

MINUTE

B – PUBLIC

**Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 12 June 2013 at 10.00 a.m.**

Present:

M Bell	M Burgess
P Campbell	G Cleaver
A Cooper	S Coutts
B Fox	A Duncan (by telephone)
R Henderson	A Manson
F Robertson	G Robinson
D Sandison	C Smith
G Smith	T Smith
A Westlake	J Wills
A Wishart	V Wishart

Apologies

D Ratter	M Stout
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In Attendance (Officers):

M Boden, Chief Executive
P Crossland, Director - Infrastructure Services
C Ferguson, Director – Corporate Services
S Shaw, Director – Community Care Services
N Grant, Director - Development Services
K Duerden, Executive Manager – Ferry Operations
J Gray, Executive Manager - Finance
J Riise, Executive Manager - Governance and Law
R Sinclair, Executive Manager – Capital Programme
S Thompson, Executive Manager – Schools
C Anderson, Senior Communications Officer
M Summers, Youth Development Worker
A Cogle, Team Leader – Administrative Services

Also:

E Mellor, Brodies
K Mouat, MSYP
K Hannah, MSYP

Chair:

Mr M Bell, Convener of the Council, presided.

Circular:

The circular calling the meeting was held as read.

The Convener ruled, in accordance with Section 43(2) of the Local Government in Scotland Act 2003, that the attendance of Mr Duncan during the Council public proceedings was permitted by remote telephone link.

The Convener welcomed Ms Kaylee Mouat and Ms Catherine Hannah, newly elected Members of the Scottish Youth Parliament, and paid tribute to the out-going MSYPs Ms Nicole Mouat and Ms Emily Shaw.

The Convener then paid tribute to some of the success that had been achieved by members of the Shetland Community, and the Council extended their congratulations to:

- Mr Graham Nicol, SIC employee, for achieving the Plastering 2nd Year – Apprentice of the Year award;
- Shetland Folk Festival, for another successful event;
- Members of the Sumburgh Airport Memorial Organising Committee, for completion of the memorial; and
- Olnafirth Primary School, for achieving the “Rights Respecting School” award.

Declarations of Interest

Mr D Sandison declared a non-financial interest in: agenda item 18 - Review of Tertiary Education - as a Trustee of the NAFC Marine Centre; agenda item 19 – Review of Provision of Youth Services in Shetland – as a family member was involved in the Service; and declared a non-financial interest in agenda item 16 – Community Development Fund – as an elected member of Scalloway Community Council.

Mr B Fox declared a non-financial interest in agenda item 18 - Review of Tertiary Education - as a Trustee of the NAFC Marine Centre, but as the report was at a strategic level, he would be taking part in the meeting.

Mr Burgess declared a financial interest in agenda item 4 – Shetland College Fees – as a contractor of services to Shetland College; a non-financial interest in agenda item 20 – Mareel – as a former Trustee of Shetland Arts. Mr M Burgess also declared a non-financial interest in agenda item 18 - Review of Tertiary Education - as a Trustee of the NAFC Marine Centre, but also a financial interest as a contractor of services to Shetland College. He also declared a non-financial interest in agenda item 16 – Community Development Fund – as Vice-Chair of Scalloway Community Council.

Mr A Cooper declared a non-financial interest in agenda item 16 – Community Development Fund – as Chair of Delting Community Council, but that he would be leaving the Chamber during discussion of this item.

Dr J Wills declared a non-financial interest in agenda items 5 and 18 – Shetland Youth Strategy and Review of Provision of Youth Services – as a cousin of his was involved with that service; a non-financial interest in agenda item 15 – nominations to Shetland Charitable Trust – as Vice-Chair of the Trust; and a non-financial interest in agenda item 20 – Mareel – as a Trustee of Shetland Charitable Trust.

Mr C Smith declared a non-financial interest in agenda item 13 – Health and Social Care Integration – but as a Council nominated member of NHS Shetland Board, he held an exclusion under the Code and would therefore be taking part in any discussion.

Mr S Coutts declared a non-financial interest in agenda item 1 – Energy Efficiency Funding – as a current employer was a director of an associated company, and therefore he would be leaving the meeting during this item. He also declared a non-financial interest in agenda item 18 – Review of Tertiary Education – as a Council appointed Trustee of the NAFC Marine Centre, and advised that he would be taking part in discussion.

