



Council

**Shetland
Islands**

MINUTE

‘B’

Services Committee
Council Chamber, Town Hall, Lerwick
Thursday 17 March 2005 at 10.30am

Present:

F B Grains B J Cheyne
A J Cluness C B Eunson
R G Feather I J Hawkins
J H Henry J A Inkster
J C Irvine E J Knight
W H Manson Capt G G Mitchell
J P Nicolson W H Ratter
F A Robertson W N Stove
W Tait

Apologies:

L Angus B P Gregson
L G Groat J G Simpson
T W Stove

In Attendance:

J Watt, Executive Director – Community Services
C Ferguson, Community Care Manager
A Jamieson, Head of Education
C Medley, Head of Housing
L Robertson, Graduate Trainee
G Smith, Head of Community Development
H Tait, Management Accountant
F Waddington, Head of Social Work
J Wylie, Community Safety Officer
L Geddes, Committee Officer

Chairperson

Mrs F B Grains, Chairperson of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Minutes

The minute of the meeting held on 28 January 2005, having been circulated, was confirmed.

Members' Attendance at External Meetings

There was nothing to report.

Before the formal business of the meeting commenced, the Convener said that he would like to update Members regarding the possibility of the Council making a new investment of up to £3million in Smyril Line. He advised that the Faroese and

Icelandic shareholders had decided to fully support the ongoing operations of Smyril Line with an investment of £5.5 million, and that Shetland Development Trust would remain a major shareholder in the company with a share of 20%. A recent study had shown that almost the Norröna had contributed £6million to the Shetland economy last year, and that talks would continue between the Council and Fjord Line regarding future co-operation in developing closer trading and tourist links between Norway, Shetland and the mainland.

16/05 **Use of Long Term Void Sheltered Housing**

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

The Head of Housing summarised the main terms of the report, explaining that the recommendations should provide a flexible response to the problem of low demand and help improve service provision. In response to a query, he confirmed that the Housing Service would be responsible for cleaning houses let on a daily basis.

Captain G G Mitchell moved that the Committee approve the recommendations in the report, and Mr J P Nicolson seconded.

A Member commented that caution would need to be exercised when allocating these houses, as there may be a change of circumstances in the community.

Another Member said that there were a number of long-term voids in his area, and he was aware that the community would like to have community use of a house. He hoped that the department would have discretion to allocate a house for this purpose.

(Mr F A Robertson attended the meeting)

17/05 **Provision of Relocation Housing**

The Committee considered a report by the Head of Housing (Appendix 2) and on the motion of Mr W A Ratter, seconded by Captain G G Mitchell, approved the recommendations contained therein.

In response to a query regarding the “other agencies” referred to in paragraph 8.2, the Head of Housing said that employers often contacted him as they wished to bring workers with specialist skills to Shetland, but were unable to secure accommodation for them. He said that he would like to take this into account, as he could not do this at the moment without bringing a report to Committee on each occasion. He added that the proposals related to increasing flexibility for the short-term let of designated houses in areas where there was no demand, so it would not affect those on the waiting list in other areas.

18/05 **Allocation Monitoring Group**

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

The Head of Housing referred Members to paragraph 10.1.4, and advised that the reference in this paragraph should read "4.2". He went on to summarise the main terms of the report, and pointed out that the main changes proposed were in relation to quota targets and homeless allocations.

On the motion of Mr J C Irvine, seconded by Mr A J Cluness, the Committee approved the recommendations in the report.

A Member said he regularly received representations from people who were at the top of the transfer waiting list who had not received the next available house because it had been allocated to someone on the homeless waiting list. He felt that it was important for the Housing Service to publicise the difference between the two lists, as it was apparent that the public was not aware of this.

The Head of Housing concurred and said that there was difficulty in trying to explain this to people. However it would assist the Housing Service if people understood how the system operated.

The Housing Spokesperson added that the Allocations Monitoring Group looked at allocations where there had been complaints, and almost invariably found that they had been allocated properly. With the change in government policy regarding homelessness, there were now an increased number of people on the homeless list. The parameters had changed, but people found it hard to understand this.

A Member enquired about Government initiatives to provide more houses, and the Head of Housing confirmed that the Scottish Executive had allocated £50million across Scotland for Councils who met the housing quality standards, and had decided not to transfer their stock. The Housing Spokesperson would be speaking to the Scottish Executive in April regarding the conditions that applied to these initiatives.

