

- 90/10 **Audit and Scrutiny Committee – 7 June 2010**
The Council approved the minute of the aforementioned meeting, on the motion of Mrs F B Grains.
- 91/10 **Development Committee – 10 June 2010**
Except as undernoted, the Committee approved the minute of the aforementioned meeting, on the motion of Mr J G Simpson.
- Hamefarin and Flavour of Shetland Events**
The Convener thanked all staff of the Development Department, particularly Douglas Irvine and Nicola Halcrow, for all their hard work and achievements for the Hamefarin event. He said that by all accounts it had been a tremendously successful event with upwards of 1000 volunteers, and demonstrated what was best about this community.
- Mrs B Fullerton thanked Council staff and all other organisations on the Flavour of Shetland event. She said it had been a great success, and demonstrated how all ages can together and enjoy themselves at such events.
- The Council concurred.
- Min. Ref. 41/10 - Public Activity Report: April and May 2010 – Scotland's Islands 2011**
Mr R Nickerson said that rather than expressing his concern that this project was not progressing, he had expressed his concern about the timescale and whether Shetland could deliver in time.
- 92/10 **Special Infrastructure Committee – 28 May 2010**
The Council approved the minute of the aforementioned meeting, on the motion of Mrs I J Hawkins.
- 93/10 **Infrastructure Committee – 15 June 2010**
Except as undernoted, the Council approved the minute of the aforementioned meeting, on the motion of Mrs I J Hawkins.
- Min. Ref. 51/10 - A971 Haggersta to Cova – Report on Progress, April 2010**
Mrs F B Grains said that in the report it said that the CPO and the Stopping Up Order would go to Edinburgh, and she queried whether that was a combined Order or two separate Orders. The Executive Director Infrastructure agreed to get back to Mrs Grains with clarification.
- Min. Ref. 49/10 - Financial Cost of Nuclear Policy Coordination**
Mr R Nickerson referred to the third page and to where he had stated that the greatest risk in a chemical plant is when it is being built and then when it is being decommissioned, and said that he had actually referred to a Nuclear plant, not a chemical plant. He added that the Council also had a statutory duty towards public health.
- 94/10 **Services Committee – 17 June 2010**
Mr L Angus, raised some corrections to the minute, as follows:
- Min. Ref. 47/10 Blueprint for Education in Shetland: Stage 3 Formal Proposals for the Future of the School Estate in Shetland**

Page 6, first paragraph, Mr L Angus said he had said that Bressay Primary School would not be adversely affected due to the absence of a fixed link to the island, rather than the installation of fixed link.

Page 9, Mr L Angus clarified that Primary Proposal 2 included the long term objective for education delivery in Lerwick.

Min. Ref. 49/10 - Instrumental Music Instruction in Schools - Charges

Mr L Angus said that Mr R Nickerson had requested figures for today's meeting, and these had been e-mailed to all Members.

Min. Ref. 51/10 - Grass Cutting

Mr L Angus said that Mrs Hawkins amendment did not make sense, and that this required clarification. He added that he had moved the recommendation, not Mr C Smith. Mrs Hawkins confirmed that her amendment had been that the Council do grass cutting this year, and if necessary to take the money from reserves.

On the basis of these amendments, and except as undernoted the Council confirmed the minute of the meeting on the motion of Mr L Angus.

Min. Ref. 47/10 Blueprint for Education in Shetland: Stage 3 Formal Proposals for the Future of the School Estate in Shetland

Mrs I J Hawkins said that it was very important that the Council looked at the schools situation again because, in her Ward in particular, Scalloway people had been horrified, and the Council should not be closing it. She said the birth rate in Shetland in general was going up, but in the Central Ward it was going up, and all those children would go through to secondary education. Mrs Hawkins said the Scalloway School had good links with the College in Scalloway, and to remove the Secondary Department would remove parental choice. Accordingly, Mrs Hawkins moved as an amendment that, in relation to the Secondary proposals, that the Council proceeds with Secondary Proposal 1. Mrs L Baisley seconded. In doing, she expressed concern regarding the state of the Anderson High School and whether it could remain fit for purpose. She also questioned whether any savings would be achieved as the Scalloway and Skerries Schools would have to remain open for the Primary pupils, and she questioned whether additional travel costs had been taken into consideration.

