

Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 2 March 2016 at 2.00 pm

Present:

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

Apologies

G Robinson	M Stout
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In Attendance (Officers):

C Ferguson, Director of Corporate Services
J Belford, Executive Manager - Finance
J Riise, Executive Manager – Governance and Law
M Sandison, Director of Infrastructure Services
R Sinclair, Executive Manager – Capital Programme
A Cogle, Team Leader – Administration

Chair:

Mr 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 was 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 4 – Emergency Towing Vessel.

Declarations of Interest

Mr S Coutts, Mr D Sandison and Mr B Fox each declared an interest in agenda item 1, as members of ZetTrans, but that a specific exclusion applied under the Councillors' Code of Conduct and they would be taking part in the meeting.

15/16 **Shetland Islands Council Overall Management Accounts 2015/16**
Projected Outturn at Quarter 3

The Council considered a report by the Executive Manager – Finance (F-015-F), which enabled monitoring of the financial performance of all Council services to ensure that Members are aware of the forecast income and expenditure and the impact that this will have with regard to delivering the approved budget.

After hearing the Executive Manager – Finance summarise the terms of the report and clarifying a number of issues for Members, the Council approved the terms of the report on the motion of Mr C Smith, seconded by Mr A Cooper.

Decision:

The Council **RESOLVED** to:

- Review the management Accounts showing the projected outturn position at Quarter 3;
- Note that £1m of the underspend on the Cos Pressure and Contingency budget will now be returned to reserves to be used to fund the 2016/17 budget in line with the Council's decision on 10 February 2016 (SIC Min Ref: 02/16); and
- Approved an increased grant contribution to ZetTrans of £193k to fund the running costs of the public bus service.

16/16

Progress Report – Asset Investment Plan

The Council considered a report by the Executive Manager – Capital Programme (CPS-05-16-F), which advised on the progress of the projects contained within its Asset Investment Plan.

Decision:

The Council noted progress on the projects within the AIP.

17/16

Shetland Islands Council Business Programme 2016/17

The Council considered a report by the Team Leader – Administration (GL-12-16-F), which informed of the planned business to be presented in the financial year 1 April 2016 to 31 March 2017 and sought discussion with Officers regarding any changes or additions required to that Programme.

Decision:

The Council APPROVED its planned business for the financial year 1 April 2016 to 31 March 2017, noting that changes to the June meetings may be required.

18/16

Emergency Towing Vessel

The Council considered an urgent report by the Director of Infrastructure Services (ISD-05) to update members on the current position with the provision of an Emergency Towing Vessel (ETV) in the Waters surrounding Shetland and allow debate on the risks associated with the loss of a dedicated salvage tug.

The Director of Infrastructure Services introduced the report, after which a number of issues were clarified by the Director and Members alike, summarised as follows:

- Some Members disagreed with the view given by the MCA that the provision of an ETV was not a statutory duty, and considered that its provision was required by international convention and by EU Directives.

- It was recognised that Harbour tugs in operation at Sullom Voe were proven not to be the right vessel for conducting towage of a ship in distress in open sea, and did not have the capacity to act as salvage tugs.
- It was pointed out that the letter from the Convener in August 2015 to the Government stated that the provision was already at too low a level and that this view was supported by the Western Isles Council.
- Concern was expressed that the Government did not understand the level of impact on industries other than oil and gas, such as the seafood sector, and the adverse impact an incident such as an oil spill could have on the benefits those industries bring to the economy.
- Members noted that the stakeholders had impressed upon the MCA and the Government as to the value a protective measure such as an ETV held for those investing and developing industries in the northern isles, Scotland and the wider UK, and that more would be done to put those facts and costs into context as background information.
- In terms of cost benefits, members noted that costs involved in a cleanup operation, combined with reputational and value damage, would far outweigh any costs in maintaining an ETV permanently.
- There was agreement amongst Members that the issues pertaining to this matter was of concern to all Shetland Community Planning partners, and would be considered in the first instance by the Community Safety and Resilience Board, but that it should be escalated to the Partnership when appropriate.
- It was noted that a number of other countries fund oil spill responses at a national level.

- Members noted that Alistair Carmichael MP was directly involved in this matter, had been present at the stakeholder group meeting, and had raised the issue in the House of Commons to ensure that this debate remained on its agenda.
- In conclusion, Members welcomed the six-month extension, and thanked Councillor Fox and the Director of Infrastructure Services for bringing this report to the Council.

After further discussion, the Council approved the terms of the report on the motion of Mr B Fox, seconded by Dr J Wills.

Decision:

The Council **RESOLVED** to note the contents of the report and continue to make representations to the UK Government to seek that the provision of an ETV in waters around Shetland is not removed and that a long term solution be delivered to continue provision beyond the six month extension of contract.

The meeting concluded at 3 p.m.

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Convener