

MINUTES

A & B

**Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 4 July 2012 at 2.00pm**

Present:

M Bell	G Cleaver
A Cooper	S Coutts
A Duncan	B Fox
R Henderson	A Manson
D Ratter	F Robertson
G Robinson	D Sandison
C Smith	G Smith
T Smith	M Stout
A Westlake	J Wills
A Wishart	V Wishart

Apologies:

M Burgess	P Campbell
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In attendance (Officers):

A Buchan, Chief Executive
H Budge, Director – Children’s Services
P Crossland, Director - Infrastructure
C Ferguson, Director – Community Care
N Grant, Director – Development
J Gray, Executive Manager – Finance
J Riise, Executive Manager – Governance and Law
R Sinclair, Executive Manager – Capital Programmes
J Smith, Executive Manager – Improvement and Performance
C Anderson, Senior Communications Officer
A Cogle, Team Leader - Administration

Chair

M Bell, Convener of the Council, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

Dr Wills declared an interest as a family member was an employee of the Council and he would not be taking part in any matters concerning that employment.

Mr Robinson declared an interest in agenda item 7 [Shetland Sports Strategy] as employee of the Shetland Recreational Trust. However as this was high level strategic report, his interest was not significant and therefore he would be taking part in any discussion.

56/12 Confirm Minutes of Meetings held on (a) 21 March; (b) 28 March; (c) 23 May; and (d) 7 June 2012

The Council approved the minutes of the meetings held on 21 March, 28 March, 23 May and 7 June 2012 on the motion of Mr Bell, seconded by Mr Robinson.

57/12 **Chair's Report – Education and Families Committee – Anderson High School – Application for Funding**

The Council considered a report by the Chair of the Education and Families Committee (Report No: SIC-0407-CS13), which sought approval to submit a funding application to the Scottish Government for a proposed new build Anderson High School and associated Halls of Residence. The Council noted that additional information had been provided in relation to the capacity of the current school, and the impact of any future change in current Council policy in that regard.

Ms Wishart moved that the Council approve the recommendations in the report. Mr Robinson seconded.

Decision:

The Council **RESOLVED** to:

- Adopt the recommendations from the Education and Families Committee, namely to submit the application for funding to the Scottish Government by 21 July 2012 for funding to enable a new build for the Anderson High School and associated Hall of Residence; and
- Note that if the application for funding is successful then a further report will be presented to the Education and Families Committee on how this project will then be progressed.

58/12 **Charging for Board at the Janet Courtney Hall of Residence**

The Council considered a report by the Executive Manager – Finance (Report No: CS-15-12-F), which presented the results of additional detailed analysis carried out with respect to charging for board at the Janet Courtney Hall of Residence. Information was also provided regarding the proposed alternative recurring savings from within Children's Services to cover the savings shortfall. Members noted that detailed work had only started following approval of the savings reviews by the Council on 9 February, and it was during that review that legal advice had been provided.

Mr Duncan moved that the Council approve the recommendations in the report. Mr Henderson seconded.

Decision:

The Council **RESOLVED** to:

- Not proceed with the agreed proposal to charge for board at the Janet Courtney Hall of Residence, except where a placing request has been made; and
- Retain the delegated authority to charge for placement requests at the Janet Courtney Hall of Residence.

59/12 **2011/12 Unaudited Outturn**

The Council considered a report by the Executive Manager – Finance (Report No: F-026-F), which informed of the provisional outturn position for services for 2011/12.

A member queried whether, given the scale of the savings required, this would result in compulsory redundancies. The Chief Executive advised that so far the Council had

reduced its staff by 200, without compulsory redundancies. He said that the Council's policy was to avoid compulsory redundancies wherever possible, but that this did not mean that there never would be any. However, he added that despite the scale of the problems facing the Council, the staff employed by the Council were amongst the best and most supportive in the country. He went on to say that there were no future targets with regard to staffing levels, but it was clear that there had to be a substantial reduction in staff costs, and by natural turnover wherever possible and that staff had already contributed to a great number of efficiency savings in this area.

During further discussion, Members asked that they be provided with further information consisting of detailed figures relating to the number of staff employed by the Council, the hours worked and their status.

Mr Robinson moved that the Council approve the recommendations in the report. Mr Cooper seconded.

Decision:

The Council **RESOLVED** to:

- Review the 2011/12 un-audited outturn on revenue
- Review the 2011/12 un-audited outturn on capital; and
- Determine the level of 2011/12 carry forwards.