The Housing Spokesperson added that if a decision had been taken not to transfer stock, money would be available for building houses out of a different fund. However he would attempt to clarify all the conditions that would apply with the Scottish Executive.

The Head of Housing also confirmed that the housing debt issue would be raised with the Scottish Executive at the same time. He pointed out that the Scottish Executive had to pay £3million in housing support grant every year, and were having to pay £3million to Hjaltsland Housing Association to build new houses. So there was an argument that the Scottish Executive were paying the Council twice, and that they would save money in the long-term by writing off the housing debt.

19/05

Phone Rental and Community Alarm - Payments

The Committee considered a report by the Executive Director – Community Services (Appendix 4).

The Executive Director – Community Services summarised the main terms of the report and explained that following discussions with the Social Work Spokesperson, it had been felt that Members were not fully aware of the effects of the decision when budget savings were approved in June 2004.

Mr C B Eunson said that withdrawal of the service would cause anxiety for the people involved, and that the cost to the Council was not significant. Although many clients were in receipt of Disability Living Allowance (DLA), this was expected to pay for a wide range of things in addition to phone rental. He therefore moved that recommendation 7.1(b) be approved, and Mr J H Henry seconded.

The Head of Social Work pointed that a two-tier system was effectively in operation, and this was an attempt to make it equitable. Before the Community Alarm system had come into operation, people had been offered assistance with their phone rental. However the Community Alarm system addressed the problem regarding people being unable to access their phones if they had an accident, and it met everyone's needs. Therefore when the Scheme had been implemented, the Council no longer paid phone rental. However there were a small group of people in receipt of phone rental that predated the Community Alarm scheme. There are now 738 people in the Community Alarm Scheme who did not get their phone rental paid. These people did not always receive DLA, but would be in receipt of a pension. If the earlier decision was reversed, there was potential for these 738 people to challenge the Council and ask for their phone rental to be paid. This could potentially cost the Council between £100,000 and £140,000 each year.

During the discussion that followed, some Members said that only a small number of people were in receipt of phone rental, and that it was not a significant cost to the Council. Many were dependent on their phones for contact with the outside world, and it would be uncaring of the Council to remove this from them. Members commented that as the people involved were generally very elderly, payments would eventually be phased out. It was also questioned if it would be possible to "ring fence" the current situation so that there would be no possibility of a challenge to the Council.

Other Members said that they felt uncomfortable that a two-tier system was in operation, and that the Council should seek to achieve parity. Withdrawal of this service did not imply that the Council, or its staff, are uncaring, and there were means available to help those who may find payment of a phone rental difficult.

Some Members also commented that they would like more information in respect of those in receipt of the payment, and the situation regarding those who might be entitled to the payment if the decision were reversed.

Mr J P Nicolson said he felt there was not a complete understanding of the issue, and that further clarification should be provided so that

Members could acknowledge the long-term implications whatever decision was taken. He therefore moved, as an amendment, that consideration of the report should be deferred for a cycle so that further information could be presented, and Mr A J Cluness seconded.

After some discussion, and with the consent of his seconder, Mr J P Nicolson agreed to amend his motion so that consideration of the report was deferred until the Council meeting so that further information could be presented.

Mr W N Stove gave notice of further amendment.

In response to queries, the Head of Social Work confirmed that there was no charge for the Community Alarm Scheme. She understood that most people who applied already had a phone. If it were the case that an applicant did not have a phone, the Council would pay for installation out of the Social Work budget. There was, at present, no charge for the installation and maintenance for Community Alarms. She also confirmed that payment of phone rentals was "closed" to new applicants, and that she could provide further information on the ages of the people involved if required.

The Executive Director added that if household income was low and payment of phone rental would therefore be difficult for an individual, an application could be made to Shetland Charitable Trust under the Social Assistance Grant Scheme.

In view of the amendment to defer a decision in order for further information to be presented, Mr C B Eunson agreed to withdraw his motion, with the consent of his seconder.

Mr W N Stove pointed out that the Social Work Task Force would shortly be meeting to address issues such as this. He expressed concern that the 738 people who were not in receipt of phone rental were being treated unfairly, and that reversal of the decision may have large cost implications for the Council. However he acknowledged that the decision to withdraw the phone rental payment had come as a shock to those receiving the payments from Social Work at present.

In light of this, he moved, as an amendment, that the report be noted and that the Scheme that involved paying phone rental should be stopped as from 31 March 2006.

Mr W Tait seconded.