Mr T Smith declared a non-financial interest in agenda item 16 – Community Development Fund – as Vice-Chair of Tingwall, Whiteness and Weisdale Community Council, but advise that he would be taking part in discussion; a non-financial interest in agenda item 18 – Review of Tertiary Education – as a Trustee of the NAFC Marine Centre; and declared a financial interest in agenda item 20 – Mareel – as he still held a financial interest in a consultancy that was involved in this project, and he would be leaving the meeting when that item was being discussed.

Mr R Henderson declared a non-financial interest in agenda item 20 – Mareel – as a Trustee of Shetland Charitable Trust.

Mr A Duncan declared an interest in agenda item 9 - Grants to the Agricultural Sector - as an agricultural grant beneficiary; and declared a non-financial interest in agenda item 16 – Community Development Fund – as an elected member of Dunrossness Community Council.

Ms A Westlake declared a non-financial interest in agenda item 16 – Community Development Fund – as a member of Lerwick Community Council.

Mr M Bell declared interests in agenda items 13 and 14 – Health and Social Care Integration and Re-organisation of Small Trusts – as a non-executive Director of NHS Shetland Board and as Chair of the Shetland Health Board Endowment Fund. Mr Bell advised that he would leave the Chamber for these items, and Mr Robinson would take the Chair.

34/13 **Minutes**

The Council approved the minutes of the Council meetings held on 17 April 2013 and 24 April 2013 on the motion of Mr Robertson, seconded by Mr Henderson.

[Mr S Coutts left the meeting.]

35/13 **Chair's Report – Energy Efficiency Funding: Scottish Government Submission And Eco Funding**

The Council considered a report by the Chair of Executive Committee (SIC-1206-EX-BTO-04), which presented the methodology and strategy required for the disbursement of energy efficiency funding available from the Scottish Government.

The Council approved the recommendations contained in the report, on the motion of Mr Robinson, seconded by Mr Wishart.

Decision:

The Council **RESOLVED** to adopt the recommendation from Executive Committee, namely to:

- (a) approve the Domestic Energy Efficiency Support Scheme, as a delegated grant scheme,
- (b) grant delegated authority to the Director of Infrastructure Services (or his nominee) to approve HES:ABS funding disbursement in terms of the delegated grant scheme.
- (c) grant delegated authority to the Director of Infrastructure Services (or his nominee) to agree and enter into an ECO funding arrangement with an appropriate energy provider.

36/13 **Chair's Report – Progress Report – Capital Projects**

The Council considered a report by the Chair of the Executive Committee (SIC-1206-EX-CPS-06), which advised of progress on the projects contained in the 5-year Asset Investment Plan (AIP).

The Council approved the recommendations contained in the report, on the motion of Mr Robinson, seconded by Mr Robertson.

Decision:

The Council **RESOLVED** to note progress on projects within the Asset Investment Plan.

[Mr Coutts returned to the meeting.]

37/13 **Chair's Report – Planning and Performance Management Update Report**

The Council considered a report by the Chair of the Executive Committee (SIC-1206-EX-CRP-05), which recommended updates to the Council's Planning and Performance Management Framework due to progress on delivering the Council's Improvement Plan and the development of the Corporate Plan.

The Council approved the recommendations contained in the report, on the motion of Mr Robinson, seconded by Mr C Smith.

Decision:

The Council **RESOLVED** to:

- Approve the arrangements contained in the Appendix to the report and the Planning and Performance Management Framework
- Approve integration of further improvement activity into the Corporate Plan and therefore conclude the Improvement Sounding Board and return full improvement scrutiny and performance management responsibility to the Executive Committee.

[Mr M Burgess left the meeting.]

38/13 **Chair's Report – Shetland College Fees 2013/14 – May 2013**

The Council considered a report by the Chair of Executive Committee (SIC-1206-EX-SCB-05), which presented the proposed course fees for academic session 2013/14.

The Council approved the recommendations contained in the report, on the motion of Mr Robinson, seconded by Mr G Smith.

