

# MINUTE

# A & B

**Shetland Island Council**  
**Council Chamber, Town Hall, Lerwick**  
**Wednesday 17 May 2011 at 10am**

**Present:**

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

**Apologies:**

L Angus	A J Cluness
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**In Attendance:**

A Buchan, Chief Executive  
G Greenhill, Executive Director – Infrastructure  
H Sutherland, Executive Director - Education and Social Care  
H Budge, Head of Schools  
N Grant, Head of Development  
I Halcrow, Head of Roads  
J Riise, Head of Legal & Administration  
R Sinclair, Head of Capital Programming  
J Smith, Head of Organisational Development  
A Edwards, Quality Improvement Manager  
J Edwards, Quality Improvement Officer  
M Gordon, Communications Assistant - Blueprint  
K Johnston, Solicitor  
M Moss, Quality Improvement Manager  
R Sim, Quality Improvement Officer  
M Spence, Quality Improvement Officer  
J Reyner, Quality Improvement Manager  
J Thomason, Management Accountant  
M Thomson, Senior Assistant Accountant  
D Williamson, Building Services Manager  
L Adamson, Committee Officer  
A Cogle, Service Manager – Administration

**Chairperson**

Mr J G Simpson, Vice-Convener of the Council, presided.

**Circular**

The circular calling the meeting was held as read.

## **Declarations of Interest**

None.

### **51/11 Minutes – Shetland Islands Council – 23 March, 27 April, 9 May and 12 May 2011**

Subject to the following, the minutes of meetings of the Council held on 23 March, 27 April, 9 May and 12 May 2011, were confirmed.

#### **37/11 Planning Board – 23 February 2011**

Mr R Nickerson asked when the two issues raised under this item relating to Stopping Up Orders and use of land would be brought to the Council. The Executive Director – Infrastructure confirmed that a report on those matters would be presented to the Environment and Transport Committee in due course.

#### **51/11 Strategic Financial Issues**

Page 3, second paragraph – change “and said that indications were that the Scottish Government might increase interest rates” to read “and said that indications were that the Bank of England might increase interest rates”.

Page 3, third paragraph – change “Mr Nickerson asked for a report on the full extent of the fibre optic proposal” to read “Mr Cooper asked for a report on the full extent of the fibre optic proposal”.

#### **55/11 Governance and Constitutional Arrangements**

Mr Manson said that whilst concerns with regard to membership of the Executive Committee had been noted, he said that it was a specific request that the concern regarding the ability of the Executive Committee in certain circumstances, was a risk that the Council had taken into consideration.

### **52/11 Member Attendance at External meetings**

Members had nothing to report.

### **53/11 Audit and Scrutiny Committee – 18 April 2011**

The minutes of meeting of the Audit and Scrutiny Committee held on 18 April 2011 were confirmed on the motion of Mrs F B Grains.

### **54/11 Development Committee – 28 April 2011**

The minutes of meeting of the Development Committee held on 28 April 2011 were confirmed on the motion of Mr J G Simpson.

### **55/11 Infrastructure Committee – 3 May 2011**

Subject to the following, the minutes of meeting of the Infrastructure Committee held on 3 May 2011 were confirmed on the motion.

#### **Attendance at External Meetings**

Mr R Nickerson advised that the Dounreay Stakeholder Group meeting had been held in Thurso, not Wick.

### **56/11 Services Committee – 5 May 2011 and 10 May 2011**

Subject to the following, the minutes of meeting of the Services Committee held on 5 May and 10 May 2011 were confirmed on the motion of Mrs B Fullerton and Mr W H Manson. Mrs Fullerton and Mr Manson confirmed their motion included approval of the recommendations from the Committees.

43/11 Blueprint for Education in Shetland: Decision on Uyeasound Primary School

Mrs Baisley moved as an amendment that the Council revisit this decision. Mr Henderson seconded.

On the motion of Mr A Duncan, the Council unanimously resolved to vote by roll call, and the result was as follows:

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

Motion (B Fullerton)	12
Amendment (L Baisley)	8

Decision:

The Council **RESOLVED** that:

1. education provision at Uyeasound Primary School be discontinued with effect from 07 October 2011 or as soon as possible thereafter
2. the pupils of Uyeasound Primary School continue their education at Baltasound Junior High School Primary Department, from 26 October 2011, or as soon as possible thereafter and, should the Proposal be approved:
3. note that the Scottish Ministers have a six week period from the date of that final decision to decide if they will call-in the Proposal so no action can be taken regarding implementation
4. the Head of Schools would work with pupils, parents and staff at Uyeasound Primary School and Baltasound Junior High School to develop a transition plan that would ensure an effective transition for pupils to the Baltasound Junior High School
5. the Head of Schools will ensure all staff will be properly consulted about their future, as will relevant trade unions. The individual wishes of each

member of staff will be taken into consideration within the context of appropriate human resource policies and agreements.

