

# MINUTE

# ‘A’ & ‘B’

**Special Services Committee**  
**Council Chamber, Town Hall, Lerwick**  
**Thursday 12 February 2009 at 10.00am**

**Present:**

L Angus	A J Cluness
A T Doull	A G L Duncan
F B Grains	R S Henderson
J H Henry	A J Hughson
W H Manson	C H J Miller
R C Nickerson	G Robinson
J G Simpson	C L Smith
Dr J W G Wills	A S Wishart

**Apologies:**

L F Baisley	J Budge
A T J Cooper	E L Fullerton
I J Hawkins	F A Robertson

**In Attendance:**

H Sutherland, Executive Director – Education and Social Care  
H Budge, Head of Schools  
G Johnston, Head of Finance  
R Sinclair, Senior Contract Manager  
M Spence, Quality Improvement Officer  
L Roberts, Quality Improvement Officer  
J Cuthbert, Quality Improvement Officer  
D Shearer, Evaluation, Research and Development Officer  
S Crook, Library and Information Services Manager  
B Hill, Acting Divisional Manager - Legal  
L Geddes, Committee Officer  
L Adamson, Committee Officer

**Chairperson**

Mr L Angus, Chairperson of the Committee, presided.

**Circular**

The circular calling the meeting was held as read.

**Declarations of Interest**

Mr R C Nickerson declared an interest in the AHS item, as his wife is a teacher in the AHS.

Dr J W G Wills declared an interest, as a family member is an Education Officer.

Some discussion took place regarding whether it was appropriate for members of the Planning Board to take part in the debate.

In response to comments from Dr J W G Wills, the Acting Divisional Manager – Legal confirmed that there was no difficulty with Planning Board members taking part in the debate and corporate decision-making regarding the report. However Members of the Planning

Board should not indicate how they would propose to deal with the planning application if it came before the Planning Board.

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Mr A J Cluness referred to Item 1 on the Agenda, “Blueprint for Education in Shetland” and said that as this was a document of significant importance to the whole community, and in view of the fact that a number of the elected Members from the North Isles and the Westside of Shetland had been unable to attend the meeting this morning due to the weather conditions, he moved that the Committee defer this report. Mr A G L Duncan seconded, and the Committee agreed.

13/09     **New Anderson High School Capital Project: Approval to Proceed with Submission of Planning Application**

The Committee considered a report by the Executive Director of Education and Social Care (Appendix 1).

Mr A J Cluness said that he felt that there was a need to move ahead with the project, and that it was necessary to make a decision today in order that the project could progress without further delays. He accordingly moved that the Committee approve the recommendations in the report, and Mr C L Smith seconded.

Dr J W G Wills moved, as an amendment, that the Committee, recognising that the brief for the new Anderson High School (AHS) cannot be realistically finalised until the Blueprint Action Plan for Secondary Education is approved, and bearing in mind the remaining educational, technical and financial difficulties that have arisen with the Knab Road site, recommend that the Council does not apply for planning permission at this stage, and instructs the Project Team as follows:

- (1) to review in detail the costs and feasibility of alternative sites at Lower Staney Hill and Seafield;
- (2) to demonstrate with clear evidence which option represents Best Value in terms of the Single Outcome Agreement and the Concordat with the Scottish Government;
- (3) report back to the Services Committee as soon as this essential work is complete.

Mr A G L Duncan seconded.

(Mr A T Doull, Mr A J Hughson and Mr R S Henderson attended the meeting).

Dr Wills went on to speak about his concerns with proceeding with the proposals. He pointed out that he had requested the minute reference authorising the choice of site, but had instead been handed a large file of papers. Having gone through every page of the file, he had been unable to find this minute reference, and this was because it did not exist. He also pointed out that the Council had not completed any of the tasks which, according to national best practice, related to building a building of this size – namely deciding on the brief, before fixing an affordable budget and arranging finance, then deciding on a site. He also felt that the Council had acted on poor advice in putting the Lower Staney Hill site on hold, for the purposes of saving £9 million, and that there had been a sustained political

campaign to push forward the Knab site. This had resulted in £3 million being spent on five different versions of a new school, and some very detailed plans had been paid for on the assumption that the site had been chosen.

He went on to refer to the Blueprint for Education which required officials to produce a detailed Action Plan for Secondary Education, taking into account a number of Scottish Government initiatives which the Council were obliged to comply with. Depending on the outcome of the Blueprint, he pointed out that it may be the case that either a smaller or much larger building would be required, and that it should be borne in mind that there was no more space in the proposed design than in existing building. It would probably be the case that a more flexible building is actually required but as the outcome of the Blueprint for Education plans were not known, this was a compelling reason for not submitting the current proposals for planning permission.

