

MINUTE

‘B’

Services Committee

Main Hall, Town Hall, Lerwick

Thursday 26 November 2009 at 10.00am

Present:

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| L Angus | L F Baisley |
| J Budge | A T J Cooper |
| A T Doull | A G L Duncan |
| B L Fullerton | F B Grains |
| I J Hawkins | R S Henderson |
| A J Hughson | W H Manson |
| C H J Miller | R C Nickerson |
| F A Robertson | G Robinson |
| J G Simpson | C L Smith |
| J W G Wills | A S Wishart |

Apologies:

A J Cluness
J Budge (for lateness)

In Attendance:

D Clark, Chief Executive
H Sutherland, Executive Director, Education and Social Care
H Budge, Head of Schools
A Edwards, Quality Improvement Manager
M Moss, Quality Improvement Manager
M Spence, Quality Improvement Officer
J Edwards, Quality Improvement Officer
L Roberts, Quality Improvement Officer
R Sim, Quality Improvement Officer
D Warrilow, Administration Assistant
M Gordon, Graduate Placement, Blueprint
W Weis, Service Manager, Community Care Resources
R Wheelan, Community Care
A Robertson, Community Care
A Williamson, Chief Social Work Officer
C Medley, Head of Housing
G Johnston, Head of Finance
J Thomason, Management Accountant
L Murray, Acting Senior Assistant Accountant
J Smith, Head of Organisational Development
J Riise, Head of Legal and Administration
B Hill, Acting Divisional Manager – Legal
P Wishart, Solicitor
K Johnston, Solicitor
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

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

Mr A Wishart declared an interest in Item 2.

Minutes

The minute of the meeting held 8 October 2009, having been circulated, was confirmed on the motion of Mr L Angus, seconded by Mr C Smith.

Members' Attendance at External Meetings

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| Mr A Hughson | - | Retirement Dinner for the Chair and Principal of UHI, Inverness – 13/14 November. |
| Mr R Nickerson | - | Games Legacy for Scotland 2014, Edinburgh – 26 October. |
| Mr A Duncan | - | Highlands and Islands Fire Board, Inverness – 30 October, 6 November, and 20 November. |

100/09 Blueprint for Education in Shetland – Consultation on Options for the Future of the School Estate in Shetland

The Committee considered a report by the Blueprint Member/Officer Working Group/Head of Schools (Appendix 1).

The Chairperson introduced the report.

Mr C Smith moved that the Committee approve the recommendations in the report, but for the consultation to include the provision of adequate hostel accommodation. Mrs B Fullerton seconded.

Mr R Nickerson said that he supported Mr Smith's plea that the future plans for a hostel should be included. Mr Nickerson asked for reassurance that teachers could interact with Members to discuss the range of proposals in the Blueprint, and that the current viable and non-viable options included in the document could be changed.

Mr J Simpson said that following recent Inspections, many schools had received excellent reports. He considered that the options in the Blueprint were too premature and that consultation should be undertaken first before deciding which routes to follow. Mr Simpson moved as an amendment, that the Committee approve Recommendation 8.2 and 8.3 only. Mr A Doull seconded.

Dr J Wills agreed that a hostel should be included in the current options. He said that the Blueprint should look to deliver education to remoter sites electronically, to encourage distance learning and to make the efficient use of teachers through better use of the technology. He supported the creation of two High Schools, with Brae to serve the north of Shetland, and Lerwick to serve the rest of Shetland. Dr Wills referred to the current lack of childcare particularly before and after the school day, and said that a simple solution was required in rural areas. He said that the main issue was the quality of education in Shetland, and to provide the same high standard of education to all pupils, irrespective of where they live.

Ms L Baisley commented that there was no mention of information technology in the Blueprint, and said that the best use of IT should be included. She suggested that the Junior High Schools in the islands could be converted into centres of excellence for vocational studies and creative arts. Ms Baisley concluded by saying that the consultation should go ahead, however broader options should be considered.

[Mr J Budge attended the meeting].

In response to a comment from Mrs I Hawkins, the Executive Director explained that the viable and non-viable options had been included in the Blueprint to outline any constraints within a community and to be as honest with communities as possible.

Mrs C Miller said that the Blueprint should proceed to consultation now. The primary focus has to be on the quality of education and equal access for all children. Mrs Miller added that consideration should also be given to demand for housing in rural areas, and how that could affect school requirements.

