



# Shetland Islands Council

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**MINUTE**

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**Shetland Islands Council  
Council Chamber, Town Hall, Lerwick  
Wednesday 1 November 2006 at 10.30 a.m.**

**Present:**

A J Cluness	L Angus
B Cheyne	F B Grains
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 Knight	W H Manson
G G Mitchell	J P Nicolson
W A Ratter	F A Robertson
J G Simpson	W N Stove
T W Stove	W Tait

**In attendance (Officers):**

M Goodlad, Chief Executive  
B Doughty, Executive Director – Education and Social Care  
G Spall, Executive Director – Infrastructure Services  
W Shannon, Assistant Chief Executive  
S Cooper, Head of Service – Environment and Building Services  
M Craigie, Head of Transport  
C Ferguson, Head of Community Care  
N Grant, Head of Community Economic Development  
A Hamilton, Senior Advisory - Marketing  
G Johnston, Head of Finance  
C Medley, Head of Housing/Capital Programme Service  
J Riise, Head of Legal and Administration  
G Smith, Director, Shetland College  
J Smith, Head of Organisational Development  
K Adam, Senior Solicitor  
S Crook, Library and Information Services Manager  
K Duerden, Service Development Manager  
M Holmes, Coastal Zone Manager  
S Moncrieff, ICT Unit Manager  
J Reyner, Quality Improvement Manager  
C Bain, Treasury Accountant  
T Bentley, Security and Operations Manager  
P Peterson, Performance Management Co-ordinator  
A Cogle, Service Manager – Administration

**Also**

W Goudie, Project Manager – Shetland Development Trust  
S Keith, Project Manager – Shetland Development Trust

## Chairperson

Mr A J Cluness, Convener of the Council, presided.

## Circular

The circular calling the meeting was held as read.

156/06 **Shetland Islands Council – (a) 13 September; and (b) 19 September 2006**

Except as undernoted the minutes of the above meetings were confirmed, on the motion of Mr A J Cluness.

### Sederunt

Members noted that Mr Ratter had left the meeting prior to minute reference 140/06, but there was no record of his return to the meeting.

Min. Ref. 131/06 – Services Committee – Library Provision in Scalloway  
Mrs Hawkins advised that the full content of her motion was as follows:

“I move that the Lerwick Library customers with Scalloway addresses be surveyed to ascertain if they would use a Scalloway library if it was available. I also move that a public meeting be held in Scalloway to discuss library provision, and that the results be reported back to the Services Committee within two cycles.”

Min. Ref. 155/06 – Service Budget Cut Proposals

Mr C B Eunson said that he wished to move as an amendment that the proposed charges for Community Care Services should not be introduced. However, the Convener advised that this was a decision already taken by the Council and could not be considered, except through a Notice of Motion. Mr Eunson indicated that he would do so.

In response to a concern raised by Mr Manson with regard to the effects on individuals, the Executive Director Education and Social Work advised that no charges had yet been set for individuals. He said that each case would be looked at on an individual basis, and using social work principles to ensure that no one is in severe hardship as a result of the charges. He also confirmed that review procedures would be in place.

Mr L G Groat asked if the local Member could be involved when reviewing individual cases. The Executive Director Education and Social Work said that people had a statutory right to complain about Social Work procedures, and there was Member involvement in that process.

Min. Ref. 152/06 - Long Term Financial Planning – Council Reserves and Budget Strategy 2007/08 and Beyond

Mrs F B Gains referred to the third paragraph, first line, and stated that “concerns” should read “concerned”.

Min. Ref. 153/06 – Scale of the Capital Programme

Mr L Angus said that there seemed to be a great deal of confusion regarding the capital programme and placing of projects within it. He said that his understanding was that all projects were being subject to review, although some were saying that projects were already committed because funding had been identified. Mr Angus said that all projects which were not legally contracted were all subject to review, and it was important to clarify this.

The Chief Executive confirmed that the capital programme prioritisation project was underway to prioritise every project on the capital programme, except those that were legally contracted and underway.

