

MINUTES

B – PUBLIC

Policy and Resources Committee
Council Chamber, Town Hall, Lerwick
Tuesday 21 January 2020 at 2pm

Present:

A Cooper	S Coutts
A Duncan	S Leask
E Macdonald	R McGregor
I Scott	C Smith
G Smith	T Smith
R Thomson	

Apologies:

None

In Attendance:

M Sandison, Chief Executive
H Budge, Director of Children's Services
D Bell, Executive Manager – Human Resources
J Best, Executive Manager – Community Care Resources
D Coupe, Executive Manager – Roads
J Manson, Executive Manager – Finance
D Morgan, Interim Chief Social Work Officer/Executive Manager – Criminal Justice
P Peterson, Executive Manager – Executive Services
C Symons, Executive Manager – Environmental Services and Estate Operations
C Bragg, Team Leader – Waste Management
T Coutts, Team Leader – Business Development
N Hutcheson, Team Leader – Assets and Network
K Main, Team Leader – Port and Marine Operations
M Lisk, Team Leader – Carbon Management
D Irvine, Economic Adviser – Shetland Energy Hub Project
M Smith, Commercial Development Officer, Fibre Optic Network
K Adam, Solicitor
B Kerr, Communications Officer
J Najdich, Graduate Projects Officer – Shetland Energy Hub Project
L Adamson, Committee Officer

Also in Attendance:

M Lyall

Chairperson

Mr Coutts, Leader of the Council, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

Minutes

The minutes of the meeting held on 25 November 2019 were approved on the motion of Mr Leask, seconded by Mr Duncan.

1/20

Palliative and End of Life Strategy for Shetland 2019-2022

The Committee considered a report by the Interim Director - Community Health & Social Care (CC-47-20-F), which sought approval of the Palliative and End of Life Care Strategy for Shetland 2019-2022.

In introducing the report, the Executive Manager – Community Care Resources advised that the Strategy provides a local definition to palliative care and a framework for early identification, and a person centred approach to avoid crisis intervention. She added that the Strategy also includes an extensive Action Plan.

There were no questions.

(Mr Cooper attended the meeting).

During debate, comment was made on the welcomed Strategy, which sets out very clearly the approaches to palliative care, where early intervention will be important to the families concerned.

Mr G Smith advised from the discussion on the report at Education and Families Committee, that there had been suggestions on changes to certain terminology used in the Strategy. Some concern had also been raised on a result from the staff survey, that only 39% of staff had said “they’d had adequate or enough amount of training”.

Mr Duncan moved that the Committee approve the recommendation in the report. Mr Coutts seconded.

Decision:

The Committee **APPROVED** the Palliative and End of Life Care Strategy for Shetland 2019-2022

2/20

Shetland Public Protection Committee Annual Report 2018 - 2019

The Committee considered the Shetland Public Protection Committee Annual Report 2018 - 2019, by the Independent Convener and Lead Officer for the Shetland Public Protection Committee (CS-01-20-F).

In introducing the report, the Director of Children’s Services referred to Section 2, where she summarised the main areas of activity and focus of the Shetland Child Protection Committee and the Shetland Adult Protection Committee. She advised on the establishment of the Shetland Public Protection Committee (SPPC) during March 2019, outlined the benefits of the SPPC, and drew attention to the SPPC Business Plan in Appendix 6 and the Membership at Appendix 7.

There being no questions or debate, the Committee noted the Annual Report.

Decision:

The Committee **NOTED** the Shetland Public Protection Committee Annual Report 2018-2019.

3/20

Shetland Energy Hub Project

The Committee considered a report by the Director of Infrastructure Services and the Director of Development Services (ISD-02-20-F) that presented information on a Project Initiation Document (PID) for the Shetland Energy Hub Project.

Mr Cooper provided a brief summary from the discussion at Development Committee, advising that the recommendations had been approved with no amendment.

There was no further discussion or debate. Mr Cooper moved that the Committee approve the recommendations in the report. Mr Leask seconded.