44/11 Blueprint for Education in Shetland: Decision on Burravoe Primary School

Mrs Baisley moved as an amendment that the Council does not proceed to close Burravoe Primary School. Mr R Henderson seconded.

On the motion of Mr R Nickerson, the Council unanimously resolved to vote by roll call, and the result was as follows:

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

Motion (B Fullerton)	11
Amendment (L Baisley)	9

Decision:

The Council **RESOLVED**:

1. education provision at Burravoe Primary School be discontinued with effect from 07 October 2011 or as soon as possible thereafter
2. the pupils of Burravoe Primary School continue their education at Mid Yell Junior High School Primary Department, from 26 October 2011, or as soon as possible thereafter and, should the Proposal be approved:
3. note that the Scottish Ministers have a six week period from the date of that final decision to decide if they will call-in the Proposal so no action can be taken regarding implementation
4. the Head of Schools would work with pupils, parents and staff at Burravoe Primary School and Mid Yell Junior High School to develop a

transition plan that would ensure an effective transition for pupils to the Mid Yell Junior High School Primary Department

5. the Head of Schools will ensure all staff will be properly consulted about their future, as will relevant trade unions. The individual wishes of each member of staff will be taken into consideration within the context of appropriate human resource policies and agreements.

45/11 Blueprint for Education in Shetland: Decision on North Roe Primary School  
Mr A Duncan moved as an amendment that education provision at North Roe Primary School be discontinued, in line with the recommendations in the report. Dr J Wills seconded.

On the motion of Mr R Nickerson, the Council unanimously resolved to vote by roll call, and the result was as follows:

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

Motion (W H Manson)	12
Amendment (A Duncan)	8

Decision:

The Council **RESOLVED** that:

1. the North Roe Primary School be retained
2. that the Chief Executive and his management team identify sustainable savings options from across the revenue budgets equivalent to the cost of keeping the school open, and that these be considered by the Council no later than the Autumn.

46/11 Blueprint for Education in Shetland: Decision on Sandness Primary School

Dr J Wills moved as an amendment that the Council does not accept the recommendation of the Services Committee and that the Council make a formal proposal to close Sandness Primary School. Mr A Duncan seconded.

On the motion of Mr R Nickerson, the Council unanimously resolved to vote by roll call, and the result was as follows:

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

Motion (W H Manson)	13
Amendment (J Wills)	7

Decision:

The Council **RESOLVED** that:

1. Sandness Primary School remain open.
2. the Chief Executive and his management team identify sustainable savings options from across the revenue budgets equivalent to the cost of keeping the school open, and that these be considered by the Council no later than the Autumn.

57/11 **Planning Board – 22 March 2011 and 20 April 2011**

The minutes of meeting of the Planning Board held on 22 March and 20 April 2011 were confirmed, on the motion of Mr F A Robertson.

58/11 **Harbour Board – 27 April 2011**

The minutes of meeting of the Harbour Board held on 27 April 2011 were confirmed, on the motion of Mr A Cooper.

59/11 **Inter Island Ferries Board – 22 April 2011**

The minutes of meeting of the Inter Island Ferries Board held on 22 April 2011 were confirmed on the motion of Mr F A Robertson.

60/11 **Licensing Sub-Committee – 13 April 2011 and 22 April 2011**

The minutes of meeting of the Licensing Sub-Committee held on 13 April and 22 April 2011 were confirmed on the motion of Mr J Henry.

61/11 **Scalloway Junior High School Secondary Department**

The Council considered a report by the Chief Executive (ESCD-43-F – Appendix 1B) which set out the educational, legal, financial and staffing implications associated with the Members' Notice of Motion (Appendix 1A).

The Chief Executive explained that it was incumbent upon officers to present this report to Members, and then to step back from the political debate presented by the Notice of Motion. He confirmed that this was a competent Notice of Motion lodged in terms of the Council's Administrative Regulations.

Mrs I J Hawkins moved that the Council accept the terms of the Notice of Motion. Mr A Hughson seconded.

Mr A Duncan moved as an amendment that the status quo remain, and that the pupils of Scalloway Junior High School Secondary Department continue their education at the Anderson High School from 17 August 2011 or as soon as possible thereafter. Dr J Wills seconded.

On the motion of Mr A Duncan, the Council unanimously resolved to vote by roll call, and the result was as follows:

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

Motion (I J Hawkins)	5
Amendment (A Duncan)	15

Decision:

The Council **RESOLVED** that the decision of the Council of 7 December 2011 remain, namely that

- Education provision at Scalloway Junior High School secondary department (Secondary 1 to Secondary 4) be discontinued with effect from 30 June 2011 or as soon as possible thereafter; and
- The pupils of Scalloway Junior High School secondary department continue their education at the Anderson High School, from 17 August 2011, or as soon as possible thereafter.

