

MINUTES

B - PUBLIC

**Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 1 November 2017 at 10am**

Present:

M Bell	P Campbell
A Cooper	S Coutts
J Fraser	C Hughson
S Leask	A Manson
R McGregor	A Priest
D Sandison	I Scott
D Simpson	C Smith
G Smith	T Smith
R Thomson	A Westlake
B Wishart	

Apologies:

M Burgess
A Duncan
E Macdonald
C Smith (for lateness)
A Westlake (for lateness)

In Attendance (Officers):

M Boden, Chief Executive
S Bokor-Ingram, Director of Community Health and Social Care
N Grant, Director of Development Services
M Sandison, Director of Infrastructure Services
J Belford, Executive Manager – Finance
A Jamieson, Executive Manager - Housing
J Riise, Executive Manager – Governance and Law
R Sinclair, Executive Manager – Capital Programme
J Smith, Acting Executive Manager – Ports and Harbours
B Hall, Partnership Officer
P Wishart, Team Leader – Legal
B Kerr, Communications Officer
L Adamson, Committee Officer

Also in Attendance:

E Mellor, Brodies LLP
H Sutherland, Head of Planning and Modernisation, NHS Shetland

Chairperson

Mr Bell, Convener of the Council, presided.

Circular:

The circular calling the meeting was held as read.

Declarations of Interest

None.

Minutes

The minutes of the meeting held on 16 August 2017 were approved on the motion of Mr Leask, seconded by Mr Fraser.

Subject to the following, the minutes of the meeting held on 30 August 2017 were approved on the motion of Mr Campbell, seconded by Mr Fraser.

- **60/17 – Shetland College Board - Appointments**

It was noted that the final bullet point in the decision should be changed to read: “appointed 3 Members of the Shetland College Board to the Colleges Integration Liaison Group, namely Mr P Campbell – Chair, Mr T Smith – Vice Chair and Mr G Smith; and that Mr A Priest, Ms E Macdonald and Ms B Wishart be appointed as substitutes”.

The minutes of the meeting held on 20 September 2017 were approved on the motion of Mr Campbell, seconded by Ms Manson.

69/17 **Joint Chairs’ Report: Development Committee – 3 October 2017; Policy and Resources Committee – 23 October 2017**
Participation Requests Policy

The Council considered a joint report by the Chair of Development Committee and the Chair of Policy and Resources Committee (SIC-1101-DV-49) which presented the Participation Requests Policy.

Mr Coutts introduced the report, and moved the recommendation contained therein. Mr Cooper seconded.

In response to questions, the Partnership Officer advised that with Community Councils being an eligible body under the legislation, presentations to each Community Council will form part of the planned promotion of participation requests to the community.

Decision:

The Council **RESOLVED** to adopt the Participation Requests Policy, in the terms proposed.

70/17 **Chair’s Report: Policy and Resources Committee – 23 October 2017**
Asset Investment Plan – Business Cases

The Council considered a report by the Chair of Policy and Resources Committee (SIC-1101-CPS-06), which presented three asset investment proposals for approval, that have been considered by the Council’s Asset Investment Group (AIG) based on the submission of business case documentation.

In introducing the report, Mr Coutts advised that each of the Business Cases had been discussed in detail at Policy and Resources Committee. He referred to the additional information sought in regard to the wind turbines to be installed at Hamarsness and Ulsta Ferry Terminals, which he confirmed had been circulated to Members. Mr Coutts moved that the Council approve the recommendations in the report. Mr Thomson seconded.

In response to questions regarding the external funding element of the Scalloway Fish Market project, it was advised that while there is no guarantee of the funding award, the project meets the eligibility criteria for external funding. The Business Case also addresses the possibility of no grant funding being available, where in such an event harbour dues would be increased accordingly, with no cost to the General Fund.

Decision:

The Council **RESOLVED** to approve the following proposals and that they are incorporated into the 2017-2022 Asset Investment Plan:

- Business Justification Case – Hamarsness & Ulsta Ferry Terminals – Wind Turbine Project
- Business Justification Case – Household Waste Recycling – Sorting and Storing
- Full Business Case – Scalloway Fish Market

(Mr C Smith attended the meeting).

71/17 **Shetland Islands Health and Social Care Partnership – Joint Strategic Commissioning Plan, Refresh 2018-2021**

The Council considered a report by the Head of Planning and Modernisation, NHS Shetland (CC-48-17-F) which informed on the process to update the Shetland Islands Health and Social Care Partnership's Joint Strategic Commissioning Plan for 2018-2021.