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

Amendment (Mr W N Stove)	2
Motion (Mr J P Nicolson)	13

A Member asked for an assurance that in the meantime, those who had received letters saying that their phone rental would no longer be paid would be advised that it would continue to be paid until the issue had been resolved.

The Head of Social Work said that letters had already gone to people informing them of this.

20/05

A Community Safety Strategy for Shetland 2005-2010

The Committee considered a report by the Executive Director – Community Services (Appendix 5) and on the motion of Mr C B Eunson, seconded by Captain G G Mitchell, approved the recommendations contained therein.

With reference to paragraph 7.2, the Chairperson requested that Councillor J P Nicolson was involved in incorporating comments that arise as a result of the consultation.

A Member referred to the events stewarding training on page four of the appendix. She advised that she had been contacted by some Community Halls to say that they had received a letter from Infrastructure Services regarding their catering licences. Attached to this letter was a letter regarding changes to licensing standards in June, and she felt that it was important that the Licensing Board contacted halls to advise them due to the short timescale involved.

Another Member referred to the voluntary sector that were responsible for things such as running community halls, and said that he felt that this was distinct from the voluntary care sector. He had received representations from some halls that felt that they were finding themselves subjected to a degree of condescension. He therefore suggested that in recognition that there were two distinct voluntary sectors, Community Development should become involved in training and also set up an early meeting with the people who operated within the ambit of Shetland Council of Social Service to discuss any misunderstanding about individual roles.

A Member commented that in the appendix young people had been listed alongside anti-social behaviour. Whilst he realised that this was not intentional, he felt that anti-social behaviour was often highlighted in relation to young people. He felt that it was important that emphasis should be put on liaison and links with parents at an early stage.

21/05

Children and Young People's Services Plan 2005-08: Executive Summary

The Committee considered a report by the Head of Social Work (Appendix 6) and on the motion of Mr W H Manson, seconded by Mr C B Eunson, approved the recommendation contained therein.

In response to comments that had been received regarding the diagram on page 4 of the appendix, the Head of Social Work circulated a further option to Members. Members agreed to recommend the second option

tabled at the meeting on the motion of Mr J P Nicolson, seconded by Captain G G Mitchell.

A Member commented on the work that had gone into the Plan, and recommended that Members take time to look at the full document.

In response to a query regarding paragraph 4.1, the Head of Social Work said that there were a number of service reviews that would take place. Not all of the actions that resulted would attract additional funding from the Scottish Executive, but efforts would be made to consider all relevant streams of funding and best use of resources.

A Member commented that she was unsure as to why obesity was included in the key strategic priorities.

22/05

Bell's Brae Nursery Pilot

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

Mr A J Cluness pointed out that the Member for the Area was unable to attend the meeting today as he was away on Council business. However he had advised that he was still in discussion with the school and parents, and wished to defer the report for another cycle. Mr Cluness accordingly moved that the report be deferred for one cycle, and Mrs I J Hawkins seconded.

A Member added that the report should not be held up for more than one cycle, in order that parents could be informed before the start of the next academic year.

23/05

Primary Provision for Pupils Educated in Lerwick

The Committee considered a report by the Head of Education (Appendix 8).

The Head of Education summarised the main terms of the report, and pointed out that the statistical survey carried out had shown that the current primary provision in Lerwick was sufficient. However the decision of a meeting with Lerwick members was that the short-term problems should be addressed, there was a need to look at long-term provision, and that a group should be formed to take this forward.

Members agreed that there was a need to look at longer-term provision in Lerwick, particularly in view of housing developments, population projections and a possible fixed link to Bressay.

Mr W A Ratter moved that the Committee approve the recommendations in the report, and Mr J C Irvine seconded.

Mr J P Nicolson said that he was concerned that another two working groups involving Members would be created. He pointed out that the Council had good quality staff, and that the Head of Education and his management team would be capable of looking at these issues and

coming forward with solutions to Members. He therefore moved, as an amendment, that the recommendations be altered as follows:

“6.1 the Head of Education examines the current problems being encountered on the Bell’s Brae Primary School site and suggest possible solutions to these problems; and

6.2 the Head of Education assesses all relevant information and recommends on ways of providing Primary Education in the longer term for pupils who attend school in Lerwick”.

The Head of Education said that in line with task forces that had been set up in other areas, it was important that those with an interest were consulted. Mr J P Nicolson confirmed that his amendment did not preclude any such consultation.

A Member referred to recommendation 6.1, and said that efforts should be made to address similar problems that were being encountered on the Sound site.

