

MINUTE

‘B’

Services Committee
Council Chamber, Town Hall, Lerwick
Thursday 16 June 2005 at 10.30am

Present:

F B Grains	L Angus
B J Cheyne	C B Eunson
R G Feather	B P Gregson
L G Groat	I J Hawkins
J H Henry	J A Inkster
J C Irvine	E J Knight
W H Manson	Capt G G Mitchell
J P Nicolson	F A Robertson
W N Stove	T W Stove
W Tait	

Apologies:

A J Cluness	J G Simpson
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In Attendance:

J Watt, Executive Director – Community Services
A Jamieson, Head of Education
C Medley, Head of Housing
G Smith, Head of Community Development
H Tait, Management Accountant
F Waddington, Head of Social Work
L Geddes, Committee Officer

Chairperson

Mrs F B Grains, Chairperson of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Minutes

The minute of the meeting held on 5 May 2005, having been circulated, was confirmed.

Members' Attendance at External Meetings

There was nothing to report.

The Chairperson advised that the Scottish Federation of Housing Associations had issued a press release naming Jacqui Watt, currently the SIC's Executive Director of Community Services, as their new Chief Executive. On behalf of the Committee, she congratulated Ms Watt on her new appointment.

41/05 **Vibrant Shetland – Community Learning and Development Strategy and Action Plan**

The Committee considered a report by the Head of Community Development (Appendix 1).

The Head of Community Development summarised the main terms of the report. In response to a query from a Member, he agreed that there was a need to keep meetings of those involved in the Partnership to a minimum. The Partnership would be reporting to the Community Planning Board on a six-monthly basis, and the Partnership group would be meeting quarterly.

A Member commented that he recognised the good work that was going on, but said that he would welcome a statement that there would be a commitment to applying resources, particularly in relation to school buildings and school resources.

The Head of Community Development said that this was included in the strategy, and that all available resources would be used.

In response to a query as to whether any thought had been given to allowing Council staff time off work for voluntary work, the Head of Community Development said that this was an area that should be explored. He pointed out that adult literacy and adult learning relied heavily on volunteers for one-to-one support, and he felt that it would be useful for the major employers in Shetland to explore the potential for staff to participate in voluntary work.

On the motion of Mr C B Eunson, seconded by Mr J P Nicolson, the Committee approved the recommendation contained therein.

42/05 **Scottish Housing Quality Standard (SHQS)**

The Committee considered a report by the Head of Housing (Appendix 2).

The Head of Housing summarised the main terms of the report.

Members said that they were pleased to see this report coming forward, and some commented that they would like to see the Council continue as a social landlord, as this appeared to be the majority view of tenants.

Captain G G Mitchell, Housing Spokesperson, advised that he had met with Communities Scotland to consider the issue of stock transfer, and that he had pointed out to them that the Council expected to meet the SHQS as long as Housing Support Grant (HSG) continued. Communities Scotland had advised that they would not be able to consider any new applications for stock transfers until 2007. Captain Mitchell went on to move that the

Committee approve recommendations 8.1 and 8.2.1, and Mr B P Gregson seconded.

Some discussion took place regarding whether May 2007 would be a suitable time to consider stock transfer, in view of the fact that it was likely there would be Council elections at that time. It was suggested that the reference to "May 2007" in recommendation 8.1 should be replaced with "2007" only.

Mr W H Manson said that he felt it was important to look at the housing stock transfer issue again earlier than 2007, as political preparations would have to start in 2006 if there was to be any prospect of sorting out the issues before the next Council elections. He therefore moved, as an amendment, approval of recommendation 8.1 and 8.2.2, but that the reference to "May 2007" in recommendation 8.1 should be deleted and replaced with "May 2006".

After some further discussion, and with the consent of his seconder, Captain G G Mitchell agreed to incorporate this amendment to recommendation 8.1 into his motion.

A Member commented that she was heartened to see that Council houses should be at the required standard by 2007, as there were a number of houses in her ward that were in very poor condition.

A Member enquired if the Scottish Executive were still committed to paying off the Council's housing debt.

Captain G G Mitchell confirmed that they were partially committed to paying off the housing debt. However they had indicated that they were not willing to sit on the money indefinitely unless the Council indicated that they were going to transfer their stock. He was of the view that by the time they were able to consider further bids in 2007, they may decide to put the money to other uses.

A Member outlined the background to the Council incurring the housing debt. He pointed out that the Council had effectively borrowed money from itself to build these houses; therefore earning interest on the money it had borrowed. He said that he had previously requested information on how much money the Council had earned from this interest. This information had not yet been forthcoming, but it was possible that the interest earned would go some way to meeting the housing debt.

A Member commented that Glasgow City Council had received £1 billion for the transfer of its housing stock, and said that he was of the view that the Council should continue to pursue the Scottish Executive as it was entitled to the money being offered for stock transfers.

