

MINUTES

B - PUBLIC

Policy and Resources Committee
Council Chamber, Town Hall, Lerwick
Monday 30 April 2018 at 10.00am

Present:

A Cooper	S Coutts
A Duncan	S Leask
E Macdonald	R McGregor
I Scott	G Smith
T Smith	R Thomson

Apologies:

None

In Attendance:

M Sandison, Chief Executive
C Ferguson, Director of Corporate Services
I McDiarmid, Executive Manager - Planning
J Riise, Executive Manager – Governance and Law
V Simpson, Executive Manager – Community Planning and Development
R Sinclair, Executive Manager – Capital Programme
C Anderson, Senior Communications Officer
J Macleod, Performance and Improvement Adviser
P Mogridge, Transport Policy and Projects Officer
H Tait, Team Leader - Accountancy
L Geddes, Committee Officer

Also:

M Murray, Scottish Fire and Rescue Service

Chairperson

Mr Coutts, Depute Leader of the Council, presided.

Circular

The circular calling the meeting was held as read.

The Chair ruled that in accordance with Section 43(2) of the Local Government in Scotland Act 2003, the attendance of Councillor Stephen Leask by telephone link during the Committee proceedings was permitted.

Declarations of Interest

None.

Minutes

The minutes of the meeting held on 6 March 2018 were approved on the motion of Mr G Smith, seconded by Mr Cooper.

Asset Investment Plan - Business Cases

The Committee considered a report by the Executive Manager – Capital Programme (CPS-03-18-F) presenting two asset investment proposals for approval.

The Executive Manager – Capital Programme summarised the main terms of the report, outlining the two proposals that were presented for approval.

The Executive Manager – Capital Programme and the Chief Executive then responded to questions, and the Committee noted the following:

- The Replacement Hangar Door for Tingwall Airport proposal was driven by health and safety concerns, and it was imperative that the door was replaced.
- Information regarding the date of installation of the original hangar door would be circulated to the Committee. There had been problems with the original door for a long period of time. Following failure in its first year of operation, it had been rebuilt and had chains attached to it, but there had been another incident at a later date. The company that had provided the original door no longer existed following a serious health and safety breach involving a similar door.
- The Civil Aviation Authority had carried out an inspection at Tingwall Airport the previous week and was aware of the current position and the steps that were being taken, or had been taken in the past, to manage the risk. Because of the emergency nature of the proposal, work had already commenced. The Council's Standing Orders applied, although the full tendering process did not require to be followed. Two companies specialising in this nature of work had been approached for a price.
- Community consultation had been carried out in respect of the LED Upgrade of Shetland's Streetlighting Network proposal, and it was likely that communities would continue to engage over the three-year programme. If there were specific concerns relating to safety, these could be raised and would be considered, but it was unlikely that lights would be reinstated where they had been removed. Residents in areas where reductions were proposed had been consulted.
- Further information would be circulated to the Committee regarding whether the timer for dimming of LED lights could be isolated to ensure that safety concerns in particular locations could be taken into account if required. If there were concerns regarding an increase in levels of anti-social behaviour, it could be considered if enhanced lighting would be beneficial. Police Scotland had been consulted and concerns expressed by them had been taken into account.
- It had been noted that the relatively poor condition of the existing streetlighting network indicated that there had been under-investment in maintenance in the past. A tendering process had been carried out, and a contractor was now in place to maintain street lights.

It was commented that this was not the first time that the Council had had to replace an asset because the one supplied originally had failed and the supplier had gone out of business. However it was hoped that the procurement process was now more robust.

It was suggested that it required to be acknowledged that communities and community requirements change over time, and the views that had been gathered

to date may not align with requirements in future. Nor may the consultation that had taken place to date been as extensive as it should have been, as the response rate had been quite low. Concern was also expressed that lights would be dimmed in areas where the residents would prefer them to be left on to deter anti-social activity, although it was also acknowledged that there were other areas where residents had concerns regarding light pollution.

