

Minutes

The minutes of the meeting held on 18 April 2016 were approved on the motion of Mr C Smith, seconded by Mr Stout.

The minute of the meeting held on 24 May 2016 were approved on the motion of Mr Stout, seconded by Mr Robinson.

50/16 Chair's Report - Development Committee - 13 June 2016 Strategic Housing Investment Plan - Update

The Committee considered a report by the Chair of Development Committee (P&R-0628-HS-01), which provided updates on developments in relation to the Strategic Housing Investment Plan.

(Mr Cleaver and Ms Wishart attended the meeting).

Mr Cooper summarised the main terms of the report, and moved that the Committee approve the recommendations contained therein. Mr T Smith seconded.

Decision:

The Committee **RESOLVED** to adopt the recommendation from the Development Committee, namely to:

- Note the recent Government announcements to support housing supply;
- Approve the development of an enabling top-up fund for affordable housing projects; and
- Approve that the administration of the Scheme be delegated to the Director of Development Services, or his nominee.

51/16 Joint Staff Forum - Terms of Reference

The Committee considered a report by the Director of Corporate Services (CRP-10-16-F), which presented a revised Terms of Reference for the Joint Staff Forum (JSF) to reflect the establishment of the Integration Joint Board and subsequent discussions at meetings of the JSF.

The Director of Corporate Services introduced the report. In referring to the recommendations for Committee, she advised on the nominations for membership of the JSF as made by the Employees Joint Consultative Committee (EJCC), namely, Ms S Gens, Mr A Garrick-Wright, Mr R Williamson, Mr C Smith, Mr B Fox and Mr G Cleaver. Ms S Gens had been nominated to the position of Joint Chair.

On the motion of Mr C Smith, seconded by Mr Robinson, the Committee approved the recommendations in the report.

Decision:

The Committee:

- considered the TOR attached as Appendix 1 to the report, the key issues identified in the report, the recommendations of the EJCC and the IJB in this regard and agreed any changes required to the TOR;
- recommended the TOR to the Council for approval; and
- supported the nominations for membership of the JSF made by EJCC.

52/16

Proposed Amendment to Schedule of Charges Shetland College

The Committee considered a report by the Acting Principal, Shetland College (SCB118-F), which sought to align Evening Class fees across Shetland College's learning centre short course/evening classes and those of Community Learning and Development's Adult Learning courses planned for academic session 2016/17 and approval for a revised set of charges.

The Director of Development Services introduced the report.

A comment was made in terms of the logical approach that any reduction in fee income will be met from current budgets. On the motion of Ms Wishart, seconded by Mr Cooper, the Committee approved the recommendation in the report.

Decision:

The Committee **RECOMMENDED** that the Council resolve to approve the set of revised charges as set out in Appendix 1 to the report.

53/16

Low Carbon Transport - Electric Vehicle Charge Points Charge Costs

The Committee considered a report by the Director of Infrastructure Services (EO-02-16-F), which sought approval for the charges to be levied at all publicly owned and operated Electric Vehicle (EV) Charge Points throughout Shetland.

The Executive Manager – Estates Operations summarised the main terms of the report. In referring to recommendation 2.1 in the report, he clarified the proposed charging of 15p per kWh at all EV points throughout Shetland operated by the Council.

During the brief discussion, the Executive Manager – Estates Operations advised that 15p per kWh was a very competitive rate for people who aspire to own an electric/hybrid vehicle, and is the minimum amount that can be set for the Council to operate the EV charge points on a cost neutral basis.

Reference was made to the EV Charging Point Local Map at Appendix 1, where it was clarified that the charging point in Fetlar, and in Yell, are not operated by the Council.

On the motion of Mr Robinson, seconded by Mr Stout, the Committee approved the recommendation in the report.

Decision:

The Committee **RECOMMENDED** that the Council resolves the following charges (excluding VAT), to be levied at all EV points throughout Shetland operated by the Council, on a cost neutral basis:

Standard Charger	£5.53 (per full charge)
Fast Charge	£3.75 (per full charge)
Rapid Charge	£4.68 (per full charge)

This charge will be incorporated into the Income Charges annual review as part of the budget setting process.

54/16

ICT Strategy 2016/21

The Committee considered a report by the Executive Manager – ICT (CRP-19-16-F), which presented the Council's ICT Strategy for the 5 years from 2016-2021.

The Executive Manager – ICT introduced the report.

In responding to questions, the Executive Manager – ICT advised on the regular dialogue with Ferry Operations to progress the ferry ticketing project; the various projects and initiatives which are being taken forward which interconnect with Economic Development, and she reported on the technology that is in place to enable home and flexible working

During debate, the Leader commented on the excellent and comprehensive Strategy which confirmed ICT provision throughout the Council and across Shetland. Mr Robinson moved that the Committee approve the recommendation in the report. Mr Coutts seconded.