He questioned whether it was the case that current proposals were acceptable to those involved, saying that he felt that many teachers had been poorly consulted and some felt resigned to accepting the proposals. He also questioned the justification in proceeding with the project in order to avoid further delays, and felt that this was the worst possible reason for proceeding with a project that there were uncertainties about. He expressed concerns that it may be the case that the disruption caused by the building work would end up being unacceptable. Although the contractor had said that they were 99% certain that the phasing plan could be adhered, he felt that this might not be the case. He also had concerns that the price would end up being so high that, in order to pay for it, it would lead to the education and capital programme budgets being considerably reduced, other schools being closed and some capital projects being scrapped.

He went on to refer to the AHS Feasibility Study Project Execution Plan, published in August 2003, which encapsulated the Council's rules for managing capital projects and required the Council to ensure proper appraisal of the project by involving the commissioning of option appraisals. However these option appraisals had not been carried out on the two most obvious alternative options at Lower Staney Hill and Seafield. A site investigation report for Lower Staney Hill was available, and it did not indicate that there was a need to spend £3million on blasting a level site in order to construct steel framed buildings of several storeys. He questioned why this £3million figure was still used for comparison purposes.

He concluded by saying that it was necessary for the Council to prove to the public and to the Government that the option chosen was the best value for public money. He felt that the Council had not yet demonstrated beyond reasonable doubt that this fifth attempt to design a school was, and he felt that it was the wrong building on the wrong site at the wrong price.

(Mr W H Manson attended the meeting).

In response to a query relating to the costs of demolition at the Knab Road site, the Senior Contract Manager confirmed that the costs for demolition of the 'CLASP' buildings were contained within the overall budget, and were anticipated as being in the region of £450,000. The estimate was based on the Type 2 survey that had been carried out in relation to the asbestos removal.

In response to queries, the Executive Director – Education and Social Care confirmed that she was confident that the recommendations in the report

represented best value, and would achieve the best way forward for education in Shetland. The Head of Finance advised that the project was probably the biggest project that the Council would undertake, and would require a deployment of a massive portion of Council resources. As it was an essential part of the Education Service, which was one of the key services of the Council, it was a matter that required some deliberation. However it was evident that the Project Team was adding value by working through the project in detail.

The Chairperson added that there was not a firm financial package in place at this stage to fund the project, but this was being negotiated.

During the discussion that followed, some Members expressed concern regarding the standard of design and whether it was appropriate for weather conditions in Shetland, particularly given the proposed location.

The Chairperson advised that Members had been given the opportunity the previous day to attend a full briefing session with the Project Team, and considerable time had been spent discussing this issue. Members had been reassured that the building would be built using a traditional rendered blockwork method, with doors and windows that were designed to withstand exposure to the elements.

Some Members referred to the work that had already taken place to progress the new AHS project. Whilst it was acknowledged that mistakes had been made in the past, it was felt that there was now a robust Project Team acting on behalf of the Council, and that there was now confidence that the proposals in the report were the best way to proceed. It was pointed out that, unlike other local authorities, the Council did have reserves and could use part of them to build a new school.

The costs of maintaining the current AHS building were referred to, and there were concerns that as well as being expensive, any further maintenance problems may result in more frequent shutdowns which would be detrimental for pupils, particularly at exam times. Concern was also expressed at both the time and money it would take to start considering alternative sites at this stage.

It was questioned if there was a need to demolish the 'CLASP' buildings, given that a condition report had recently indicated that they were in fair condition and fit for purpose. It was felt that the recent problems were as a result of a maintenance backlog, which could be resolved. Some comparisons were drawn with the situation in Orkney, where it was hoped to build a secondary and primary school, halls of residence, swimming pool and gymnasium for £50million, possibly through a PFI system. It was acknowledged that there were problems with PFI systems, but it was questioned whether, in light of this, the AHS project did represent best value even when the additional costs for building in Shetland were taken into account. It was also noted that it was Council policy to build on the Knab site unless difficulties arose, and it was felt that difficulties with the site had indeed arisen and that this should mean that alternatives should be explored.

Responding to concerns that there had been little progress on the project since last summer, the Chairperson pointed out that there had been a complete redesign of the proposed building, in consultation with staff and Members, and that there had therefore been significant progress over the last few months.

Mr A J Cluness moved that a roll call vote take place, and this received the unanimous support of the Committee.

After summing up, voting accordingly took place by roll call vote, and the result was as follows:

<b>Motion</b> (Mr A J Cluness)	<b>Amendment</b> (Dr J W G Wills)
Mr A J Cluness Mr A T Doull Mrs F B Grains Mr R S Henderson Mr J H Henry Mr A J Hughson Mr W H Manson Mrs C H J Miller Mr R C Nickerson Mr J G Simpson Mr C L Smith Mr A S Wishart Mr L Angus	Mr A G L Duncan Mr G Robinson Dr J W G Wills
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It was noted that there were now 16 Members in attendance at the meeting, and it was questioned if discussion on the “Blueprint for Education in Shetland” report, which had earlier been deferred, should now take place.