Decision:

The Council **RESOLVED** to approve the course fees for the academic session 2013/14.

[Mr Burgess returned to the meeting.]

39/13 **Chair's Report – Shetland Youth Strategy**

The Council considered a report by the Chair of Executive Committee (SIC-1206-EX-CS-29), which set out the proposed strategy for the delivery of Youth Work in Shetland.

In response to questions from Members, Mr Robinson advised that prevention and early intervention remained the Council's policy in relation to youth work, and that the Strategy can deliver the required outcomes within the resources being recommended later. Regarding consultation with other partners, the Executive Manager – Schools advised that all relevant organisations had been provided with a copy of the proposed Strategy, a series of consultation meetings had taken place in the communities, and confirmed that the action plan, when approved, would be progressed in partnership with local providers and other Council services.

The Council approved the recommendations from the Committee, on the motion of Mr Robinson, seconded by Mrs Wishart.

Decision:

The Council **RESOLVED** to approve the Shetland Youth Strategy.

40/13 **Chair's Report – Clothing Grant – Revised Policy**

The Council considered a report by the Chair of Executive Committee (SIC-1206-EX-CS-23), which presented a revised Children's Service Policy on the eligibility criteria for Clothing Grants, and recommended removal of the payment of clothing grants to parents/carers of pre-school children.

The Council noted that the Committees had not approved the recommendation, and agreed that the Policy should remain unchanged, on the motion of Mr Robinson, seconded by Mr Fox.

Decision:

The Council **RESOLVED** to adopt the recommendation from the Executive Committee, namely to retain the existing Policy and criteria for Clothing Grant Payments.

41/13 **Chair's Report – Prevention of Homelessness Policy**

The Council considered a report by the Chair of Executive Committee (SIC-1206-EX-HS-05), which detailed a new draft policy on the prevention of homelessness in Shetland.

In response to a question, the Director of Development confirmed that it was reasonably accurate to state that the Housing Service was struggling to find appropriate bed and breakfast accommodation for those presenting as homeless but the Service had plans in place and had so far managed to provide people with emergency accommodation.

The Council approved the recommendation from the Committee, on the motion of Mr Robinson, seconded by Mr C Smith.

Decision:

The Council **RESOLVED** to approve the Prevention of Homelessness Policy.

42/13 **Chair's Report – Policy on Contributing to Your Support**

The Council considered a report by the Chair of Executive Committee (SIC-1206-EX-CC-15), which reported on activity over the last month and in particular engagement events. It also introduced a draft policy on how contributions from customers would be managed.

Reference was made to the financial assessment form and whether information held by the Council could be shared with third party organisations in terms of benefits being received. The Director of Community Care advised that not everyone receiving support would be in receipt of benefits, but in any event consent for sharing any such information would be required from individuals.

The Council noted that taper levels and rates had been agreed since the Executive Committee had met, and that an amended appendix had been issued with the agenda papers for today's meeting, and would therefore not impact on the proposed implementation date.

Some discussion took place regarding heating costs, and the Director – Community Care advised that the Policy allowed for such costs to be taken account of, on a case by case basis, as part of the assessment. Members agreed that tackling fuel costs at a strategic level was important, but also promoting the installation of effective heating systems and insulation would be a more effective way of dealing with the problem.

The Director of Corporate Services confirmed that staffing costs included additional employer costs such as recharges and overheads, and therefore the costs were not solely salary costs, and explained the difference in costs between Personal Care and Personal Assistant hourly rates. It was agreed that Members would be provided, after the meeting, with detailed information regarding hourly rates for someone providing personal care.

The Council approved the recommendation of the Committee, on the motion of Mr Robinson, seconded by Mr C Smith.

Decision:

The Council **RESOLVED** to:

- introduce the policy that requires people to contribute to the cost of their support, where they are financially able to do so, (policy attached as Appendix 1);
- approve the taper level(s), discretions and rates proposed in the updated appendix 2; and
- implement the Contributing to Your Support policy as of 1 July 2013.

[Mr A Duncan, attending via telephone, advised that he had declared an interest in the following item, and would not be taking part in the discussion]

43/13 **Chair's Report – Remaining Grants to the Agricultural Sector**

The Council considered a report by the Chair of Development Committee (SIC-1206-DV016), which sought approval for the removal of the remaining grants supporting the agricultural sector in Shetland.