A Member enquired if the Housing Spokesperson felt that the issues relating to the housing debt were clouding the Scottish Executive's consideration of Shetland's situation.

Captain G G Mitchell said that he felt that the Scottish Executive did not want to be seen to be creating a precedent. He went on to speak about HSG funding, and pointed out that Shetland would be the only authority in Scotland in receipt of this once the Western Isles had transferred their stock. However he did not expect HSG to be withdrawn without some warning.

In response to a query, the Head of Housing confirmed that the interest received from the housing debt was not notional interest. The income from the HSG was added to the rental income, and the cost of running the service was subtracted from this total. The remainder went to the Council as interest and partial debt repayment. He went on to point out that a stock transfer, in current circumstances, would mean that rents would have to increase in order to enable the new landlord to pay the Council for the stock, and that this would remain an issue until the Scottish Executive addressed the issue of the valuation of the stock.

After some further discussion, Members agreed that an information report from Finance regarding the housing debt, and the interest earned on it, should be presented to the next meeting of the Committee.

A Member added that she would like to see some information included as to why the Council had had to build these houses rather than the government.

43/05

Midlea Demolitions

The Committee considered a report by the Head of Housing (Appendix 3).

After hearing the Head of Housing summarise the main terms of the report, the Committee approved the recommendations contained therein on the motion of Mrs B J Cheyne, seconded by Mr W H Manson.

A Member enquired if consideration had been given to retaining the serviced sites in case there was demand for them in the future

The Head of Housing advised that the sites had been retained as far as possible, and he went on to confirm that the Local Housing Strategy had identified that more single person units were required in the area.

44/05

Joint Local Partnership Agreement – Joint Resourcing

The Committee considered a report by the Community Care Manager (Appendix 4).

A Member noted that the Council contributed £18 million towards the Partnership Agreement, whilst the NHS Shetland's contribution was £5 million. Whilst he was unsure as to how far the NHS were constrained by the Scottish Executive, he felt that there still seemed to be some discretion as to how the NHS allocated funds and he was concerned that this situation would continue. He suggested that the Council should make representations to NHS Scotland and the Scottish Executive regarding additional resources being made available.

It was also suggested that Tavish Scott, MSP, should be invited to discuss these concerns with the Council, and the Chairperson agreed that she would raise this with the Convener.

Some Members pointed out that NHS Shetland had a fixed budget and that it did not have much discretion as to how this should be spent as it was governed by NHS Scotland. Therefore it would be appropriate to address any funding queries to NHS Scotland.

A Member said that he felt the ELPA did not address the fundamental resourcing issues, and that it was important that it was properly resourced. Members pointed out that the Council's community care budget was also overspent, and suggested that representations should be made to the Scottish Executive regarding how the Council was expected to fulfil its statutory obligations.

The Executive Director said that the Council had already endorsed the Extended Local Partnership Agreement (ELPA), and that arrangements were in place and working well.

In response to a query as to how the Council would be advised of how the money committed by NHS Shetland was being spent, the Head of Social Work said that the report presented today indicated, for the first time, how the NHS resources were being spent. NHS Shetland now had better financial management systems in place and was now able to provide this information. Financial information was also presented to the Local Partnership Finance Team.

After some further discussion, Mrs I J Hawkins moved that the Committee approve the recommendations 8.1.1 and 8.1.2 (a) and (d) in the report, and Captain G G Mitchell seconded.

In respect of recommendation 8.1.2(d), the Committee nominated Mrs I J Hawkins to attend meetings of the Local Partnership Finance Team, on the motion of Mr J A Inkster, seconded by Mr E J Knight.

45/05 **Shetland's Response to Scotland's Criminal Justice Plan**

The Committee considered a report by the Head of Social Work (Appendix 5).

A Member said that he would like to commend staff and the Criminal Justice Service Manager on their work in relation to this.

Mr C B Eunson moved that the Committee approve the recommendations in the report, and Mr B P Gregson seconded.

A Member expressed concerns at handing over responsibility and control for the service outwith Shetland. He felt that the proposals were not in Shetland's interests and that a better deal could be negotiated, such as becoming a Criminal Justice Authority (CJA) on the understanding that there could be a contract with the Northern CJA.

Other Members said that they were supportive of the recommendations, and felt that the legislative changes requested would protect Shetland's position.

The Head of Social Work explained that the service would not be 'handed over', and that it had been specified that legislative changes would be required if Shetland was to become part of the Northern CJA. She went on to say that the Scottish Executive had been very clear that there was no room for negotiation regarding the Head of Social Work becoming the Chief Officer of a CJA, and she added that the MSP was aware of the situation and was awaiting a decision from Members so that he could lobby the Scottish Executive.

Mr J C Irvine moved, as an amendment, that the Scottish Executive should be informed that the Council could not meet the deadline of 30 June, and that they wished to have a meeting with the MSP before they made a submission. However his amendment did not receive a seconder.