60/12 Capital Programme Outturn 2011/12

The Council considered a report by the Executive Manager – Capital Programme (Report No: CPS-05-12-F), which sought to advise of the outturn expenditure position in relation to the 2011/12 Capital Programme.

During discussion, Members asked that detailed progress information be provided after the meeting with regard to: (a) Virkie groundwork; and (b) Eric Gray Resource Centre.

Decision:

The Council **NOTED** the outturn position on the 2011/12 Capital Programme.

61/12 Capital Programme Gateway Process – Service Need Case Report

The Council considered a report by the Executive Manager – Capital Programme (Report No: CPS-06-12-F), which presented thirty-three projects that have been considered by the Corporate Management Team based on the submission of Service Need Case reports.

The Council noted that a series of consultations was being undertaken with community councils, including street lighting, but Members were concerned at the impact this may have on other reviews being undertaken by the department. Some concerns were also raised regarding the amount of time and effort being put into each of the service needs case reports, and it was noted that consideration would be given to providing a covering report with a comprehensive schedule of assessments instead.

Mr Robertson moved that the Council approve the recommendations in the report., but on the basis that the Street Lighting projects be held until the outcome of the Infrastructure Review is reported back to the Council in September. Mr Cooper seconded.

Decision:

The Council **RESOLVED** to approve the implementation of these projects, subject to the comments and recommendations of the Appraisal Panel but on the basis that the Street Lighting projects be held until the outcome of the Infrastructure Review is reported back to the Council in September..

62/12 Chair's Report - Environment and Transport Committee – Roadside Grass Cutting Policy & Roadside Verges Policy

The Council considered a report by the Chair of the Environment and Transport Committee (Report No: SIC-0704-RD05&RD07), which presented revisions of existing policy in order to implement savings in line with the approved 2012/13 revenue budget.

Mr Wishart moved that the Council approve the recommendations in the report. Mr Cooper seconded.

Decision:

The Council **RESOLVED** to approve:

Roadside Verges Policy

- an alteration to the current specification of roadside verges such that they no longer have to be constructed from a distinctively coloured aggregate that contrasts with the colour of the carriageway; and
- the new policy, outlined in Appendix 1 of report RD07 that specifies revised construction details for Shetland's roadside verges.

Roadside Grass Cutting Policy

- an amendment to the Council's grass cutting policy such that the annual Shetland wide cutting of all roadside verges would be discontinued with verges only being cut for safety reasons as detailed in paragraph 3.6 of report RD05.

63/12 Joint Chairs' Report - Social Services Committee and Executive Committee – Shetland Sports Strategy 2012-2017

The Council considered a joint report by the Chairs of the Social Services Committee and the Executive Committee (Report No: SIC-0704-CS09-F), which sought approval of the Shetland Sports Strategy 2012-17, which sets out a vision and actions for the development of sport in Shetland over the next 5 years.

The Council noted that the review of the provision of sports services by the Council and the Shetland Recreational Trust was intended to report within the current financial year.

Mr C Smith moved that the Council approve the recommendations in the report. Mr Robinson seconded.

Decision:

The Council **RESOLVED** to approve the Shetland Sports Strategy 2012 –17; and that the Convener of the Council be authorised to sign the foreword of the Shetland Sports Strategy on behalf of the Council.

The Council adjourned at 11.30 a.m.

The Council reconvened at 11.40 a.m.

64/12 **Council Action Plan, Shetland Single Outcome Agreement and Shetland Islands Council Improvement Plan**

The Council considered a joint report by the Chief Executive and the Executive Manager – Performance and Improvement (Report No: IP-013-F), which presented the Council Action plan, the Shetland Single Outcome Agreement and the Shetland Islands Council Improvement Plan.

During discussion, Members agreed that reference to the work of the Audit and Standards Committee should be referred to in the Improvement Plan, concurring that scrutiny was critical and central to what the Council was trying to achieve. It was also suggested that more effort had to be given to driving forward the move towards jobs dispersal, and Members agreed that this was an area for further development and improvement.

After further discussion, Mr Robinson moved that the Council approve the recommendations in the report. Mr Robertson seconded.

Decision:

The Council **RESOLVED** to:

- approve the activity described in these plans as the operational priorities for the Council in financial year 2012/13 as set out in the plans;
- approve recommendations on how these plans should be extended to cover the lifespan of this Council (2013 to 2017) in line with the development of this Council's priorities and objectives; and
- appointed the following members to the Improvement Sounding Board:

Convener – M Bell
Leader – G Robinson
North Isles – S Coutts
Shetland North – D Ratter
Shetland West – F Robertson
Shetland Central – D Sandison
Shetland South – A Duncan
Lerwick North – M Stout
Lerwick South – C Smith

65/12 **Appointments to External Organisations**

The Council considered a report by the Executive Manager – Governance and Law (Report No: GL-60-12-F), which sought a number of appointments to external organisations.