(Mr R S Henderson advised of a further amendment).

In response to a question from Mr Nickerson, the Chairperson confirmed that officers and teachers could speak freely to Members on the options in the Blueprint.

Mr B Manson referred to Mr Simpson's amendment, and explained that the options outlined in the Blueprint were considered to be the current provision to deliver the principles of education in Shetland following widespread consultation, and the whole ethos at this stage was to encourage further consultation for the Council to deliver the best education that can be achieved to meet the educational needs for the next 20-30 years.

Mr Nickerson referred to the proposal to discontinue education at secondary schools after secondary 3 with a transfer to Lerwick, and said that this could lead to a decline in specialist teachers at outlying schools.

The Chairperson stated that Members had to respond to a fairly rapid decline of pupils in Shetland, with an obligation to plan for the future as currently education

was drawing on substantial reserves. He then referred to the comment in a recent Audit Scotland report that Members have yet to demonstrate that they are able to take difficult decisions to reduce the draw on reserves, and said that the Council had to respond to the Auditors.

During the discussion, Mr F Robertson said the proposed transfer of Secondary 3 pupils from Junior High Schools would obviously change the profile of Junior High Schools, and the distribution of housing would affect rural sustainability and therefore should be included in the consultation process. He added that costs would also be a major factor in providing the outcomes from the Blueprint, however the consultation process would achieve well considered and debated results.

Mr A Cooper said that an important factor at the early stage of the process was for the community to be made aware of the Council's current financial state.

In response to a question from the Chairperson, Members confirmed that they were in agreement with the Principles for Education in Shetland, set out in Section 3.11 of the report.

Mrs B Fullerton asked for reassurance that as part of the consultation process the use of IT would be explored for every school, Centres of Excellence would be considered, and effects of larger housing developments would be taken into account. She added that it was also important that public were fully aware of the Council's financial situation.

After summing up, voting took place by a show of hands, and the result was as follows:

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| Amendment (Mr J G Simpson) | 6 |
| Motion (Mr C L Smith) | 14 |

Mr R Henderson moved as an amendment, that the report is deferred to await the outcome of the Scottish Examination Board report. In seconding, Mrs Hawkins referred to the proposal to discontinue education at Junior High Schools after Secondary 3, and said that there would be difficulties recruiting teachers, particularly to the more rural schools.

After summing up, voting took place by a show of hands, and the result was as follows:

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| Amendment (Mr R S Henderson) | 4 |
| Motion (Mr C L Smith) | 14 |

101/09 **Site for Eric Gray Resource Centre**

The Committee considered a report by the Executive Director, Education and Social Care (Appendix 2).

Mr C Smith, Spokesperson for Community Care, moved that the Committee approve the recommendations in the report. Mrs C Miller seconded.

Mr A Cooper said that while he had sympathy that the equestrian groups requiring an alternative site, the Council had no statutory obligation to make a contribution towards their new facilities. Mr Cooper moved as an amendment that the Committee approve Recommendations 7.1 (a), (b) and (c) only, and an application from the Equestrian Groups should be treated the same as any other voluntary group. Dr J Wills seconded.

(Mr A Wishart declared an interest in this item, as a relative was involved in one of the associations referred to in the report).

Mr Wishart provided some background information on the previous sites used by the equestrian groups. He said it was important to support the equestrian groups, and questioned whether the proposed grant of up to £100,000 would actually be sufficient due to the popularity of the equestrian events.

In response to a question from the Chairperson, Members were in agreement that the former hockey field at Seafield was the preferred site for the Eric Gray Resource Centre.

(Mrs B Fullerton declared an interest in this item, as a relative was a keen member of an equestrian group).

Mrs Fullerton said that there was a growing interest in people keeping and riding horses, however she said questioned whether the offer of grant in this instance could set a precedent.

Mr R Nickerson said that the proposed grant had been included in the capital cost of the Eric Gray Resource Centre, and he could see no reason why the Committee should not assist the Equestrian Groups to relocate to an alternative site. He added that due to the costs associated with the new facilities, the Groups would have to seek further external funding. Mr Nickerson added that he fully supported the motion.

In response to a question from Mr R Henderson, the Chairperson confirmed that the proposed grant would be a one-off payment.

(Mr J Budge declared an interest as his family had an interest in horses).

Mr Budge advised that there was a proposal for the archery club, rugby club and possibly the football club to make use of the new equestrian facilities.