In response to a query, Mr Cooper confirmed that the organisations affected would still be apply to apply for general grant aid funding through the Economic Development Unit, but that the proposal was to remove any presumption of funding for particular groups.

The Council approved the recommendation of the Committee, on the motion of Mr Cooper, seconded by Ms Westlake.

Decision:

The Council **RESOLVED** to adopt the recommendations from the Development Committee, namely to approve the cessation of the remaining historic grant streams payable to the agricultural sector. These are support grants to the Scottish Crofting Foundation (Shetland branch); the Shetland Flockbook Trust; the Shetland Cattle Herdbook Society; the Pony Breeders of Shetland Association; and the Council-operated Agricultural Contractors Scheme and AI Scheme.

44/13 Shetland Islands Council 2012-13 Draft Outturn

The Council considered a report by the Executive Manager - Finance (F-030-F), which presented the actual spending position for Shetland Islands Council.

The Executive Manager – Finance introduced the report, and summarised the information contained therein. In particular, he highlighted that the accounts still required to be signed off by the external Auditors, but it should be noted that the overall draw on reserves had been lower than last year - £21.4M as opposed to £35.6m - but whilst this improvement reflected the hard work that had been done to reduce the draw, it was still an unsustainable figure. He referred to the specific underspends referred to in Section 2 of the accounts, and explained where these specific underspends had been made, and referred briefly to the outturn of accounts for the Harbour Account, the Asset Investment Plan and the Housing Revenue Account. The Executive Manager also referred to the Fund Manager Fees, and explained that this was to form part of a review of the Council's Investment Strategy, and a report would be presented to a special meeting of the Council on 26 June, which was aiming to reduce those fees by about a third. He added that the Medium Term Financial Plan was also to be presented to that meeting.

Regarding a query concerning recharges, the Executive Manager – Finance advised that the vast majority of recharges were internal, and included recharges on capital expenditure. However, he confirmed that the overall figure was less, as the General Fund had shrunk, and would continue to drop away as the Fund became less.

Reference was made to the Shetland College Phase 3 project, and Members agreed that further information be provided after the meeting regarding any anticipated overspend on the project, and the impact on ERDG grants.

With reference to next year's budget, the Executive Manager Finance confirmed that as part of the 2013/14 budget setting process, there would be quarterly reporting on what was recurring savings, and what were non-recurring savings, including those contained within the Change Programme.

In conclusion, Mr Robinson thanked the Executive Manager – Finance and his staff for putting the accounts together in a timely fashion. Mr Robinson said it was also important to thank the Directors, Managers and staff that had put so much work into

getting the Council's finances into this position, but it was not yet time to relax, but even more work was needed to achieve further savings.

Mr Robinson moved that the Council note the draft outturn position for 2012/13, Mr A Cooper seconded, and the Council concurred.

Decision:

The Council **RESOLVED** to note the 2012-13 draft outturn position.

45/13 **Council Performance Report – 2012/13 Q4**

The Council considered a joint report by the Chief Executive, Director of Corporate Services and the Executive Manager – Improvement and Performance (CRP-06-13-F), which presents Shetland Islands Council's progress against its 2012 Action Plan and reports on Council-wide operational health measures.

In response to questions from Members, the Director – Corporate Services advised that no benchmarking with other local authorities had taken place in terms of the projects under the Council's Improvement Plan, but the Council agreed that this was something that should be looked into, in particular any comparisons with other island authorities. Reference was made to the series of SOFIE reviews, and Members questioned whether any further savings had been realised, beyond those anticipated. The Director – Corporate Services agreed to provide Members with figures relating to comparative savings under SOFIE programme, and also to provide a copy of the latest Change Programme schedule.

The Council noted that a number of key performance figures were being monitored by the functional Committees, and by the Audit and Standards Committee, but that future Council wide indicators should also include mileage and the vehicle cost of Council owned vehicles, and that information on the FTE staffing figures in relation to agreed and anticipated reduction in numbers be provide to Members after the meeting.

The Council approved noted the content of the report, on the motion of Mr G Robinson, seconded by Mr Robertson.

