

# MINUTE

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## **Services Committee**

**Council Chamber, Town Hall, Lerwick**

**Thursday 4 February 2010 at 10.00am**

### **Present:**

L Angus	J Budge
A J Cluness	A T J Cooper
A G L Duncan	F B Grains
I J Hawkins	R S Henderson
J H Henry	W H Manson
R C Nickerson	F A Robertson
G Robinson	J G Simpson
C L Smith	J W G Wills
A S Wishart	

### **Apologies:**

L F Baisley    B L Fullerton  
A J Hughson        C H J Miller  
A S Wishart (for lateness)

### **In Attendance:**

H Sutherland, Executive Director, Education and Social Care  
H Budge, Head of Schools  
A Edwards, Quality Improvement Manager  
S Morgan, Head of Children's Services  
W Weis, Service Manager, Community Care Resources  
C Ferguson, Head of Community Care  
L Anderson, Financial Assessment Officer  
A Williamson, Chief Social Work Officer  
C Medley, Head of Housing  
A Jamieson, Service Manager, Housing Business Support  
N Watt, Sport and Leisure Services Manager  
M Duncan, Grants Co-ordinator  
G Greenhill, Executive Director, Infrastructure Services  
M Finnie, Capital Project Service Manager  
R Sinclair, Senior Contract Manager  
J Thomason, Management Accountant  
K Johnston, Solicitor  
R Macleod, 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.

At this point the Chairperson ruled that due to special circumstances, namely the requirement by the Chairperson and Vice Chairperson of the Committee to produce a report in a short timescale, the following item had been added to the agenda as a matter of urgency, in terms of subsection 4 of Section 50B of the Local Government (Scotland) Act 1973: (1b) Sheltered Housing Service and Christmas Shutdown.

### **Declarations of Interest**

Dr J Wills declared an interest, as family members worked within the Education Service and the Social Care Service.

### **Minutes**

The minute of the meeting held on 26 November 2009, having been circulated was confirmed.

### **Members' Attendance at External Meetings**

Mr R Nickerson - "Games Legacy for Scotland 2014" London 2012 Olympic and Paralympics Torch Relays, Edinburgh – 25 January

### **01/10 Provision of Affordable Housing – Further Consideration and Resources**

The Committee considered a report by the Head of Housing (Appendix 1).

The Head of Housing explained that the two options outlined in the report were dependant on the outcome of applications by Hjaltsland Housing Association (HHA) to build houses at Scalloway and Tingwall. The proposal was to refer to the current Housing Need and Demand Assessment in the first instance and to consider possible sites for future housing with any changes or proposals for spending reported to Committee.

In response to a question from the Chairperson regarding the recent planning application for houses at Scalloway, Mr F Robertson explained that the Planning Board had deferred the application for two cycles to await the outcome of an appeal to build houses on good agricultural land, and for the Scalloway application to be re-examined. Mrs I Hawkins advised of demand for additional housing in Burra, and said that areas of Burra were not classed as good agricultural land.

Dr J Wills advised that his concern was whether the information held by the Housing Service was accurate, as applicants for housing would tend to give their preference to live in an area where there would be more chance of a house, rather than stating where they would actually want to stay. He then referred to the scenario in Section 5.5 of the report warning of greater centralisation, and said that

as a Member for Lerwick he would support additional housing in Lerwick for people who want to live there.

The Chairperson paid tribute to Councillor A Duncan who had been successful in his efforts to secure a meeting with the Housing Minister, which would provide an opportunity to state Shetland's case for funding. The Committee concurred.

Mr A Duncan and Mr A Cooper reported from a recent meeting of the Highlands and Islands Fire Board on the probability that building restrictions may be amended to incorporate new sprinkler systems in all new builds, and Mr Duncan asked the Head of Housing to find out the costs of incorporating sprinkler systems into new builds.

In referring to Section 2.5 of the report, Mr Cooper said there was a need for more accurate information on where people actually wanted to live rather than applicants opting for where they consider there is the best possibility of being allocated a house, and suggested that consultation should be carried out in the remoter areas and islands to find out if there would be demand should houses be built in the remoter areas.

Mrs I Hawkins moved that the Committee approve the recommendations on the basis of Table 4 in the report. Mrs Hawkins agreed to include into her motion the suggestion from Mr Cooper that consultation be undertaken to find out where people want to live, should housing be available. Mr F Robertson seconded.

