant North Uist Development Company a final extension to 31 August 2020 to submit a formal offer for the former Lochmaddy School, failing which, the property will immediately be advertised for sale; and
- (3) authorise the Chief Executive, to sell or lease the Comhairle Quarry in Barra following confirmation of valuation, legal title and on such terms and conditions as he, in consultation with the Director for Assets, Finance and Resources, deems appropriate.

Garage and Fleet Replacement Vehicle

25 The Head of Municipal Services submitted a Report seeking approval for the replacement of a Garage Services Van. The Report stated that historically, vehicles of this type had been bought for the best price available on the Local Authority Framework and then worked hard until they were no longer fit for use. The Report proposed that alternative models be considered prior to completion of the procurement process. These included options to lease or purchase, those offering a full maintenance contract and also the option to sell the vehicle at the end of the manufacturer’s warranty period. The Report indicated that due to the current extended lead time for new vehicles, this Report was seeking delegation to allow an order to be placed as soon as the financial assessment had been completed. This would be a test case for the use of smaller vehicles with the intention of feeding into a Comhairle Fleet Management Plan.

It is agreed to:

- (1) **authorise the Director for Assets, Finance and Resources in consultation with the Head of Municipal Services, to determine the most cost effective model for the purchase of fleet vans; and**
- (2) **dependent on the outcome of the above, approve Prudential Borrowing up to £23,000 (£3,559 per annum over eight years) from the Garage Services Trading Account.**

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 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.

Fleet Management System and Stores Reorganisation

- 26* The Head of Municipal Services submitted a Report seeking approval for the prudential borrowing associated with the replacement of the existing Fleet Management System and costs related to the modernisation of the Marybank Depot stores including new stock racking systems. The Report stated that the Fleetmaster Fleet Management System (FMS) used by Garage Services had been in place since the early 2000s and was now outdated. It was not compatible with the Civica Financials package used by the Comhairle which resulted in duplication of work. The Report indicated that three FMS suppliers had been identified that were considered to be suitable.

The Report further stated that the stores section at Marybank Depot had been untouched in respect of stock layout and storage racking systems for many years with timber framed racking systems, which were no longer fit for purpose and required to be replaced. The cost for the container and racking systems to allow safe handling and storage of heavy lorry and bus tyres had also been priced. It was proposed to fund the purchase of the new Fleet Management System and the stock racking system by Prudential Borrowing from the Garage Services operating budget.

It was agreed to:

- (1) **approve Prudential Borrowing of £18,650 (£2,886 per annum over eight years) from the Garage Services Trading Account for the purchase of replacement parts, equipment and tyres, racking and storage systems;**
- (2) **authorise the Director for Assets, Finance and Resources, in consultation with the Head of Municipal Services, to determine the most cost effective Fleet Management System for Garage Services and that a final decision on this be deferred until the Internal Audit Report on the Fleet Management System has been considered by the Audit and Scrutiny Committee; and**
- (3) **that dependent on the outcome of the above, approve Prudential Borrowing up to £25,000 (£3,868 per annum over eight years) from the Garage Services Trading Account.**

SUSTAINABLE DEVELOPMENT

Outer Hebrides Local Development Plan: Development Plan Scheme 2020

- 27 With reference to item 5 of the Minute of Meeting of Sustainable Development Committee of 1 May 2019 the Director for Communities submitted a Report seeking approval of the annual review of the Development Plan Scheme (DPS) which was a statutory requirement under the Planning etc. (Scotland) Act 2006. The DPS 2020 was detailed in the Appendix to the Report and set out the Comhairle's proposed programme and processes for preparing and reviewing its Development including the Local Development Plan (LDP) and other associated and supporting documents.

The Report stated that the DPS would direct the work programme for the Development Plan team and, in line with Regulations, would be published and made available online and sent to the Scottish Ministers. As a result of the COVID-19 pandemic and relevant legislation, copies of the DPS would not be available at the usual deposit locations. Further updates would be reported back to the Committee as the various pieces of work set out in the DPS progressed.

