

Services Committee
26 September 2000 Public Minutes

Services Committee
Council Chamber, Town Hall, Lerwick
Tuesday 26 September 2000 at 10.30 a.m.

Present:

P Malcolmson	J M Ritch
R J Anderson	L Angus
A J Cluness	M U Colligan
C B Eunson	F B Grains
I J Hawkins	L Hutchison
J C Irvine	J P Nicolson
F A Robertson	T W Stove
W N Stove	

Apologies:

R I Black	Dr C M Begg
W H Manson	Capt. G G Mitchell
W A Ratter	W Tait

In Attendance (Officers):

M Miller, Head of Social Care Services
G Johnston, Head of Financial Services
G Smith, Head of Community Development Services
C Medley, Head of Housing Services
C Worrall, Divisional Manager, Housing Administration and Strategy
V Simpson, Senior Housing Officer
N Watt, Section Leader, Sport and Recreation Services
W Shannon, Corporate Solicitor
M Smith, Solicitor
M Payton, Head of Education Services
M Robertson, Divisional Education Officer
R Sim, Assistant Adviser (Secondary)
L Bisset, Projects Co-ordinator
J Hunter, Chief Librarian
L Geddes, Contract Administration Officer
L Johnson, Committee Officer

Chairman:

Mr P Malcolmson, Chairman of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

Minutes:

The minutes of the meetings held on 28 June and 4 July 2000, having been circulated, were confirmed.

Members' Attendance at External Meetings – Update

The Chairman advised that he had attended a CIPFA conference on 7 September on the new Housing Bill and stock transfer issues. He added that

he had also attended the housing conference in Shetland on 16 September and thanked the staff of Housing Services and in particular Christine Worrall. Mr A J Cluness added his thanks to those of the Chairman for the excellent organisation of the Conference by the staff of Housing Services.

112/00 **Dunrossness Primary School - Feasibility Report**

The Committee considered a report by the Divisional Education Officer (Appendix 1) and approved the recommendations contained therein on the motion of Mr J P Nicolson, seconded by Mrs M U Colligan.

113/00 **South Nesting School - Feasibility Study**

The Committee considered a report by the Divisional Education Officer (Appendix 2) and approved the recommendations contained therein on the motion of Mr J C Irvine, seconded by Mrs M U Colligan.

114/00 **Project Selection Study - Bells Brae Primary School**

The Committee considered a report by the Divisional Education Officer (Appendix 3) and approved the recommendation contained therein on the motion of Mr L Angus, seconded by Mr J P Nicolson.

The Member for the area commented that when the Anderson High School moves to it's new site, the old site should be considered for primary school provision as Bells Brae is very congested and suffers severe traffic problems.

115/00 **Happyhansel Primary School - Project Selection Study**

The Committee considered a report by Divisional Education Officer (Appendix 4) and approved the recommendation contained therein on the motion of Mr F A Robertson, seconded by Mr W N Stove.

116/00 **Olnefirth Primary School - Project Selection Study**

The Committee considered a report by the Divisional Education Officer (Appendix 5) and approved the recommendation contained therein on the motion of Mrs M U Colligan, seconded by Mr J P Nicolson.

117/00 **Staffing at Whiteness Primary School**

The Committee considered a report by the Head of Education Services (Appendix 6).

The Chairman outlined the situation to date and moved that the Services Committee, having taken account of the issues raised by parents and the School Board, restores the staffing at Whiteness Primary School to six teachers for the current academic year then re-assesses the provision in terms of the forthcoming best value review of the education services, and brings forward a report to examine all the issues pertaining to minimum staffing, and determines a coherent policy. Mr J C Irvine seconded.

Mrs F B Grains felt that the end of the current academic year might be insufficient and suggested that the staffing level proposed above should continue until the return visit by the inspector has taken place and the HMI report is produced. Mr Malcolmson and Mr Irvine were happy to incorporate this into their motion.

Mrs I J Hawkins suggested that to be fair across the board a report should come forward on the other schools affected at this time and Mr J P Nicolson added that he would happily support such a motion at Council.