Mr L Angus pointed out that the Council were already seeking legislative change in respect of budgets and transfer of staff. He felt that the Council should seek further legislative changes, as he did not feel that a Northern CJA would be in the Council's best interests. He therefore moved, as an amendment, recommendation 7.1(b) and 7.1(a), amended to read "Agrees to make strong representations that Shetland Islands Criminal Justice Social Work Services are subject to negotiated legislative change".

Mr J C Irvine seconded.

After summing up, voting took place and the result was as follows:

Amendment (Mr L Angus)	7
Motion (Mr C B Eunson)	11

46/05 **Shetland Child Protection Committee**

The Committee considered a report by the Head of Social Work (Appendix 6) and on the motion of Mr W N Stove, seconded by Mr W H Manson, approved the recommendation contained therein.

A Member enquired if it was felt that the communication and co-operation structures were working properly, and the Head of Social Work said that she believed that there was a high degree of partnership and communication within Child Protection Committee. However she agreed there may be an issue about relevant people to contact, and she outlined how this would be dealt with within the 2005/06 plan.

47/05 **Shared Management for Schools in Shetland**

The Committee considered a report by the Head of Education (Appendix 7).

The Head of Education summarised the main terms of the report and said that although it had been suggested that an overall shared management strategy report should be produced so that it could be delegated to the Education Service, it was felt that it would be advantageous to present this proposal to Members so that they were aware that the proposals had been fully consulted on.

Mr F A Robertson outlined the success of the shared management system in operation on the Westside, and said that he was pleased to see this report coming forward. He went on to move that the Committee approve the recommendations in the report, and Mr W H Manson seconded.

48/05 **Education (Additional Support for Learning) (Scotland) Act 2004**

The Committee noted a report by the Community Care Manager (Appendix 8).

The Head of Education summarised the main terms of the report, and said that it was anticipated that the Bill would become law at the beginning of 2006. A multi-agency group had responded to the draft legislation, and this group would be responsible for preparing a plan for Shetland in relation to the financial commitment and how provision would be implemented.

Captain G G Mitchell said that he understood that savings had to be made in order to staff the Gressy Loan facility in August, so ASN staff were being moved away from peripheral schools. This meant that services would be removed from the most vulnerable

members of society and would not be replaced, as there was no money available. He said that there was potential for a crisis to arise after the school holidays, and the multi-agency group referred to would not be considering the issues until October. He felt that this situation was unacceptable, and that money would have to be identified immediately. He therefore moved that the report be noted, but that urgent action was taken to revisit the decision made regarding staffing at the Gressy Loan facility, and that the whole ASN support framework within Shetland for schools, including those in peripheral areas, was explored.

Mr J C Irvine seconded.

Mr W H Manson, Education Spokesperson, said that the Education Service were aware of the issue and would ensure that there were no problems in the schools after the holidays. He explained that officials had been instructed by Members to stay within their existing budgets and resources for the Gressy Loan facility, and that this had necessitated the rearrangement of staff. He went on to suggest that, subject to the Convener's approval, a report should be prepared for the Council meeting to explain the situation so that the Council could approve additional expenditure if required.

The Executive Director explained that a report could be prepared for the Council, however it would not recommend additional expenditure unless there was an agreement as to where this additional funding would come from. The education budget was already overspent by £1.8 million, and additional expenditure would have to be met by cuts elsewhere. She noted Members' concerns but explained that this was an operational matter and the Education Service would act on the decision made earlier by Members and send out letters to staff explaining that they would be working in Gressy Loan.

A Member referred to the proposed legislation and said that he had spoken to the parents of children with ASN, and that they had said they often experienced difficulties at communicating their concerns and worries about their children. He requested that when the multi-agency group identified a strategy for ASN provision in Shetland, that it was first presented to the parents and people who represent ASN children in Shetland, and that the proposals were costed before it was presented to the Council.

Another Member commented that he felt the proposed legislation had a lot to commend it. However he had concerns regarding resources and said that it would be necessary for Members to fully understand the implications of this legislation.

(Mrs B J Cheyne and Mr J C Irvine left the meeting)

In order to avoid the disclosure of exempt information, Mrs F B Grains moved, and Mr B P Gregson seconded, to exclude the public in terms of the relevant legislation during consideration of agenda item 9.

(Representatives of the media left the meeting)

The Chairperson advised that the Head of Social Work would give a verbal report on the current situation at Laburnum following the Services Committee meeting.

49/05

Teachers' Early Retirements

The Committee considered a report by the Executive Director – Community Services and on the motion of Mr W H Manson, seconded by Mr B P Gregson, approved the recommendation contained therein.

Members noted that £151,000 of the costs of funding the proposals would be met from money that had come from the Scottish Executive as part of the McCrone agreement.

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F B Grains
Chairperson