

Services Committee  
05 September 2001 Public Minutes

**Services Committee**  
**Council Chamber, Town Hall, Lerwick**  
**Wednesday 5 September 2001 at 10.30 am**

**Present:**

P Malcolmson	R J Anderson
L Angus	R I Black
Dr C M Begg	M U Colligan
C B Eunson	F B Grains
I J Hawkins	J C Irvine
J P Nicolson	W A Ratter
F A Robertson	T W Stove
W N Stove	

**Apologies:**

A J Cluness	Dr C A Goodlad
W H Manson	Capt G G Mitchell
J M Ritch	

**In Attendance (Officers):**

G Smith, Head of Community Development Services  
M Duncan, Grants Officer  
M Payton, Head of Education Services  
C Medley, Head of Housing Services  
F Robertson, Senior Service Manager, Housing Operations  
M Miller, Head of Social Care Services  
S Hughes, Financial Support Services Manager  
K Adam, Solicitor  
H Sutherland, Section Leader, Corporate Policy  
L Geddes, Committee Officer

**Chairman:**

Mr P Malcolmson, Chairman of the Committee, presided.

**Circular:**

The circular calling the meeting was held as read.

**Obituary:**

Members and officials stood while the Chairman paid the following tribute to the late Mrs Brenda Nicolson.

“It is with deep regret that I have to inform members of the death of Mrs Brenda Nicolson (née Morrison), Teacher at Sound Primary School.

Mrs Nicolson was born in Lerwick in May 1963 and was brought up and educated in the town. Her future choice of career was shaped by the fact that, while in sixth year at the Anderson High, she helped out twice a week on a voluntary basis at Bell's Brae Primary School. After leaving the Anderson High School, she entered Moray House College of Education in 1981 and in 1984 graduated with a Diploma in Primary Education with Distinction.

Mrs Nicolson's first teaching appointment was as class teacher at Aith Junior High School in 1984. She taught Primaries 2, 3 and 5 and also coached netball in both the primary and secondary departments, putting to good use the Netball Coaching Certificate which she had obtained while at college.

In 1987, she successfully applied for the post of class teacher in Sound Primary School, where she taught for the remainder of her career, teaching during that time Primaries 4, 5, 6 and 7. She is remembered by colleagues at Sound as a valued friend and colleague who was at all times extremely highly-organised and whose overall standards of professionalism were of the highest. Her chief motivation was her dedication to the pupils in her care; and she was always fully aware of the needs of each individual in her classroom, tailoring the work accordingly. She was extremely popular with all connected with the school, pupils, parents and staff alike.

Mrs Nicolson never ceased to build on and add to her professional skills and, over the years, attended a wide range of training events and courses both within and beyond Shetland, showing a particular interest in the important topic of health education. She made use of this when she collaborated with a colleague at Sound in the development of a programme of study in Health for Primary 6. A particularly notable achievement was her attainment of the Postgraduate Certificate in Primary Education (P3-7), which she gained in 1995 after two years' study at the Northern College of Education.

Mrs Nicolson also had a long-standing interest in youth work and from 1987 to 1995 worked in Islesburgh Youth Club as a part-time Youth Leader in both the Junior and Senior Youth Clubs.

During a distinguished teaching career, Mrs Nicolson gave loyal, devoted and highly-regarded service to education in Shetland. She is survived by her husband, two sons and twin daughters, to whom sincere sympathy is extended.

I move that we record our appreciation of the services rendered by Mrs Brenda Nicolson to education in Shetland, our regret at her passing, and that an excerpt from this minute be sent to her family".

The motion was carried unanimously.

**Minutes:**

The minute of the meeting held on 20 June 2001, having been circulated, was confirmed.

The Committee agreed to a request from the Chairman that the date of the next meeting of the Services Committee should be changed from Wednesday 17 October to Wednesday 24 October.

**Due to special circumstances, namely that in view of the outstanding financial commitments of the organisation, and to allow the organisation**

**to address the potential for further financial hardship, a decision before the next meeting cycle is required therefore the following item of business was considered as a matter of urgency in terms of subsection 4 of Section 50B of the Local Government (Scotland) Act 1973: - Little Tykes Playgroup – Request for Additional Funding.**

113/01     **Changing Children's Services Fund – Application of Resources to Tackle Drug Misuse by or Affecting Children and Young People**

The Committee considered a report by the Head of Social Care Services (Appendix 1).