Decision:

The Committee **RECOMMENDED** that the Council resolve to approve the ICT Strategy 2016-21.

55/16

Knab Development - Masterplanning

The Committee considered a report by the Executive Manager – Capital Programme (CPS-10-16-F), which presented options for the way forward, and in particular how a Masterplan for the Knab site might be progressed and procured.

The Executive Manager – Capital Programme summarised the main terms of the report, and advised on the recommended Option to be taken forward as set out at Section 3.9.2.

In response to a request for clarity in terms of the estimated £100k to progress the Option at 3.9.2, the Executive Manager – Capital Programme advised that the cost was an estimate on how much the Masterplan itself could cost, rather than any costs associated with engaging Architecture and Design Scotland (A&DS). In regard to a timescale to develop a masterplanning brief as outlined at 3.9.2, the Executive Manager – Capital Programme estimated that this would be a one-year project.

In response to a question, it was advised that there was no obligation on the Council to develop a Masterplan, and that the Development Brief alone, as

presented to the Development Committee this cycle, could be used to market the site. It was explained, that the Council, as landowner, can choose for a Masterplan to be produced to provide clarity on how the overall site would be developed. The Masterplan would take into account the findings of the Development Brief. In response to questions, it was confirmed that dialogue with potential developers and agents would take place throughout the process to discuss all options for the site.

On the motion of Mr Robertson, seconded by Mr Stout, the Committee approved the recommendation in the report.

Decision:

The Committee **RESOLVED** to consider the options for proceeding with a Masterplan for the Knab site as set out in section 3.9 of the report and **RECOMMENDED** to the Council that it;

instruct officers to engage with Architecture and Design Scotland (A&DS) to develop a masterplanning brief for the Knab site and to bring a further report to Policy and Resources Committee and the Council detailing proposals as to how the masterplanning services should be procured.

56/16

Proposed Gateway Process for the Management of Capital Projects

The Committee considered a report by the Executive Manager – Capital Programme (CPS-09-16-F), which presented a revised Gateway Process that reflects the recent training provided to both Members and officers on the “Five Case Model”.

In introducing the report, the Executive Manager – Capital Programme referred Members to Section 3.9 and advised on how the proposed Gateway Process differs from the current process. In reporting from Sections 1-10 of Appendix A, he outlined to Members the new Gateway Process to be followed for all Capital Projects undertaken by the Council.

In response to questions regarding the Exemptions as reported at Section 10, the Executive Manager – Capital Programme advised on the process that will be applied to very low value projects, where these would not be reported in detail but would undergo an appropriate level of scrutiny and rigour. In terms of the exemption for larger projects over £5m, he advised that due to their significance or scale, the process of preparing the Gateway documentation could become projects in their own right, justifying the production of a separate Project Initiation Document (PID) and perhaps involving external bodies.

In response to a question, the Executive Manager – Capital Programme explained that following approval by Council, the new Gateway process would apply to all new projects coming forward.

During the discussion, and in response to questions, it was agreed that all current Exemptions would be added to Section 10, including the Rolling Programme.

In response to a question, the Executive Manager – Capital Programme advised that carbon implications are not included as scoring criteria in Appendix D, but was however a factor scrutinised through the business case process for approval of individual projects. While it was acknowledged that carbon implications would be

picked up during the gateway process, reference was made to the terms of the Carbon Management Plan to embed carbon management in all areas of the Council, and it was agreed for carbon implications to be specifically included as a Scoring Criteria in Appendix D.

During debate, comments were made on the comprehensive document, and the Executive Manager – Capital Programme was commended on the work involved to develop the new process. Members were reminded on the need not to come forward with pet projects, but for all projects to follow the thorough Gateway process to ensure that the right projects, with the highest positive impacts, are achieved. On the motion of Mr C Smith, seconded by Mr Robinson, the Committee approved the recommendation in the report.

Decision:

The Committee **RECOMMENDED** that the Council resolves to approve the Gateway Process for the Management of Capital Projects as described in the report and attached as Appendix A.

57/16

Review of Strategic Options of the Port of Sullom Voe - Progress and Next Steps

The Committee considered a joint report by the Director of Infrastructure Services and the Acting Executive Manager – Ports and Harbours (PH-10-16-F), which described progress on the strategic review options for the future operation of the Port of Sullom Voe and made proposals regarding further activity.

The Executive Manager – Estate Operations summarised the main terms of the report. The Executive Manager – Governance and Law advised from the decision at Harbour Board, in terms of support for the recommendations in the report.

During debate, comments were made on the instability in the oil industry; that the concept of freehold sale would appear to be less likely at this time, and on the recent support from the Oil and Gas Authority in terms of the asset of Sullom Voe.