Mr R Nickerson gave notice of a further amendment.

During the discussion which followed, some Members pointed out that the Services Committee recommendation had not been to close schools, but to move to statutory consultation on the proposals, thereby giving pupils, parents, staff and the wider community a further opportunity to focus their comments and views and put forward formal objections if they wished. Some Members said that whilst they may have concerns regarding possible closures in future, they were disappointed that the amendment was seeking to go against a recommendation from the Committee, particularly given the recent criticism that the Council was unable to maintain a corporate approach, and by constantly reversing decisions may not be in the best interests of Shetland. The Council noted that the Head of Schools and Head Teacher of Anderson High School was to issue an invitation to pupils and teachers at Scalloway to visit the Anderson High School during the Summer, to help allay any concerns regarding the fabric or facilities at the school.

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

Amendment (I J Hawkins)	2
Motion (L Angus)	17

Mr R Nickerson said that the proposal in Proposal 1 had not formed part of the informal consultation, and some parent had expressed concern to him that if they had known that this option would result in cuts as well as school closures, their opposition may have been more radical. Accordingly, Mr Nickerson moved as a further amendment that the Schools Service also formally consult on all the Proposal 1 options as part of the formal consultation process on school closures. Mr A Duncan seconded.

The Depute Chief Executive asked that Members be mindful of the burden on its staff with regard to the number and extent of the formal consultation, alongside the decision also to consult on the location of the new Anderson High School. She said that the Council may have to give guidance on their priority to these areas, if the formal consultation process was to widen further. She added that the savings being proposed in Proposals 1 could achieve £1m, and had to be considered within the context of the £9.9m savings being required for this year, and £15m/£17m for next year.

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

Further amendment (R Nickerson)	3
Motion (L Angus)	17

Accordingly, the decision of the Council was to adopt the recommendations from the Services Committee.

Min. Ref. 49/10 - Instrumental Music Instruction in Schools – Charges

Mrs B Fullerton moved as an amendment that the Council stand by its original decision to charge when the schools open in August, and based on the figure provided of £92k savings, that the gap between £92k and the £130k savings originally estimated be identified in savings as part of the overall budgetary exercise, but that the service review proposed by the Services Committee, for reporting to its meeting in November, continue. Mr G Robinson seconded. Mr L Angus agreed to accept that as part of his motion.

Mr R Nickerson moved as an amendment that the Council adopt the recommendation of the Services Committee, therefore not to charge but to conduct the review. Mr A J Cluness seconded.

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

Amendment (R Nickerson)	7
Motion (L Angus)	12

The motion to charge for music tuition from August, to identify the gap in savings required, and to conduct a review of the service, was the finding of the meeting.

Min. Ref. 63/10 - Extensions to School Bus Service Contracts

Mrs I J Hawkins advised that this matter required a decision, and the Council noted that, as an exempt item, it would be raised in private towards the end of the meeting.

95/10 **Reconvened Services Committee – 24 June 2010**

Except as undernoted, the Council approved the minute of the aforementioned meeting, on the motion of Mr L Angus

Min. Ref. 65/10 - Lerwick Long Term Care – Presentation of Feasibility Study

Referring to page 4 of 6, Mr A Cooper said that as well as detailing any viable savings through the Gateway Process, savings to meet the revenue costs should also be identified.

Mr W H Manson moved as amendment that, instead of creating a working group to look at the provision of a dedicated service for young carers, that a report on this matter be presented to the Services Committee in September in order that the Council can move forward and take appropriate action as soon as possible. Mr G Robinson seconded.

Voting took place by a show of hands, and the result was as follows:

Amendment (W H Manson)	13
Motion (L Angus)	5

Min. Ref. 67/10 - Local Service Delivery Group – Seminar Proposal

Mrs F B Grains said she was disappointed that this proposal had not been agreed, adding that should would have like to have attended as Local Service Delivery Groups could be done well, and appreciation had been shown for some of the work they had already done.