After summing up, voting took place by a show of hands, and the result was as follows:

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| Amendment (Mr A T J Cooper) | 5 |
| Motion (Mr C L Smith) | 14 |

The Committee considered a report by the Executive Director, Education and Social Care (Appendix 3), and on the motion of Mr F Robertson, seconded by Mr A Duncan, approved the recommendations contained therein.

103/09 **Palliative and End of Life Care Strategy**

The Committee considered a report by the Head of Community Care (Appendix 4).

The Chairperson reported that the proposal to provide specialist hospice provision at the hospital had recently been withdrawn. Members agreed that the Chairperson should have further dialogue with the Chairperson of NHS Shetland to reconsider the decision.

Mr L Angus moved that the Committee approve the recommendation in the report. Mr C Smith seconded.

104/09 **National Eligibility Criteria and Waiting Times for the Personal and Nursing Care of Older People**

The Committee considered a report by the Chief Social Work Officer (Appendix 5).

After hearing the Chief Social Work Officer summarise the main terms of the report, Mr C Smith moved that the Committee approve the recommendations. Mrs C Miller seconded.

In response to questions from Mrs B Fullerton, the Chief Social Work Officer advised that public consultation would include Community Councils, and the maximum time for assessment for an older person with complex needs is 20 days for the assessment and 1 day for services to be provided, and it was not envisaged that this timescale would change.

105/09 **Annual Report from the Chief Social Work Officer**

The Committee noted a report by the Chief Social Work Officer (Appendix 6).

In referring to pages 5 and 6 of the Annual Report, Mrs B Fullerton said that she had some concerns with the services provided through the Emergency Out of Hours Service, with staff to cover 365 days a year, between 5pm and 9am, however she noted that work was ongoing to address the issues.

Mrs Fullerton then referred to Section 4.4.3, which outlined the results following community care establishment inspections which she noted were all fairly positive, however she had expected a higher result in both the Quality of Life and Leadership and Management areas.

The Chairperson said that until recently Out of Hours payments had been governed through national agreement, however individual authorities have now to make their own arrangements through Single Status. The Chairperson asked that the Executive Director report back to Committee with some proposals to resolve this.

The Committee otherwise accepted the terms of the report.

106/09

Provision of Affordable Housing – Authorisation of Location, Quantities and Consideration of Funding Options

The Committee considered a report by the Head of Housing (Appendix 7).

The Head of Housing introduced the report, advising that Members were asked to provide guidance to assist the Head of Finance set parameters for future funding options.

Mr R Nickerson referred to Section 4.3 of the report, and stated it was quite alarming that the current level of HRA reserves will be expended by 2015 and therefore the Council has to be cautious when considering the future funding options. In referring to the proposed further housing for Lerwick he said he did not want to halt any future builds, however the spread of housing has to be in accordance with needs outwith Lerwick. In response to a question from Mr Nickerson relating to Section 4.10 of the report, the Head of Housing advised that he was not aware of any legal impediment whereby different level of rent could not be set.

Mrs B Fullerton said she had some concerns with the proposed locations for future housing, and consideration should be given to increasing rents for new builds. She advised that she supported the continuation of partnership working with Hjaltdland Housing Association, and acknowledged that there would be a need to draw on the reserves.

In referring to Appendix D, Mrs Fullerton reported that in percentage terms the proposed housing for Lerwick was in excess of demand, whereby in comparison the demand for housing in Burra was much higher than the proposed build. She said that the proposed housing in Lerwick could have a knock on effect on the rural communities, and therefore Appendix B should be amended to take into account of where people want to stay to sustain the population of rural areas.

Mrs Fullerton moved that the Committee agree to increase the rentals for new properties by a minimum of 15%, use a combination of partnership working with Hjaltdland Housing Association, increased borrowing and seek a Reserve Fund contribution that is affordable above the current agreed floor, agree that the earlier decision stands at Section 3.4 of the report. In referring to Appendix D, additional houses should be provided in the community dependant on the percentage of people requesting to stay in that area, such a spirit must be held with the Community Council districts and take into consideration those allocated at 3.4, and essentially to sustain rural communities and not to centralise in Lerwick as is currently proposed.

During the discussion, Mr A Cooper stated that future housing provision and the Blueprint report discussed earlier on the agenda were both interlinked. He said that primary school provision in Lerwick would not cope with the additional children from the further houses proposed for Lerwick. He said that consideration had to be given to building houses where people want to live, and link that with the provision of services and further investment in the particular areas.