In response to a question from Mr R Nickerson, the Head of Housing explained that when agreement has been reached on the actual spend on housing in the central mainland, alternative sites to that proposed by HHA would be identified, in consultation with the community. The Head of Housing proposed that the consultation to ascertain where people actually wanted to stay could be carried out in conjunction with the consultation with Community Councils on the Local Housing Strategy.

In response to questions, the Head of Housing advised that the Head of Finance would be preparing a report in detail on future funding but that in his opinion some of the HRA reserves could be used, and when reserves are depleted rents would have to increase. Mr Nickerson requested information on the impact of future rental increases.

Mr G Robinson reported that he had received representations from a number of young people who would like to live in the west mainland, and he noted that the Table 4 option would offer the least housing in the west and north mainland. He said that this Council and several previous Councils had given their commitment to support remote rural areas and the Policy should now be backed by actions. Mr Robinson moved as an amendment to approve the recommendations in the report on the basis of Table 3. He added that this was entirely in keeping with Council Policy to build houses where people want to stay, as otherwise these rural areas would depopulate. Mr R Nickerson seconded.

Mr W Manson advised that there was substantial demand for housing in Brae and the surrounding areas. He reported on HHA's intention to build houses in Eshaness, in a low demand area, however he was very confident that the houses would be filled. Mr Manson confirmed that he supported the amendment.

Mr A Cooper proposed that Mr Robinson include in his amendment that a needs analysis is carried out prior to any financial commitment to any of the areas. In receiving the consent of his seconder, Mr Robinson agreed to include this into his amendment.

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

Amendment (G Robinson)	12
Motion (I J Hawkins)	2

02/10

### **Sheltered Housing Service and Christmas Shutdown**

The Committee considered a report by the Head of Housing (Appendix 1b).

In response to a question from Mrs I Hawkins, the Head of Housing explained that the Housing Support Workers (HSWs) were given guidance from their Manager (copy attached as Appendix B) to discuss the requirements of the individual residents and to put in place support arrangements over the Christmas shutdown, and where necessary this would have included contact telephone numbers and emergency contact information. He added that all sheltered housing residents in Shetland have access to the Turnstall Response service, with trained operators to deal with all situations and to relay messages, so there should be no instances where residents should feel cut off or excluded.

Mr A Duncan thanked the Head of Housing and his staff for preparing the report within the short timescale. He took this opportunity to apologise to any senior citizen who had been inconvenienced or stressed in any way during the extended Christmas period, but also thanked the care staff who in many cases had gone beyond the call of duty in providing care at that time. Mr Duncan said that Section 4.6 of the report summarises the situation well, and he hoped that lessons could be learned.

Mr Duncan asked that a report be prepared for the next meeting, on the practicalities of HSWs being placed with Social Care.

During the discussion, Members agreed that HSWs often go beyond the call of duty, and that although HSWs would have been on holiday during the Christmas shutdown a lot of the HSWs would have helped.

In response to a question from Dr J Wills, the Head of Housing advised that the cost of relief cover during the Christmas shutdown would be an additional £3,000 per annum. The Committee agreed that the proposal for relief cover should be included in the report to the next meeting.

03/10

### **Strategic Housing Investment Plan (SHIP)**

The Committee considered a report by the Service Manager – Housing Business Support (Appendix 2).

Mr A Duncan referred to Section 4.1 of the Plan, which outlined the aims of the Local Housing Strategy, and suggested that “to maintain and enhance the Shetland economy” should be included. The Service Manager, Housing Business Support advised that these were the aims from the existing document which was due to be revised in the coming year and that would provide an opportunity to review and amend the aims.

During the discussion, Mr Duncan referred to Section 7.5 of the Plan, and highlighted the challenges that would face the Council with the 2012 target for homelessness.

Mr L Angus moved that the Committee approve the recommendation in the report. Mr A Duncan seconded.

04/10

**Concordat Commitment on Class Sizes**

The Committee considered a report by the Head of Schools (Appendix 3).

In response to a question from Mr R Nickerson in relation to Section 6.1 of the report, the Head of Schools confirmed that the proposals would result in a saving of £100,000 for pre-school education across the whole of Shetland.

On the motion of Mr W Manson, seconded by Mr A Cooper, the Committee approved the recommendations in the report.