Decision:

The Council **RESOLVED** to note the contents of the report.

46/13 **Corporate Plan 2013-17**

The Council considered a joint report by the Chief Executive, Director of Corporate Services and the Executive Manager – Improvement and Performance (CRP-07-13-F), which presented Shetland Islands Council's Corporate Plan 2013-17.

Members endorsed the contents of the Plan, on the motion of Mr G Robinson, seconded by Mr C Smith, adding that, in finalising the Plan, officers ensure that maintaining "transport infrastructure" is clarified as being the maintenance of transport assets, such as roads and ferries, and it is distinct from transport service levels.

Decision:

The Council **RESOLVED** to:

- Approve the objectives and actions contained in Shetland Islands Council Corporate Plan 2013-17; and
- Delegate authority to the Chief Executive in consultation with the Leader and Convener to confirm final arrangements for the most appropriate publication and dissemination of the plan once finalised, having taken account of the need to ensure clarification on the terminology relating to transport infrastructure.

The Council adjourned and reconvened at 11.30 a.m.

[Mr M Bell left the Chamber.]

Mr G Robinson assumed the Chair.

47/13 **Health and Social Care Integration**

The Council considered a joint report by the Director of Corporate Services and the Director of Public Health (NHS Shetland) (CRP-04-13-F), which presented up to date information regarding the Health and Social Care Integration Project commissioned by Shetland's CHP Committee.

After hearing the Director of Corporate Services introduce and summarise the terms of the report, she answered various questions from Members. In particular, she explained the principles and impact of the models being considered in the report. She went on to explain how the current governance arrangements worked, and some discussion then took place as to how future governance arrangements could operate, including the process for decision making. The Director also confirmed that implementation of the legislation would not be until April 2015, and would be dependant upon the outcome of the bill, as enacted.

Some Members were concerned that there would continue to be duplication until the legislation was enacted, and would cause confusion as to how Councillors not appointed to the Committee would be able to participate. There was also some concern expressed by Members about a lack of clarity surrounding the proposals at this stage and the impact on the current democratic and representative roles, and were also keen to ensure a set timescale for the recruitment to the vacant post of Director of Health and Social Care.

After discussion, Mr G Robinson moved that the Council approve the recommendations contained in the report, seconded by Dr J Wills, but subject to Housing being removed from the remit of the proposed new Committee.

Mr G Cleaver moved as an amendment that:

- the Council resolves to refrain from setting up a shadow board as outlined in the report;
- the Council asks officers in conjunction with their colleagues at NHS Shetland to present a full appraisal of all 4 models envisaged by the published bill, to be considered at an appropriate point within the Council's cycle of meetings;
- the Council acts to fill the vacant post of interim director of health and social care with immediate effect;

- in the event of the bill reaching royal assent, all functions of housing remain within the Council and are not placed into the remit of an integrated board;
- the work and remit of the CHP continue; and
- the Council resolves to encourage ever closer working between ourselves and NHS Shetland at management, staff and locality level.

Mr R Henderson seconded.

Mr A Cooper gave notice of a further amendment.

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

Amendment (G Cleaver) 10

Motion (G Robinson) 6

Mr Cooper withdrew his notice of a further amendment, and the amendment by Mr Cleaver was declared the finding of the meeting.

Decision:

The Council **RESOLVED**:

- to refrain from setting up a shadow board as outlined in the report;
- to ask officers in conjunction with their colleagues at NHS Shetland to present a full appraisal of all 4 models envisaged by the published bill, to be considered at an appropriate point within the Council's cycle of meetings;
- to fill the vacant post of interim director of health and social care with immediate effect;
- that in the event of the bill reaching royal assent, all functions of housing remain within the Council and are not placed into the remit of an integrated board;
- that the work and remit of the CHP continue; and
- to encourage ever closer working between ourselves and NHS Shetland at management, staff and locality level.

48/13 Small Trusts Annual Report and Accounts to 31 March 2013; Zetland Educational Trust, Gilbertson Trust and Samuel Mullay Bequest

The Council considered a report by the Executive Manager – Finance (F-033-F), which presented for approval the Annual Report and Accounts to 31 March 2013 for the three small trusts administered by Shetland Islands Council.