96/10 **Planning Board – 2 June 2010**

Except as undernoted, the Council approved the minute of the aforementioned meeting, on the motion of Mr F A Robertson.

Min. Ref. 32/10 - 2009/254/PCD – LR3: To erect a single dwellinghouse, Hillock, Dunrossness by Lynne Leslie

Mrs L Baisley referred to page 6, and clarified that she had said that the original dyke was a rubble wall in a state of collapse, but the dyke at the opposite side of the road was in good order.

97/10 **Harbour Board – 9 June 2010**

Except as undernoted, the Council approved the minute of the aforementioned meeting, on the motion of Mr A Cooper.

Min. Ref. 27/10 - Ports Project Monitoring Report - Fetlar Breakwater – GCY7214

Mrs L Baisley asked what the situation was now regarding the land, and if the planning application had been submitted. The Head of Capital Programmes confirmed that progress looked encouraging and the planning application would be submitted next week.

98/10 **Special Licensing Sub-Committee – 20 May 2010**

The Council approved the minute of the aforementioned meeting, on the motion of Mr C Smith.

99/10 **Licensing Sub-Committee – 8 June 2010**

The Council approved the minute of the aforementioned meeting, on the motion of Mr C Smith.

100/10 **Whalsay Transport Links – Cost of Tunnel compared to Ferry Services**

The Council considered a report by the Head of Finance (Appendix 1A). The Council also noted an information pack provided to Members prior to the meeting (Appendix 1B).

After hearing introduction and summary of the report from the Head of Finance and Head of Transport, Mr L Angus said that links to island communities were of concern to all Members. He said that a plethora of figures had been provided during the STAG process, and decisions could only be based on figures received at the time, but there did appear to be some confusion with the calculations. However, Mr Angus went on to say that fixed links would help to sustain those communities but would be unlikely on their own to promote development.

The Head of Finance said that the report on the agenda today should attend to any confusion which may have arisen over the figures. He said that on the basis of evidence available, the ferry service would be cheaper for this Council to maintain than a fixed link option. He said that only a few matters would overturn that point of view, firstly being the loss of the Revenue Support Grant for the ferries service, but there was every indication that that mechanism would remain in place. Another factor would be the receipt of any substantial financial assistance towards the costs of a fixed link, but there was no indication at this stage that any such funding would be made available over the next 5 years and the best value option for the Council should be pursued.

Mr J G Simpson said there was no doubt in his mind that fixed links to the islands was the answer. However, he said that in this financial climate, locally as well as nationally and internationally, to believe there would be any financial assistance for a fixed link to Whalsay was unrealistic. He said that the longer this debate dragged on it would be damaging to Whalsay as it was losing out. Mr Simpson said he was still of the opinion that some improvement to the harbour at Symbister was needed for the marine and fishing industry, but that had been rejected, and had to be accepted. He said that defer and look for more funding was wasting time, but the Council had to make up its mind today.

Mr A Cooper said that he was concerned at the possible reduction in Revenue Support Grant. He said that he was not certain how long the Council could sustain the ferry services in their present form, and would be concerned that a reduced service would be the result. Mr Cooper said that, on that basis, the impact on other services could be quite severe and the only realistic option would be a tunnel option. He said that there would be merit in entering into dialogue with the Scottish Government on the funding options into the future, with a view to achieving longer term savings objectives. In this regard, Mr Cooper moved that the Council do not approve recommendations 9.1 and 9.2 but approve the following:

9.3 The Council commits to a programme of fixed links for Yell, Unst, Whalsay and Bressay spanning the next 20 years. A report be prepared for the year end setting out timescales and an indicative programme including STAGs etc such that earnest discussion can commence with potential funding partners early in 2011 recognising that the build will be more than 5 years away.

9.4 To protect the integrity of the ferry service in the interim, a structure with a suitable hydraulic ramp capable of being sited at any of the existing locations be acquired, this concept to also be reported by the year end.

9.5 A Working Group comprising appropriate officers and those Members who were identified to investigate funding options be tasked with taking the concept forward.

Mr G Robinson seconded.