Mr A J Cluness advised that he was happy to withdraw his motion to defer the report, so the Committee could proceed to discuss the report. After hearing Mr G Robinson propose that this earlier motion should stand, Mr Cluness agreed to revert to his earlier motion, and this received the consent of his seconder.

Mr A S Wishart said that as 70% of the Members were now present at the meeting, he moved as an amendment that the Committee continue to discuss the Blueprint report. Mrs C H J Miller seconded.

Voting took place by a show of hands and the result was as follows:

Amendment (Mr A S Wishart)	9
Motion (Mr A J Cluness)	7

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### **Blueprint for Education in Shetland**

The Committee considered a report by the Head of Schools (Appendix 2).

The Head of Schools gave a presentation to Members entitled “Blueprint for Education in Shetland” (copy of slides attached as Appendix 2A). The presentation outlined the consultation process and findings, and the future proposals for the Blueprint for Education. The Head of Schools said that should the Committee agree to the recommendations in the report, a further report would be presented to Services Committee on 12 March, which would set out the intentions to take the Blueprint forward.

(Mr A G L Duncan left the meeting).

Mr A S Wishart moved that the Committee approve the recommendations in the report. Mr C L Smith seconded.

Dr J W G Wills referred to the current externally invested reserves of £225 million and the Reserve Fund only £68 million and asked what the financial implications would be from implementing the Blueprint. The Head of Schools said that there would certainly be some areas that would cost the Council money, and that certain provision would need to be reorganised to ensure that the Council can meet the additional costs, however until all the Action Plans come forward with detailed costs the actual financial implications can not be clarified. In response to further questions from Dr Wills, the Head of Schools advised that previously the Service had been able to make revenue cuts by cutting certain areas, while trying not to affect front line services.

Dr Wills enquired whether the Action Plan for Secondary Education would be constrained by the earlier decision to back the 1,000 pupil new Anderson High School project, and said that with the various Government initiatives the requirement could be for either a larger or smaller school. The Head of Service advised that the detail would be included in the Action Plan for Secondary Education and the Chairperson added that the size of the school was based on GROS population predictions.

In response to a question from Mr J G Simpson as to how detailed the Action Plans would be when they were presented to Services Committee in March, the Head of Schools advised that the full detail in the individual Action Plans would not be reported at the meeting, but the report would highlight the proposed timetable for the preparation of the individual Action Plans. She added that the proposal is for the Early Years Action Plan to be one of the first plans to be presented to Committee.

In response to questions from Mr R C Nickerson, the Head of Schools advised that the Action Plans would be costed, and she welcomed the suggestion that the Shetland College and AHS work more closely together.

Mr R Nickerson referred to the proposal for an Action Plan on internal management of the Schools Service and noted that this area had not been included in the questionnaire. Mr Nickerson said that some mechanism should be put in place to ensure that the review was carried out independent of the Council. The Chairperson advised that internal management was a matter for the Council and not for the general public and the internal management is subject to the independent scrutiny of HMI, and the Executive Director agreed to take onboard the suggestion that there should be some degree of independence.

During the discussion, a number of Members advised that they had received concerns from members of the public on the design of the questionnaire and that the method of consultation may not be competent, as it had not followed guidelines accepted by Government. The Head of Schools explained that the questionnaire had been developed in consultation with the Member Officer Working Group and Members before being approved by the Council. She accepted that there were criticisms but went on to say that individuals had the opportunity to include any comments and these had been reported. The Chairperson advised that the

Working Group had comprised of an elected Member from each ward area, and adequate space had been included in the questionnaire for additional comments to be made. It was pointed out that the consultation was a huge exercise, which would never get universal approval but overall the work involved was very detailed and was felt to be a full and fair process.

Mr A J Hughson said that as Chairperson of the Shetland College he was very heartened that the highest agreement percentage from the questionnaire related to the statement to establish and develop links between schools and further and higher education, particularly as the College was currently over capacity and Phase 3 of the college campus was proposed.

Mr R S Henderson said that the biggest complaints from the public was that the process is seen as a means to close smaller schools in Shetland, and suggested that more focus needs to be given to the cost per pupil for secondary education. The Head of Schools advised that the information was available, and would be provided to Members.

Mrs C H J Miller said that the consultation meetings had provided the opportunity for people to ask questions and their views had been well represented. She felt it had been a full and fair consultation process and she congratulated the Head of Schools and her team on the work they had done.

Mr Nickerson agreed that in terms of the consultation, the process had been very robust and the public meetings had allowed plenty of opportunity for issues to be raised. He added that at the end of the process it would be necessary for Members to make decisions on whether to close some schools.

Mr W H Manson said that the education provision in Shetland had not changed significantly since 1975 and there was a need to prepare Shetland for a sustainable and high quality education service.

In response to a question from the Chairperson the Head of Finance advised that the Council had received 2009/10 revenue support from the Scottish Government in line with the amount which had been included in the budget report to be considered by the Council next week.

The meeting concluded at 11.30am.

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L Angus  
Chairperson