It was agreed to:

- (1) **approve the Outer Hebrides Development Plan Scheme 2020 as detailed in the Appendix to the Report; and**
- (2) **authorise the Director for Communities to publish the Development Plan Scheme 2020.**

Business Gateway
Service: Annual
Performance
Update 2019/20

28 With reference to item 7 of the Minute of Meeting of Sustainable Development Committee of 19 June 2019 the Head of Economic Development and Planning submitted a Report providing an update on the performance of the Outer Hebrides Business Gateway service during 2019/20. The Report provided a comprehensive overview of Outer Hebrides Business Gateway (OHBG) performance in 2019/20 and stated that the past year had been positive in terms of the number of business start-ups and young people supported. Performance against nationally set targets had been encouraging in an exceptionally challenging year for the UK. In the eleven years since Business Gateway had begun around 550 business start-ups had been supported, over 600 Business Skills Workshops had been delivered, over 850 jobs created/safeguarded and approximately £4m of loan/grant funding had been awarded to support business start-up and growth across the Outer Hebrides.

The Report intimated that Scottish Government funding had been secured for a further phase of the successful 'DigitalBoost' programme which aimed to strengthen Scottish SMEs' knowledge and skills in digital technology - enabling them to enter new markets, trade internationally, increase business efficiency and increase local employment opportunities.

The economic challenges anticipated during and post-COVID-19 had far reaching consequences for local, national and international economies over many years and it was stated in the Report that the Comhairle's Economic Development service and Business Gateway team would play a critical role in assisting the local economy to recover and in supporting the business community to survive, grow and prosper in the foreseeable future and beyond.

It was agreed to note the performance of the Outer Hebrides Business Gateway Service during 2019-20.

Outer Hebrides
Leader
Programme 2014-
2020: COVID-19
Update

29 With reference to item 3 of the Minute of Meeting of Sustainable Development Committee of 1 May 2019 the Head of Economic Development and Planning submitted a Report providing an overview of the impact of the Covid-19 pandemic on the Outer Hebrides LEADER Programme 2014-2020. The Report stated that the programme had committed almost £2.5m of LEADER funding to 49 capital and revenue projects to-date, leveraging-in an additional £5.6m of match-funding investment to the islands and was currently actively supporting 27 'live' projects. The recent COVID-19 pandemic had had a detrimental effect on a number of current commitments in the Outer Hebrides and in the Orkney and Shetland islands. A summary of issues impacting these programmes was provided in Appendix 1 to the Report.

The Report stated that the Scottish Government had approved a 3 month extension to the end of March 2021 to allow for the Scottish LEADER Programme 2014-2020 to make final payments to project beneficiaries. However, it was noted that there was a risk that projects may have approved LEADER funding withdrawn due to COVID-19 related delays and therefore be unable to complete to potentially unrealistic timescales. The Local Action Group (LAG) network had sought to allow a further extension to affected projects beyond March 2021 to enable project completion.

It was further stated in the Report that the LAG had submitted a letter to Alasdair Allan MSP calling for support to protect local projects, beneficiaries and enterprises, reduce the risk to the local LEADER/EMFF Programme and the Comhairle as Accountable Body and further sought Comhairle support to mitigate against the challenges and associated risks.

Comhairle Members agreed with the importance to make the appropriate representations to Scottish Government in regard to timescales and extensions and that should include writing to Fergus Ewing, Cabinet Secretary for Rural Economy.

It was agreed, as Accountable Body for the Outer Hebrides LEADER Programme, to support the Local Action Group in working with the Scottish Government to ensure appropriate project and programme timescales following the easing of COVID-19 restrictions.