Mrs I Hawkins noted the reference in the report, that Council house tenants pay the 4th highest level of rent in Scotland, and said that a fairer rent increase would be 5% across the board. Mrs Hawkins agreed that partnership working should continue with Hjaltsland Housing Association. Mrs Hawkins moved as an amendment, to accept Mrs Fullerton's motion, with the exception that the proposed rent increase be 5% across the board. Mrs C Smith seconded.

The Head of Housing explained that in terms of mismatched demand, the proposed developments were the original phases based on the land available for housing development at that time. In regards to Mrs Fullerton's proposal to increase the rental by 15% for new builds, he advised that residents of new properties could pay higher rents.

Mr A Doull referred to Mr Cooper's earlier comments and said that he agreed that education and housing were closely linked. He reported that due to the lack of housing in the Northmavine area, younger people had to leave the area, and with additional housing the school role would rise.

During the discussion, Mr B Manson suggested that Appendix D should be reanalysed to include applicants' first choice of area to live, rather than their selection being dependant on where housing was most likely to be available. He agreed that both housing and education were integral, and the drift to Lerwick was due to the sheer cost of commuting. Mr Manson said that the overarching priority to maintain and regenerate rural areas was predicated on jobs, and suggested that the Council should encourage remote working, which could make it more affordable to live in rural areas. Mr Manson referred to Mrs Fullerton's proposal to increase rents for new properties by 15%, and commented that clarification would be needed to decide when a new property would be classed as an old property, when newer properties would continue to be built.

The Chairperson said that the housing proposed for Lerwick was to meet the demand, particularly with Lerwick having the highest proportion of need for social housing.

Mr A Duncan said that a balance of housing in Lerwick and the rural areas should be investigated and debated further. Mr Duncan referred to Section 5.4.4, and said that he supported the possibility to agree a contribution towards social housing investment. In referring to Section 4.2 of the report, Mr Duncan commented that he had some concern with the final two sentences, and in referring to Section 4.3, he proposed that a meeting should be arranged with the Minister for Housing to debate Shetland's case.

Ms L Baisley said that a 15% increase on rents for new properties could cause bad feeling with tenants paying different levels of rent, and said that she would support Mrs Hawkins amendment. She then referred to the proposal to seek a contribution from the Reserve Fund and said this would be an investment in infrastructure to

increase housing to meet demand. She added that a more holistic approach was needed for the whole of Shetland.

Mr G Robinson said that he was concerned that the proposed 15% rental increase for new properties would bring about two classes of tenant, and enquired how the divide would be agreed between old and new properties.

(Mr Robinson advised of a further amendment).

Mr R Nickerson said the proposed 15% increase for new properties would be justified with the quality building being more efficient.

In response to a question, Mrs Fullerton enquired whether that a further report could be presented to Committee in one cycle. The Head of Housing agreed to this timescale.

In response to a question from the Chairperson, Mrs Fullerton clarified that she would support a general review of rents, and that the rents for new properties should be included in the review. The Head of Housing advised that a rent setting report would be presented to Members in due course.

After summing up, voting took place by a show of hands, and the results was as follows:

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| Amendment (Mrs I J Hawkins) | 2 |
| Motion (Mrs B L Fullerton) | 17 |

(Mr G Robinson withdrew his further amendment).

107/09 **Capital Grants to Voluntary Organisations**
Construction of a new Sportsfield, Bressay

The Committee considered a report by the Sport and Leisure Service Manager (Appendix 8), and on the motion of Mr C L Smith, seconded by Mr A Doull, approved the recommendations contained therein.

108/09 **Education and Social Care Revenue Management Accounts**
General Ledger, Reserve Fund and housing Revenue Account
For the Period 1 April 2009 to 30 September 2009

The Committee noted a report by the Head of Finance (Appendix 9).

Mrs I Hawkins referred to the underspend in relation to youth work outlined in Section 4.2.2 of the report. She then explained the crisis situation with the Scalloway Youth Club with their electricity charges having increased three-fold, and suggested that £3,000 from the Children's Services budget could be awarded to the Youth Club.

The Chairperson advised that Council policy was to pool budgets at the end of the year, and he urged Members to wait until that time to allow projects to be promoted equally.