On the motion of Mr Stout, seconded by Mr Cooper, the Committee approved the recommendations in the report.

Decision:

The Committee:

- noted the information contained in the report, concerning the strategic options for the Port of Sullom Voe, commented on those areas within their remit and informed the Council of their views; and
- **RECOMMENDED** that the Council resolves, having taking account of the views of Committees, to instruct the Director of Infrastructure, or her nominee, to progress the next steps set out in section 5 and report back to Council on their further findings.

(In referring to the following item on the agenda, the Leader advised on the uncertainty at this time as to whether the proposed changes to the Scalloway Fish Market would be complementary, or in competition, with the Lerwick Fish Market.

In that regard he declared an interest as a Board Member of the Lerwick Port Authority. Mr Cleaver declared an interest under the same terms. Mr Robinson and Mr Cleaver left the meeting. Mr Stout took the Chair).

58/16

Review of Scalloway Harbour - Progress and Next Steps

The Committee considered a joint report by the Director of Infrastructure Services and the Acting Executive Manager – Ports and Harbours (PH-11-16-F), which described progress on the review of Scalloway Harbour and made recommendations on further activity, particularly relating to the Scalloway Fish Market.

The Executive Manager – Estate Operations summarised the main terms of the report.

Mr Cooper advised from the favourable discussion at Harbour Board, where Members had been impressed with the quality of detail in the Options Appraisal report and supported the recommendations in the report.

In referring to the recent result from the EU Referendum, clarity was sought in terms of recommendation 2.3 in the report. The Chief Executive advised that while the UK is still a Member of the European Union the Council will continue to apply for funding.

In referring to the inefficiency of the existing Fish Market building, the Executive Manager – Estate Operations advised that carbon implications have been a key factor during consideration of the options. A Member advised on an aspect of the modifications, where docking stations will control the environment in the fish market and in vehicles, which will facilitate carbon reduction.

On the motion of Mr Cooper, seconded by Ms Wishart, the Committee approved the recommendations in the report.

Decision:

The Committee:

- noted the information contained in the report, commented on those areas within their remit and informed the Council of their views;
- **RECOMMENDED** that Shetland Islands Council resolves, having taken account of the views of Committees, to instruct the Director of Infrastructure, or her nominee, to further clarify the “Outline Business Case” options, progress the next steps as set out in section 5 of the report and report again for a decision on a “Preferred Option”; and
- instructed the Director of Infrastructure, or her nominee, to submit a project outline to the policy unit of Marine Scotland to obtain their view and advice on the potential for European Maritime and Fisheries Fund (EMFF) funding eligibility.

(Mr Robinson and Mr Cleaver returned to the meeting. Mr Robinson resumed the Chair).

Community Empowerment (Scotland) Act 2015 - Consultation on Draft Guidance

The Committee considered a report by the Director of Corporate Services (CRP-18-16-F), which shared the responses submitted by the Shetland Partnership to the recent consultation on draft guidance under the Community Empowerment (Scotland) Act 2015.

The Director of Corporate Services introduced the report.

In response to questions, the Partnership Officer advised that he was content that the views of all Members on the Partnership Board have been reflected in the responses sent, and he advised on the need for ongoing discussion with partners in terms of interpretation of the legislation going forward.

During the discussion, Members commented on the good debate at the recent workshop, and commended staff on their enthusiasm during the process to form the responses.

Reference was made to organisations in Shetland that are not represented on the Shetland Partnership Board, and therefore not had an opportunity to put forward their comments on the draft guidance. The Marine and Coastguard Agency (M&CA) was given as an example of an organisation that has a major role in the community of Shetland but not considered as a community planning partner. It was noted however that the M&CA do participate on the Community Safety and Resilience Board. In her response, the Director of Corporate Services advised on the opportunities going forward to review governance and community planning processes, which will include how the views of various groups can be embraced and participation supported as appropriate at the right forum.

In response to a comment, the Director of Corporate Services advised on the responsibility and key focus for each community planning partner in terms of engagement with communities. However she acknowledged the key challenges during implementation of the Community Empowerment Act to take forward the recommendations across the whole of Scotland, to ensure the voices of the hard to reach are heard and for the key provisions in the Act to be available to all.

On the motion of Mr Stout, seconded by Mr Cooper, the Committee approved the recommendation in the report.

Decision:

The Committee **RESOLVED** to agree that the consultation submissions reflect the views of Shetland Islands Council.

Mr Robinson moved that in order to avoid the disclosure of exempt information, the Committee resolve to exclude the public in terms of the relevant legislation during consideration of the following items of business. Mr Stout seconded.

Chair's Report - Harbour Board - 15 June 2016 Ports and Harbours Management Review

The Committee considered a report by the Chair of Harbour Board.

