

MINUTE

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Services Committee
Council Chamber, Town Hall, Lerwick
Wednesday 3 July 2002 at 10.30 am

Present:

P Malcolmson	Dr C M Begg
R I Black	A J Cluness
C B Eunson	I J Hawkins
J C Irvine	W H Manson
J P Nicolson	J M Ritch
W A Ratter	J G Simpson
T W Stove	W N Stove
W Tait	

Apologies:

R J Anderson	L Angus
M U Colligan	F B Grains
Captain G G Mitchell	F A Robertson

In Attendance (Officers):

J Watt, Executive Director – Community Services
N Watt, Sport and Recreation Services Manager
F Stirling, Community Learning & Development Manager
M Duncan, Grants Officer
A Gill-Merrall, Service Manager – Adult Services
S Ward, Administration Officer
F Robertson, Senior Service Manager, Housing Operational Services
R Keay, Supporting People Officer
M Payton, Head of Education Service
S Gray, Education Development Officer
A Matthews, Executive Director – Corporate Services
H Sutherland, Head of Policy
L Bisset, Projects Co-ordinator
L Geddes, Committee Officer

Also:

K Hubbard, Shetland Arts Trust
Dr S Taylor, Director of Public Health, NHS Shetland

Chairman:

Mr P Malcolmson, Chairman of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

Minutes:

The minutes of the meeting held on 15 May 2002, having been circulated, were confirmed.

Attendance at External Meetings:

There was nothing to report.

The Chairman said that, as agenda items 3 and 11 were related, he would be moving agenda item 11 forward on the agenda so that it was considered after agenda item 3. The Committee agreed. The Chairman welcomed Dr Taylor, Director of Public Health, to the meeting and asked her to participate in the discussion on these two items.

77/02 **Area Regeneration: Partnership of Services**

The Committee considered a joint report by the Community Learning and Development Officer; Service Manager, Development Plans and the Area Economic Development Officer (Appendix 1).

The Committee noted that this report had already been presented to the Development Committee where there had been general agreement with regard to a more co-ordinated approach. A Member commented that the list appended to the report did not include all the organisations working together in communities, and he felt that it should have been clearly indicated that this list was an illustrative list.

On the motion of Mr A J Cluness, seconded by Mr J P Nicolson, the Committee approved the recommendations contained therein.

The Chairman referred to paragraph 3.4(d) and said that it would be useful to include in the recommendations that an annual report should be presented to the Council.

With the consent of his seconder, Mr A J Cluness agreed to incorporate this into his motion.

78/02 **Byelaws on the Employment of Children**

The Committee considered a report by the Head of Legal and Administrative Services (Appendix 2).

A Member referred to paragraph 9 of Appendix 1 and enquired whether the system regarding employment permits worked in practice.

The Head of Education Service advised that this was monitored by the SIC Training Section and that he understood there were very few applications for permits.

A Member commented on prohibited employment and said that it still seemed to be the case that young people under the age of 16 were being employed in fish and chip shops.

The Committee agreed that this byelaw should be publicised so that employers are aware of it, and it was suggested that a notice should be placed in the local media to that effect.

The Committee approved the recommendation contained therein on the motion of Dr C M Begg, seconded by Mr W H Manson.

(Mr W A Ratter attended the meeting)

79/02 **Update on the Joint Futures Initiative**

The Committee considered a report by the Head of Policy (Appendix 3).

The Head of Policy summarised the main terms of the report and pointed out that it had been presented the day before to the joint staff forum, which included staff and management representatives from both the SIC and NHS Shetland.

A Member said that there was often an assumption with joint working arrangements that everyone would do their share, and it was important to be mindful that this was not always the case.

Another Member, whilst welcoming the report, urged Members to play an active role and to speak to the people involved in order to ascertain if everything was working effectively or if there were any bureaucratic problems.

On the motion of Mr W A Ratter, seconded by Mr J P Nicolson, the Committee approved the recommendations contained therein.