Mr R Henderson said that the Council going down the road of ferries without fully investigating the fixed link options was not something it could afford to do. He said that opportunities for external funding had to be explored, and that the Council should continue to look closely at providing fixed links.

Mrs L Baisley said she had listened carefully to the debate, and whilst she was not opposed to fixed links, but in the case of Whalsay the Council could not afford to wait that long. She said that the provision of a fixed link could take anything up to 9 years, and there should be no further delay in moving this matter forward. Accordingly, Mrs L Baisley moved as an amendment that the Council approve recommendation 9.1 and a new recommendation 9.2 as follows:

9.2 that the Council proceed with the construction of a new Terminal at the North Voe without any further delay.

Mr A Hughson seconded.

During the discussion which followed, Mr A Wishart and Mr W H Manson gave notice of further amendments.

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

Amendment (L Baisley)	10
Motion (A Cooper)	11

Mr A Wishart moved as a further amendment that: (1) a ring fenced budget be proposed in the capital programme; and (2) that a full independent consulting

engineer's report on the structural condition of the existing infrastructure and financial liabilities over the next 5/10 years.

Mr A Cooper, with the consent of his seconder, agreed to accept this amendment within his motion.

Mr W H Manson withdrew his notice of a further amendment, and the Council adopted the motion by Mr A Cooper, as amended by Mr A Wishart as the finding of the meeting.

The meeting adjourned at 12.20 p.m.

**Shetland Island Council
Council Chamber, Town Hall, Lerwick
Wednesday 30 June 2010 at 10 a.m.**

Present:

A J Cluness L Angus
L Baisley J Budge
A Cooper A Doull
A Duncan B Fullerton
F B Grains I J Hawkins
R Henderson A Hughson
W H Manson C Miller
R Nickerson F Robertson
G Robinson J G Simpson
C Smith A Wishart
J Wills

Apologies:

J Henry

In Attendance:

H Sutherland, Depute Chief Executive
G Greenhill, Executive Director Infrastructure Services
H Budge, Head of Schools
M Craigie, Head of Transport
C Ferguson, Head of Community Care
N Grant, Head of Economic Development
G Johnston, Head of Finance
C Medley, Head of Housing
J R Riise, Head of Legal and Administration
R Sinclair, Head of Capital Programming
J Smith, Head of Organisational Development
D Bell, Human Resources Manager
A Edwards, Quality Improvement Manager
K Foster, Accountancy Officer
L Gair, Committee Officer
M Holmes, Coastal Zone Manager
E Jamieson, Clerical Assistant
K Johnston, Solicitor

M Moss, Quality Improvement Manager
E Perring, Policy and Development Co-ordinator
B Robb, Management Accountant
H Tait, Service Manager – Management Accountancy
A Cogle, Service Manager – Administration

Chairperson

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

Circular

The circular calling the meeting was held as read.

The meeting reconvened at 1 pm.

**Reconvened Shetland Island Council
Council Chamber, Town Hall, Lerwick
Wednesday 30 June 2010 at 1 p.m.**

Present:

A J Cluness L Angus
L Baisley J Budge
A Cooper A Doull
A Duncan B Fullerton
F B Grains I J Hawkins
R Henderson A Hughson
W H Manson C Miller
R Nickerson F Robertson
G Robinson J G Simpson
C Smith A Wishart
J Wills

Apologies:

J Henry

In Attendance:

H Sutherland, Depute Chief Executive
G Greenhill, Executive Director Infrastructure Services
M Craigie, Head of Transport
G Johnston, Head of Finance
C Medley, Head of Housing
J R Riise, Head of Legal and Administration
R Sinclair, Head of Capital Programming
J Smith, Head of Organisational Development
L Adamson, Committee Officer
K Foster, Accountancy Officer
D Hughson, Financial Accountant
M Moss, Quality Improvement Manager
E Perring, Policy and Development Co-ordinator
H Tait, Service Manager – Management Accountancy
A Cogle, Service Manager – Administration

101/10

Corporate Plan 2010-2012

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

Except as follows, the Council approved the recommendation contained in the report, on the motion of Mr L Angus, seconded by Mr A Cooper.