- Spaceport 1 – Update 30 This item was withdrawn from the Agenda.
- Economic Recovery Strategy 31 The Director for Communities submitted a Report seeking approval of a draft Economic Recovery Strategy. The Report stated that the economy of the Outer Hebrides had been severely impacted by the Covid-19 pandemic and present analysis had suggested that the local economy had contracted by circa 30% over the first two calendar quarters of 2020. The Appendix to the Report outlined global and national economic conditions post Covid-19; general and key recovery themes; opportunities; the islands deal; economic development service prioritisation; risk assessment; and concluded with an Action Plan relating to the outlined themes. The Draft Strategy had been considered at ward level and subsequently by the Budget Board and at a full Comhairle seminar.
- The Report proposed that an Internal Delivery Board would be established to drive the strategy forward which was based around three key recovery themes: community, green and digital and a range of actions in support of these to ensure appropriate pace and momentum was achieved and maintained. The Strategy would also be supported by the establishment of an Outer Hebrides Economic Forum that would allow representatives of key economic sectors to provide advisory support and to ensure that intelligence from the business community was being picked up and responded to. As a key aspect of the Strategy was to build capacity and resilience within each sub-economy a number of island specific forums would also be established to support the local delivery of the Strategy.
- During consideration of this item it was indicated that the Comhairle had not yet developed a policy position in relation to Universal Basic Income. The matter would be considered initially through the Western Isles Community Planning Partnership with a view to reporting back to a future meeting.
- It was agreed to approve the post Covid-19 Economic Recovery Strategy, as outlined in the Appendix to the Report.**
- POLICY AND RESOURCES**
- Risk Management Update 32 With reference to item 10 of the Minute of Meeting of the Policy and Resources Committee of 11 December 2019, the Chief Executive submitted a Report which sought approval of the Risk Management Policy and Strategy and Strategic Risk Register. The Report stated that the recent restructuring within the Comhairle had provided an opportunity to improve the risk management framework and these were reflected in the revised Risk Management Policy and Strategy in Appendix 1 to the Report and as outlined in paragraph 2.1 to the Report.
- The Report further detailed priorities for the next year including the development of learnPro's risk management courses for all staff; procurement and implementation of an incident reporting system; and development of a new Business Continuity Management Programme. The Comhairle's Strategic Risk Profile was shown in the risk matrices at Appendix 2 and in the detailed risk register at Appendix 3 to the Report.
- It was agreed to:**
- (1) note the Report; and**
- (2) approve the Strategic Risk Register at Appendix 3 to the Report.**
- COVID-19 Pandemic: Recovery 33 With reference to item 25 of the Minute of Meeting of 6 May 2020 the Chief Executive submitted a Report which detailed the recovery and renewal stages of the COVID-19 Pandemic. The Report stated that the COVID-19 Pandemic had now moved to the recovery phase, with Scottish Government announcing a move to implementation of Phase 2 of its Route Map on 18 June 2020 and the Comhairle had put in place the necessary structures to support recovery and renewal.
- The Report also stated that Public Sector Partners throughout the Western Isles had addressed the COVID-19 Pandemic in an appropriate, robust and fast paced response and had supported each other on a like basis. It was acknowledged in the Report that as all community planning partners sought to influence and build "the new normal" it was essential that partnership working remained high on the recovery and renewal agenda.
- It was agreed to note:**

- (1) the decision of the Highlands and Island Local Resilience Partnership (HILRP) that separate Recovery Co-ordinating Groups be established in each local authority area within the HILRP area;
- (2) the establishment of a Recovery Co-ordinating Group for the Western Isles; and
- (3) that the conclusions of the report have been supported by the Pandemic Resilience Group (PRG) and the Western Isles Emergency Planning & Co-ordinating Group (WIEPCG) for their interests.

Corporate Strategy	34	<p>With reference to item 10 of the Minute of Meeting of the Policy and Resources Committee of 13 December 2019 the Chief Executive submitted a Report which detailed the measures for updating the Comhairle's Corporate Strategy for 2017-21 in the light of the coronavirus episode. The Comhairle's Corporate Strategy had been approved in December 2017, following a number of Members' Seminars, public consultation and contributions from community planning partners, community councils and locality planning groups and it was right that the context and priorities were reassessed in light of the coronavirus pandemic.</p> <p>It was agreed to authorise the Chief Executive to submit a revised Corporate Strategy for consideration at the next meeting of either the Policy and Resources Committee or the Comhairle, as circumstances permit, on the basis of the policy areas set out at paragraph 5 of the Report.</p>
Western Isles Poverty and Social Inclusion Programme	35	<p>With reference to item 23 of the Minute of Meeting of the Policy and Resources Committee of 2 October 2019 the Chief Executive submitted a Report which provided an update on changes to the Western Isles Poverty and Social Inclusion Programme, which was part funded by the European Social Fund.</p> <p>The Comhairle had approved match funding of £136,085 from the Revenue Match Fund in October 2019 in support of the Western Isles Poverty and Social Inclusion Programme. At that stage, it was not clear whether the proposed Financial Welfare Support service would be delivered in-house or by an external agency. After a Challenge Fund process, the Western Isles Citizens Advice Bureau were appointed to deliver that service and it was proposed that £60,157 from the aforementioned sum be used to support them in the delivery of that service.</p> <p>It was stated in the Report that further funding of £455,199 from the European Social Fund has enabled the Programme to be extended to December 2022. The Report outlined the three strands of the Programme, namely:</p> <p style="padding-left: 40px;">the Financial Inclusion Service, delivered by the Comhairle; Fuel Poverty Advice delivered by Tighean Innse Gall; and the Financial Welfare Support service to be delivered by the Western Isles Citizens Advice Bureau</p> <p>The Challenge Fund Bid submitted by the Western Isles Citizens Advice Bureau was appended to the Report.</p> <p>It was agreed to approve the sum of £60,157, from the sum previously approved, as outlined in paragraph 1.2 of the Report, in support of the Financial Welfare Support service that will be provided by the Western Isles Citizens Advice Bureau.</p>
Annual Treasury Management Report 2019/20	36	<p>With reference to item 13 of the Minute of Meeting of the Policy and Resources Committee of 26 June 2019 the Director for Assets, Finance and Resources submitted a Report which provided an update on the Comhairle's Treasury Activities for 2019/20. The Report confirmed the Comhairle's compliance with the Prudential Indicators which had been set for 2019/20.</p> <p>It was agreed to note the Report.</p>
Draft Annual Accounts 2019/20	37	<p>The Clerk sought and obtained the Chairman's permission to withdraw this item.</p>
Budget Strategy Update	38	<p>With reference to item 12 of the Minute of Meeting of the Policy and Resources Committee of 26 June 2019 the Director for Assets, Finance and Resources submitted a Report which recommended the Comhairle's Financial Strategy for 2021-23. The Report stated that the Draft Accounts, which had been submitted to the Audit and Scrutiny Committee on 23 June 2020, showed that, as at 31 March 2020, the Comhairle held £3.2m of balances to support future budgets. The Comhairle's 2020/21 Budget, set before the COVID-19 outbreak,</p>