80/02 **Towards a Single Managed Community Care Service**

The Committee considered a report by the Head of Social Care Service (Appendix 4).

The Chairman commented that this was a significant move for the Council which encapsulated, within posts, joint working arrangements between the SIC and NHS Shetland.

Dr S Taylor advised that a pragmatic approach had been taken in bringing the services together. She outlined the proposals in the report, and said that there was an awareness of the potential pitfalls although both sides welcomed, and were enthusiastic about, the opportunity for joint services.

The Executive Director, Community Services, explained that the arrangements should result in a streamlining of management although, in responding to a query, she was unsure as to whether it would release more money for “front line” services.

A Member advised that the Committee should be aware that joint working arrangements had been discussed at CoSLA meetings. Some members had anticipated problems regarding “third employers”, so they did not view this favourably. He enquired if discussion had taken place with local unions.

Dr Taylor explained that the joint staff forum that had been set up included representatives from the unions, the SIC and NHS Shetland and that these issues had been discussed. The joint staff forum would be used as a place to negotiate. In this particular instance, it had been agreed to retain the posts within the current establishment of each organisation.

A Member commented on problems relating to occupational therapist shortages. The Chairman commented that these problems would not get better until the joint working process was in operation.

Members agreed that the proposals in the report were to be welcomed and were an opportunity to move forward.

On the motion of Mr W A Ratter, seconded by Mr W H Manson, the Committee approved the recommendations contained therein.

81/02 **Shetland Arts Trust – Request for Redisbursement of 2001/02 Surplus**

The Committee considered a report by the Head of Community Development Services (Appendix 5)

Mr W H Manson and Mr W N Stove declared non-pecuniary interests as Trustees of Shetland Arts Trust.

Mrs K Hubbard answered questions from Members in relation paragraph 1.8 of the report.

Members expressed concern about the need to be consistent in making decisions relating to requests for redisbursements, particularly in relation to the current economic climate. A Member commented that it would have been useful if the report had indicated what past practice had been.

Members noted that it was Charitable Trust policy that surplus monies should be returned to the Charitable Trust.

A Member commented that the money had been returned to the Charitable Trust, and that the request from Shetland Arts Trust was for it to be redistributed. Another Member added that all Trusts had been invited to make presentations to the SIC Charitable Trust and he felt that this would be the appropriate forum for these issues to be discussed.

Mr J C Irvine, seconded by Mr A J Cluness, moved recommendation 4.1a contained in the report.

Mr W A Ratter moved, as an amendment, recommendation 4.1b. Mr R I Black seconded.

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

Amendment (Mr W A Ratter)	4
Motion (Mr J C Irvine)	9

(Mr A J Cluness left the meeting)

82/02 **Shetland Accordion and Fiddle Festival 2002**

The Committee considered a report by the Grants Officer (Appendix 6).

The Sport and Leisure Services Manager and the Grants Officer answered questions from Members in relation to funding of the anticipated shortfall and ferry costs. Members noted that the travel costs included external travel costs as well as costs for within Shetland.

A Member commented that the report would have been less complex if a single figure had been requested. The Chairman agreed that this could be taken into account in future.

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

83/02 **Feasibility Grants to Community Projects – Vidlin Play Area Development**

The Committee considered a report by the Grants Officer (Appendix 7), and on the motion of Mr W N Stove, seconded by Mr J C Irvine, approved the recommendations contained therein.

(Mr A J Cluness returned to the meeting during the following discussion)

84/02 **New Opportunities for Sport and Physical Education**

The Committee considered a report by the Sport and Leisure Services Manager (Appendix 8).

A Member enquired if the activity element would be dependent on staff recruitment, and said that it was necessary to be cautious in situations where money to fund initiatives was time-limited. A Member agreed that it was important for these reports to include an exit strategy from funding.

The Sport and Leisure Services Manager said that there would be a need for assistance, particularly in relation to the outdoor element of the programme. It was hoped to work in partnership with the voluntary sector and build on the capacity of the community by training local people to become sport coaches.