The Director of Community Health and Social Care introduced the report. The Head of Planning and Modernisation, NHS Shetland, advised on the process to refresh the Plan, with the four main areas of focus being financial impact, communication, engagement and to be clearer on implementation of the changes.

(Ms Westlake attended the meeting).

During the discussion, Members outlined their concerns in terms of GP resources, particularly at the Lerwick practice, and assurance was sought that improvements would be made in early course. A call was however made that any changes should not impact on the better performing practices, but to focus on the practices that are not performing well. The Director of Community Health and Social Care outlined the key challenges to recruit GPs to Shetland, and advised on the incentives offered to try to recruit and retain GPs locally. He reported on proposals to increase the use of pharmacists and other professionals, and to use available assets, resources and expertise in Shetland to meet requirements. The Director of Community Health and Social Care advised on work in progress to find better ways to support GPs, and to achieve the best outcomes using resources more flexibly, while not to detriment the performance of practices in other areas of Shetland. In response to a request for a report to be presented on progress made, the Director of Community Health and Social Care confirmed he would present a report from the IJB. In that regard, the Leader confirmed the appropriate route for reporting, to Policy and Resources Committee.

In response to questions, the Director of Community Health and Social Care advised on the benefits of utilising pharmacists and other professionals in the provision of primary care. He said this is a common approach throughout Scotland and was an

area that will be explored further, learning from practice both in and outwith Shetland. He acknowledged that further work could be done to communicate to the residents of Shetland on the range of functions that can be undertaken by pharmacists and the other professionals in assisting GPs, and to relay positive experiences from within the community.

In referring to the Activity Data at Appendix 2, and to the statement relating to Substance Misuse, namely “When comparing against Scotland the male prevalence of problem drug use in Shetland is significantly worse”, assurance was sought in terms of actions to address the issues. The Director of Community Health and Social Care advised that the NHS Drugs and Alcohol Service works in partnership with a range of service providers, both locally and nationally in terms of prevention and recovery programmes. However he recognised that more has to be done around education for young people and adults on the danger of drug taking. Continuing the work on the detection of drugs coming into Shetland is also of vital importance to stop the supply.

In response to a question, the Director of Community Health and Social Care provided explanation for Shetland being below the national average in terms of the performance indicator “people supported at home who agree that their health and care services seemed to be well co-ordinated”. He advised however that the changes made in terms of effort and resources will see improvements going forward.

In response to a question, the Director of Community Health and Social Care advised on the age profile of Social Care Workers where a cohort of staff could retire within the next five years. He reported however that engagement has taken place with schools, and he advised on the vocational courses and modern apprenticeships available which offer wide access to a career in social care.

During the discussion, assurance was sought in terms of the continuation of key services with reduced funding going forward. The Director of Community Health and Social Care referred to the further challenges ahead in addition to the reduction in funding, where he advised that the only way to maintain the level of service will be to focus on need and outcomes, and to redesign services to respond to changing circumstances. In response to a question, the Director of Community Health and Social Care advised on the need to consider risks on spending to see positive outcomes in the long-term.

After hearing a Member report from his recent attendance at a Digital Conference, the Head of Planning and Modernisation, NHS Shetland, advised that full mobile and high speed broadband connectivity to support people to continue to be cared for in their own homes forms part of the NHS’ objectives going forward, and she welcomed the opportunity to work together with partners to develop a strong case.

During debate, the Leader advised that the shortage of GPs was not only a local issue, but there was a shortage of GPs nationally. In terms of funding, he advised on the need to continue to lobby in that regard, while delivering services at the best level possible. On the motion of Mr C Smith, seconded by Mr McGregor, the Council approved the recommendation in the report.

Decision:

The Council **APPROVED** the process of updating the Shetland Islands Health and Social Care Partnership’s Joint Strategic Commissioning Plan for 2018 -2021.

72/17 **Syrian Vulnerable Person's Relocation Scheme – Refugee Resettlement**

The Council considered a report by the Director of Development Services (DV-50-17-F) which presented proposals to formally offer to resettle two families under the Syrian Vulnerable Persons Resettlement Scheme.

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

In response to questions, the Director of Development Services advised on the expectation to access a full-time translator and recruit a Community Housing Support worker for the first year of the resettlement process.

The Director of Development Services advised that the ceiling on purchase of each housing unit at £160k had been set on experience of the housing market at this time. In response to comments regarding constraints with the ceiling price, the Chief Executive referred the Council to recommendation 1.1(b) in the report, which he said would include flexibility to the Director of Development Services in terms of the purchase price.

During the discussion Members advised on their support for the proposals to resettle Syrian refugees in Shetland. Comment was made on the importance for the Syrian families to become part of the community, and to facilitate in that regard to get employment and take home a wage. In response to questions, the Director of Development Services confirmed that job types and the promotion of skills in Shetland would be included in the place profile. He also advised on the support to the families to access community groups to build up experiences and make friends.