In response to a comment from Mr J Henry, the Chairperson highlighted that the immediate accommodation needs at Sound Primary and Bell's Brae Primary had been noted in Section 5.1.3 of the report. He added that there had been a recent increase in requests for children living in rural areas to attend Primary Schools in Lerwick, and said that further requests may have to be refused.

05/10

**Education and Social Care Revenue Management Accounts**  
**General Ledger, Reserve Fund and Housing Revenue Account**  
**For the Period 1 April 2009 to 31 December 2009**

The Committee noted a report by the Head of Finance (Appendix 4).

Mr A Duncan outlined his concerns on the under-use of Windybrae. The Head of Children's Services explained that Windybrae was a valuable resource used regularly for respite care and complex needs assessments, and should the facility not be available some very disadvantaged young people would not get their needs met in Shetland.

Mr W Manson said that it would be preferable for Windybrae to be fully used, however he acknowledged the need for such a facility in the Social Care system. The Chairperson drew attention to the continuing under-use of the Bruce Family Centre and hoped that future plans for the building could consider including accommodation for children with complex needs.

In response to a question from Mrs I Hawkins, the Head of Schools explained that Support for Learning was a centralised budget across all schools in Shetland to cover pupils moving between schools.

06/10      **Report by HM Inspectorate of Education: Urafirth Primary School, Scalloway Playgroup and Blydehaven Nursery**

The Committee noted a report by the Head of Schools (Appendix 5).

The Chairperson congratulated the Urafirth Primary, Scalloway Playgroup and Blydehaven Nursery on their excellent reports from HM Inspectorate of Education, which he said gives a very public statement on the quality of care provided to young people in Shetland.

In response to a question from Mr A Cooper, the Quality Improvement Manager explained that the “Weak” areas highlighted at Urafirth Primary School were being addressed as part of the Action Plan.

07/10      **Service Performance of Funded Organisations for Financial Year 2008/09**

The Committee noted a report by the Executive Director of Education and Social Care (Appendix 6).

Mr A Duncan referred Members to Section 6.4 of the report, and stated the Shetland Golf Club should be self-financing, and was an area where savings could be made. Dr J Wills said that in order to save money savings had to be made in certain areas such as golf clubs, marinas and indoor equestrian activities and suggested that a report be prepared on these types of activities. Dr Wills moved that the Committee note the report, but to cut the grant to the Shetland Golf Club. Mr A Duncan seconded.

Mr W Manson questioned why the Golf Club would be treated differently from any other sport in Shetland, and advised that funding to sporting groups was generally required due to the small number of participants. Mr J Simpson referred to the Council’s priority to increase the population of Shetland, and said that it was important to make Shetland an attractive place to stay particularly for the younger people. Mr Simpson moved as an amendment that the Committee note the report. In seconding, Mr Manson said that should consideration have to be given to cutting budgets it should include all areas of activity and a properly informed budget debate. Mrs F Grains reminded Members of the Council policy to encourage sport for health reasons, and said that Members should not single out one sporting activity. Mr R Nickerson advised that he agreed with Mrs Grains’ comments.

During the discussion, Mr G Robinson highlighted a number of the organisation’s key targets compared to their actual performance, and suggested than rather than picking out certain sporting events the key targets could be reviewed.

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

Amendment (J G Simpson)	12
Motion (Dr J W G Wills)	2

*(Mr A Duncan left the meeting).*

08/10     **Community Health & Care Partnership (CHCP) Update Report**

The Committee noted a report by the Head of Community Care (Appendix 7).

Mr C Smith reported that having attended the Association of Community Health Partnerships Annual Conference in September it was evident that Shetland had progressed ahead of most other areas. Mr Smith moved that the Committee note the report.

In response to a comment from Dr J Wills, Mr A Cluness agreed that the trend from Scottish Government was to look for ever-closer relationships between Health Services and Local Authorities, and in Shetland's case these organisations had been working together for some time.

In response to a question from Mr J Henry, the Head of Community Care provided an update on improvements in the Mental Health service following reorganisation, recruitment and joint working.

09/10     **Inspection of Community Learning and Development in Lerwick, North Mainland and Whalsay**

The Committee noted a report by the Executive Director of Education and Social Care (Appendix 8).

Mr R Nickerson thanked the staff involved in taking these improvements forward.

10/10     **Housing Need and Demand Assessment – Draft Executive Summary**

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

In Mr A Duncan's absence, the Chairperson conveyed Mr Duncan's thanks to the Project Team within the Housing Service involved in preparing the document, which had removed the need to engage external consultants. The Committee concurred.