On the motion of Mr J P Nicolson, seconded by Mr W H Manson, the Committee approved the recommendations contained therein.

85/02 **Capital Grants to Voluntary Organisations – Skeld Marina Users Association**

The Committee considered a report by the Sport and Leisure Services Manager (Appendix 9).

Some discussion took place in relation to the “in kind” support for the project referred to in paragraph 4.2 and the tender figure referred to in paragraph 3.3.

The Sport and Leisure Services Manager explained that the “in kind” support figures had been quantified, as this would have to have been provided if the “in kind” contribution had not been received. The tender price excluded this, but the total cost of £413,259 included these elements.

The Committee approved the recommendations contained therein on the motion of Mr T W Stove, seconded by Mr W Tait.

86/02 **Free Personal Care**

The Committee considered a report by the Head of Social Care Service (Appendix 10).

The Chairman summarised the main terms of the report, explaining that it was proposed to use the £50,690 remaining from the Scottish Executive funding of £62,000 for residential care to offset anticipated overspends in the Social Care budget.

Some discussion took place regarding the figures in paragraph 4.6 of the report. A Member enquired if the £50,690 referred to was new money into the Council from the Charitable Trust, rather than a virement, as it was proposed to use this sum as additional money to offset anticipated overspends in the Social Care department. He

asked for the views of the Executive Director, Corporate Services as the Chief Financial Adviser on this matter.

The Executive Director, Corporate Services advised that the Committee was asking the Charitable Trust to agree to continue funding as it is at the moment. The Charitable Trust could decide not to accept this and amend their figures to take this £50,690 into account.

Members commented that it would have been helpful and courteous to have identified what the £50,690 would be used for. A Member commented that the Council was, in effect, using Charitable Trust monies to fund what the Scottish Executive was supplying money for.

The Chairman explained that the Council was intending to use the additional money to make sure that the Social Care service got the benefit from it, rather than saying to the Scottish Executive that it was not required. Reference was made to demands on the Social Care budgets, particularly in relation to the home help service.

A Member enquired if the funding required from the Charitable Trust would be reduced next year because of the funding being provided from the Scottish Executive.

The Chairman explained that this would not be the case.

The Service Manager, Adult Services explained that the additional money would be used to offset anticipated overspends in the Council's own residential care settings. Inspection reports had recommended that Viewforth, in particular, should have extra staff and meet health and safety requirements. It was also necessary to think ahead to the future, as there was an unmet demand for residential care.

On the motion of Mr C B Eunson, seconded by Mrs I J Hawkins, the Committee approved the recommendations contained in the report.

87/02

Care Home Fees

The Committee considered a report by the Head of Social Care Service (Appendix 11).

The Chairman summarised the main terms of the report, pointing out that there was no suggestion that the Walter and Joan Gray Home would be closed, but that there was a shortfall which the report was trying to address.

A Member pointed out that the £35,219m referred to in paragraphs 1.1 and 1.3 of the report should read £35,219k.

A Member referred to paragraph 3.2.2, saying she felt this option should be chosen. She referred to the good work carried out at the Walter and Joan Gray Home and noted that demands on Council provided residential care, and therefore the Charitable Trust, would increase if it were ever to close.

A Member said that whilst he was supportive of the recommendations in the report, he had had difficulties in contacting the Church in relation to other unrelated projects. He felt that it should be conveyed to the Church of Scotland that their co-operation in other projects would be appreciated.

A Member noted that the figures referred to in paragraphs 7.5 and 7.6 were dependent on savings and sources of virements being identified.

On the motion of Mr C B Eunson, seconded by Mrs I J Hawkins, approved the recommendations contained therein.

88/02

Supporting People: Funding the Supported Accommodation Service for People with Learning Difficulties

The Committee considered a report by the Senior Service Manager, Housing Operational Services (Appendix 12).

