

**Services Committee**  
**Council Chamber, Town Hall, Lerwick**  
**Thursday 1 September 2005 at 10.30am**

**Present:**

F B Grains	L Angus
B J Cheyne	A J Cluness
C B Eunson	B P Gregson
L G Groat	I J Hawkins
J A Inkster	J C Irvine
W H Manson	Capt G G Mitchell
J P Nicolson	W A Ratter
F A Robertson	J G Simpson
W N Stove	W Tait

**Apologies:**

R G Feather	E J Knight
T W Stove	

**In Attendance:**

S Brunton, Solicitor  
B Doughty, Interim Head of Social Work  
C Ferguson, Community Care Manager  
M Finnie, Capital Projects Unit Manager  
B Hill, Acting Divisional Manager - Legal  
C Medley, Head of Housing  
I Millar, Projects Manager  
E Patt, Capital Projects Manager  
J Reyner, Acting Quality Improvement Officer  
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 16 June 2005, having been circulated, was confirmed.

**Members' Attendance at External Meetings**

There was nothing to report.

50/05

**Mid Yell School Extension Versus New Build**

The Committee considered a report by the Head of Capital Programme Service (Appendix 1).

Mr J P Nicolson pointed out that it was eight years since a feasibility study had recognised that the accommodation for the Mid Yell School was deficient and unsatisfactory, but work had been held up for a variety of reasons. He drew Members' attention to Figure 2 of Appendix A and said that it was important to bear in mind that these figures did not take account of social and environmental factors, nor did they take account of the revenue savings that could be achieved over a longer period. He went on to say that staff were already operating in difficult and fragmented premises, and it would not be appropriate to ask them to spend a further three years working on a building site. He felt that the sanity of a new build option had been demonstrated, and that it was the only way to effectively maintain services whilst upgrading the facilities.

He therefore moved that the Committee approve recommendation 9.1.3, and Mrs F B Grains seconded.

During the discussion that followed, Members spoke in support of this proposal and expressed disappointment that it had taken eight years to reach this stage. Members referred to the confines of the site, and said that it was clear that refurbishment of the existing buildings would cause major disruption to the education of the pupils. It was also felt that the opportunity should be taken to provide a suitable building for the future, which would also meet the requirements of a new community school.

A Member said that he felt the report did not adequately emphasise the extent that refurbishment would have to encompass, particularly in relation to electrical work and pipework which would require complete revision. He also pointed out that the school buildings did not meet requirements regarding access for the disabled, and that even a child on crutches could not access the buildings. Another Member concurred, and said that as well as causing major disruption to education, there would still be inherent problems with the buildings if the school were refurbished.

Members enquired if any thought had been given to the future of education in the North Isles when considering a new build, as it was possible there may be a fixed link in future and one school for the North Isles. It was felt that it was important that this was taken into consideration, and that any new build should incorporate potential for expansion should these developments occur.

Mr W H Manson, Education Spokesperson, said that the Design Team had to work with current numbers, but that any new build would be designed so that it could incorporate modifications that may require to be made should circumstances change. The Capital Projects Unit Manager confirmed that this would be the

case, and said that the bulk of the land was in Council ownership so should be readily available for an extension.

51/05 **School Holiday Dates Consultation**

The Committee considered a report by the Head of Education (Appendix 2) and on the motion of Mr W H Manson, seconded by Mrs I J Hawkins, approved the recommendation contained therein.

52/05 **Exclusion of Pupils from School Attendance**

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

The Acting Quality Improvement Manager summarised the main terms of the report, and said that the report had been drawn up using examples of best practice from other local authorities. Provision for looked-after children was not included in the report as it was recognised that their needs were different from mainstream pupils. Their particular needs would be met through the local authority's Looked After Children's Placement and Support Strategy that was being developed with Social Work.

A Member referred to paragraph 4.4 of the appendix, and questioned whether the Quality Improvement Manager should be informed if the exclusion was for a period of less than five days. It was also commented that the Head of Education should be informed of any exclusions.