The Council adjourned at 12.45 p.m.  
The Council reconvened at 12.50 p.m.

**Present:**

L F Baisley	J Budge
A T J Cooper	A T Doull
A G L Duncan	E L Fullerton
I J Hawkins	R S Henderson
J H Henry	A J Hughson
W H Manson	C H J Miller
R C Nickerson	F A Robertson
G Robinson	J G Simpson
C L Smith	J W G Wills
A S Wishart	

**Apologies:**

L Angus	A J Cluness
F B Grains	

**In Attendance:**

A Buchan, Chief Executive  
G Greenhill, Executive Director – Infrastructure  
H Sutherland, Executive Director - Education and Social Care  
H Budge, Head of Schools  
J Riise, Head of Legal & Administration  
W Shannon, Assistant Chief Executive  
R Sinclair, Head of Capital Programming  
J Smith, Head of Organisational Development  
L Gall, Policy Officer  
A Sutherland, Policy and Development Assistant  
J Wylie, Community Safety Officer  
L Adamson, Committee Officer  
A Cogle, Service Manager - Administration

**Chairperson**

Mr J G Simpson, Vice-Convener of the Council, presided.



The Council approved the recommendations in a report by the Human Resources Manager (HR-001 – Appendix 2) on the motion of Mr A Wishart, seconded by Mrs C Miller.

Decision:

The Council **RESOLVED** to adopt the Capability Policy, and agreed that training, which will be developed in respect of policy, should be mandatory for all managers.

63/11

**Equality and Diversity Framework**

The Council approved the recommendations in a report by the Head of Organisational Development (CE-019-F – Appendix 3) on the motion of Mrs B Fullerton, seconded by Mrs C Miller.

Decision:

The Council **RESOLVED** to adopt the content of the Equality and Diversity Framework, and that the following actions would be undertaken within the next few years:

- Review Equality and Diversity Training for elected members, senior officers, management and all staff;
- Challenge gender stereotypes, using the Schools Service, Youth Service and Shetland College;
- Develop actions through the Skills and Learning Partnership and Youth Service to ensure young people are supported to return, remain and thrive in Shetland (for example review of Graduate Placement Scheme, development of volunteering opportunities, youth surgeries, politics days in schools and participatory budgeting event for young people);
- Schools Service to be more active in challenging perceptions of sexual orientation and combating homophobia and homophobic bullying through the Curriculum for Excellence.

64/11

**Consultation on the Future of Policing and the Fire and Rescue Service in Scotland**

The Council considered the content of a joint report by the Assistant Chief Executive and the Community Safety Officer (CE-027-F – Appendix 4) which provided an opportunity for Members to comment on the terms of the Council's submission to the consultations on the future of policing and fire and rescue services in Scotland.

On the motion of Mr R Nickerson, seconded by Mr C Smith, the Council resolved to approve the terms of the submissions, but that a caveat be included, and the response to question 7 relating to the Police model be revised to the effect that the Council's preference would be to retain the 8 forces with increased collaboration, but recognising the need to reserve its position until more information is available.

Decision:

The Council **RESOLVED** to approve the terms of the submissions, but in relation to Question 7 relating to the Police model, the following response would be given:

The Shetland Islands Council's preferred option is to retain the eight forces with increased collaboration, but that the Council reserves its position on this until further information is available. Given that the Council's general policy is to resist rationalisation at a regional or on a national basis, the Council reserves its position on this matter meantime until it becomes clear which of the options maximises the requirements for optimum leadership to be determined at a local level.

65/11

**Corporate Contracts Review Follow Up and Procurement Update**

The Council considered a report by the Head of Capital Programming (CPS-06-11-F – Appendix 5) which set out the initial review work undertaken to review the findings of an internal audit review and the steps taken to date to address the main actions.

Decision:

The Council **NOTED** the review findings and the steps already taken to address Internal Audit findings, and that the Head of Capital Programming, in conjunction with the Procurement Manager, will continue to develop a corporate approach to procurement and that a revised Procurement Strategy will be presented to Council in the near future.

66/11

**Improvement Plan – Progress Report**

The Council considered a report by the Chief Executive (CE-028-F – Appendix 6) which provided an update on progress made on achieving the outcomes in the Council's Improvement Plan.

Decision:

The Council NOTED the progress being made on the Council's Improvement Plan.

**In order to avoid the disclosure of exempt information, Mr A 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.**

67/11

**Minute of Employees Joint Consultative Committee – 26 April 2011**

The Council **NOTED** the minute of meeting of the Employees JCC held on 1 March 2011 (Appendix 7).

The meeting concluded at 1.30 p.m.

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Convener