In response to a question, the Service Manager, Housing Business Support advised that the Scottish Government's assessment appraisal was expected to take between 6-8 weeks.

11/10 **Shetland College/Train Shetland Board of Management – Note of Meeting held on 17 November 2009**

The Committee noted the above (Appendix 10a).

12/10 **Shetland College/Train Shetland Board of Management – Note of Meeting held on 21 January 2010**

The Committee noted the above (Appendix 10b).

Mr W Manson reported on the successful bid for ERDF funding for Phase 3 of the College, and advised that a report would be prepared in due course. The Executive Director of Education and Social Care advised that the Council's Capital Project Service was working with the Director of Shetland College to meet the deadlines for this project.

In response to a question from Mr R Nickerson relating to Minute Reference 04/10, and for clarity on the budget for Single Status pay back, the Executive Director of Education and Social Care advised that she would raise this with the Head of Finance.

13/10 **Parental Involvement Strategy**

The Committee considered a report by the Head of Schools (Appendix 11).

Members supported the proposals in the Strategy for parents and grandparents to be involved in school education, and noted that the Strategy also included the procedures for appointing Head Teachers and Depute Head Teachers.

On the motion of Mr C Smith, seconded by Mr A Cluness, the Committee approved the recommendation in the report.

14/10 **New Anderson High School Capital Project – Progress Report**

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

The Executive Director of Education and Social Care referred to the suggestion at the previous Services Committee to take forward the Halls of Residence project alongside the proposals for the new school at Lower Staney Hill, and advised that this would be a sensible proposal to ascertain how these facilities and the associated infrastructure could fit onto the site. She said that should it be agreed that the two projects run side by side, a revised brief would be presented to Committee prior to public consultation.

In response to a question from Mr A Cooper, the Executive Director confirmed that spend to save aspects and co-locating benefits would be taken into account.

Mr R Nickerson said that consideration should be given to accommodating students attending Shetland College at the Halls of Residence, and also utilising the Halls of Residence for accommodation particularly during the summer months.



Dr J Wills advised of his concerns at the proposed duration for the consultation process, which he said appeared too complicated when the proposal was to relocate the school to a more central point of the town, and with the detailed layout and design to be considered during the planning stage, he enquired whether the consultation process could be shortened to a more straightforward process. The Chairperson reported that he had discussed the consultation process with the Executive Director and the Head of Schools, and had sought an audience with the Scottish Education department, but had been unable to secure an early appointment.

In response to a question from Mr Nickerson, Mr W Manson explained that with the existing Halls of Residence being a listed building, efforts are being made to find another use for the building, otherwise permission may have to be sought to consider demolition.

Mr A Cooper moved that the Committee approve the recommendations in the report, on the proviso that consideration is given to spend to save and commercial aspects to achieve economies. Mr C Smith seconded.

The Chairperson referred to Section 1 of the Brief, to the list of those to be included in the consultation, and to Section 6 - Stakeholders, and suggested that Councillor representation should be included. Mr G Robinson noted that the proposed Stakeholders were weighted towards Council involvement, rather than service users, and suggested participation from School Councils and Parent Groups. The Chairperson agreed.

15/10

### **Equalisation of Residential Care Charges**

The Committee considered a report by the Head of Community Care (Appendix 13).

The Chairperson provided Members with some background information.

*(Mr W Manson and Mr J Henry declared an interest in this item as Chairperson and Vice-Chairperson of SCT respectively).*

The Head of Community Care reported that since the report had been written, work had been ongoing to reduce the charges. She explained that as the care centres can be utilised as hubs for a range of services it has been possible to reduce the cost of care for next year from between £1,100-£1,800 per week, to £984 per week should Members approve the equalisation scheme. The Free Personal Care element of £153 per week would be deducted from this rate, giving a maximum charge to the service user of £831 per week.

Mr C Smith commented that £831 was still a significant amount of money to pay, however bearing in mind that for just over £100 a day 24 hour care was being given, he moved that the Committee approve the recommendations in the report. Mr J Simpson seconded.