The Acting Quality Improvement Manager confirmed that this did happen in practice, particularly as Shetland was a small community and people tended to keep in touch with each other. The policy reflected other local authority policies, and he felt that the actual policy should remain unchanged. It was important that authority was delegated to Head Teachers, and the Head of Education would not comment on exclusions unless he had been fully briefed by the Quality Improvement Officer and people dealing with the case.

A Member commented on the number of referrals to behaviour support, and said that he had concerns regarding the increasing number of young people that were being referred. Whilst he accepted there was a need for the service, it was a very expensive and resource-led service and he was not yet convinced that the local authority had got the system right.

(Mr J C Irvine left the meeting)

The Acting Quality Improvement Manager said that there was no intention to develop the Behaviour Support Unit as a single centralised unit. He saw the future of this service as being a locality-based rather than a centralised unit, and that it provided

more of a withdrawal facility with a view to getting pupils back in the classroom.

On the motion of Mr W H Manson, seconded by Mr B P Gregson, the Committee approved the recommendation in the report.

53/05

**School of Ambition**

The Committee considered a report by the Head of Education (Appendix 4).

Mr W A Ratter commented that this was a considerable achievement for the school, and that it would assist with schoolchildren getting international experiences and with the development of the tsunami project. He went on to move that the recommendations in the report be approved and Mr B P Gregson seconded.

Mr C B Eunson further moved that the Council send a letter of appreciation to the Anderson High School for their work in this area, and Mr L Angus seconded. It was noted that Mr Stewart Hay had been fundamental in pioneering this work, and it was suggested that this should be mentioned in the letter.

(Mr J C Irvine returned to the meeting)

A Member noted that funding was provided for a three-year period, and said that it was important that this was taken into account when making an appointment.

With the consent of his seconder, Mr W A Ratter agreed to incorporate into his motion that a review should be carried out after two years, and that an exit strategy should be considered at this point should no further funding become available.

In response to a query, Mr W H Manson, Education Spokesperson, confirmed that the appointment would be a teaching appointment and should no further funding be made available after three years, they would be transferred back to a teaching post.

Members noted that Scalloway School had been unsuccessful during this bidding process, but had been given a guarantee that they would be helped to come forward with a bid next year. It was hoped that this would be successful, thereby reflecting the amount of work that the school had carried out.

54/05

**Capital Grant to Voluntary Organisations – Additional Resources for Water Based Facilities**

The Committee considered a report by the Sport and Leisure Services Manager (Appendix 5).

The Head of Community Development summarised the main terms of the report, and advised that extensive consultation had been carried out with local marina groups to ascertain their plans for the future. The information obtained from the organisations had been used to support a recommendation that a Capital Programme Budget of £1,635,421 be approved for the development and upgrading of water based facilities in Shetland over the next four years. He added that it was often a problem for marinas to raise the proportion of funding required within current Council policy, and to access external funding.

Mr W A Ratter said that he was under the impression that the Council had already approved funding for the completion of the marina programme, and that he therefore felt that a report of this complexity was unnecessary. He went on to say that it was expected that tourism would have a significant impact on the Shetland economy in future, and that it was important that facilities were available for visiting yachts. Shetland people also aspired to have access to the sea, and marinas were exceptionally well used so it was important that the Council continued with the marina programme. Although there were capital implications, projects of this nature tended to have few revenue implications.

He went on to say that he did not agree that the Council should not spend any further funding on marinas once the Water Based Facilities Budget had been fully spent, and that the programme should not be capped once the projects referred to have been completed. He was also of the view that a £300,000 grant ceiling was a mistake, and the fact that a 20% local contribution was required would mean that this would act as a sensible limit for any grant applications.

He therefore moved that the Committee approve the proposals in paragraph 4.1 and 4.3 of the report, and delete the proposals at paragraph 4.2 and paragraph 6.2 of the report. He also moved that the Council remove the £300,000 grant ceiling referred to in paragraph 6.4 of the report.