The Head of Social Care Services summarised the main terms of her report, advising Members that the Scottish Executive had approved the draft bid in principle and that the Executive were aware that the bid had yet to be approved by the Services Committee.

A Member referred to discussions at a meeting of the Shetland Alcohol Trust which he and other Members had attended the previous evening, and said that he understood a working group had been set up previously which had reported back indicating that there was no need for an 'Under-16's' service. He went on to speak about the 'plethora' of people involved in these groups and services and said that he would have thought there would be genuine consultation carried out between these groups and that a needs assessment would have been a core issue.

The Head of Social Care Services replied that a 'lifestyle survey' carried out by Shetland Youth Information Service had indicated that there was a worrying level of drug use in Shetland and that the level of information and understanding was not equivalent. She continued that it was true that the level of drug abuse was lower than the level of alcohol abuse, but links between the two were recognised. It had been considered by the working group that this would be an appropriate use of funds. She added that it was a part-time and short-term post, and that its effectiveness would be evaluated in future.

The Head of Social Care Services continued that this bid had been discussed at the Shetland Alcohol and Drug Action Team (SADAT), and that consultation with other agencies had therefore been carried out at this level. She added that part of the remit would be to look at a more effective needs assessment, for which resources were currently unavailable. She concluded by saying that there were a range of agencies and organisations that came together to discuss these issues, but that it was also important to recognise the diversity of these as well.

In response to a query from a Member regarding overlap with the Alcohol Advice Centre's Under 16's Counsellor service, the Head of Social Care Services replied that attitudes, background, experience and knowledge of applicants would be a key issue when appointing anyone to the post and that working with alcohol related issues would not preclude anyone from applying for this post.

Members referred to the wide range of voluntary agencies that appeared to be addressing similar needs, and expressed concerns that duplication may be occurring and that organisations should be working together for the good of Shetland. Members also expressed concern that an 'urban' approach is not always suitable for a distinct area such as Shetland.

On the motion of Mr J C Irvine, seconded by Mr W N Stove, the Committee approved the recommendations contained in the report.

The Chairman commented that the feeling of the Committee appeared to be that there was a need for co-ordination and that agencies should be drawn together in order to debate the wider issue which could initially be carried out through the Community Care Forum.

With the consent of his seconder, Mr J C Irvine agreed to amend his motion to include this.

114/01 **Art Therapy Project**

The Committee considered a report by the Head of Social Care Services (Appendix 2).

On the motion of Mr W A Ratter, seconded by Mr R J Anderson, the Committee agreed to approve recommendation 8.1 in the report but not to approve recommendation 8.2.

Mr L Angus advised Members that he had become involved in this project when it had run into problems, and that he had been surprised at the high take-up rate. He went on to say that he was not sure that the voluntary sector was the right place to be delivering this service and suggested that between now and the end of the financial year, it should be debated if this service should be delivered by the local authority.

With the consent of his seconder, Mr W A Ratter agreed to incorporate this proviso into his motion.

115/01 **Grants to Play Areas – Stage 2 – Design Grant – Bigton Play Area Development**

The Committee considered a report by the Leisure Facilities Officer (Appendix 3) and approved the recommendations contained

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

116/01     **Capital Grants to Voluntary Bodies – Northmavine Club – Provision of Yoal Store**

The Committee considered a report by the Grants Officer (Appendix 4) and on the motion of Mr W A Ratter, seconded by Mr F A Robertson, approved the recommendations contained therein.

The Head of Community Development Services answered questions from Members regarding the scale of the project and the financial implications and said that the group hoped to expand its activities in the future so this building had been designed with this in mind. In response to a query, he confirmed that projects one and two on the list were already progressing so this project would not be progressing at their expense.

117/01     **Allocation Monitoring Group – Policy Changes**

The Committee considered a report by the Senior Service Manager, Housing Operations (Appendix 5).

Members of the Allocation Monitoring Group commented on how useful and helpful it had been to take part in the Group, and agreed that it had helped increase their understanding of housing allocations and had also assisted in looking at complaints they had raised. It was noted that other Members would be given a chance to participate in the future.

In response to a query from a Member regarding 'Local Connection Points', the Senior Service Manager confirmed that ten points were allocated with the old policy for any of the three areas chosen. But now 20 points were allocated only where there was a local connection with an area of choice. She confirmed that 'local connection' was defined as being born in the area; having previously lived in the area; having parents, grandparents, children or grandchildren in the area; or working in the area.

A Member enquired if the homelessness issue was still driving the policy for allocations for local authorities.