(Mr Cooper advised that a relative was involved in the review. He had not considered the relationship to be significant enough that required him to leave the Chamber at Harbour Board, but confirmed that he had not participated in the discussion).

On behalf of the Chair of Harbour Board, the Leader introduced the report, and moved that the Committee approve the recommendations contained therein. Ms Wishart seconded.

Decision:

The Committee **RESOLVED** to approve the proposed structure as set out in the report to Harbour Board and the implementation and other transitional process required to implement it.

61/16 **Review of Commissioned Services**

The Committee considered a report by the Director of Corporate Services, which presented the findings of a review of the Third Sector in Shetland.

The Director of Corporate Services took Members through the detailed report, and highlighted the recommendations relative to each of the 5 main sections contained therein.

During the discussion, Members thanked the Director of Corporate Services for the comprehensive and detailed report, which it was acknowledged will lead on to other significant pieces of work. In response to a question in terms of resources to drive all the different strands of work forward, the Director of Corporate Services advised on the progress being made to second a Project Manager – Commissioning and Procurement Framework, to take forward the individual work streams. There were also existing staff resources that could be utilised. She advised that in terms of capacity, a key factor would be a training programme to safeguard the Council in terms of the assessment and management of risks and for policies to be in place. She said that the implementation of the Community Empowerment Act will also be a significant factor and to develop the Action Plan in consultation with Members.

In response to comments, the Director of Corporate Services advised on the opportunity for Voluntary Action Shetland (VAS) to play a key role, and for all third sector organisations to work together to develop more shared infrastructure across the third sector. She said that the Council needs to be more ruthless in its decision making and clear in terms of its own obligations, to avoid financial and reputational damage.

(Mr T Smith left the meeting).

During the discussion, clarity was sought in terms of the framework of the legally binding agreements between the Council and organisations, where the Chief Executive advised on the intention that these would be straightforward contract documents.

In response to a question, the Director of Corporate Services provided clarity in terms of the support roles provided by the Council to the Shetland Charitable Trust, where it was noted that the role of the Service Co-ordinators was to be reviewed.

During debate, comments were made that a number of the issues highlighted in the report confirmed the need for the reviews on Governance Arrangements and Member appointments to External Organisations to be undertaken. The Director of Corporate Services was commended on the excellent report, and thanked for the work undertaken to deal with the recent issues with Community Alcohol and Drugs Service Shetland (CADDs). The Committee concurred.

Mr C Smith moved that the Committee approve the recommendations in the report. In seconding, Mr Cooper commented on the need for future reporting to be in the public domain.

Decision:

The Committee:

- NOTED the information presented in the report and its appendices; and
- **RECOMMENDED** that the Council resolves to approve the proposals as presented in the report.

62/16

Due Diligence Exercise - Update on Governance Arrangements

The Committee considered a report by the Director of Corporate Services, which presented information and proposals regarding the governance arrangements of Shetland Alcohol and Drugs Partnership (SADP).

The Director of Corporate Services summarised the main terms of the report.

(Mr Cleaver left the meeting).

During debate, comments were made that the report was very much welcomed and the Director of Corporate Services was commended on the work undertaken in that regard.

Following a brief discussion, the Committee approved the recommendations in the report on the motion of Mr Robinson, seconded by Mr C Smith.

Decision:

The Committee:

- NOTED the information presented in this report and Appendix 1; and
- **RECOMMENDED** that the Council APPROVE the recommendations with regard to the Council's future role in the joint commissioning of substance misuse recovery services; and
- **RECOMMENDED** that the Council APPROVE the revised Terms of Reference at Appendix 1(d).

The meeting concluded at 4.30pm.

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Chair



Shetland Islands Council

MINUTES

B - PUBLIC

Policy and Resources Committee
Council Chamber, Town Hall, Lerwick
Tuesday 28 June 2016 at 2pm

Present:

G Robinson	G Cleaver
A Cooper	S Coutts
C Smith	T Smith
M Stout	V Wishart

Apologies:

G Smith

In Attendance:

M Boden Chief Executive
C Ferguson, Director of Corporate Services
N Grant, Director of Development Services
J Belford, Executive Manager – Finance
S Msalila, Executive Manager - ICT
J Riise, Executive Manager – Governance and Law
V Simpson, Executive Manager – Community Planning and Development
R Sinclair, Executive Manager – Capital Programme
C Symons, Executive Manager – Estate Operations
S Brunton, Solicitor
B Hall, Partnership Officer
S Shearer, Planning Officer
C Anderson, Senior Communications Officer
L Adamson, Committee Officer

Also in Attendance:

M Burgess, SIC

Chairperson

Mr Robinson, Leader, as Chair of the Committee presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