Mr L Angus seconded.

During the discussion that followed, Members who spoke in support of the motion said that they felt that there should not be limits placed on water based facilities, and that the development of these facilities would be significant for the development of tourism and also for regeneration and recreational purposes.

Some Members commented that they had reservations that grants were to be allocated on a 'first come, first served' basis, and said that groups that had made efforts to secure the 20% local contribution should be dealt with first. Another Member expressed

concern that the money set aside for the programme would not cover costs, given that the cost of a pontoon alone for the Lerwick marina had been £100,000.

A Member commented that the Council's current policy was that there was a £300,000 maximum for grants for new marinas, therefore there may be a requirement to suspend the Council's standing orders in order to consider this motion.

The Committee Officer and Acting Divisional Manager – Legal confirmed that any change to Council policy would require to be approved by the Council, and not the Committee, but that they understood that the Council's standing orders would not require to be suspended.

Members commented that whilst marina provision in Shetland was excellent, there was not uniform provision. It was noted that even though the most expensive marina berths in Shetland were in Lerwick, there was a large waiting list and little prospect of ever getting a berth. Due to lack of space, it was not possible to develop berths for small fishing vessels, as had been done in other areas.

It was also pointed out that Fetlar had never had resources for water based facilities and had lost the opportunity as the Council had decided not to build a breakwater there. However the Council had now decided to invest money in the Fetlar ferry terminal and the Member for the Area hoped that Members would support the use of some of this money to build a breakwater when the report was presented to the Council.

Members noted that the Harbour Board had set up a Small Ports Working Group, the aim of which was to promote facilities around Shetland. Whilst there was a need for new marinas, there was also a need for existing marinas to be upgraded and to provide and improve facilities for visiting yachts.

Mr J P Nicolson expressed concern that the motion was proposing to remove an upper limit for grant applications, and said that he was concerned at the possible implications of this. He suggested that it would be better to change the existing upper limit rather than remove it altogether. He pointed out that some communities had access to resources that other areas did not, and that this may restrict the funding available for other areas. For example, Delting Community Council could access funding set up for them by the oil industry.

He therefore moved, as an amendment, that the motion proposed by Mr W A Ratter should be approved, with the exception that a grant ceiling of £500,000 should be introduced.

Mr W Tait seconded.

Mr B P Gregson gave notice of a further amendment.

Some Members commented that Delting Community Council did not have access to significant sums of money as the fund set up for them had been used over the years. Therefore they would not have access to levels of funding that would make any significant contribution to water based facilities in Brae, and that this should not mean that other communities would be restricted as a result.

The Head of Community Development said that provision for visiting yachts had been taken account of during the consultation exercise, as this would add value to the programme. The removal of an upper grant limit could increase the Council's potential contribution. He pointed out that there were two schemes in operation, and he questioned if the removal of the upper limit would also apply to projects for which a grant of 75%, up to a maximum of £100,000, was available.

Mr W A Ratter confirmed that it remained his view that an upper limit on either of these grant schemes was not required, provided the local contribution remained in place.

After summing up, voting took place by show of hands and the result was as follows:

Amendment (Mr J P Nicolson)	7
Motion (Mr W A Ratter)	8

Mr B P Gregson questioned whether the Committee were best equipped to make a decision today. Whilst there was general approval of the proposals, he felt that there was not enough detail regarding the implementation and the implications of the motion. Whilst he supported the proposals, he moved that a decision regarding whether the upper limits for grants should be removed should be deferred until the Council meeting when the Head of Community Development could present a short report on the implications.

Mr J P Nicolson seconded.

After summing up, voting took place by show of hands and the result was as follows:

Amendment (Mr B P Gregson)	7
Motion (Mr W A Ratter)	8

The Committee considered a report by the Community Care Manager (Appendix 6) and on the motion of Mr L G Groat, seconded by Mr L Angus, approved the recommendation contained therein.