Mr Coutts moved that the Committee recommend that the Council resolve to approve the proposal described in Section 4.3.2 of the report in respect of the LED Upgrade of Shetland's Streetlighting Network for implementation with immediate effect, and to homologate the actions already taken in respect of the proposal relating to the Replacement Hangar Door – Tingwall Airport, as described in Section 4.3.1 of the report.

Mr Cooper seconded.

Decision:

The Policy and Resources Committee RECOMMENDED that the Council RESOLVES to:

- Approve the proposal described in Section 4.3.2 of the report for implementation with immediate effect
- Homologate the actions already taken in respect of the proposal described in Section 4.3.1 of the report

34/18

Local Government Benchmarking Framework

The Committee considered a report by the Executive Manager - Audit, Risk and Improvement (IA-12-18-F) which presented the recently published set of public results from the national Local Government Benchmarking Framework exercise carried out across all Scottish Councils.

The Performance and Improvement Adviser summarised the main terms of the report, advising that the statements in respect of a number of the indicators would come forward to the Council's Committees in the next performance monitoring cycle in May.

He then responded to questions from Members, and the Committee noted the following:

- The way that costs were split locally in respect of the provision of residential accommodation for looked after children differed from the way it was split in other local authorities. Work was being carried out to apply a better agreed calculation and a new set of criteria, as it was recognised that the cost codes were not comparative to the work that was going on.
- Information would be circulated to all Members regarding whether 8 North Ness had been specifically taken into account in performance data relating to council buildings suitable for their current use. However the criteria included things like provision of disabled access, and the Council had been undertaking work to improve its score in this area.

- It was intended that the positive information in the report would be publicised. Highlights from the report would be outlined on the Council's social media account, and the performance page on the Council's website was going to be revamped.
- The data in the report regarding housing repairs related to non-emergency repairs rather than repairs to deliberate damage. The cost to the Council of rectifying deliberate damage, and the number of working days involved, was not something that was included in this report. However the Housing Service would be asked to provide this information separately to Members.

During the discussion that followed, Members commented on the desire from the media and others to receive information which measured and compared performance between local authorities. It was questioned whether this information actually made a difference to service delivery and whether it was useful, given that local authorities all had different priorities and different sets of circumstances. It was commented that officers were already struggling for time to prepare reports, and should not be expected to be spending more time preparing figures for benchmarking alongside other local authorities. As the data in the report did not take cognisance of local circumstances and the cost of providing services in island areas, there was little therefore that the Council could do about improving its performance in some areas.

In response to questions, the Performance and Improvement Adviser explained that the "Similar Councils" graph on each indicator was based on two groupings for Councils - either by population density or wealth/deprivation. However, there was no specific weighting to take account of Islands Allowance.

The Chief Executive confirmed that a number of the indicators were contained in the annual performance reports that were being presented to the Council's Committees. She went to say that benchmarking against other local authorities did have its uses, as it enabled differences between areas to be examined and understood. For example, the Council had now rebalanced how it recovered landfill costs following the examination of figures from other local authorities and, as a result, there was now no cost to the Council.

Mr Coutts moved that in light of the earlier discussion relating to the presentation of information to the Council's Committees, that the Committee note the content of the report.

Mr Cooper seconded.

Decision:

The Policy & Resources Committee noted the content of the report.

35/18

Access for Wheelchair Users to Taxis and Private Hire Cars

The Committee considered a report by the Transport Policy and Projects Officer (DV-18-18-F) seeking approval for the creation and maintenance of a list of designated wheelchair accessible taxis and private hire cars in terms of Section 167 of the Equality Act 2010.

The Transport Policy and Projects Officer summarised the main terms of the report, advising that the terms of the relevant legislation permitted, but did not require, the

Council to create a list. Where a list was maintained by the Council, there was a duty upon drivers not to discriminate against wheelchair users. The Council could provide exemption from the duties imposed on drivers on medical and physical grounds.

On the motion of Mr Thomson, seconded by Mr McGregor, the Committee approved the recommendations in the report.

Decision:

The Policy and Resources Committee:

- AGREED that the Council should create and maintain a list of designated wheelchair accessible taxis and private hire cars in terms of Section 167 of the Equality Act 2010
- DELEGATED authority to the Director of Development Services, or his nominee, to put in place the administrative arrangements required to comply with the legislative provisions which apply when such a list is maintained, in accordance with the relevant statutory guidance.