With the consent of his seconder, Mr Ratter agreed to amend his motion so that the reference to “Bell’s Brae Primary School” in the recommendations was replaced with “Lerwick Primary Schools”.

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

Amendment (Mr J P Nicolson)	2
Motion (Mr W A Ratter)	13

24/05 **Shetland Golf Club – Support Grant**

The Committee considered a report by the Head of Community Development (Appendix 9), and on the motion of Mr J P Nicolson, seconded by Mr J C Irvine, approved the recommendations contained therein.

The Head of Community Development acknowledged that the recommendations were somewhat complicated, but pointed out that they would assist in moving towards a situation where the funding was awarded in line with SCT grants, and eventually through a Service Level Agreement, so things would be more straightforward. It was also apparent that the Golf Club were trying to reduce the support required from the Council, and this was a positive step.

(Mr J C Irvine left the meeting)

25/05 **Grants to Voluntary Organisations – Bridge End Outdoor Centre/Unst Youth Centre Trust**

The Committee considered a report by the Head of Community Development (Appendix 10) and on the motion of Mr J A Inkster, seconded by Mr F A Robertson, approved the recommendations contained therein.

26/05 **Scottish Executive Community Safety Partnership Awards Programme 2005-08**

The Committee noted a report by the Executive Director – Community Services (Appendix 11).

Mr J P Nicolson asked that his earlier comments relating to agenda item 5, with regard to Community Development being involved in a meeting between the two distinct voluntary services, be taken onboard.

27/05 **Service Developments for People with Learning Disabilities**

The Committee noted a report by the Community Care Manager (Appendix 12).

In order to avoid the disclosure of exempt information, Mrs F B Grains moved, and Mr W N Stove seconded, to exclude the public in terms of the relevant legislation during consideration of agenda item 13.

(Representatives of the media left the meeting)

28/05 **Sale of HRA Land for the Provision of Affordable Housing**

The Committee considered a report by the Head of Housing.

Captain G G Mitchell and Mrs I J Hawkins declared non-pecuniary interests.

Mr W A Ratter moved that the recommendations in the report be approved with the addition that the Head of Housing be asked to consider mechanisms under which he can facilitate engagement between Hjaltsland Housing Association, and other relevant agencies in Shetland, to take this forward.

Mr W H Manson seconded, pointing out that there had never been any explanations from the Government as to how strategies were to be implemented by local authorities when money for housing was put in the hands of housing associations.

The Housing Spokesperson pointed out that this issue could be considered by the Housing Strategy Group, and put on the agenda for the next meeting, and Members agreed that there was a need to have a wider look at developing housing in rural areas.

The Head of Housing said that it was necessary to make a decision on the recommendations, otherwise the money available would be lost. He confirmed that the Council's responsibility at a strategic level was addressed through the local housing strategy. However he felt that more could be done to decentralise services and direct people to rural areas, and that it was a wider issue than just housing. There was not a clear definition of decentralisation in the Corporate Plan, and guidance as to how this could be achieved would be welcomed as he was unsure as to how much influence he would have personally.

(Mr J P Nicolson left the meeting)

A Member concurred and said that whilst Council policy favoured development in rural areas, there was still a drift to the central belt of Shetland. The Council needed to take on responsibility to stem this drift and direct development throughout Shetland. This was something that would have to be done at Chief Executive and policy level.

After some further discussion, and with the consent of his seconder, Mr W A Ratter agreed that reference to the "Head of Housing" in his motion should be replaced by "Chief Executive".

In response to queries, the Head of Housing explained that development money was currently being directed at housing associations. However there was a conflicting message as small amounts of money were being directed towards the Council. In theory, the Council could build houses and there was currently a pilot project for a development at Rudda Park. The Council owned a number of parcels of land, and they were being used to complement and supplement HHA. HHA had a five-year development programme, and there would be time for the Council to consider a strategic overview of the housing situation in relation to rural areas.

He went on to say that by selling the land, the Council were not offering any guarantees of planning permission and this was reflected in the value of the land. Achieving outline planning permission would enhance the value of the land, however there was no time to do this for the first areas that were prioritised. It could be a consideration for the areas further down the list. Whether or not tenders for the actual developments had to be advertised in Europe was dependent on the size of the contract. He understood that housing associations were not considered as public bodies and therefore would not have to advertise in Europe. However the debate on this issue was not concluded.

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F B Grains
Chairperson

