

**Special Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 17 April 2013 at 2.00 p.m.**

Present:

M Bell	M Burgess
P Campbell	G Cleaver
A Cooper	S Coutts
A Duncan	B Fox
R Henderson	G Robinson
D Sandison	C Smith
G Smith	T Smith
J Wills	A Wishart
V Wishart	

Apologies

A Manson	D Ratter
F Robertson	M Stout
A Westlake	

In Attendance (Officers):

M Boden, Chief Executive
P Crossland, Director of Infrastructure Services
C Ferguson, Director of Corporate Services
S Shaw, Director of Community Care
J Riise, Executive Manager - Governance and Law
R Sinclair, Executive Manager – Capital Programme Services
S Brunton, Team Leader – Legal
A Cogle, Team Leader – Administrative Services
J Molloy, Asset Strategy Manager
C Anderson, Senior Communications Officer
L Rosie, Communications Officer
L Gair, Committee Officer

Chair:

M Bell, Convener of the Council, presided.

Circular:

The circular calling the meeting was held as read.

Declarations of Interest

None

10/13 Freefield Centre Review

The Council considered two reports by the Director of Community Care (CC-08-13-F and CC-12-13-F), which updated Members on the current issues that have affected progress made in working with Third Sector Partners to support alternatives should the Council decide to discontinue the service at Freefield. The reports provided information to Members to assist in the Council's decision making process.

The Chair of the Social Services Committee provided a brief background to the reason for calling a special meeting of the Council and explained that this was an important issue that needed to be considered.

The Director of Community Care summarised the main terms of the report. She explained that she had provided a supplementary report following representations from the Freefield Users and advised that a builder had been engaged by them following which there was a desire from the Users that they remain at Freefield using Council staff with support from volunteers. The Director of Community Care said that the supplementary report addresses the points raised and the viability of each proposal.

The Director of Community Care noted the concerns of Members and responded to their questions when required:

- Members were advised that the date given for the closure of Freefield had been changed to the 23 May 2013 as a result of the 5 year electrical check that would require to be undertaken if the facility were to remain open. She explained that based on previous checks it was anticipated that a budget of circa £14,000 would be required to carry out the check and make any necessary improvements. The Director of Community Care advised that she had not been aware of the requirement for this work until after the meeting on 29 March 2013.
- The Director of Community Care explained that Islesburgh Community Centre (ICC) had identified the large room to the left of the main café lounge as an area that could be used by the luncheon club as a block booking. She said that Officers had assisted the club in identifying a natural facility that is available to anyone. This has been discussed with the Director of Children's Services and the Executive Manager – Sport and Leisure who are responsible for the facilities at ICC.
- Members asked what the estimated cost to the Council would be to provide lunch to the club in this way. The Director of Community Care said that it was not possible to identify what costs there would be but highlighted that there was no cost for the use of the space however there may be additional back room expenses in terms an increase in dishwashing, for example. She suggested that this change of venue proceeds on a trial basis once or twice a week for users and ICC staff to get used to this change and for management to see what support may be required. The Director of Community Care explained that posts, funded by the Government, had been identified within the Shetland Youth Information Service that could be moved to ICC and there were also discussions being held with the Moving On project in this regard. The Director of Community Care reassured however that the increase in work would not be that significant and would be absorbed in the longer-term but indicated that the Moving On Project may be able to build into their Service Level Agreement and provide work placements at ICC.
- In response to a comment regarding the transfer of the Service, the Director of Community Care reiterated that the service currently provided at Freefield would be closed and not transferred to ICC but explained that Officers had identified ICC as being available for use by the users of the Luncheon Club. She clarified that there may be an increased cost in catering for this club but there would also be an increase in business and income to ICC.
- The Director of Community Care confirmed that a budget of £41,000 has been set aside to allow Officers to assess the statutory needs of any of the current users of the luncheon club. It was anticipated that this would involve only a low

number of customers, if at all, but it was important to have this budget in place initially, until any identified need can be naturally absorbed within the departmental budgets.