included planned service redesign savings of £2.6m and the use of £0.9m of balances and as reported in May 2020 not all of these savings would be achieved and the latest estimates suggested a £1.0m shortfall.

Appendix A set out the projected financial impact of the COVID-19 pandemic on the Comhairle and showed that whilst the net cost for the first quarter of 2020/21 could be covered by Scottish Government funding, the impact on the remainder of the year would depend on how and when restrictions were eased and the extent to which services, especially those that generated income, were restored.

Projections were outlined in Appendix B to the Report, with best estimates of savings needed being around £4.4m in 2021/22 and £2.2m in 2022/23.

It was agreed to:

- (1) note the financial impact of the COVID-19 pandemic;**
- (2) note the forward budget assumptions and projections for the Comhairle; and**
- (3) agree to adopt the approach set out in sections 2.15 and 2.16 of the Report as the basis for its Budget Strategy for the next two years.**

Capital 2019/20	Outturn	39	With reference to item 12 of the Minute of Meeting of the Policy and Resources Committee of 4 March 2020 the Director for Assets, Finance and Resources submitted a Report which provided an update of capital expenditure for the year ended 31 March 2020. The Report stated that, as at 31 March 2020, expenditure of £18.8m had been incurred and due to the outbreak of COVID-19, all work on capital projects ceased on 24 March 2020.
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It was agreed to note the capital expenditure to 31 March 2020.

Revenue 2019/20	Outturn	40	With reference to item 13 of the Minute of Meeting of the Policy and Resources Committee of 4 March 2020 the Director for Assets, Finance and Resources submitted a Report which details the Comhairle's revenue outturn for 2019/20 and sought approval for the departmental carry forwards. A summary of the Comhairle outturn, which showed an indicative unaudited surplus of £1m was provided in Appendix A to the Report.
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It was indicated in the Report that, in terms of the carry forward rules, which allowed Departments to carry forward an overspend of up to 1% or an underspend of up to 2% of controllable budgets and all Departments had completed the financial year within these tolerances after taking into account their specific carry forwards, as detailed in Appendix C to the Report.

Mr Gordon Murray moved the following amendment in relation to recommendation (4):-

That the Comhairle agree that the Chief Executive's 2019/20 carry forward of £74k and that £26k be earmarked for use in addressing issues arising from Covid-19 in the local economy.

The Convener, following consideration of the advice of officers, ruled that the amendment was not competent as the expenditure was committed and the IT equipment to support the refurbishment of the Council Chamber had been purchased.