118/00 **Millennium Fund Grant Application - Education, Recreation, Training and Socialising**

The Committee considered a report by the Millennium Co-ordinator (Appendix 7) and approved the recommendations contained therein on the motion of Mrs L Hutchison, seconded by Mr A J Cluness.

In response to a query from a Member regarding "value in kind", the Head of Community Development Services advised that this was used in this instance to cover the services being provided from various organisations such as Archives and the Museum and not for volunteers such as those on the hall committee. He added, in response to Members concerns at the lack of evidence of local commitment to this project, that the condition that match funding be in place within six weeks would test this commitment.

119/00 **Capital Grants to Voluntary Bodies 2000/2001 - Lunnasting Public Hall - Conversion and Refurbishment**

The Committee considered a report by the Head of Community Development Services (Appendix 8) and approved the recommendations contained therein on the motion of Mrs M U Colligan, seconded by Mr L Angus.

Members stressed the need for the tight funding timescale to be adhered to, otherwise Lottery funding would be lost.

In response to a query from a Member, the Head of Community Development Services advised that he would arrange a meeting of the Officer/Member Working Group to look at the other projects on the priority list.

120/00 **Whalsay Golf Club - Application for Funding**

The Committee considered a report by the Section Leader, Sport and Recreation Services (Appendix 9) and approved the recommendations contained therein on the motion of Mrs L Hutchison, seconded by Mr L Angus.

121/00 **Department of Community Services General Fund Project Selection Study - to Extend Library Provision in Scalloway**

The Committee considered a report by the Chief Librarian (Appendix 10) and approved the recommendation contained therein on the motion of Mrs I J Hawkins, seconded by Mr F A Robertson.

122/00 **New Community Schools**

The Committee considered a report by the Head of Education Services (Appendix 11) and, after some discussion, approved the recommendations contained therein on the motion of Mrs M U Colligan, seconded by Mr R J Anderson.

123/00 **Proposals for Service Development: Young Offenders**

The Committee considered a report by the Head of Social Care Services (Appendix 12) and approved the recommendations contained therein on the motion of Mr J P Nicolson, seconded by Mr C B Eunson.

124/00 **Appointment of Legal Adviser - Adoption and Fostering Panel**

The Committee considered a report by the Head of Legal and Administrative Services (Appendix 13) and approved the recommendation contained therein on the motion of Mr T W Stove, seconded by Mrs I J Hawkins.

125/00 **Childcare Strategy: Distribution of Additional Funding - 2000/2002**

The Committee considered a joint report by the Head of Social Care Services and the Divisional Education Officer (Appendix 14) and approved the recommendation contained therein on the motion of Mr J C Irvine, seconded by Mrs M U Colligan.

126/00 **Additional Community Care Resources**

The Committee considered a report by Head of Social Care Services (Appendix 15) and approved the recommendation contained therein on the motion of Mr J C Irvine, seconded by Mr L Angus.

127/00 **Shetland Islands Council Charitable Trust - Grants to Local Charitable Organisations - Disability Shetland**

The Committee considered a report by the Head of Social Care Service (Appendix 16) and approved the recommendations contained therein on the motion of Mr C B Eunson, seconded by Mr J P Nicolson.

128/00 **Capital Programme: Lerwick Family Centre and Leog Children's Centre Refurbishment**

The Committee considered a report by Head of Social Care Services (Appendix 17) and approved the recommendations

contained therein on the motion of Mr J C Irvine, seconded by Mr J P Nicolson.

129/00 **Financial Contribution to CoSLA for the Appointment of a Senior Officer to Support Work on the Social Work Bill**

The Committee considered a report by the Head of Social Care Service (Appendix 18) and approved the recommendation contained therein on the motion of Mr J C Irvine, seconded by Mr J P Nicolson.

130/00 **Allocation Policy Review**

The Committee considered a report by the Divisional Manager, Housing Management Services (Appendix 19).

Mr J P Nicolson moved, and Mr R J Anderson seconded that, in the interests of continuity of communities, the points awarded for local connection should be increased from 10 to 100.