Mr Bell moved that the Council approve the recommendations in the report. Mr Robinson seconded.

Decision:

The Council **RESOLVED** to make the necessary appointments as follows:

Camvo 88 Ltd

A Cooper

Children's Panel Advisory Committee (CPAC) and Shetland Area Support Team (AST)

C Smith (CPAC)

A Westland (CPAC and AST)

Dounreay Stakeholders Group – Substantive

M Stout

Nuclear Free Local Authorities (Scotland) (NFLA) – Substitute

M Stout

Community Alcohol and Drugs Services Shetland (CADSS)

A Wishart

Sandsayre Pier Trust

G Smith

Armed Forces and Veterans' Champion

G Smith

ASCC/SIC Liaison Group

In addition, the Council resolved to grant delegated authority to the Executive Manager – Governance and Law to confirm appointments to the ASCC/SIC Liaison Group, upon the submission of one nomination from each Ward, after the meeting today.

66/12 **Appointments to Education and Families Committee – Religious Representatives**

The Council considered a report by the Executive Manager – Governance and Law (Report No: GL-49-12-F), which addressed the statutory requirement to have religious representatives on the Education and Families Committee, and sought agreement on the appointment of two religious representatives to the Committee.

Mr Robinson moved that the Council approve the recommendations in the report, on the basis that the issue of having religious representation on Council committees continue be pursued with CoSLA. Mr Robertson seconded.

Dr Wills moved as an amendment that the recommendations be approved, but that whilst welcoming the discussions with COSLA and other island Councils about religious representatives on the Education Committee, to ask the appointees not to take up their posts pending a meeting between the Leader, Convener and Education Chair, and representatives of local religious organisations, to explore the setting up of a forum where those with an interest in religious education can be assured that their views will be heard and taken into account. Mr Ratter seconded.

Mr Robinson, with the consent of his seconder, agreed to accept the terms of the amendment, and the Council concurred.

Decision:

The Council **RESOLVED** to appoint Ms Radina McKay and Mr Martin Tregonning as Religious Representatives on the Council's Education and Families Committee, and that

whilst welcoming the discussions with COSLA and other island Councils about religious representatives on the Education Committee, the Council further **RESOLVED** to ask the appointees not to take up their posts pending a meeting between the Leader, Convener and Education Chair, and representatives of local religious organisations, to explore the setting up of a forum where those with an interest in religious education can be assured that their views will be heard and taken into account.

67/12 **Regionalisation of the FE Sector in the Highlands and Islands**

The Council considered a report by the Director, Shetland College (Report No. SSCB012-F) which provided information on the review of further education in Scotland, and the implications for the future of the governance arrangements for Shetland College and the College Board.

On the motion of Mr Ratter, seconded by Mr C Smith, the Council agreed to approve the recommendations from the College Board, but that a letter be issued to the Secretary for Education and Lifelong Learning to visit Shetland soon to discuss this matter.

Decision:

The Council **RESOLVED** to approve the recommendation from the College Board to delegate authority to the Director of Development Services and the Principal of the College, in consultation with the Chair of the College Board, to engage with the Scottish Government with a view to ensuring the implications of the proposals are understood, and to minimise any potential risk to the future development and delivery of Further Education in Shetland. In addition, the Council resolved that the Convener write and invite Michael Russell MSP, the Cabinet Secretary for Education and Lifelong Learning, to a meeting in Shetland on this matter, as a matter of urgency.

The Chair moved that in order to avoid the disclosure of exempt information, the Council resolve to exclude the public in terms of the relevant legislation during consideration of the following item of business. Mr Robinson seconded.

68/12 **Chair's Report - Harbour Board – Solan and Bonxie Directional Stability Issues – Update**

The Council considered a report by the Chair of the Harbour Board, which informed of the directional stability issues affecting the Solan and Bonxie.

Mr Henderson moved that the Council approve the recommendations in the report. Mr Cooper seconded.

Decision:

The Council **RESOLVED** that the remaining project budget of £1.065m be approved for 2012/13 to fund any costs associated with this issue and that this be funded from debt charges on the Harbour Account.

The meeting concluded at 1 pm.

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Chair