The Senior Service Manager summarised the main terms of the report, explaining that it would be one of a number of reports that the Committee would have to consider in relation to the Supporting People initiative. She explained the changes that would be taking place regarding the rental structure for those living in the Social Care Supported Accommodation Service. She confirmed that the proposals in the report would not be implemented until confirmation was received from the Benefits Section that the tenants were eligible for transitional housing benefit, but it was important that the exercise was carried out now so that the Council did not lose out on a significant source of funding. Guidance was expected from the Scottish Executive in the next few weeks regarding post-April 2003 funding. Once the situation was clearer, Members would have the right to withdraw anything that was put into motion at the moment.

A Member expressed concern that tenants may be forced to claim benefit when they did not wish to do so. She referred specifically to paragraph 3.9 and said that it was important to be clear about this situation in the future, as it would otherwise result in tenants having to be charged.

In response to a query, the Senior Service Manager confirmed that tenants in supported accommodation had support staff that assisted them in submitting benefit claims, so they would not be inconvenienced or left to do this themselves.

On the motion of Mr A J Cluness, seconded by Mr J M Ritch, the Committee approved the recommendations contained in the report.

(Mr J M Ritch left the meeting)

89/02 **Reserve Fund Contributions 2002/03**

The Committee considered a report by the Senior Service Manager, Housing Operational Services (Appendix 13), and on the motion of Mr W Tait, seconded by Mr J P Nicolson, approved the recommendation contained therein.

In response to a query, the Senior Service Manager confirmed that audited accounts were required in many instances before funds were released.

90/02 **Best Value Service Review – Education Service**

The Committee noted a report by the Head of Education Service (Appendix 14).

(Mr J M Ritch returned to the meeting)

91/02 **HMI Action Plan: Update on Progress**

The Committee noted a report by the Head of Education Service (Appendix 15).

92/02 **Note of Culture and Recreation Forum – 6 June 2002**

The Committee noted the above (Appendix 16).

93/02 **Note of Education Forum – 7 June 2002**

The Committee noted the above (Appendix 17).

94/02 **Note of Children and Young People's Forum – 7 June 2002**

The Committee noted the above (Appendix 18).

95/02 **Note of Community Care Forum – 10 June 2002**

The Committee noted the above (Appendix 19).

96/02 **Note of Housing Forum – 12 June 2002**

The Committee noted the above (Appendix 20).

In order to avoid the disclosure of exempt information, Mr P Malcolmson moved to exclude the public in terms of the relevant legislation during consideration of agenda items 21-

23. Mr T W Stove seconded on condition that agenda item 23 be held in public.

The Chairman concurred and Members unanimously agreed to hold agenda item 23 in the public agenda, before consideration of agenda items 21 & 22 of the private agenda.

97/02 **Special Needs Base in Anderson High School**

The Committee considered a report by the Head of Education Service (Appendix 21).

The Head of Education Service advised that the report had not been submitted to the Employee's JCC, but discussions had taken place with the unions and they welcomed the report.

The Projects Co-ordinator answered queries in relation to the fees referred to in paragraph 4.2 and explained that, if staff resources were available at the time, some of the professional work would be done in-house.

A Member referred to the plans appended and said that he felt it would be more appropriate to have internal sliding doors as they would be easier for young people to manage.

The Projects Co-ordinator said that this could be taken onboard and, when the project became "live", the drawings could be forwarded to the Member for comment.

Members commented that the report was very welcome, and it was noted that it would be necessary for other projects in the Capital Programme to be re-prioritised if this was to be considered as a priority.

On the motion of Mr A J Cluness, seconded by Mr C B Eunson, approved the recommendations contained therein.

(Representatives of the media left the meeting)

98/02 **Eviction of Council House Tenants for Non-Payment of Rent**

The Committee considered a report by the Head of Finance Services.

After considerable discussion, and when the Senior Service Manager, Housing Operational Services had answered a number of questions raised, the Committee approved the recommendations contained in the report on the motion of Mr A J Cluness, seconded by Mr W A Ratter.

99/02 **Pre-School Provision**

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The Committee considered a report by the Head of Education Service and approved the recommendations contained therein on the motion of Mrs I J Hawkins, seconded by Mr J M Ritch.

CHAIRMAN