

MINUTE

B – PUBLIC

**Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 26 March 2014 at 10 a.m.**

Present:

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

Apologies

G Robinson A Westlake
C Smith (for lateness)

In Attendance (Officers):

M Boden, Chief Executive
H Budge, Director of Children's Services
C Ferguson, Director of Corporate Services
M Sandison, Director of Infrastructure Services
J Gray, Executive Manager – Finance
S Moncrieff, Executive Manager – ICT
J Riise, Executive Manager – Governance and Law
R Sinclair, Executive Manager – Capital Programme
J Smith, Executive Manager – Performance and Improvement
V Simpson, Executive Manager – Community Planning and Development
J Robinson, Executive Manager – Occupational Therapy
M Duncan, External Funding Officer
C Reeves, Acting Harbour Master
C Anderson, Senior Communications Officer
A Cogle, Team Leader - Administration

Also in Attendance:

J Armitage, Client Adviser – New AHS Project

Chair:

M Bell, Convener of the Council, presided.

Circular:

The circular calling the meeting was held as read.

The Convener ruled that due to special circumstances, namely due to the timescales involved, the following item of business is to be considered at this meeting as a matter of urgency in terms of paragraph 3.2.2 of the Council's Standing Orders for Meetings - Agenda Item 13: New Anderson High School.

Declarations of Interest

Mr M Burgess declared an interest in agenda item 10 [Community Development Fund] as Chairman of Scalloway Community Council. Mr Burgess also declared an interest in agenda item 12 [Care and Support Charging Policy] as this would have a direct impact on him personally, and therefore he would be leaving the meeting.

Mr A Cooper declared an interest in agenda item 10 [Community Development Fund] as Chairman of Delting Community Council, and indicated he would be leaving the meeting for this item.

Mr A Duncan declared an interest in agenda item 7 [SIC Pension Fund Investment Strategy 2014-2027] and advised that he would be leaving the meeting for this item.

Mr T Smith declared an interest in agenda item 10 [Community Development Fund] as Vice-Chairman of Tingwall, Whiteness and Weisdale Community Council, and advised that he would also be leaving the meeting for this item.

Convener's Opening Remarks

Shetland Saltire Awards

The Convener said he had recently attended the Shetland Saltire Awards event, hosted and organised by Voluntary Action Shetland. The Convener said 123 young volunteers had received awards, and he paid tribute to the recognition and commitment young people had given to volunteering in the Shetland community.

Mrs Joan Leask

The Convener paid tribute to Mrs Joan Leask who had recently gained recognition from the Girl Guide Association for her 40 years service to the Girl Guides in Shetland.

Minutes

The Council approved the minutes of the Council meetings held on (a) 12 February, on the motion of Mr F A Robertson, seconded by Mr A Cooper; and (b) 26 February 2014, on the motion of Mrs V Wishart, seconded by Mr S Coutts.

11/14 Chair's Report – Education and Families Committee: Blueprint for Education 2012-17: Change of Date for Statutory Consultation on the Proposed Closure of Burravoe Primary School

The Council considered a report by the Chair of the Education and Families Committee (SIC-0326-CS-05-F) which proposed a change to the timing of the statutory consultation on the proposed closure of Burravoe Primary School from 2014 to 2015.

The Council adopted the recommendation from the Committee on the motion of Mrs V Wishart, seconded by Mr G Smith.

Decision:

The Council **RESOLVED** to adopt the recommendation from the Education and Families Committee and approved the change to the timing of statutory consultation on the proposed closure of Burravoe Primary School from 2014 to 2015.

12/14 Chair's Report – Harbour Board: Three Tug Berthing

The Council considered a report by the Chair of the Harbour Board (SIC-0326-PH-07-F) which informed of a specific professional concern by the Harbourmaster.

The Council adopted the recommendation from the Board on the motion of Mrs A Manson, seconded by Mr R Henderson.