The Council approved the recommendations in the report on the motion of Dr J Wills, seconded by Mr R Henderson.

Decision:

The Council **RESOLVED** to approve:

- the Annual Report and Accounts for the Zetland Educational Trust for 2012/13;

- the Annual Report and Accounts for the Gilbertson Trust for 2012/13; and
- the Annual Report and Accounts for the Samuel Mulla Bequest for 2012/13.
- Delegation to the Section 95 Officer to approve the final accounts for the Gilbertson Trust and the Samuel Mulla Bequest for the period of 2013/14 up to and including the date of transfer of the funds to the recipient bodies.

49/13 **Re-organisation of the Gilbertson Trust – Update**

The Council considered a report by the Executive Manager – Governance and Law (GL-14-13-F), which sought instruction regarding the transfer of funds held in the Gilbertson Trust (of which the Council are Trustees) to Shetland Charitable Trust and in relation to bringing an end to the Gilbertson Trust.

The Council approved the recommendations in the report on the motion of Dr J Wills, seconded by Mr R Henderson.

Decision:

The Council **RESOLVED** to approve the proposal to donate the trust funds held in the Gilbertson Trust to the Shetland Charitable Trust and to bring an end to the Gilbertson Trust.

50/13 **Re-organisation of the Samuel Mulla Bequest - Update**

The Council considered a report by the Executive Manager – Governance and Law (GL-23-13-F), which sought instruction regarding the transfer of funds held in the Samuel Mulla Bequest (of which the Council are Trustees) to the Shetland Health Board Endowment Fund and in relation to bringing an end to the Samuel Mulla Bequest.

The Council approved the recommendations in the report on the motion of Dr J Wills, seconded by Mr R Henderson.

Decision:

The Council **RESOLVED** to approve the proposal to donate the trust funds held in the Samuel Mulla Bequest to the Shetland Health Board Endowment Fund and to bring an end to the Samuel Mulla Bequest.

The Council adjourned at 1.15 p.m.

The Council reconvened at 2 p.m.

Present:

M Bell	M Burgess
P Campbell	G Cleaver
A Cooper	S Coutts
B Fox	A Duncan (by telephone)
R Henderson	A Manson
F Robertson	G Robinson
D Sandison	C Smith
G Smith	T Smith

A Westlake J Wills
A Wishart V Wishart

Apologies

D Ratter M Stout

In Attendance (Officers):

M Boden, Chief Executive
P Crossland, Director - Infrastructure Services
C Ferguson, Director – Corporate Services
S Shaw, Director – Community Care Services
N Grant, Director - Development Services
K Duerden, Executive Manager – Ferry Operations
J Gray, Executive Manager - Finance
J Riise, Executive Manager - Governance and Law
R Sinclair, Executive Manager – Capital Programme
S Thompson, Executive Manager – Schools
C Anderson, Senior Communications Officer
M Summers, Youth Development Worker
A Cogle, Team Leader – Administrative Services

Also:

E Mellor, Brodies
K Mouat, MSYP
K Hannah, MSYP

Chair:

Mr M Bell, Convener of the Council, presided.

51/13 Nominations to Shetland Charitable Trust

The Council considered a report by the Executive Manager – Governance and Law (GL:-17-13-F), which would enable the Council to nominate two persons to the Shetland Charitable Trust (SCT), following the resignation of Mr P Campbell and Mr G Smith, Councillor Trustees from the SCT.

Mr A Duncan, Ms A Westlake and Mr A Wishart were duly nominated.

On the motion of Mr M Bell, seconded by Mr G Robinson, the Council unanimously resolved to vote by secret ballot. Voting therefore took place, and the result was as follows:

Mr A Duncan	14 votes
Ms A Westlake	12 votes
Mr A Wishart	11 votes

Accordingly, Mr Duncan and Ms Westlake were duly nominated to the SCT.

Decision:

The Council **RESOLVED** to nominate Mr Duncan and Ms Westlake to the Shetland Charitable Trust:

[Mr A Cooper and Mr M Burgess left the meeting.]

52/13 **Community Development Fund 2013/14**

The Council considered a report by the Director of Development Services (DV024-F), which sought approval of guidelines for the new Community Development Fund, developed following consultation with Community Councils and Community Development Organisations.