The Senior Service Manager replied that 70-80 people in Shetland were homeless and that the Council were required to support those who were suffering from violence. The Council was therefore obliged not to return these people to their area, but that there had not been a case like that this year and it usually related to a very small number of cases.

In response to a query, the Chairman confirmed that Members should feel free to feed into the agenda of the Group if they had any concerns.

On the motion of Mr J C Irvine, seconded by Mr L Angus, the Committee approved the recommendations contained in the report.

118/01 **Request for Member Nomination to Shetland Alcohol and Drug Action Team**

The Committee considered a report by the Head of Legal and Administrative Services (Appendix 6).

Mr R J Anderson, seconded by Mr L Angus, moved that Mr C B Eunson be nominated to SADAT.

Mr J P Nicolson, seconded by Mr W A Ratter, moved that Dr C M Begg be nominated to SADAT.

The Committee agreed to alter recommendation 5.1 in the report and nominate two Members to SADAT, and agreed to accept the recommendation at paragraph 5.2.

119/01 **Little Tykes Playgroup – Request for Additional Funding**

The Committee considered a report by the Grants Officer (Appendix 7).

The Head of Community Development Services confirmed that this report was only before the Committee as it was a retrospective application and therefore a decision of the Council is required.

Mr R J Anderson, seconded by Dr C M Begg, moved that the recommendations in the report be approved.

Mr J C Irvine stated that representatives from the Playgroup had approached him and he had advised them to contact the DLO in the first instance, as they had been responsible for not including VAT in the figures quoted. However the DLO had refused to write-off this sum so he had advised the Playgroup to contact Community Services, which had resulted in this report coming before the Committee today. He added that he felt that the Standing Committee should look at the wider issue regarding reports like this for smaller sums of money so that they did not keep coming up before Committee and authority could be delegated.

Mr J C Irvine, seconded by Mr J P Nicolson, moved as an amendment that the recommendations in the report be approved with an addition that criticism of the DLO be included.

Mr J P Nicolson stated that he felt that it was more appropriate to include a general criticism of the Council, and noted that tender prices did normally exclude VAT. Whilst he accepted Mr Irvine's point, he felt that if the Council had been working more closely with

the Playgroup and had provided guidance, then this situation might not have arisen.

At the request of his seconder, Mr J C Irvine agreed to alter his amendment so that the recommendations in the report be approved with the addition that a general criticism of the way that this had been handled be included.

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

Amendment (Mr J C Irvine)	2
Motion (Mr R J Anderson)	8

There were no further amendments and Mr Anderson's motion was declared the finding of the meeting.

120/01     **Best Value Service Review: Education Services: Progress Report**

The Committee noted a report by the Section Leader, Corporate Policy (Appendix 8).

A Member expressed concern at the considerable time that this had gone on, and noted that there was still a long way to go. He stressed the need to get on with the review, given its critical importance to the Council.

The Section Leader confirmed that the processes were now moving again after being held up. She added that a seminar would be taking place as soon as possible after the officer group have met in mid-September, and that an outline of the options would be presented to the Services Committee in October.

A Member commented that it would be useful to have a number of seminars and 'brainstorming' sessions in order to ensure that Members are fully informed.

Members were of the opinion that this review would be one of the most important ones that the Council would have to carry out and that it was vital that the processes were carried out correctly. The Chairman referred to the ongoing review of education services being carried out by HMI Inspectors and said that this would also help inform the debate.

A Member enquired if Members, either individually or collectively, would be given the opportunity to address the HMI Inspection Team. The Head of Education Services confirmed that some Members have already been interviewed. He added that the Team would be coming back to Shetland on further occasions and that

any Member who wished to address the team should contact him in the first instance.

A Member referred to a joint School Board meeting that she had attended recently where concerns had been expressed that Shetland was being compared with Orkney and the Western Isles regarding examination results. The Board had expressed the view that there was more to school life than this and had written to the Section Leader in the hope that this would be taken onboard.

Mrs M U Colligan, Spokesperson for Education Services, confirmed that she had also raised this with HMI Inspectors

Members expressed disappointment at the survey return rates referred to in paragraph 4.2, particularly in relation to professional staff. A Member commented that the questionnaires had been sent out just before the summer holidays and perhaps this had not been conducive in getting responses from staff.

A Member enquired if the consultation process would be extended to include Community Councils.

The Section Leader confirmed that, at this stage, just people involved with education services had been consulted but if there were to be changes to the scheme of provision then Community Councils would be consulted.