The Head of Housing Services advised that this would be giving it too much weighting as homelessness receives 60 points and overcrowding 25 points. He suggested that increasing it to 20 points would give a better balance as this would be in line with the points awarded for properties below tolerable standards.

Some Members felt that the 100 points given to prisoners was out of balance and the Senior Housing Officer advised that this was a combination of points for these circumstances under the current policy.

Discussion took place on Member involvement in allocations the increased difficulties in Shetland where nothing could be truly anonymous. The Head of Housing Services advised that where allocations may be perceived, from outside, to be unjust, there may be other very personal reasons involved including medical, psychiatric and financial.

Mr J P Nicolson, with the consent of his seconder, further amended his motion to:

Approve the recommendations in the report with the amendment that:

1. The points for local connections be increased from 10 to 100 and between now and the full Council meeting next week further advice on the appropriateness of that increase be sought; and
2. A Monitoring Group, rather than a Working Group, be set up, and meet monthly, with recommendations on allocations being seen in advance rather than retrospectively.

Mr A J Cluness moved, as an amendment that the recommendations in the report be approved and that that Monitoring Group monitor allocation that have *been* made. Mr C B Eunson seconded.

The Head of Housing Services advised, in response to Members concerns over local connections, that the lack of available properties is most often responsible for people being allocated out of the area, rather than a flaw in the policy. He added that the Letting Plan would allow people to transfer much more easily.

The Solicitor advised that the law states that:-“A Member of a local authority shall be excluded from a decision on the allocation of local authority housing, or of housing in respect of which the local authority may nominate the tenant, where the house in question is situated or the applicant for the house is situated in the electoral division or ward for which that member is elected.” She further advised that Members were required in terms of the National Code of Conduct to act at all times within the law and not to take part in decisions in which they have a private or personal interest. In addition, Members were asked to note that the Ombudsman had previously found that a breach of the National Code in a decision on the allocation of housing had previously resulted in a finding of maladministration in respect of another local authority. In response to a query from a Member, she advised that Mr J P Nicolson’s motion would be lawful provided that a large number of safeguards were incorporated to ensure that Members with an interest would be excluded from the decision making process in respect of the particular case in which they had an interest. She further clarified, in response to a question, that “decision making” includes taking part in the discussion of that case.

A Member pointed out that, on the fifth page of the allocation model report, the word “presentation” should be replaced with “perception”.

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

Amendment (Mr A J Cluness)	7
Motion (Mr J P Nicolson)	8

The Chairman called for nominations to the Monitoring Group.

Capt G G Mitchell (subject to his approval) was nominated by Mr J C Irvine, seconded by Mr L Angus.

Mr J P Nicolson was nominated by Mr R J Anderson, seconded by Mr L Angus.

Mrs I J Hawkins was also nominated on the motion of Mr J C Irvine, seconded by Mr J P Nicolson and the Committee agreed that all 3 Members be appointed.

131/00 (Mr J P Nicolson left the meeting)
Education Forum - 29 August 2000

Except as undernoted, the Committee noted the record of the aforementioned meeting (Appendix 20).

14/00 Scottish Qualifications Authority: Exam Results

A Member suggested that a letter of thanks and appreciation be sent to schools in Shetland for their handling of this shambles. The Head of Education Services agreed to do this on behalf of the Committee.

132/00 **Children and Young People's Services Forum - 29 August 2000**

Except as undernoted, the Committee noted the record of the aforementioned meeting (Appendix 21).

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A Member advised that Ms J Morton was representing the Association of Community Councils and not just Dunrossness.

133/00 **Housing Forum - 6 September 2000**

Except as undernoted the Committee noted the record of the aforementioned meeting (Appendix 22).

14/00 New Housing Partnerships

A Member advised that Capt G G Mitchell is Vice Chairman of Hjalmland Housing and not Chairman.

134/00 **Community Care Forum - 6 September 2000**

The Committee noted the record of the aforementioned meeting (Appendix 23).