It was agreed:

- (1) to note the financial performance for the year ended 31 March 2020;**
- (2) to approve the carry forward of budgets as detailed in Appendix C of the Report;**
- (3) to approve the specific carry forward of the Community Planning Partnership funding and European 7 Social Fund balance as detailed in Appendix C of the Report;**
- (4) to approve that the Chief Executive's 2019/20 carry forward of £74k and that £26k of previous years' carry forward be earmarked for the refurbishment of the Council Chambers;**
- (5) to approve the specific carry forward of the Education, Skills and Children's Services funding as detailed in Appendix C of the Report;**

- (6) to approve the Education, Skills and Children’s Services carry forward as detailed in paragraph 6.18 of the Report;
- (7) to approve the Communities Department carry forward as detailed in paragraph 6.26 of the Report;
- (8) to homologate the decision to allocate the Communities Department funds held in balances to the Spaceport Project as detailed in paragraph 6.25 of the Report;
- (9) that the Assets, Finance and Resources overspend be met from prior year carry forward, held in balances, as detailed in paragraph 6.27 of the Report; and
- (10) that any uncommitted balances continue to be held to support the Comhairle budget, including the costs of the COVID-19 pandemic.

The following Members stated their dissent in relation to the approval of recommendation (4):

Mr Gordon Murray
 Mr Donald Manford
 Mr John G Mitchell
 Mr Calum Maclean
 Mr Charlie Nicolson
 Mr John N Macleod
 Mr John A Maciver
 Mr Iain Macaulay
 Mr Rae Mackenzie
 Mr Ranald Fraser

Capital Programme Review

41 With reference to item 11 of the Minute of Meeting of the Policy and Resources Committee of 4 March 2020 the Director for Assets, Finance and Resources submitted a Report which recommended revisions to the funding of the 2018-23 Capital Programme in the light of the 2020/21 Local Government Settlement. It was stated in the Report that if funding remained at the 2020/21 level, the Comhairle would have a shortfall of £5.7m in funding for its projects. The Report further indicated that the Comhairle was faced with having to find additional funding of up to £1.3m to deliver the Lewis Residential Care Development arising from the withdrawal of a significant sub-contractor along with the impact of COVID-19. In order to maintain investment and support the economy it was recommended that the Comhairle fund the £7m shortfall through prudential borrowing at a cost of £0.4m per year over 40 years.

It was agreed to:

- (1) fund up to £7m of additional capital to deliver the objectives of the 2018-23 Capital Programme from Prudential Borrowing for the final year of the programme;
- (2) fund the prudential borrowing cost in 2023/24 using £408k from the earmarked housing resource planning budget;
- (3) fund the prudential borrowing cost from 202/25 onwards from loan charge savings; and
- (4) review the programme following the 2021/22 and 2022/23 Local Government Settlements.

Write Off of Debts

42 With reference to item 15 of the Minute of Meeting of the Policy and Resources Committee of 4 March 2020 the Head of Accountancy and Exchequer Services submitted a Report which recommended that a number of irrecoverable debts be written off. The Report stated that in 2020/21 the total written off to date was £1,123.46, excluding the debts in the Appendix to the Report.

An overview of the debt written off for the financial year 2019/20 was detailed in the Report and it was indicated that every effort had been made to recover debts due and write off recommendations were only made when all recovery routes had been exhausted.

It was agreed that the debt listed in the Appendix to the Report, totalling £18,792.42, be written off.

Family Leave for Elected Members

- 43 The Chief Executive submitted a Report in relation to guidance which had been issued by CoSLA in respect of family leave for elected Members. The Report stated that, at present, there was no legal right to family leave of any kind for people in elected public office and it was felt that this may discourage people from standing for election or prevent existing elected members who may wish to start a family from continuing in office.

It was indicated in the Report that the guidance which had been issued to local authorities for adoption on a voluntary basis, sought to formalise the basis on which elected members may be absent from their normal duties, within the limits of the existing statutory framework around attendance at meetings and payment of member allowances.

It was agreed:

- (1) that the Family Leave Guidance for Councils, detailed in the Appendix to the Report, be adopted; and**
- (2) for the purposes of Section 35 of the Local Government (Scotland) Act 1973 approve the absence by an Elected Member from meetings of the Comhairle for a period of six consecutive months while that Elected Member is on Family Leave, subject to the Elected Member having given prior intimation to the Chief Executive, of their wish not to attend Meetings during such period.**

Comhairle Decision Making Arrangements

- 44 With reference to item 3 of the Minute of Meeting of the Emergency Powers Committee of 3 April 2020 the Chief Executive submitted a Report which detailed proposals to reintroduce Service Committee meetings from the September series of meetings. The Report sought to explore options for the reinstatement of Service Committee meetings for the September series of meetings and beyond. The Report stated that it was further intended to develop options for remote attendance through hubs which would ensure that suitable levels of connectivity are available for elected Members while complying with any social distancing requirements and hubs would be based in the main Comhairle offices, utilising the video conferencing facilities in meeting rooms.