Mr R Nickerson said that he supported Mrs Hawkins, advising that the Sandwich Youth Club was in a similar position, however he did not support taking funds from the Children's Services budget towards one project and said that the proper mechanism should be followed. Mr Nickerson moved that a report is prepared on how to meet the needs of independent youth centres through a review of the grant schemes. Mr G Robinson seconded.

During the discussion Mr B Manson highlighted the reference in Section 4.2.2 that the underspend was to be used to fund the increase in services at Laburnum. Mr Manson said that he considered that projects could be considered at the year-end, and he supported the proposal to review the grant schemes.

In referring to the 2nd sentence of Section 4.2.4, Ms L Baisley proposed that a report should be prepared highlighting issues following implementation of Single Status. The Head of Organisational Development confirmed that a report would be prepared.

Mr C Smith enquired whether there was any mechanism in place to provide emergency funding for youth groups. The Executive Director explained that officers were currently working with the Scalloway Youth Club, and she advised that an update could be reported to the Council meeting on 9 December.

Mrs Hawkins moved as an amendment that £3,000 of the underspend from the Children's Services budget is awarded to the Scalloway Youth Club to give encouragement to the volunteers for the benefit of the younger people of Scalloway. Mr A Hughson seconded.

After summing up, voting took place by a show of hands, and the result was as follows:

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| Amendment (Mrs I J Hawkins) | 5 |
| Motion (Mr R C Nickerson) | 11 |

109/09

Capital Project Update – Services Committee Projects

The Committee noted a report by the Capital Programme Service Manager (Appendix 10).

Mr A Hughson said that there was currently no budget for Phase 3 of the Shetland College, however there was currently an application being considered for ERDF funding. He said that there would be a need for other funding sources to be identified, and enquired whether there could be some shift in the 5 year programme for this project.

110/09

Isleshavn Redesign Project – Presentation of Feasibility Study

The Committee considered a report by the Head of Community Care (Appendix 11), and on the motion of Mr L Angus, seconded by Mr C Smith, approved the recommendations contained therein.

In response to a question from Mr A Cooper, the Service Manager, Community Care Resources explained that there was no requirement to change Council policy, as the proposal for Isleshavn was to provide 16-18 residential care places, and 5-6 units for extra care housing, which would be two separate units within the same building.

111/09

New Anderson High School Capital Project – Update and Requirement to Consult on Site Location

The Committee considered a report by the Executive Director, Education and Social Care (Appendix 12).

Mr L Angus moved that the Committee approve the recommendations in the report, and Mr A Cooper seconded.

Dr J Wills questioned why the Council had to follow the new consultation requirements when it was clear that to adopt the current consultation requirement would be a much faster process.

After receiving clarification that the existing legislation was to change on 1 April 2010, Mr L Angus advised that he would withdraw his motion.

Dr J Wills referred to the Recommendations in the report and moved that in relation to Recommendation 8.1(a) the words “set out in Appendix 1” should be removed, and that the word ‘desire’ should be changed to ‘decision’; an additional Recommendation 8.1 (a(i)) should be included to read “to deplore the failure to alert Members to this requirement at the meeting in September”; Recommendation 8.1(b) should be deleted in its entirety, as he said nothing had changed to be rescinded as it has been Council policy for a decade to build on the Lower Staney Hill site; at 8.1(c), the word ‘desire’ should be changed to ‘decision’; and that Recommendation 8.1(d) should be changed to read “agree to carry out the statutory consultation under the existing regulations”.

Dr Wills stated that the process should be carried out immediately rather than the proposed delay of one year, as the proposals to relocate the school had already been consulted on extensively and much of the work had been carried out. Mr G Robinson seconded.

The Solicitor explained that the current regulations under the Education (Scotland) Act 1980 could be followed at the moment, which would require the decision to relocate the AHS to be referred to Scottish Ministers. As the Schools (Consultation) (Scotland) Bill comes into force on 1 April 2010, officers from the Scottish Executive have indicated that Education Authorities should consider the requirements and good practice of the new Bill when applying the current regulations. She went on to explain that the Schools (Consultation) (Scotland) Bill introduces a new duty on how education authorities are required to carry out

consultation on certain proposals relating to educational matters, which includes the relocation of a school. There was insufficient time to carry out the consultation exercise under the existing regulations, and therefore the consultation should follow the new regime, which involves the creation of certain consultation reports to be published and issued to a prescribed list of consultees.