In order to avoid the disclosure of exempt information, the Committee resolved, on the motion of Mr P Malcolmson, seconded by Mr J M Ritch, to exclude the public in terms of the relevant legislation during consideration of the following items of business.

(Representatives of the media left the meeting).

135/00 **Application for Premature Retirement**

The Committee considered a report by the Head of Education Services and approved the recommendation contained therein on the motion of Mr L Angus, seconded by Mr P Malcolmson.

136/00 **Proposal to Change Land Use Rights**

The Committee considered a report by the Head of Housing Services and approved the recommendations contained therein on the motion of Mrs I J Hawkins, seconded by Mr R J Anderson.

The Committee adjourned for lunch at 12.45 p.m.

The Committee re-convened at 2.15 p.m.

Present:

P Malcolmson	J M Ritch
R J Anderson	L Angus
A J Cluness	M U Colligan
F B Grains	I J Hawkins
L Hutchison	J C Irvine
T W Stove	W N Stove

Apologies:

R I Black Dr C m Begg
W H Manson Capt. G G Mitchell
W A Ratter W Tait

In Attendance (Officers):

M Goodlad, Chief Executive
C Medley, Head of Housing Services
G Johnston, Head of Finance Services
C Worrall, Divisional Manager Housing Administration and Strategy
A Jamieson, Project Manager
L Geddes, Contract Administration Officer
L Johnson Committee Officer

Invited to Attend:

J Johnson, Shetland Tenants Forum

137/00 **Better Homes for Scotland's Communities - The Executive's Proposals for the Housing Bill**

The Committee considered a report by the Divisional Manager, Housing Administration and Strategy (Appendix 26). On the motion of Mr L Angus, seconded by Mr W N Stove the Committee agreed to approve the recommendations contained within the report with the deletion of 8.4.

138/00 **New Housing Partnerships**

The Committee considered a report by the Project Manager (Appendix 27).

The Divisional Manager Housing Administration and Strategy advised that feedback from the conference had been collated and

was now tabled for Members information (copy attached as Appendix 27A).

(Mr T W Stove attended the meeting)

In response to a query from a Member, the Divisional Manager Housing Administration and Strategy advised that after stock transfer the Council's residual responsibilities would include the homelessness service, general fund housing (staff housing) and decisions on development funding spending. The Head of Housing Services added that the Council would still be responsible for the housing plan and could also decide to retain the sheltered housing service for example. The Divisional Manager Housing Administration and Strategy further advised that the Council would retain responsibility for the strategic role, including input to the Structure Plan.

The Project Manager advised that, to date, tenants had been informed through newsletters, Community Councils, public meetings and the local media and this was an area that would be fully pursued as it was crucial to provide tenants with all the information available to allow them to make up their own minds. In response to Members concerns, the Divisional Manager Housing Administration and Strategy advised that an Independent Tenant Adviser would be funded by money from the Scottish Executive. She added that the Council will also be entitled to independent advice.

(Mr L Angus and Mrs L Hutchison left the meeting)

Members were concerned that the terms used in the press release from the Scottish Executive were not solid enough to ensure that the housing debt would actually be cleared. The Project Manager advised that, at a parliamentary debate last Thursday regarding stock transfers, Wendy Alexander had stated that £80m would be allocated to Shetland.

A Member felt that Tenants would need to be convinced that 65p in every pound of rent they pay, which currently goes to servicing the housing debt, would be better spent on improvements. Also, it was agreed that tenants should be reassured that they will have the full support of the Council, whatever they decide.

A Member questioned the advantage to the Scottish Parliament of stock transfers, and questioned the constraints that may be imposed from Edinburgh. Mr A J Cluness pointed out that the previous items discussed, the Housing Bill, is what the Executive is proposing for tenants across Scotland.

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Members were reminded to consider, during the next year, the position of staff both in the Housing Service and associated elements, e.g. DLO, and their concerns.

The Committee approved the recommendation in the report on the motion of Mr A J Cluness, seconded by Mr W N Stove.

CHAIRMAN