

-----Original Message-----

**From:** Diane MacDonald [mailto:diane-macdonald@cne-siar.gov.uk]

**Sent:** 20 April 2005 14:57

**To:** Glen J (John)

**Subject:** Smoking Health & Social Care (Scotland) Act 2005 (Prohibition of Smoking in Certain Premises) Regulations 2005; Draft

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Good Afternoon

Please find enclosed our written response in relation to the above.

Regards

*Diane Macdonald*

*PA to the Director of Corporate Services*

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## COMHAIRLE NAN EILEAN SIAR

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your reference :  
date : 20 April 2005

Dear Mr Glen

### **THE SMOKING, HEALTH AND SOCIAL CARE (SCOTLAND) BILL 2005 (PROHIBITION OF SMOKING IN CERTAIN PREMISES) REGULATIONS 2005 – DRAFT**

I refer to your letter of 10 March 2005 requesting comments on proposals for regulations under powers contained in the above draft. This limited response refers to Annex B of your consultation pack and more specifically to Question 7 under Schedule 2.

Comhairle nan Eilean Siar is a small islands local authority which however operates a full range of public services – including Social Work - to the people of the Western Isles. Many of the points we might wish to cover have no doubt been covered by others in more detail, but Question 7 seems to offer limited exclusions. At present, the draft Regulations (Question 7) covers adult care homes. We wish to point out that in small care homes there may be few opportunities to allocate specific smoking areas and we would wish to see an element of discretion in how these Regulations are worded to allow the maximum freedom for smaller care homes.

Other points in relation to this consultation will have been passed to you by the professional associations concerned.

Thank you for your attention in this matter.

Leis gach dùrachd

Helen Froud  
Director  
Corporate Services