36/18

Sullom Voe Harbour Area - Development Planning

The Committee considered a report by the Acting Executive Manager – Ports & Harbours (PH-08-18-F) seeking approval of the resources required from the Harbour Account to undertake the planning exercise for the Sullom Voe Harbour Area.

The Chief Executive summarised the main terms of the report, advising that this was an innovative approach to balance competing interests while protecting the environment, and it had been supported by the other Committees/Board it had been presented to. The Policy and Resources Committee was being asked to approve the resources required to undertake the planning exercise, and it would be funded from the Harbour Account. There would be further reports to the Committee in future, as decisions would be required regarding change of policies.

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

Decision:

The Policy and Resources Committee considered the views from the Committees/Board, and approved the resources required from the Harbour Account to undertake the planning exercise.

37/18

Approval of Local Fire and Rescue Plan 2018

The Committee considered a report by the Executive Manager - Community Planning & Development (DV-19-18-F) seeking approval of the Local Fire and Rescue Plan 2018.

The Executive Manager - Community Planning & Development advised that the Plan was reviewed every three years, and it required to be approved by the Committee. She went on to introduce Myles Murray, Scottish Fire and Rescue Service, who provided an overview of the Plan.

Mr Murray advised that the Plan outlined the strategic vision for the Scottish Fire and Rescue Service, and the local priorities for Shetland. It took account of the changing role of the Scottish Fire and Rescue Service, and the changes to the types of emergency it required to respond to. The Scottish Fire and Rescue Service was working closely with its community planning partners to improve the service locally.

Responding to a question, Mr Murray said that it was always difficult to recruit retained staff. However there was a new response model, and two new fire appliances coming into Shetland, so this would change the current response model and hopefully improve the service for communities.

In moving that the recommendations in the report be approved, Mr Cooper commented positively on closer working relationship between the emergency services and the local authority and its community planning partners.

Mr Duncan seconded.

Mr Cooper went on to say that he understood that Mr Murray would be retiring from the Scottish Fire and Rescue Service in the near future. He thanked him for his service, and wished him a long and happy retirement.

The Committee concurred.

Decision:

The Policy and Resources Committee RESOLVED to approve the Local Fire and Rescue Plan 2018.

38/18

Policy and Resources Committee Business Programme 2018/19

The Committee considered a report by the Director Corporate Services (CRP-06-18-F) which presented the Business Programme for the Committee for 1 April 2018 to 31 March 2019.

The Director Corporate Services summarised the main terms of the report, advising that this would be the first of a number of reports to come forward. The quarterly performance management meetings for the Committee would be particularly busy and, in future, would include a number of reports relating to the Council's Service Redesign and Business Transformation Programme requiring decision. There were still a number of items to be considered by the Committee for which a date had yet to be allocated, and these were listed at the end of the Business Programme. The Business Programme would change as more things came forward for consideration.

Responding to questions, the Director of Corporate Services said there would be a number of items coming through from the Council's Committees and Boards as Chair's reports for decision, and these were not all listed separately in the Business Programme yet. However she would arrange for Scalloway Fishmarket and Toft Pier to be added to the list of items to be discussed by the Committee in future.

Some discussion took place regarding the structuring of meetings, and the separation between performance monitoring meetings and ordinary meetings. Some Members were of the view that this held up the business of the Council, and

that there was a need to look at streamlining what was being done in the guise of performance monitoring.

The Director of Corporate Services explained that the Council's schedule of meetings had been approved in December. The timing of some meetings had caused difficulty for some officers in getting information ready. The time allocated for performance monitoring meetings was shorter, and she was of the view that some of the discussion relating to performance would be better served through briefings and informal sessions. The point had been made earlier in the meeting that there was an insatiable hunger for information from the media and others. One of the aims of the Business Transformation Programme was to publish all this information so that it was readily accessible to all, and people could access this information rather than the Council having to report it. If the Council published and made available information, reporting would be less labour-intensive.

