

MINUTE

B – PUBLIC

**Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 31 August 2016 at 2.00pm**

Present:

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

Apologies

A Duncan	M Stout
A Wishart	

In Attendance (Officers):

S Bokor-Ingram – Director of Community Health and Social Care
C Ferguson, Director of Corporate Services
J Belford, Executive Manager - Finance
I McDairmid, Executive Manager – Planning
J Riise, Executive Manager – Governance and Law
R Sinclair, Executive Manager – Capital Programme
C Anderson, Senior Communications Officer
L Gair, Committee Officer

Also:

Karsten Filso, President of KIMO

Chair:

Mr Bell, Convener of the Council, presided.

Circular:

The circular calling the meeting was held as read.

Declarations of Interest

None

Convener's Opening Remarks

Tribute to the late former Councillor Mr Michael Johnston

The Council stood whilst the Convener paid the following tribute to the late Mr Michael Johnston

“Members, we have stood for a number of tributes over the course of this Council but it is perhaps worth reflection that the one I am about to deliver, like the last time when we stood in

tribute for Dr Christine Begg, is for someone taken in what ought to have been the prime of their lives with so much more still to give.

It was, therefore, with a sense of profound shock and sadness that we learned of the passing, on 14 July 2016, of Michael Frederick Balfour Johnston, former Councillor for the Lerwick Twageos Ward. Michael contested a by-election on 22 September 1988 caused by the resignation of sitting Councillor James Paton. He comfortably won that by-election and at the age of 26 (noteworthy when, almost 30 years later we are still trying to find ways to encourage younger people to stand for the Council) took his seat on to the Council. In the election of May 1990, he narrowly lost in the same ward to Lewis Smith who later, of course, went on to become Convener.

When he became a Councillor, I am told by those who served with him, including Andrea Manson that he quickly settled into his work, always doing his best for his constituents with his trademark smile and good humour. A political novice, Michael was taken under the wing of and nurtured by a certain (Slim) Jim Irvine, serving on a number of committees including Leisure and Recreation, Roads and Transport, Policy and Resources, the Police Sub-Committee and Emergency Housing Group. Michael also served on the Shetland Island Area Licensing Board. Throughout his time on the Council and indeed his life, Michael always displayed a passion for defending the underdog. No-one who met him could doubt that.

Most recently Michael worked for the local wholesalers 'J W Gray' and also operated his own shop, Lochside Stores. His interest in local public affairs didn't end on leaving the Council though, active for many years in the licensed trade, he was chair of the Licensing Forum at the time of his untimely passing. I know that the Chair of the Licensing Board appreciated and has paid tribute to his skilful and pragmatic chairing of this group and of the advice and counsel it provided to the Licensing Board. Michael also had a passion for teaching and passing on his considerable knowledge and skills in the licensed trade. In this respect he was outstanding and tireless in providing the statutory training locally for Personal License Holders and Servewise, ensuring countless Shetland Licensees and staff had, over the years, the knowledge and skills available to them to serve and supply alcohol responsibly. I have heard so many testimonials to his skills in this respect.

Well known throughout Shetland and beyond, he maintained an intense interest in the welfare of his local community. Whenever you met Michael he was cheerful and despite being busy, willing to chat and let you know what he thought about the issues of the day be it local affairs, national politics or sport; particularly football. He was always heading somewhere, sorting something, helping someone. He always knew where he was needed next.

I understand that, in recent months, Michael was seriously considering standing as a candidate at the next elections for the Council in 2017. We will now never know what more he might have achieved but I don't doubt his good humour, drive, passion and enthusiasm would have been evident, once again, in this Chamber.

Though we will all miss him his loss, obviously, will be most keenly felt by his family to whom we express our deepest sympathy. I move that an extract of the minute of this meeting be forwarded to Michael's family". Members concurred.

58/16 **KIMO Presentation**

The Council considered a report by the KIMO International President (PL-05-16-F) which informed and updated the Council on changes within KIMO International and on recent achievements by the organisation on behalf of its local authority partners.

Mr Filso, International President of KIMO provided a slide presentation (sides attached as Annex A). Mr Filso have an overview of the organisation, advising that following a successful tender process Shetland Islands Council would continue to host KIMO for the next 5 years. Mr Filso spoke particularly on issues relating to marine litter and the fishing for litter campaign, maritime safety and pollution, nuclear emissions and transport, including the work currently being undertaken in regard to micro plastics. Mr Filso concluded his presentation by thanking the Council for its continued support and said that he hoped that this collaboration would continue for many years to come.

During discussion, Members commented on micro plastics and chemicals, described as a massive issue. In response to a question as to whether any work was being done on targeting the use of microfilament nets, Mr Filso said that the most effective way of tackling this issue was to make it economically attractive for the industry and local fishermen to find a solution to this problem. Members also discussed the origins of the litter picked up by fishing boats, and the work being done to raise awareness across Europe, however there is a continued need for the message to be spread worldwide.

The Convener thanked Mr Filso for his presentation.

Decision:

The Council noted the presentation.

59/16

Overall Shetland Islands Council Management Accounts – Quarter 1

The Council considered a report by the Executive Manager – Finance (F-051-F), which enabled monitoring of the financial performance within its remit 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.

The Executive Manager – Finance introduced the report

During debate, comment was made that during Committee meetings this week it was clear that the financial position was getting tighter and that was reflected in Appendix 1. It was suggested that there is a need for time to be given that allows Members to make difficult political decision in order that services can be managed with the available budget, and assurance had been in terms of increased dialogue with Members during the week at Committee meetings.