In response to a question from the Chairperson, the Solicitor explained that both the existing and new requirements for consultation had specific timescales to be adhered to, and she clarified that some of the previous work could be used to develop the statutory consultation reports.

Dr Wills said that having heard the advice from the Solicitor regarding the requirements of the new Bill, he advised that he would amend his motion. Dr Wills advised that his revised motion was that Recommendation 8.1(a) would now stand, but to include the additional 8.1(a(i)) "to deplore the failure to alert Members to this requirement at the meeting in September"; 8.1(b) would be removed, 8.1(c) the word 'desire' should be changed to 'decision'; and Recommendation 8.1(d) would stand.

In response to a question from Mr A Wishart as to whether there was any means to shorten the proposed consultation process, the Executive Director explained that the proposed timescale for the consultation would connect well with the work associated with the Blueprint with the consultations being carried out in a logical order. She added however that the timescale could be reduced if Members so desired.

In response to a question, the Chairperson advised that the continuing work with the AHS project at the Staney Hill Site would, if necessary, be explained to the Scottish Ministers.

Mr R Nickerson referred to Section 5.2 of the report, and suggested that Dr Wills include his motion that Recommendation 8.1(f) should include a revised brief for a hostel.

Dr Wills agreed to this addition.

Mr B Manson said that the question of accommodation for outer isles students at the Shetland College was very much linked.

Mrs C Miller moved as an amendment that the Committee approve the recommendations in the report. Ms L Baisley seconded.

(Mr L Angus gave notice of a further amendment).

Mr Manson commented that it was petty to note the failures on the previous decision, and suggested that instead of Dr Wills' proposals to change the wording in Recommendations 8.1(a) and 8.1(c) from 'desire' to 'decision', and as the decision to build at the Staney Hill site had not been unanimous, he proposed that the words 'desire' would be better changed to 'proposal'.

Mr F Robertson said that he considered the consultation requirements to be a normal process for changing the site of a school, and added that he considered the process should not delay the project significantly.

In response to a comment from Mr A Cooper regarding Dr Wills' proposal to delete Recommendation 8.1(b), the Solicitor explained that both the current and new rules for statutory consultation makes it very clear that Local Authorities cannot take a decision on certain educational matters, but can recommend proposals and options to be consulted on.

During summing up, Dr Wills agreed to remove his additional Recommendation 8.1(a(i)). Voting then took place by a show of hands, and the result was as follows:

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| Amendment (Mrs C H J Miller) | 11 |
| Motion (Dr J W G Wills) | 8 |

Mr L Angus moved as an amendment that the Committee delete Recommendation 8.1(b), and that Recommendation 8.1(c) is changed to read, "note that for the purpose of the Statutory Consultation Requirements, the Committee confirms the move to the new Staney Hill Site as the Council's preferred option."

Mrs Miller advised that she could not agree to the removal of Recommendation 8.1(b), and clarified that her motion was to approve the recommendations as they stand in the report.

In response to a query from Mr Cooper, the Chairperson clarified that the Council had previously agreed to build the new AHS at the Staney Hill site, in principle.

In referring to a comment from Mr Robertson regarding the principles of proceeding with the project, the Head of Legal and Administration explained that in conjunction with the consultation, it could be stated that time was of the essence for taking forward the project at this stage. Mrs Hawkins said that there was some difference of opinion, with the Executive Director previously advising that it would be logical for the consultation process to be aligned with the work of the Blueprint.

In response to a question from Mr Wishart regarding the proposal to delete Recommendation 8.1(b), the Solicitor explained that to keep in line with the statutory regulations for the consultation, the Council have to be seen not to have taken a formal decision but have made a preference to a new site. She clarified that Mr Angus' amendment would cover the requirement that the Council has not taken a final decision.

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

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| Amendment (Mr L Angus) | 12 |
| Motion (Mrs C H J Miller) | 8 |

In order to avoid the disclosure of exempt information, Mr L Angus moved, and Mr C L Smith seconded, to exclude the public in terms of the relevant legislation during consideration of the following items of business.

The Solicitor summarised the main terms of the report and answered questions from Members.

113/09 **Private Investment Opportunity for Care Services**

The Committee considered a report by the Executive Director of Education and Social Care, and on the motion of Mrs B Fullerton, seconded by Mr A Cooper, approved the recommendations contained therein.

The meeting concluded at 1pm.

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L Angus
Chairperson