56/05 **CSD Telephone Rental Payments**

The Committee considered a report by the Community Care Manager (Appendix 7) and on the motion of Mr C B Eunson, seconded by Mr W Tait, approved the recommendations contained therein.

A Member commented that the Social Work Service should be applauded on how they had dealt with this issue.

57/05 **Housing Revenue Account (HRA) Debt**

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

A Member said that he was disappointed that the report did not contain the information he had requested, namely the total interest that the Housing Service had paid the Council since 1985.

The Management Accountant said that since 1984, the Housing Service had paid the Council £80 million in interest payments – approximately £3.8 million on average each year. The figure would have been more if the Council had not had the reserves to pay into this fund. She went on to say that the Council charged a lower rate of interest than the market place for borrowing, and she confirmed that the interest rate fluctuated as illustrated in the appendix to the report.

The Head of Housing confirmed that this entire amount did not all come from tenants, as some came from the Housing Support Grant. The Management Accountant added that the Council received approximately £2-3 million each year in Housing Support Grant, so it could be argued that this paid the interest.

A Member commented that he felt the only solution would be for the Scottish Executive to agree to pay the debt so that the money could be invested in other ways and produce benefits for the Council. However it was pointed out that the Scottish Executive's current stance was that they would only repay the debt if the Council agreed to transfer its stock, and the Council had agreed not to pursue this option at the moment.

It was noted that Shetland had the second-highest Council house rents in Scotland, and that rents were being paid by fewer and fewer people because of Right to Buy legislation.



Members felt that it was important that the housing debt figure was considered in the context of the situation, as the Council had good quality housing stock and had managed to live within its means.

In response to a comment, the Head of Housing confirmed that the cost of the Housing Service did not contribute to the housing debt problem. He pointed out that the Council had the lowest unit costs in Scotland, if not the UK.

(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)

58/05

**Social Work Fieldwork Services**

The Committee considered a report by the Chief Social Work Officer.

In response to a query, the Head of Social Work updated Members on the latest progress with the recruitment of social workers. Whilst there had been some success in recruiting social workers and an agency social worker, there will still some vacancies on the childcare team.

Mr C B Eunson moved that the Committee approve the recommendation contained in the report, and Mr W H Manson seconded.

Mr L Angus said that whilst he did not disagree with the recommendations in principle, the Social Work Task Force had not yet completed its work due to problems in scheduling meetings with staff. It was hoped that this work would be completed within a reasonable timescale, and he felt that a decision should be deferred until the Task Force had completed its work as they may come forward with a number of other recommendations.

He therefore moved, as an amendment, that consideration of the report be deferred until the Social Work Task Force had completed its work and Mr W A Ratter seconded.

The Chairperson pointed out that this was consistent with the view of the Employees' Joint Consultative Committee (JCC), where it had been unanimously agreed that the work of the Task Force should be completed before any decisions of this nature were made.

Speaking in support of the motion, Members commented that there was a lot of pressure on Social Work staff due to staff shortages, and they expressed concern that it would take some time for the Social Work Task Force to come with its recommendations. As the post had to be advertised, this would further add to the time that it would take for someone to be placed in the post, and this would exacerbate problems in the interim period.

Members speaking in support of the amendment commented that they felt it was important that Members had access to the information gathered by the Task Force before making a decision. It was suggested that agency staff could be employed to alleviate the situation during the interim period.

Mr L Angus, Chairperson of the Social Work Task Force, said that he was hopeful that the work of the Task Force could be completed in the next cycle, providing that meetings with staff were scheduled in time.

Some discussion took place regarding the Council's ability to comply with service levels. Concern was expressed regarding the safeguarding function of the Council, and some Members felt that the proposals should be implemented without delay.

After summing up, voting took place by show of hands and the result was as follows:

Amendment (Mr L Angus)	5
Motion (Mr C B Eunson)	11