Decision:

The Council **RESOLVED** to adopt the recommendation from the Harbour Board that the implementation of the decision in respect of three tug berthing (Council Minute 95/06) be suspended pending the outcome of a review into the appropriate towage arrangements for Sullom Voe owing to the changes in circumstances, particularly the level of acceptable risk to BP operations, since the original decision was made in May 2006.

13/14

Chair's Report – Executive Committee: ICT Strategy

The Council considered a report by the Chair of the Executive Committee (SIC-0326-ICT-01-F) which presented the Council's ICT Strategy for the 5 years from 2014 – 2019, outlining plans and costs for the four main strands of work.

The Council adopted the recommendation from the Committee on the motion of Mr A Cooper, seconded by Mr T Smith.

On behalf of the Council, the Convener asked that the minute record his thanks to Mr Moncrieff, who was leaving the Council after 15 years, for all the work he has done, and in particular bringing the Pathfinder project to a conclusion.

Decision:

The Council **RESOLVED** to:

- adopt the recommendation from the Executive Committee, namely to approve the ICT Strategy 2014-19 with the following change to the second bullet point on page 5 – SPSnet (the network):
 - “To continue to work to improve the Council's broadband availability and bandwidth throughout Shetland by co-operative joint working arrangements with Economic Development's “Shetland Telecom” Project, HIE BDUK Next General Broadband Project and Community Broadband Scotland and reporting, where appropriate, through the ICT Network Strategy Programme Board or the Shetland Telecom Stakeholder Group.”; and
- Approve the ICT Strategy as part of the Council's Strategic Framework, to be performance managed by the Executive Committee.

14/14

Chair's Report – Executive Committee: Asset Investment Plan Progress Report

The Council considered a report by the Chair of the Executive Committee (SIC-0326-CPS-03-F) which advised on the progress on the projects contained within the Asset Investment Plan, and included a summary of the financial status and predicted outturn for the full life of each project.

The Council adopted the recommendation from the Committee on the motion of Mr A Cooper, seconded by Mr T Smith.

Decision:

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

15/14

Chair's Report – Executive Committee: Asset Investment Plan – Service Need Case Report: Town Hall and Lystina Conservation Project

The Council considered a report the Chair of the Executive Committee (SIC-0326-CPS-04-F) which set out a Service Need Case (SNC) relating the Town Hall and Lystina Conservation Project.

During discussion, the Council noted that having taken advice from the Shetland Amenity Trust, the level of maintenance that needs to be carried out would make no material difference if the listed building status changed from Grade B to Grade A, but it may enhance the availability of external funding. With regard to the possibility of a public appeal for funding, the Council noted that the consultants would be asked to address that, as to whether it was worth pursuing.

The Council adopted the recommendation from the Committee on the motion of Mr A Cooper, seconded by Mr R Henderson.

Decision:

The Council **RESOLVED** to approve the recommendations from the Executive Committee, namely to:

- Approve the lodging of an application to Historic Scotland to have Lerwick Town Hall relisted to Grade A;
- Instruct the Executive Manager – Executive Services to submit grant applications to all potential funding bodies based on the proposal set out in paragraph 10.4 in Appendix A to the report; and
- Ensure that any future investigation must look at the longevity of the stone.

16/14

Chair's Report – Executive Committee: Annual Investment and Treasury Strategy for 2014/15

The Council considered a report by the Chair of the Executive Committee (SIC-0326-F-015-F) which proposed the Annual Investment and Treasury Strategy for the Council for the financial year 2014/15.

The Council adopted the recommendation from the Committee on the motion of Mr A Cooper, seconded by Mr G Smith.