- In terms of identifying other suitable locations, the Director of Community Care advised that since October the Lerwick Legion was considered but deemed unsuitable and before the meeting on 29 March 2013 representatives of Freefield indicated that they would then only be considering Freefield as a venue. She advised that a meeting was convened within 24 hours to discuss this but since then her only contact had been with the Director of Children's Services and the Executive Manager Sports and Leisure on the additional costs should the lunch club use ICC and how these costs would be met.
- Concern was expressed that there had initially been support from the voluntary sector but that did not appear to be the case now. The Director of Community Care explained that a lot of time and energy had been provided by the voluntary sector already, but they were waiting to see what decisions were made before they could identify what support they could provide and what resources that would require. She confirmed that Voluntary Action Shetland continues to work with Officers on this matter.
- In responding to questions regarding the price of a meal at ICC the Director of Community Care advised that the price would be £5 as opposed to £3.50. She explained that ICC provides full or half portions and it was hoped that a starter or sweet option would be included within this price. She also highlighted an issue in that there are currently customers of ICC who are over 65 paying full price and it was expected that the same concessionary menu would also be offered to all those over 65 years of age.
- Members questioned the lease/ownership of the Freefield building and land. Members were advised that the lease was approximately 40 years old and was complicated by the fact that the land is owned by Buildbase. However the lease was due to run out in August 2013 and discussions/negotiations with the landowner would be required before the property could be sold.
- Comments were made with regard to the decision in October 2012 for the same provision to be made by the voluntary sector and there was concern that the Council was now closing the facility with no plan B in place for the Council or another body to continue providing this service. Comment was also made regarding the way in which the report was written in terms of identifying an alternative venue at ICC. The Director of Community Care explained that these points were raised at Social Services Committee in March and efforts had been made to support the lunch club by working together with them to identify an alternative venue. She explained that efforts had been made to identify a facility that could provide the Club with a hot meal and allow them to socialise within the Community and there was an absolute desire for it to work. She said however that the Council had an obligation to all over 65's not just the 20-40 people within this lunch club.
- Comments were made regarding access to the property. It was noted that when the car park is full, there would be a short walk from the bus to the entrance. It was also noted that the bus service is provided by Shetland Charitable Trust and not the Council. It was noted that the transport provider had indicated their willingness to continue the bus service to this club.
- Members were concerned that the space provided would not be dedicated to the users of the club, but would be available to the rest of the public and the area provided was also used by young people. Members were advised that tables would be reserved on a block booking for use by the lunch club and it was unlikely that any young people would be there at the same time as the lunch club

users. It was noted however that there would be benefit in having inter generational interaction.

- Members questioned the accessibility of the building, but were advised that this was one reason ICC had been identified as it was a fully disabled accessible building.
- In response to a query regarding the budgetary implications, should the £80,000 savings not be taken from this service, The Director of Community Care explained that it was not possible to remove £80,000 from any other existing statutory provision within the department and therefore this would have to be a draw on reserves.

Members entered into debate and Mr C Smith commented on the staff time and resources that had been put into assisting the club to identifying an alternative venue for this non statutory service to meet. He was concerned that other statutory provision had been delayed due to efforts of officers in this matter. Mr C Smith thanked everyone involved in this work, including the service users, but he said that the Council could not, in its current financial position, carry on with this non statutory provision. Mr C Smith moved that the Council approve the recommendations contained in the report. Mr Duncan seconded.

Dr Wills moved as an amendment that the Council instruct the Director of Community Care to make the necessary arrangements to transfer the Freefield Lunch Club to ICC in collaboration with its Voluntary Service partners and that a one off sum, up to £20,000, be drawn from the Council's contingency fund for this. Mr Fox seconded.

At the invitation of the Chair the Director of Corporate Services advised Members that the use of the word "transfer" or "move" was a departure from the recommendation to close the service and could not be carried out within a budget of £20,000 as the staff cost alone amounted to £66,000. She explained that the transfer of service was not recommended for the reasons provided in the report and the amendment by Dr Wills would pose significant difficulties for the Director of Community Care in terms of budget and would require a further report to Council.