It was further stated that, as the Comhairle moves forward, it is intended to hold more meetings through remote participation with attendance at hubs addressing any issues that Members may have with connectivity.

Mr Roddie Mackay, seconded by Mr Angus McCormack, moved the following:

It is recommended that the Chief Executive be authorised to make arrangements for the reinstatement of Service Committee meetings for the September series of meetings onwards, including making any necessary amendments to the Constitutional Documents.

Mr Gordon Murray, seconded by Mr Calum Maclean, moved the following amendment:

It is recommended that:

- (1) the Comhairle do not reinstate Service Committees from the September series of meetings; and
- (2) the temporary decision making arrangements are continued until such time as the lockdown measures have been eased sufficiently to enable Members to meet physically as a Comhairle and that the reinstatement of Service Committees be reviewed at that time.

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

The vote was taken by roll call as follows:

MOTION

Mr Norman A MacDonald
 Mr Roddie Mackay
 Mr Iain A MacNeil
 Mr Paul Steele
 Mr Roddy Mackay
 Mr Iain M Macleod
 Mr Uisdean Robertson
 Mr Paul Finnegan
 Mr Angus Morrison
 Mr Norman MacDonald
 Mr Finlay Stewart
 Mr Keith Dodson
 Mr Angus McCormack
 Mr Iain Macaulay
 Mr Neil Mackay
 Mr Donald Crichton
 Mr John Mackay
 Mr Kenneth Macleod
 Mr Kenny John Macleod

AMENDMENT

Mr Calum Macmillan
 Mr Donald Manford
 Mr Finlay Cunningham
 Mr John Mitchell
 Mr Ranald Fraser
 Mr Rae Mackenzie
 Mr Charlie Nicolson
 Mr Gordon Murray
 Mr John A Maciver
 Mr Calum Maclean
 Mr John N Macleod

The motion, having received the majority of the votes cast, became the finding of the meeting.

Local Code of Corporate Governance

45 With reference to item 10 of the Minute of Meeting of the Policy and Resources Committee of 26 June 2019 the Chief Executive submitted a Report which sought approval of the local Code of Corporate Governance and Action Plan 2020/21. It was stated in the Report that the Action Plan for 2019/20 remained relevant as it reflected the prominence of business continuity moving forward post COVID-19.

The updated Code of Corporate Governance and the Action Plan were appended to the Report.

It was agreed to approve the draft Local Code of Corporate Governance and Action Plan 2020/21 appended as Appendices 1 and 2 respectively to the Report.

URGENT ITEMS

The Convener ruled the following two items urgent in order for the matters to be considered prior to the next series of meetings.

Barra and Vatersay Community Campus – Progress Update

46 With reference to item 29 of the Minute of Meeting of 6 May 2020 the Director for Investment Delivery and the Director of Education, Skills and Children’s Services submitted a Report which provided an update on progress with matters associated with the development and delivery of the Barra and Vatersay Community Campus Project.

It was indicated in the Report that the development and delivery of the project continued to be taken forward across two main areas:

Strategic Development; and
 Operational and Technical Development

The current priorities being undertaken as part of the strategic development of the Project were detailed in the Report.

It was agreed to 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 12 of schedule 7A to the Local Government (Scotland) Act 1973 as amended namely; any instructions to Counsel and any Opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:

- (a) any legal proceedings by or against the Comhairle; or
- (b) the determination of any matter affecting the Comhairle; (whether, in either case, proceedings have been commenced or are in contemplation).

Highlands and
Islands Airports:
Air Traffic
Management
System

- 47 The Chief Executive submitted a Report which provided the Comhairle with the advice from counsel as to the legal aspects of the actions taken by Highlands and Islands Airports Limited in relation to implementation of its Air Traffic Management Strategy.

It was agreed to:

- (1) note the legal issues set out in Paragraphs 5.1 to 7.2 of the Report;**
- (2) note Counsel's Opinion on the legal options open to the Comhairle; and**
- (3) authorise the Chief Executive, in consultation with the Chairs and Vice Chairs of the Policy and Resources and Transportation and Infrastructure Committees, to pursue an urgent dialogue with Highlands and Islands Airports Limited with reference to the Comhairle's view that HIAL's procedures and processes are legally questionable and, thereafter, to take such action, again in consultation with the Chairs and Vice-Chairs of the Policy and Resources and Transportation and Infrastructure Committees,, as may be required to safeguard the Comhairle and Western Isles communities' interests.**

NOTICE OF MOTION

There were no Notices of Motion.