The Director of Development Services answered various questions from Members. In particular, he advised that any additional burden or impact on the Grants team in implementing this Fund would be minimal. He confirmed that in the event of any applicant being unable to fully meet the conditions of their initial application, this would not prevent them from coming with a further application at a future bidding round.

During discussion, some Members were of the view that Community Councils should have priority, and the suggestions made by the ASCC/SIC Liaison Group at their meeting on 21 May 2013 should be accepted, in particular the recommendation that Community Councils should be permitted a maximum grant of £4000. In this regard, Mr T Smith moved that the recommendations in the report be agreed, but that at paragraph 2.1, this be amended to read: “approve the maximum grant for Community Councils at £4000, comprising of an award of up to £3000 for general funding and £1000 for specific projects [specifically to amend page 3 of the Guidelines – under “Community Councils” change “£2000” to “£3000”]”. Mr P Campbell, seconded.

Mr D Sandison proposed as an amendment that the Council throw out the Scheme as devised, as its effect was to undermine the responsibilities of Community Councils. However, on advice from the Executive Manager Governance and Law, the Chair ruled that this would not be a competent amendment as the Council had made its decision, and no material changes had taken place to allow such a motion to be accepted within 6 months of the original decision. Mr Sandison accepted, and withdrew his amendment.

Mr B Fox moved as an amendment that the recommendations in the report be adopted as they stand. He said that the reason for capping the fund at £68k was to ensure that Community Councils did not receive a 15% cut, and so capping of the fund at £68k would mean that the distribution of monies to all groups would be more equitable at £3000, rather than that being proposed by the Motion. Dr J Wills seconded.

Following summing up, Members voted by a show of hands, and the result was as follows:

Amendment (B Fox)	7
Motion (T Smith)	10

Decision:

The Council **RESOLVED** to:

- approve the draft Community Development Fund grant application guidelines, as amended;
- approve the maximum grant for Community Councils at £4000, comprising of an award of up to £3000 for general funding and £1000 for specific projects [specifically to amend page 3 of the Guidelines – under “Community Councils” change “£2000” to “£3000”];

- approve the draft Community Development Fund grant application assessment criteria; and
- award delegated authority to the Executive Manager – Community Planning & Development, or her nominee, to approve grant payments within the scheme guidelines, subject to available budget.

[Mr M Burgess and Mr A Cooper returned to the meeting.]

53/13 **Inter Island Ferry Review – Issues Associated with Option to Base the Vessel “Filla” in Skerries – follow up report**

The Council considered a report by the Director of Infrastructure Services (ISD-10-13-F), which sought to advise of the work undertaken since the Council meeting of 24 April 2013.

In response to a question, the Director of Infrastructure to check that direction had been given to implement a slower speed on sailings to/from Skerries, thereby extending journey time but reducing fuel costs.

The Council approved the recommendations contained in the report, on the motion of Mr G Robinson, seconded by Mr A Wishart.

Decision:

The Council **RESOLVED** to approve that the Skerries ferry continues to be berthed overnight in Symbister, Whalsay with a reduced timetable and crew compliment as detailed in section 3.6 of the report.

[Mr M Burgess left the meeting.]

54/13 **Review of Tertiary Education**

The Council considered a report by the Director of Development Services (DSD-11-13-F) that presented the Review of Research, Training and Tertiary Education in Shetland which has recently been completed and sought agreement to a single governance model external to the Council in line with the recommendations of the report produced by Anderson Solutions.

In response to questions from Members, the Chief Executive explained that, in relation to future role of Train Shetland, it was proposed that commissioning of training for Council staff would remain within the Council, as stated in 3.12 of the review paper, but that there would be no commitment as to who would be the provider. However, Members felt that the wording of the last sentence of 3.12 was confusing and were concerned that the role of Train Shetland in providing Council training would be removed entirely.

[Mr A Cooper left the meeting.]

Some Members agreed that it would be useful to have a strategy group formed in order to inform the Project Board in its implementation. Members were in agreement that there would be strong benefits for both the NAFC Marine Centre and Shetland College combining, but that the project should ensure that the grant funding elements and distinct functions of both organisations were not jeopardised.