- Inclusion of item relating to the provision of service to young carers, to be added in to page 24 relating to cross cutting measures and which would enhance the services already provided.
- Emphasise and clarify the role of the Promote Shetland branding in terms of living and working in Shetland, beyond the promotion of the cultural aspects.
- European funding target to be increased to £850k to take account of funding already received.
- Measure of success for reducing the number of people experiencing fuel poverty to be clarified as either an increase in numbers being taken out of fuel poverty, or a reduction of those experiencing it. Also Members wished to see further discussion on this to ascertain if the 2 year target was achievable given resources and funding available.

The Head of Organisational Development said that media relations was not highlighted in the Plan as a priority, but could be included in a later update as a part of how the Council organises its business and how that is being implemented.

The Head of Organisational Development went on to say that discussions at performance review sessions included questions on how people were going to deliver on the Council's objectives, and this improved upon and followed through during individual employee performance appraisals.

The Council noted that the Corporate Plan would be presented at a seminar in late August for Members and Officers to participate in discussion on the formation of the Plan and how it is expected to be implemented.

[Mrs L Baisley left the meeting.]

102/10

2009/10 Provisional Financial Outturn

The Council considered a report by the Head of Finance (Appendix 3).

The Head of Finance referred to Table 5(a) and advised that two items had been double counted – Private Sector Housing Grants £0.602; and Town Centre Regeneration £0.345 – as these had been included in the General Fund carry forward requests table 3(a). Accordingly Table 5(a) total should be £2.811.

After hearing the Head of Finance summarise the remainder of the report, the Council approved the recommendations contained therein, on the motion of Mr L Angus, seconded by Mr A Cooper.

Declarations of Interest

Dr J Wills declared an interest in any reference to the Education department or its budget, as his wife was a member of staff in the Education department.

Mr W H Manson declared an interest in item 11 [Grouping of Accounts] as Chairperson of the SCT, and in item 1 [Corporate Plan], as a Director of Viking Energy.

Mrs C Miller declared an interest in item 1 [Corporate Plan], as a Director of Viking Energy.

Mr A Cooper declared an interest in item 1 [Corporate Plan], as a Director of Viking Energy.

88/10 **Minutes – 19 May; 25 May; 10 June; 15 June and 24 June 2010**

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

Special SIC 10 June 2010

Mrs C Miller intimated her intention to raise an exempt item from this minute later in the meeting.

103/10 **SIC Revenue Management Accounts – General Fund, Harbour Account, Housing Revenue Account and Reserve Fund for the Period 1 April 2010 to 31 May 2010**

The Council noted a report by the Head of Finance (Appendix 4).

In response to a question from Mr A Cooper, the Head of Finance said that Budget Responsible Officers were getting the message with regards to the need to achieve savings, but perhaps more could be done. He said that regular cyclical reporting would help monitor the situation, as well as more work which would be done by the Financial Resources Member/Officer Working Group to address the issues.

104/10 **2009/10 Outturn Report – Capital Programme**

The Council considered a report by the Capital Programme Service Manager (Appendix 5) and approved the recommendations contained therein, on the motion of Mr A Cooper, seconded by Mr A Wishart.

Mr L Angus queried the work being done on Lystina House. The Head of Capital Programming advised that this was covered in the next item on the agenda, which was seeking authority to approve a degree of slippage on that project.

The Council noted that the comments column in Appendix A relating to the Ness of Sound Farm required amending to show the correct amounts.

89/10 **Members Attendance at External Meetings**

Mr B Fullerton – CoSLA Community Wellbeing and Safety Executive Group – Edinburgh - 25 May 2010.

Mr R Henderson – Meeting with officials on the Scottish Government's Transport & Finance Group regarding fixed link funding – Edinburgh – 21 June 2010.

Mr F A Robertson – Planning Seminar – Edinburgh .

105/10 **Indicative 5 Year Capital Programme**

The Council considered a report by the Head of Capital Programmes (Appendix 6).

After hearing the Head of Capital Programmes summarise the report, Mr R Nickerson asked at what point rolling programmes would go through the Gateway process. The Head of Capital Programmes advised that there were a number of issues to do with rolling programmes and the result of an exercise on this would be presented to the Council later on this year for consideration.