In moving that the Council approve the recommendations in the report, Mr C Smith suggested that liaison takes place with representatives of the informal group set up to campaign on this matter. Ms Wishart seconded.

During debate, some Members spoke in support of the motion. Comments were made that although housing issues are challenging and the families have to access suitable support, relocation outwith Lerwick should not be ruled out and the families would be welcomed in the North Isles.

Decision:

The Council **RESOLVED** to:-

- Progress with plans for the resettlement of 2 families in Shetland as part of the Scottish Government's Syrian Vulnerable Person's Relocation (SVPR) scheme; and
- Grant delegated authority to the Director of Development Services (or his nominee) to procure two suitable homes in the Lerwick area, to be added to the Council's housing stock.

73/17 **Transfer of Functions to the Shetland Transport Partnership Order 2006 - Implications and Reappraisal of Current Understanding**

The Council considered a report by the Director of Development Services (DV-54-17-F), which informed on the transfer of functions to the Shetland Transport Partnership Order.

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

In response to questions, the Director of Development Services undertook to provide Cllr Hughson with information on the costs for legal advice on the functional responsibility and VAT implications.

During the discussion, clarity was provided in terms of ZetTrans having functional responsibility for the transport services to be provided.

In response to a question, the Director of Development Services undertook to advise Cllr Leask on whether the Community Empowerment Act applies to ZetTrans.

The Council otherwise noted the report.

Decision:

That the Council **NOTED:**

- The content of the report;
- The Minute of Agreement between Shetland Islands Council and the Shetland Transport Partnership dated 1 November 2006.
- The Transfer of Functions to the Shetland Transport Partnership Order 2006; and
- That in terms of law the Shetland Transport Partnership has, since 1 November 2006, been functionally responsible for securing the provision of such public passenger transport services as it considers appropriate to secure to meet any public transport requirements within their area which would not in their view be met apart from any action taken by them for that purpose, [to include public bus, ferry and air services].

75/17 **Appointment of Religious Representative to the Education and Families Committee**

The Council considered a report by the Executive Manager – Governance and Law (GL-46), which sought agreement to appoint the third religious representative on the Education and Families Committee.

The Executive Manager – Governance and Law introduced the report.

Mr G Smith, Chair of Education and Families Committee, spoke in support of the proposals in the report, and moved that the Council approve the recommendation contained therein. Mr T Smith seconded.

Decision:

The Council **RESOLVED** to appoint Ms Helen Rankine as the nominated representative of the Shetland Inter Faith Group to the Education and Families Committee.

76/17 **Education and Families Committee – MSYP Observers**

The Council considered a report by the Executive Manager – Governance and Law (GL-47), which sought agreement to amend the Council’s Constitution to allocate two Shetland MSYPs official Observer status at meetings of the Education and Families Committee.

The Executive Manager – Governance and Law summarised the main terms of the report.

In response to a question, the Executive Manager – Governance and Law confirmed that the Shetland MSYPs would not be entitled to receive exempt reports or participate during exempt items.

Mr G Smith, Chair of Education and Families Committee, spoke in support of the proposals in the report, and moved that the Council approve the recommendation contained therein. Mr T Smith seconded.

Decision:

The Council **RESOLVED** to amend the Council’s Constitution to allocate the two Shetland MSYPs official Observer status at meetings of the Education and Families Committee, for matters being considered in public by that Committee.

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.

Declarations of interest were sought at this time, for the following item of business.

Mr Bell declared an interest, as a Director of the Sullom Voe Association. He advised on the exemption, and would stay in the meeting during the discussion. Mr Cooper, Ms Manson and Mr C Smith declared an interest in the same terms.

Mr Priest declared an interest as a Technician with BP working at Sullom Voe, who would transfer to EnQuest NNS, and therefore he would leave the meeting.

(Mr Priest left the meeting).

77/17 **BP Request for Consent to the Transfer of SVT Operatorship to EnQuest NNS**

The Council considered a report by the Director of Infrastructure Services, which presented a request from BP to the transfer of operatorship of Sullom Voe Terminal to EnQuest NNS.

The Director of Infrastructure Services summarised the main terms of the report and appendices. She introduced Mr Mellor of Brodies LLP, who was in attendance to answer any questions.

Following discussion, Mr C Smith moved that the Council approve the recommendations in the report. Mr McGregor seconded.

Decision:

The Council **RESOLVED** to approve the recommendations in the report.

The meeting concluded at 12 noon.

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Convener