Dr J Wills reported that following the decision taken at the SCT, when it had been explained that there was no other option but to remove the payments made to

some individuals, he advised that he had received a number of complaints from constituents, and asked for guidance on what advice he could give. The Head of Community Care advised that the Council was obliged by law to charge the full cost of residential care. She explained that the charges had been set in terms of national and Care Commission standards to what is considered to be a correct ratio of staff to provide the level of care required, and only through economies of scale and the range of services that can be undertaken at the Care Centres has it been possible to keep the costs so low, and with the proposed funding made available from the SCT the proposal is that all care residents will enjoy the same level of care and pay the same price.

Mr L Angus said that the existing 25 residents affected by the charges would either have to pay the additional amount or find alternative care. Mr Angus moved as an amendment, that the charges should not be introduced to existing residents, but that future residents would be aware of the additional charges when considering their options for care, and he proposed that the SCT be asked to consider waiving the charges for the 25 residents currently affected. Dr J Wills seconded.

In response to a question from Mr A Cooper regarding a potential conflict of interest, the Chairperson confirmed that the SCT were being asked only to consider an alternative funding arrangement for existing residents that would be affected.

In response to a question from Dr Wills, the Head of Community Care explained that the contract with residents has always been that they are charged the full economic cost for their care.

In response to questions, the Executive Director explained that it would be appropriate for the Committee to consider the charge setting for the Council, and for the SCT to be asked to consider waiving the charges for a certain number of individuals.

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

Amendment (L Angus)	2
Motion (C L Smith)	10

16/10

### **Delhi 2010 Commonwealth Games**

#### **Flag Handover Ceremony**

The Committee considered a report by the Sport and Leisure Services Manager (Appendix 14).

Mr A Cooper moved that the Committee should not approve the recommendation in the report. Mr Cooper said that sending individuals to participate in the Closing Ceremony of the Delhi Commonwealth Games was not the best use of Council funds when there was more need in the local community. In seconding, Dr Wills advised of child labour being used in the construction of the infrastructure for the event, and he suggested that the proposed funding could be better used to purchase another school bus for the people of Tamil Nadu.

Mr R Nickerson moved as an amendment, that the Committee approve the recommendations in the report. In seconding, Mr A Cluness explained that the individuals would gain from their experiences in taking part in the event, and that Shetland is greatly strengthened by young people taking part in overseas visits.

Speaking in support of his amendment, Mr Nickerson explained that this would not be a holiday for the participants, but they would have to commit time, resources and finance towards the visit, however this would be a once in a lifetime opportunity to enhance their personal development. Mr Nickerson then outlined a number of themes from the Cultural Strategy which supported the proposals in the report.

*(Mr A Wishart attended the meeting).*

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

Amendment (R C Nickerson)	4
Motion (A T J Cooper)	8

17/10

### **Capital Projects Update – Services Committee Projects**

The Committee considered a report by the Capital Programme Service Manager (Appendix 15).

In response to questions, the Executive Director of Education and Social Care explained that since the original plan for the Occupational Therapy Resource Centre had been discussed the proposal was now to include office accommodation and therefore the preferred site was too small. Discussions were ongoing with the Planning Service to establish an alternative site and a progress report would be presented to the next meeting.

Mr G Robinson moved that the Committee approve the recommendations in the report. Mr F Robertson seconded.

In response to a question from the Chairperson, the Capital Programme Service Manager advised that the intention was for more use to be made of the Bruce Family Centre. The Service Manager advised that he had taken note of the earlier comments on the future use of the Bruce Family Centre.

Mr R Henderson asked whether Members would be in agreement to meet with representatives of the Unst Parent Council following the Council meeting later this month. Following some discussion, Members considered that this could set a precedent, and asked Mr Henderson to convey to the Parent Council that Members would respond favourably to an invitation to attend a meeting in Unst.

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

18/10

**Corporate Parenting Monitoring Report**

The Committee noted a report by the Head of Children's Services.

In response to a question from Mrs I Hawkins, the Head of Children's Services explained the circumstances relating to a particular looked after child.

In response to a query from Mr G Robinson, the Executive Director of Education and Social Care advised that she would report back to Members on their earlier Disclosure Checks.

The Head of Children's Services advised on the current procedures for reporting to Members on looked after children, and suggested that more in-depth discussions could be arranged for Members to meet with the key staff involved. Members were asked to contact the Head of Children's Services if they wished to pursue this further.

19/10

**Option to Purchase Land**

The Committee considered a report by the Head of Housing.

On the motion of Mr A Cluness, seconded by Mr J Henry, the Committee approved the recommendation in the report.

The meeting concluded at 12.15pm.

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L Angus  
Chairperson