After discussion, during which the Head of Capital Programmes clarified that projects would be taken through the Gateway Process before being presented back to the Council for consideration, the Council approved the recommendations contained in the report, on the motion of Mr A J Cluness, seconded by Mr J G Simpson.

106/10 **Strategic Planning, Service Planning and Budget Savings: A Way Forward**

The Council considered a report by the Depute Chief Executive (Appendix 7).

After hearing the Depute Chief Executive provide an overview of the report, Mr A Cooper referred to paragraph 6.9, and said that the review of the Ferry Service was extremely important and should be carried out, through the normal processes with some urgency. He added that the staffing structure was having an effect on the cost of overtime, it was clear that structural changes would achieve some savings in this area. Regarding the timescale for the review of ferry services and community care, the Depute Chief Executive said there was no timescale on those at present, as efforts were being targeted at progression of the current reviews in terms of Ports for the Future and Blueprint for Education.

During further discussion, Members noted that no service would be exempt from the need to make savings, but that the impact on maintaining the quality of services

in some areas was of concern. Members also said that the policy on redundancies had to be reconsidered in terms of what the Council was being faced with.

Mr W H Manson moved that the Council approve the recommendations contained in the report. Mr A Cooper seconded.

Members agreed that the report was an honest reflection on the current position and planning required, and agreed that Member/Officer Seminars to gain further clear and detailed understanding of the impact on services would be required as matters progressed.

[Mr A Wishart left the meeting.]

107/10 **Housing Revenue Account: New Building Housing Programme Funding**

The Council considered a report by the Head of Finance (Appendix 8) and approved the recommendations contained therein, on the motion of Mr A Duncan, seconded by Mr G Robinson.

[Mr A Doull left the meeting.]

Mr A Duncan asked that it be recorded in the minute record his thanks to all Councillors and staff for the hard work that they have done on this matter. The Council concurred.

108/10 **Annual Audit and Scrutiny Committee Activity Report**

The Council considered a report by the Policy Manager (Appendix 9) and approved the recommendation therein, on the motion of Mr A Duncan, seconded by Mrs C Miller.

109/10 **Submission of Abstract of Accounts 2009/10 for Audit**

The Council considered a report by the Head of Finance (Appendix 10) and approved the recommendation contained therein on the motion of Mr J G Simpson, seconded by Mr G Robinson.

[On the following matter, Dr J Wills and Mr A Cooper declared interests as members of the SIC Pension Fund.]

With regard to the grouping of Scottish local authority pension funds, the Head of Finance advised that this was an ongoing issue for which no proposal had yet been made, but remained a concern.

[Mr R Henderson left the meeting.]

[Mr W H Manson declared an interest in the following item as Chairman of the SCT, and left the Chamber.]

110/10 **Grouping of Accounts**

The Council noted a report by the Head of Finance (Appendix 11).

Members were of the view that the Council had to maintain its position on this matter, reiterating the view that the Trust does not provide services on behalf of the Council, but that the Council contracts any service. Some Members were concerned at the misunderstanding by Audit Scotland of the relationship between the two organisations, and failed to recognise that the SCT acted independently of the Council and was not a subsidiary Trust of the Council.

[Mr W H Manson returned to the meeting.]

111/10 **Investment Strategy Review**

The Council considered a report by the Head of Finance (Appendix 12) and approved the recommendations contained therein, on the motion of Mr L Angus, seconded by Mr A J Cluness.

Dr J Wills expressed concern about moving away from bonds, and in particular referred to the risks highlighted in section 3.1 of the report. The Head of Finance said that the strategy was a result of consultations with consultants and Fund Managers, and whilst the risk was almost impossible to quantify, the proposal was recommended as a measured step in the right direction. Dr Wills said, whilst he did not wish to make an amendment, that he wanted his disquiet to be noted.

112/10 **Schools Service Charges – Schools Meals and Extended Nursery Sessions**

The Council considered a report by the Head of Schools (Appendix 13) and approved the recommendations contained therein, on the motion of Mrs C Miller, seconded by Mr A Cooper.