Members commented on the enormity of the task ahead and that only nominal staff resources that had been allocated. It was hoped that further staff resources would be allocated if necessary. A Member particularly referred to the vast sums of money involved in real estate when looking at the scheme of provision.

A Member commented on the number of pupils in the Scalloway Junior High catchment area who prefer to go to the Anderson High School for their secondary education. He said that he hoped this would be investigated whilst carrying out the review.

121/01

**New Housing Partnerships (NHP) – Progress Report**

The Committee noted a report by the Head of Housing Services (Appendix 9).

The Head of Housing Services advised the Committee that the report had been prepared before a meeting with the Scottish Executive, so there were now some changes. The Executive had advised that they would now need six weeks to appraise the bid which meant that consultation would be pushed back to mid-December. However it was felt that this was not the best time to carry out consultation and all parties had agreed that formal consultation should begin in January. This means that the



conclusion of the ballot will now be in the third week of March, which is three weeks later than indicated in the report. It had also been agreed that the third week in June would be a more realistic time to complete the conveyancing in the event of a positive ballot.

Some Members expressed concern that the message was not getting across to the public, and referred specifically to the low turnouts at public meetings.

The Head of Housing Services advised that the Tenant Participation Advisory Service (TPAS) were in the process of visiting each household and that this would soon be completed. It had been ascertained that people were asking for 'hard' information regarding rent levels, repairs etc. and that this would be forthcoming with Stage 1 of the consultation process in January. He added that tenants could keep coming back with feedback, and that this process would only stop when the ballot papers were issued.

A Member highlighted potential problems that may arise with the conveyancing process particularly in relation to boundaries and land ownership. The Head of Housing Services replied that there was provision for 'corrective conveyancing' built into the contract which could be carried out in the future.

In response to a query, the Head of Housing Services said that, as far as he was aware, the remit of TPAS extended to offering advice to owner-occupiers but the exact position would have to be confirmed.

In response to a query regarding servicing of the housing debt, the Head of Housing Services confirmed that nothing had been received in writing from the Scottish Executive regarding this. Discussions were ongoing with the Executive but the difficulty appeared to be that whatever was done for Shetland in particular and Scotland in general, meant that the same rules would have to be applied elsewhere. He confirmed that the Scottish Executive were aware that the Council would not go to ballot until a written undertaking had been received.

The Committee noted that approval had to be sought from the Scottish Executive before the proposal could proceed.

122/01

**Publication of Information on Complaints: Social Care**

The Committee noted a report by the Head of Social Care Services (Appendix 10).

123/01

**Update on Partnership with the Independent/Voluntary Sector**

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

The Chairman referred to earlier discussions regarding agenda item 113/01 and said that he hoped that this would address Members' concerns.

124/01 **Note of Culture and Recreation Forum – 9 August 2001**

The Committee noted the above (Appendix 12).

13/01 – Island Games

A Member enquired about artificial pitches, and said that he had been told that they would only be suitable for practices, with actual games being played on grass; and also that they were unsuitable for hockey.

The Head of Community Development Services advised that the pitches being spoken about were 'New Generation' artificial grass surfaces which differed from the smooth 'Astroturf' pitch at Brae. He understood that the surface was deemed suitable by the relevant organisations for football but, whilst the governing boards of hockey had not ruled it out, it was felt that a smooth surface was better for hockey. He added that the pitches would certainly be used for football practice and said that he would not rule out that they would be used for playing games.

Mr W N Stove, Spokesperson for Culture and Recreation Services, added that SportScotland had been contacted in order to see if there were artificial pitches suitable for both hockey and football.

125/01 **Note of Education Forum – 10 August 2001**

The Committee noted the above (Appendix 13).

16/01 – Shetland Careers Service

A Member stated that the felt the structural and organisational changes taking place should be carefully scrutinised. It was noted that the Forum had expressed concern that there was no local authority involvement.

Mr W N Stove advised that Careers Scotland would be visiting Shetland in the next few weeks.

126/01 **Note of Community Care Forum – 14 August 2001**

The Committee noted the above (Appendix 14).

**In order to avoid the disclosure of exempt information, the Committee resolved, on the motion of Mr P Malcolmson, seconded by R I Black, to exclude the public in terms of the relevant legislation during consideration of the following item.**

(Representatives of the media left the meeting)

127/01 **Housing Stock Transfer – Appointment of Legal Adviser**

Services Committee

05 September 2001 Public Minutes

The Committee noted a report by the Head of Legal and Administrative Services (Appendix 15).