She went on to say that it was however important that the Council could demonstrate that it was fulfilling its statutory duties in relation to best value. This was a requirement of the external auditors, who expected the Council to have a clear performance monitoring framework and cycle of meetings which took account of the evidence that was available nationally. However she agreed that there was a need to rethink the way performance information was presented and used, and to have more informal sessions so that things could be discussed as they developed rather than being reported as an after-event.

The Chief Executive added that the performance monitoring cycles were one way the Council could demonstrate that it was carrying out its role in relation to best value. If the current system was not working for Members, consideration should be given as to how Members could carry out their scrutiny role better, and ensuring that the information that was being provided was appropriate. External auditors did look for evidence that the Council was fulfilling its statutory duties in relation to best value, and that Members were undertaking this role.

Some discussion took place regarding performance reporting, and it was questioned if the current procedures led to improved performance. It was suggested that officers were having to spend time preparing reports justifying what they were doing with fewer resources and focusing on meeting targets, rather than being able to get on with delivering services. Concern was expressed that this led to demoralisation rather than improved performance. It was felt that much more work was required to make the dialogue on performance meaningful, but this could proceed by removing performance indicators and instead discussing areas the Council was doing well in, and areas where challenges were faced. It was further suggested that some performance reporting could take place at six-monthly intervals rather than quarterly, thus allowing officers more time to get on with service delivery.

The Chief Executive advised that Chairs could request detailed reports from Lead Officers so that the Committees could monitor how certain services were being delivered and how programmes were progressing. Some performance indicators were presented annually, and the aim of the end of year report was to describe the performance story over the year. However she undertook to look at each performance report and to set aside time for the Corporate Management Team to discuss the matter, and see what could be done to improve reports. Performance monitoring cycles were valuable for the Council, but the Council could be doing more to frame its work in a positive way.

It was suggested that the performance monitoring meeting cycle should be treated as an ordinary meeting cycle, and allow any reports for presentation. This would allow for the more timeous presentation of reports, as there were occasions when business was being stifled. It would be useful for the Corporate Management Team to consider the matter and seek the views of officers. It was accepted that Members did have a responsibility to monitor and scrutinise, but it was felt that the whole process could be more streamlined, flexible and informal. Some Committees used 'away days' so that the Committee could get a better overview of what was happening in services, and these had been beneficial.

The Director of Corporate Services advised that the performance monitoring cycle meetings were restricted because of the time allowed in the diary, so this was something that would require further consideration. The cycle of meetings had been approved by the Council in December, and therefore the six-month rule to alter a decision of the Council would apply. However it could be looked at to see if adjustments could be made. There were four key elements in performance reporting, and it could be considered whether some elements could be reported less frequently, or whether more general information could be made available. It was important to continue to monitor finance quarterly, but it could be considered whether other elements could be made available in a different way.

On the motion of Mr Coutts, seconded by Mr G Smith, the Committee approved the recommendations in the report.

Decision:

The Policy and Resources Committee:

- CONSIDERED the business planned for Policy and Resources Committee in the financial year 2018/19
- ADVISED the Director of Corporate Services of any changes required including new items where the timescale will be confirmed at a later date
- AGREED that Business Programmes should normally be prepared and presented to each Committee/Board by the relevant Lead Officer following consultation with the Committee/Board Chair and Committee Services

Mr Coutts 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 item of business. Mr Cooper seconded.

(The media left the meeting)

39/18 Restructuring of Building Standards Business Support

The Committee considered a report by the Executive Manager – Planning.

The Executive Manager - Planning summarised the main terms of the report, advising that a review of the Planning Service had been carried out as part of the budget-setting exercise. Under the terms of the Council's Policy for Organisational Restructure, the proposal also had to be presented to the Employees' Joint Consultative Committee (JCC).

The Executive Manager – Planning, the Chief Executive, the Director of Corporate Services and the Executive Manager – Governance and Law then responded to questions from Members.

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

Decision:

The Policy and Resources Committee RESOLVED to approve the reduction in Building Standards Business Support staff from 1.5 FTE to 1.0 FTE, leading to the deletion of one part time Building Standards Service business support post.

The meeting concluded at 11.45pm.

.....
Chair