157/06 **Members Attendance at External Meetings**

The following Members provided details of attendance at external meetings relating to Council business, further details of which can be obtained from the Members concerned:

A J Cluness	Shell Annual Dinner Highlands and Islands Convention, Forres
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J G Simpson L Angus	CPMR General Assembly, Spain
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The Council noted that the Mr Simpson would be attending an NEAF meeting next week on behalf of the Council, in order to represent the Shetland fishing industry. Mr Simpson also stated he would attend the end of year Fisheries Talks in Brussels to provide Council support to the local industry.

F B Grains	National War Memorial Committee
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F B Grains B P Gregson	Criminal Justice Association – Northern CJA
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G G Mitchell	TPAS Annual Conference, Dundee
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E Knight	Round Britain and Ireland Race, Plymouth
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158/06 **Infrastructure Committee – 17 October 2006**

The minute of the aforementioned meeting was confirmed, on the motion of Mr J C Irvine.

159/06 **Services Committee – 19 October 2006**

The minute of the aforementioned meeting was confirmed, on the motion of Mrs F B Grains.

160/06 **Executive Committee – 24 October 2006**

The Council confirmed the minute of the aforementioned meeting, on the motion of Mr A J Cluness.

161/06 **Executive Committee – Economic Development – 24 October 2006**  
The minute of the aforementioned meeting was confirmed, on the motion of Mr A J Cluness.

162/06 **Scrutiny Committee – 12 September 2006**  
The minute of the aforementioned meeting was confirmed, on the motion of Mr J P Nicolson.

163/06 **Planning Sub-Committee – 27 September 2006**  
The minute of the aforementioned meeting was confirmed, on the motion of Mr F A Robertson.

164/06 **Harbour Board – 28 September 2006**  
Except as undernoted, the minute of the aforementioned meeting was confirmed, on the motion of Mr J G Simpson.

**Min. Ref. 21/06 – Ports Project Monitoring Report**

Mr W Tait said that he had specifically raised the matter with regard to the delay of the Sella Ness pier and its effect on the Capital Programme. He said that he had supported Mrs Hawkins suggestion that Scalloway harbour should be brought forward in its place.

In reply to a question from Mr W H Manson, the Chief Executive confirmed that the piers programme was part of the general Capital Programme, and also confirmed that in the event of any project being delayed, the whole Capital Programme would be reviewed.

165/06 **Inter-Island Ferries Board – 29 September 2006**  
Except as undernoted, the minute of the aforementioned meeting was confirmed, on the motion of Mr B P Gregson.

**Min. Ref. 12/06 – Responsibility for Inter Island Ferry Service**

Mr B P Gregson advised Council that this matter required approval by the Council. The Council agreed.

**Min. Ref. 14/06 – Proposed Reduction of General Fund Revenue Budgets 2006/07. Savings required by the Inter Islands Ferry Service**

Mr J P Nicolson said that he expressed his concern at the burden now being placed on the revenue budgets following the removal of the fares on the Bluemull Sound. He said that he understood this to be an interim measure, and said that it should be re-examined as it was clearly remaining a burden on the ferries budget.

166/06 **Marine Development Sub-Committee – 24 October 2006**  
The minute of the aforementioned meeting was confirmed, on the motion of Mr F A Robertson.

167/06 **The Capital Programme – CPMT Report – October 2006**

The Council considered a report by the Head of Finance (Appendix 1).

Mr J P Nicolson referred to Appendix A of the report, and to paragraph 3.3 regarding Viewforth and Isleshavn Redevelopments, and expressed concern at the increase in feasibility studies.

Mr L Angus asked that these combined projects be entitled "Elderly Residential Care" so as to reflect the priorities identified by the Social Work Task Force. The Council concurred.

Mr A Inkster referred to paragraph 1.1 of Appendix A, and to the Uyeasound Pier project. Mr Inkster moved that this project should not proceed to tender until funding for the project is in place. Mr L Angus seconded, and the Council agreed.

Mr W Tait said that a feasibility study had already been undertaken by the Shetland Welfare Trust relating to Isleshavn. The Head of Community Care agreed, but said that that study had looked specifically at Yell a replacement for Isleshavn, whereas the proposed feasibility study would look at the wider picture relating to the provision of the service across Shetland and demographics, although the work provided by the Welfare Trust would still make a useful contribution to the process.