Decision:

The Council **RESOLVED** to approve the recommendations from the Executive Committee, namely to:

- Approve the Annual Investment Strategy Statement to be followed for the financial year 2014/15, as set out in Appendix 1 section 2.
- Approve the Treasury Management Strategy to be followed for the financial year 2014/15, as set out in Appendix 1 section 3.
- Approve the Treasury Management Prudential Indicators for 2014/15 to 2016/17, as set out in Appendix 1 section 4.
- Review the four clauses within the CIPFA Code of Practice as set out in Appendix 1 section 5.
- Review the Treasury Management Policy Statement as set out in Appendix 1 section 6, and
- Review the Statement of Treasury Management Practices as set out in Appendix 1 section 7.

[Mr A Duncan left the meeting.]

17/14 **Chair's Report – Executive Committee: Shetland Islands Council Pension Fund Investment Strategy 2014-2027**

The Council considered a report by the Chair of the Executive Committee (SIC-0326-F-012-F) which proposed a new Investment Strategy for the Pension Fund.

The Council adopted the recommendation from the Committee on the motion of Mr A Cooper, seconded by Mr G Smith.

Decision:

The Council **RESOLVED** to approve the recommendations from the Executive Committee, namely to:

- Adopt the Investment Strategy 2013-2027 by:
 - Approving the proposed Investment Strategy as set out in section 3.4 to 3.12 of Appendix 1 to the report presented to the Executive Committee;
 - Approving the fund manager structure as set out in section 3.13 to 3.17 of Appendix 1 to the report presented to the Executive Committee; and
 - Granting delegated authority to the Executive Manager – Finance to implement the policy by making the necessary changes to fund manager arrangements.

[Mr A Duncan returned to the meeting.]

18/14 **Our Corporate Plan 2013/17 – 2014 Update**

The Council considered a report by the Chief Executive (IP-06-14-F) which presented the updated version of Our Corporate Plan developed through a range of events with Members, and through the service and directorate planning activity recently undertaken by managers.

The Chief Executive introduced the report, after which he answered various questions from Members. He confirmed that publicity would be given to the Corporate Plan, once it had been finalised. Reference was made to the need to proof read the document, and a suggestion that the reference to the LDP for Onshore Wind Energy, on page 10, was not relevant to “Strong Communities”. Members were in agreement that “senior councillors” on page 16, should be changed to “councillors”. Members also agreed that it was important for the final version to be in a format that was easily accessible and understood. In conclusion Members approved the recommendations in the report, subject to the foregoing amendments, on the motion of Mr F A Robertson, seconded by Mr A Cooper.

Decision:

The Council **RESOLVED** to:

- Approve the objectives, priorities and proposed actions set out in the Plan, subject to the following amendments: -
 - Page 10, remove last bullet point with reference to the completion of the Supplementary Guidance to the LDP for Onshore Wind Energy; and
 - Page 16, sixth bullet point, change “senior councillors” to “councillors”;
- Delegate authority to the Chief Executive to have further work done to the Corporate Plan and Directorate Plans to ensure they are all fully aligned, consistent and concise and as clear and readable as possible for further sharing with partners, staff and the community; and
- Agree to the production of a “public” version of the final plan emphasising key messages to the public, service users and partners.

[Mr C Smith attended the meeting.]

19/14

Constitutional Report – Update Report

The Council considered a report by the Chief Executive (CE-02-14-F) which provided an up to date briefing on the Council’s constitutional reform project and the Our Islands Our Future campaign.

After hearing the Chief Executive introduce the report, reference was made to paragraph 3.9, and to the discussions with the main political parties in terms of the range of powers which they may extend to island authorities post-Referendum.

On the motion of Mr G Smith, seconded by Mr W A Ratter, the Council approved the terms of the report, and agreed that all Members should be provided with further information on post-Referendum proposals from all the major political parties, in order to give them all equal prominence.

Decision:

The Council **RESOLVED** to note the update and endorse the approach that is being taken to pursue this campaign on behalf of Shetland.

The Council also agreed that Members should be provided with further information as to the post-Referendum proposals for island authorities from other major political

parties, in order to maintain the 'apolitical' stance of the campaign, and to ensure that all such proposals were being given equal prominence.