Mr C Smith moved that the Council approve the recommendation contained in the report. Mr Robinson seconded.

Decision:

The Council **RESOLVED** to review the Management Accounts showing the projected outturn position at Quarter 1.

60/16

Asset Investment Plan – Progress Report – Quarter 1

The Council noted a report by the Executive Manager – Capital Programme Services (CPS-11-16-F), which advised on progress of the projects contained within its Asset Investment Plan currently underway or to be started in 2016/17.

The Executive Manager – Capital Programme Services introduced the report and during questions he confirmed that in regard to the Shetland College the final invoices had been received and payment had been made.

Assurance was sought in terms of the Scalloway Quay West – Pile repairs, and that developments on the quayside would not be precluded by the business case for Scalloway Harbour coming forward. The Executive Manager – Capital Programme Services said that there was no reason that a business case for the Scalloway Quay West could not come forward as well.

The Executive Manager – Capital Programme Services responded to questions and confirmed that the balance relating to the Scalloway School would go back to the funders; the Fivla would continue to be refurbished as it was not known at which point the vessel would be replaced under the ferry replacement programme; and the Taing house extension works are complete other than minor snagging items.

Decision:

The Council noted the progress on the projects within the Asset Investment Plan.

61/16

Knab Redevelopment – Masterplanning Procurement

The Council considered a report by the Executive Manager – Capital Programme Services (CPS-12-16-F), which set out the proposals for procuring the consultancy services required to produce that Master plan.

The Executive Manager – Capital Programme Services introduced the report and on responding to concerns regarding the transition of pupils to the new Anderson High School (AHS), particularly ASN, he advised that this would be a planned process arranged at Officer level. He also answered a query regarding the development brief for the Knab site, and explained that consultees included utilities and various statutory bodies. He could not confirm the detail of the masterplanning process at this time, and who the specific consultees would be, but agreed that the process should be as inclusive as possible and that anyone not contacted directly could contact with him directly.

A request was made that any investigative work already carried out on the Knab site be captured and provided to the winning tenderer so that time and resources are not wasted to develop information that already exists.

In response to a question, the Executive Manager – Capital Programme confirmed that the contractor for the new AHS could be considered for the Knab Site masterplanning exercise based on a schedule of agreed rates, but that this was not the option being recommended.

The Executive Manager – Capital Programme Services was also able to confirm that Architecture and Design Scotland, were being engaged to assist in producing the brief for the masterplan with the first meeting next week. Members were informed that they had the necessary expertise and their services were free.

Mr T Smith moved that the Council approve the recommendations to tender for services on the open market as described in paragraph 3.10.3 of the report. Mr C Smith seconded.

Decision:

The Council **RESOLVED** to instruct officers to proceed to tender for those services on the open market as described in paragraph 3.10.3 within the report.

62/16

Corporate Risk Register

The Council noted a report by the Director of Corporate Services (CRP-21-16-F), which presented the Council's Corporate Risk Register.

The Director of Corporate Services introduced the report and in response to a query on Brexit and whether a Member seminar would be useful, she advised that Development Services had prepared a first draft report for CMT but there is little information at this time. She suggested however, that a seminar may be useful as matters progress and there is more information to discuss.

Decision:

The Council **RESOLVED** to:

- Note the changes to the Corporate Risk Register;
- Note key risks facing the Council at this time and the action taken to mitigate those risks; and
- Comment and advise the Chief Executive and senior managers of their views and any changes required.

63/16

Council Business Programme 2016/17

The Council considered a report by the Team Leader – Administration (GL-41-16-F) which informed of the planned business to be presented to Council for the financial year 1 April 2016 to 31 March 2017, and sought discussion with officers regarding any change or additions required to that Programme.

The Executive Manager – Governance and Law introduced the report and advised that “appointments to external organisations update reports” would be submitted in January and March 2017, following a Members seminar towards the end of the year to consider the work carried out to date. He also advised of a visit from the Information Commissioner, Ms Rosemary Agnew, on 10 and 11 October 2016.

The Executive Manager – Finance Services advised that it is unlikely that the Scottish Government financial settlement information will be available to allow final decisions in December 2016, therefore a Special meeting in early February may be needed to accommodate the Scottish Government announcement.

In response to a question regarding the decision made in June 2016 on the Shetland Charitable Trust Governance, the Executive Manager – Governance and Law referred to the standing orders for meetings and the timeframe by which a decision can be changed. Members acknowledged that six months after the decision taken would be December 2016, and noted that the first Ordinary meeting following that date would be in February 2017.

Decision:

The Council considered its business planned for the financial year 1 April 2016 to 31 March 2017 and **RESOLVED** to approve any changes or additions to the Business Programme.

(Dr Wills left the meeting)

In order to avoid the disclosure of exempt information, Mr Bell moved, Mr C Smith seconded, and the Council RESOLVED to exclude the public in terms of the relevant legislation during consideration of the following item of business.

64/16 **Confidential Risks**

The Council considered a report by the Director of Corporate Services, which presented information with regard to risks where the information is confidential, commercially sensitive or otherwise exempt from publication.

The Director of Corporate Services introduced the report and Members noted its contents.

Decision:

The Council **RESOLVED** to:

- Note the issues of confidentiality and the substance of the risks presented at Appendix 1 to the report and the action taken to mitigate those risks; and
- Comment and advise the Chief Executive and senior managers of their views and any changes or action required.

The meeting concluded at 3.20pm

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Convener