Mr R G Feather referred to paragraph 2.4 and asked what would happen to the workshops if the decision was to build on a new site. The Council was advised that the existing site would be cleared.

In response to a question from Mr Feather regarding the feasibility studies, the Head of Capital Projects advised that the studies would be carried out by a mixture of staff and external consultants.

Subject to above, the Council approved the recommendations in the above, on the motion of Mr A J Cluness, seconded by Mrs F B Grains.

168/06 **Performance Management Update**

The Council noted the terms of a report by the Head of Organisational Development (Appendix 2).

With regard to the implementation of 20 mph speed limits, the Council noted that a progress report would be presented to the next meeting of the Infrastructure Committee.

169/06 **Review of Pension Fund Management Structure**

The Council considered a report by Head of Finance (Appendix 3) and approved the recommendations contained therein, on the motion of Mr T W Stove, seconded by Mrs B Cheyne.

170/06 **Administrative and Management Resources – Shetland College**

The Council considered a report by the Director, Shetland College (Appendix 4) and approved the recommendations contained therein, on the motion of Mr W A Ratter, seconded by Mr A Inkster.

171/06 **Decentralisation of Council Activity**

The Council considered a report by the Head of Organisational Development (Appendix 5).

On the motion of Mr W H Manson, seconded by Mr B P Gregson, the Council adopted the recommendation in the report, subject to the following addition:

“9.2 That investigations be carried out into the formation of small multi-use rurally based centres which could provide support, supervision and facilities for home based or rurally based workers in the area. This work to be brought in the first instance to the Accommodation Working Group before consideration by appropriate committees and full Council.”

172/06 **Organisational Change Implementation Update**

The Council considered a report by the Chief Executive (Appendix 6) and approved the recommendations contained therein, on the motion of Mrs F B Grains, seconded by Mr B P Gregson.

173/06 **Severance Payment Regulations – Proper Officer Designation**

The Council considered a report by the Head of Legal and Administration (Appendix 7) and approved the recommendation contained therein, on the motion of Mrs F B Grains, seconded by Mr B P Gregson.

In response to questions from Members, the Head of Legal and Administration confirmed that the process so far had been a staged approach. He said that the application period would commence once final determination of the local government boundaries had been made, or on 17 November, whichever was the sooner. He went on to confirm that the draft Regulations had changed dramatically to the final Regulations, mainly due to intervention and representation from CoSLA.

The Head of Legal and Administration confirmed that the severance payment would be fully funded by the Scottish Executive. He went on to confirm that individuals who had applied would automatically cease to qualify for a severance payment if they became candidates for the next election to the Council. However, he added that this would not require a formal withdrawal of their application; the eligibility would simply cease on becoming a candidate.

174/06 **Schedule of Meetings 2007**

The Council considered a report by the Head of Legal and Administration (Appendix 8) and approved the recommendations contained therein, on the motion of Mr B P Gregson, seconded by Mr W

N Stove. Mr Stove asked that meeting of the Shetland Heat Energy and Power group also be added.

175/06 **Identity and Passport Service: Passport Interviews – Proposed Network of Offices**

The Council considered a report by the Head of Legal and Administration (Appendix 9) and approved the recommendations contained therein, on the motion of Mr W A Ratter, seconded by Mr J C Irvine.

**In order to prevent the disclosure of exempt information, Mr A J Cluness, Mr B P Gregson seconded, and the Council resolved, in terms of the relevant legislation, to exclude the public during consideration of the following items of business.**

*[Representatives of the public and media left the meeting.]*

176/06 **Employees Joint Consultative Committee – 26 September 2006**

The Council noted the minute of the aforementioned meeting.

*[Mrs F B Grains declared a non-pecuniary interest in the following item, and took no part in the discussion or decision.]*

177/06 **Closed Transferee Admission Agreement to the Local Government Pension Scheme**

The Council considered a report by the Expenditure Manager and approved the recommendations contained therein, on the motion of Mr F A Robertson, seconded by Mr A Inkster.

178/06 **Single Status Negotiations – Pay Claims**

The Council considered a report by the Executive Director – Infrastructure Services and approved the recommendations contained therein, on the motion of Mr J C Irvine, seconded by Mr B P Gregson.

A J Cluness  
Convener