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

20/14

Community Development Fund

The Council considered a report by the Executive Manager – Community Planning and Development (DV018-F) which informed of the review of the Community Development Fund (CDF) grant aid scheme and sought approval of revised guidelines.

The Executive Manager – Community Planning and Development introduced and summarised the report. During discussion, Members gave notice of the need for the Council, in the near future, to consider the strategic importance of community councils, and their role in developing and sustaining rural communities.

Members noted that the process had been reviewed and the application form had been simplified for Community Councils, as much of the information sought is already held by the Council in terms of their core funding. However, it was noted that the additional information would still be required from local development groups. Members said that Community Councils and local groups were supportive of the Fund, and that engagement with Council officers during the application period and review had been both positive and helpful.

The Council approved the report on the motion of Mr F A Robertson, seconded by Mr G Smith.

Decision:

The Council **RESOLVED** to:

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

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

21/14

Meeting Dates and Business Programme 2014/15

The Council considered a report by the Executive Manager – Governance and Law (GL-02-14-F) which sought approval for the schedule of meetings for 2014/15.

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

Decision:

The Council **RESOLVED** to approve:

- The schedule of meetings and Business Programme for 2014/15; and

- The parameters to be applied to the Business Programme as set out in Section 3.3 of the report.

[Mr M Burgess left the meeting.]

[Mr R Henderson declared an interest, and left the meeting.]

22/14

Care and Support Charging Policy

The Council considered a report by the Director of Community Health and Social Care (CC-11-14-F) which presented the Draft Care and Support Charging Policy 2014/15 (previously known as Contributing to Your Support Policy).

The Executive Manager – Occupational Therapy introduced the report, and answered some questions from Members. She confirmed that it was difficult to quantify the impact at this early stage, but that it would be monitored carefully. It was agreed that communication with those involved would be key to ensuring a full understanding of the new scheme, and the possibility of dedicated officers to undertake assessments will be explored.

The Council approved the terms of the report, on the motion of Mr C Smith, seconded by Mr G Smith.

Decision:

The Council **RESOLVED** to:

- note the information presented in this report and its appendices;
- note the work undertaken to ensure the policy supports the principles of co-production
- note the change of title to Care and Support Charging Policy
- approve the policy and the work to be undertaken by the service to develop the policy further over the next year.

The meeting adjourned at 11.20 a.m.

The meeting reconvened at 11.45 a.m.

Present:

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

Apologies

G Robinson	A Westlake
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In Attendance (Officers):

M Boden, Chief Executive
H Budge, Director of Children's Services
C Ferguson, Director of Corporate Services
J Gray, Executive Manager – Finance
R Sinclair, Executive Manager – Capital Programme
J Riise, Executive Manager – Governance and Law
T Smith, Contract Manager (Engineering)
C Anderson, Senior Communications Officer
A Cogle, Team Leader - Administration

Also in Attendance:

J Armitage, Client Adviser – New AHS Project

Chair:

M Bell, Convener of the Council, presided.

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 item of business.

23/14 **New Anderson High School.**

The Council considered a report by the Director of Children's Services [CS-07-14-F) which sought decisions from the Council in order to progress the project, in light of a number of material changes in circumstances.

The Director of Children's Services introduced the report, and after discussion, Ms V Wishart moved that the Council approve the recommendations, and that officers be given authority to negotiate, as set out in the report. Mr G Smith seconded.

Mr G Cleaver moved as an amendment that the Council approve the recommendations, and that officers be given authority to negotiate, as set out in the report, but in addition, that the Council seek from the Project Team that they secure an agreement with all parties that this school is completed in 2017. Mr B Fox seconded.

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

Amendment (G Cleaver)	4
Motion (V Wishart)	11

Decision:

In order to achieve the most cost effective and timely construction of the New Anderson High School, the Council **RESOLVED** to approve the recommendations contained in sections 2.1 to 2.3 of the report.

The meeting closed at 1.55 p.m.

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Convener