Some Members spoke in support of Mr C Smith's motion stating that the debate was focussed around the Council providing the service. However it was noted that ICC could provide a similar if not better option that would not cost the Council.

Some Members spoke in terms of there being a moral obligation to continue providing a service to the Freefield Lunch Club and comment was made on the suitability of ICC as an alternative facility which may see user's attendance dropping. A Member considered that in terms of budget the amount was not much but politically it was an indication of how well the Council treats the elderly.

Concern was expressed that the amendment was confusing and its implications had not been explored fully in a report by the Director. It was noted that the amendment addressed the problems around the bedding in of the Lunch Club into ICC but it was suggested that Dr Wills and his seconder consider accepting that the Lunch Club move to ICC but that £20,000 be allowed to help ICC bed in this provision in such a way that at the end of the financial year the service is operating to the benefit of ICC and the Lunch Club users.

Dr Wills agreed, with the support of his seconder to accept the recommendations that the Freefield close and a one off sum of up to £20,000 be drawn from the contingency fund to

be made available to ICC Community Centre to help bed the provision of lunch to the Lunch Club users.

A Member advised that there were many lunch clubs throughout Shetland that were successfully provided by the Voluntary sector and this Club should be treated no differently and should not have its meals subsidised by the Council.

Mr Robinson said that there may be no need to draw money from the Contingency Fund if the £41,000 budget held by the Director of Community Care be used for both the ICC to bed in the provision of meals and by the Director of Community Care for the assessment of statutory needs of the existing users. Dr Wills agreed.

During summing up, Dr Wills stated that there was a compromise to be had with the comments made and clarified his amendment "that the Council accepts the closure of Freefield Centre by 22 May 2013 and agrees to provide up to £41,000 from the Council's budget for the financial year 2013/14; a) to enable the ICC Community Centre to provide a lunch club service for clients previously served at Freefield, and b) for the Director of Community Care to conduct any necessary assessments". He said that the intention was to provide meals at ICC but there may be changes to staffing implications but he accepted that this could be done without raiding the contingency fund. He said that there is a budget set that could be shared and he hoped this change would satisfy Member's concerns.

Mr C Smith said that the Council could no longer afford to provide this service and a solution had been identified that allowed the users of the lunch club to continue to socialise with each other. He said that the solution identified meant that no difference was being made between all over 65's and the users of the lunch club.

Voting took place with a show of hands and the results were as follows:

Amendment (Dr Wills)	8
Motion (Mr C Smith)	8

There being equal votes, the Chair exercised his casting vote in favour of the amendment.

Decision:

The Council **RESOLVED** to approve the recommendations contained in the report and accepts the closure of Freefield Centre by 22 May 2013 and agrees to provide up to £41,000 from the Council's budget for the financial year 2013/14; a) to enable the ICC Community Centre to provide a lunch club service for clients previously served at Freefield, and b) for the Director of Community Care to conduct any necessary assessments.

The meeting adjourned at 3.25pm

The meeting reconvened at 3.40pm

In order to avoid the disclosure of exempt information, Mr Bell moved, Mr Robinson seconded, and the Council agreed to exclude the public in terms of the relevant legislation during consideration of the Appendix 2 to the following items of business.

The Council considered a report by the Executive Manager – Capital Programme, which set out the current contractual position for the Skerries South Mouth project and sought a decision on how to proceed.

Following further consideration of this report, Mr Henderson moved that the Council carry on with the project but that an absolute completion date be set at 31 August 2013. Dr Wills seconded.

(Ms Wishart and Mr G Smith left the meeting)

Decision:

The Council **RESOLVED** that the Skerries Dredging project should continue but the Contractor be advised that the absolute completion date is 31 August 2013.

The meeting closed at 4.30pm.

.....
Chair