113/10 **Amendment to Members & Officials Travel and Subsistence Rates re. Overseas Travel**

The Council considered a report by the Head of Finance (Appendix 14) and approved the recommendation contained therein, on the motion of Mr R Nickerson, seconded by Mrs C Miller.

114/10 **Correction to Published Table of Dues 2010/11**
The Council considered a report by the Operations Manager – Ports (Appendix 15) and approved the recommendation contained therein, on the motion of Mr A Cooper, seconded by Mrs C Miller.

115/10 **Review of SIC Crofting Estates**
The Council considered a report by the Head of Legal and Administration (Appendix 16) and approved the recommendations contained therein, on the motion of Mrs B Fullerton, seconded by Mrs I J Hawkins.

116/10 **Appointment to External Organisations – Lerwick Town Centre Business Improvement District Steering Group**
The Council considered a report by the Head of Planning (Appendix 17) and on the motion of Mrs I J Hawkins, seconded by Mrs B Fullerton, Mr A Wishart and Mr A Cooper were duly appointed to the Group.

117/10 **Gender Equality Scheme**
The Council considered a report by the Head of Organisational Development (Appendix 18) and approved the recommendation contained therein, on the motion of Mr A J Cluness, seconded by Mrs C Miller.

In order to avoid the disclosure of exempt information, Mr A J Cluness moved, and Mr J G Simpson seconded, and the Council resolved to exclude the public, in terms of the relevant legislation, during consideration of the following items of business.

118/10 **Shetland Islands Council – 10 June 2010**
Mrs C Miller asked that it be noted that the proposed Notice of Motion referred to at the meeting by Dr Wills, had not proceeded.

[Mr C Smith declared a pecuniary interest in the following item and left the meeting.]

[Mr G Robinson declared an interest in the following item, and took no part in the discussion or decision.]

119/10 **Services Committee – 17 June 2010 – Min. Ref. 63/10 Extension to School Bus Service Contracts**

The Council noted that some concerns had been raised that an extension to contracts would result in some companies having to invest in new vehicles without having the confidence of being the successful tender at a later date. The Head of Transport confirmed that these contracts can be re-negotiated with the current contractors and matters could be resolved through the contract extension. With regard to concerns that re-packaging of contracts may be detrimental to the smaller contractors, it was noted that these were geographical grouping of contracts, rather than grouping throughout Shetland.

Mrs Hawkins said she was content with the explanations given and accordingly moved that the Council adopt the recommendations in the report. Mrs C Miller seconded, and the Council concurred.

Mr G Robinson asked that his abstention be noted.

120/10 **Minute of Employees JCC – 22 June 2010**

The Council noted the minute of meeting of the Employees JCC held on 22 June 2010.

121/10 **Ports and Harbours Staffing Matter**

The Council considered a report by the Executive Director Infrastructure Services.

After hearing the Executive Director outline the background to, and terms of, the report, and following discussion during which Members took into account the advice given by Council officers, the Council agreed, on the motion of Mr A Cooper seconded by Mrs C Miller, to a one-off compensation payment.

[Mrs B Fullerton declared an interest in the following item, due to a relative being involved.]

122/10 **Update Report on Ports for the Future**

The Council considered a report by the Executive Director Infrastructure Services .

Mr A Cooper moved that the Council approve the recommendation in the report, on the basis that the remaining issues in the report concerning the 4/3 tug operation would come back through the Harbour Board. Mrs I J Hawkins seconded and the Council concurred.

123/10 **Executive Services Staffing Matter**

The Council considered a report by the Depute Chief Executive.

Mr C Smith moved that the Council approve recommendation 8.1(ii) in the report.
Dr J Wills seconded.

There then ensued a debate during which Members took into account the advice given by the Council's officers.

Dr J Wills asked that his declaration of interest be noted in relation to his legal representative and also that he was a close friend of the individual involved. In this regard, Dr Wills withdrew his seconding of the motion.

Mr A Hughson seconded the motion, and the Council concurred.

The Council concluded at 3.40 p.m.

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A J Cluness
Convener