Mr P Campbell moved the recommendations in the report, but that the second sentence of 3.12 be removed, and that a Strategy Group be created to inform the Project Board. Mr G Smith seconded, and the Council concurred.

Decision:

The Council **RESOLVED** to:

- approve the proposed governance model for Tertiary Education in Shetland detailed in paragraphs 3.11, 3.12 and 3.13 of the report, except that in relation to 3.12, the final sentence “Training activities solely target at SIC are retained in the SIC” is removed; and
- instruct the Director of Development Services to form a Strategy Group which will inform the creation of a Project Board with representatives of the organisations and produce a detailed business model and implementation plan.

[Mr A Duncan left the meeting.]

In order to avoid the disclosure of exempt information, Mr Bell moved, Mr Robertson seconded, and the Council agreed to exclude the public in terms of the relevant legislation during consideration of the following items of business.

55/13 Chair’s Report – Review: Provision of Youth Services in Shetland

The Council considered a report by the Chair of Executive Committee (SIC-1206-CS-25), which set out the staffing implications arising from the restructuring proposal.

After hearing the Executive Manager – Schools introduce the report, some Members were concerned that a number of suggestions made during the initial consultation had not been taken into account in the report, and that further consultation was required. There was also some concern that there may be a lack of awareness about the impact the proposed staffing resources would have, particularly on voluntary groups and partner organisations, and given further concerns regarding the lack of volunteers to ensure the continuance of established groups and clubs. Members received reassurance that these matters had been addressed during the consultation with communities and that staff had also been given the opportunity to discuss any concerns. It was noted that some voluntary severance packages had been asked about and were likely to be sought following a Council decision.

Mr G Robinson moved that the Committee approve the recommendation in the report. Ms V Wishart seconded.

Mr G Smith moved as an amendment that the report be deferred for one cycle to allow consultation to take place with staff and communities. Dr Wills seconded.

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

Amendment (G Smith)	11
Motion (G Robinson)	7

Decision:

The Council **RESOLVED** to defer the report for one cycle, to allow further time for consultation with affected staff and communities.

[Mr T Smith left the meeting.]

The Council adjourned for 10 minutes.

Present:

M Bell	M Burgess
P Campbell	G Cleaver
S Coutts	B Fox
R Henderson	A Manson
F Robertson	G Robinson
D Sandison	C Smith
G Smith	T Smith
A Westlake	J Wills
A Wishart	V Wishart

Apologies

A Cooper	A Duncan
D Ratter	M Stout

In Attendance (Officers):

M Boden, Chief Executive
C Ferguson, Director – Corporate Services
N Grant, Director - Development Services
J Gray, Executive Manager - Finance
J Riise, Executive Manager - Governance and Law
R Sinclair, Executive Manager – Capital Programme
C Anderson, Senior Communications Officer
A Cogle, Team Leader – Administrative Services

Also:

E Mellor, Brodies

Chair:

Mr M Bell, Convener of the Council, presided.

56/13 **Mareel**

The Council considered a joint report by the Director of Corporate Services, the Executive Manager – Finance and the Executive Manager – Governance and Law (CRP-11-13-F), which presented a detailed account of the work undertaken and the arrangements now in place that have secured the future of Mareel.

The Director of Corporate Services introduced the report, during which she outlined the role of officers, outlined progress to date, including discussions with funding partners. She outlined the decisions being sought, and thanked Members for their patience and resilience during this period of difficult and sensitive work. The Executive Manager - Finance outlined the financial aspects of the report, including the steps taken to minimise the Council's exposure. The Executive Manager – Governance and Law summarised the legal aspects of the report, including the risks and control measures put in place. Mr Mellor and officers of the Council answered

a number of questions from Members on the legal and technical aspects of the proposals.

The Council approved the recommendations in the report, on the motion of Mr G Robinson, seconded by Mr F Robertson.

Members further agreed the sensitivity of the information at this stage, and agreed that the Convener and Leader agree the final terms of the press release. Members concluded by thanking all officers involved.

Decision:

The Council **RESOLVED** to approve the recommendations in the report.

The meeting concluded at 5 p.m.

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Chair