Decision:

The Committee **RECOMMENDED** that Shetland Islands Council:

- **CONSIDERS** and **COMMENTS** on the information provided in Appendices one to four, the Project Initiation Document for the Shetland Energy Hub Project (“the Project”);
- **RESOLVES** to authorise the Director of Infrastructure Services, acting as Senior Responsible Officer, to undertake the following actions:
 - Establish a Project Board, as detailed in Appendix one, as part of the Community Planning Framework;
 - Deploy Project staffing and resources as specified in Appendix one, for an initial period of three years financed from the Harbour Account;
 - Commission an experienced energy industry specialist to guide a visioning scope for the Project (to be concluded by 30 June 2020);
 - Prepare a Strategic Outline Programme for the Project (to be concluded by 30 June 2020);
 - Promote Shetland’s energy assets and attributes to local and external energy production and distribution sectors;
 - Research the emerging renewable and transitional energy sciences, oil and gas industry greening plans and process, and best practice from other places with restricted electricity grid access; and,
- **NOTES** the information provided on Key Carbon Reduction Actions in Appendix five, Energy Network Schematics in Appendix six and proposals for developments in UK energy transition and integration in Appendix seven which show how this Project links with the Councils Climate Change Strategic Outline Programme and wider energy transition and integration opportunities.

4/20

Asset Investment Plan – Progress Report

The Committee considered a report by the Executive Manager – Assets, Commissioning and Procurement (ACP-01-20-F) that provided an overview of the progress of projects contained within the Asset Investment Plan which are currently underway in 2019/20.

In the absence of the Executive Manager – Assets, Commissioning and Procurement, the Executive Manager – Finance introduced the report.

During the discussion, reference was made to the expectation that the Full Business Case (FBC) for the Cullivoe Road was to be reported at this cycle of meetings, and also the process and the timeline to take forward the strategic road network. The Executive Manager – Roads explained that the community event in Yell had to be postponed due to bad weather, which has delayed progress on the FBC. He advised however that the FBC and the strategic road network programme would be presented during the March cycle.

In response to a request, a briefing would be provided to Members on progress on the Children's Supported Accommodation project, in terms of the programme still being on track for completion by the end of March 2021.

In response to a question, the Committee were advised on the reasons for the recycling shed project being over budget. The Leader advised that lessons learned were discussed earlier, at the Environment and Transport Committee.

On the motion of Mr Coutts, seconded by Ms Macdonald, the Committee approved the recommendation in the report.

Decision:

The Committee **RECOMMENDED** that the Council notes the progress of the projects within the Asset Investment Plan.

5/20

Winter Service Review

The Committee considered a report by the Team Leader – Asset and Network (RD-01-20-F) that provided information on the Winter Maintenance Review 2020 and sought approval of the allocation of an additional £103,000 to the "Winter Service" revenue budget.

Mr Thomson advised from the discussion at Environment and Transport Committee, in terms of the flexibility of the Policy and that the recommendations had been approved with no amendment.

In responding to questions, the Executive Manager – Roads explained that while the responsibility for the spread rate rests with the Duty Officer depending on the forecast and conditions, the driver has the ability to apply boost control in areas requiring additional spread.

During the discussion, the Chief Executive informed on the emergency planning arrangements in place during episodes of severe weather to ensure care staff can travel safely to their place of work.

In response to a question, the Executive Manager – Roads confirmed that school bus routes and population rates are continually monitored and assessed to ensure the most efficient use of the gritter fleet.

In response to questions, the Executive Manager – Roads referred to the action from Environment and Transport Committee that he would report to Members on the 35km of the road network that is not treated as part of the priority 1 and 2 routes. He added that should any of the untreated stretches of road be directly outside schools, these would be reviewed accordingly.

On the motion of Mr Coutts, seconded by Mr Cooper, the Committee approved the recommendation at Section 1.3 in the report.

Decision:

The Committee **APPROVED** the allocation of an additional £103,000 to the “Winter Service” revenue budget to meet the estimated cost of implementing the measures, as set out in paragraph 6.5 of this report.

6/20

Ground Maintenance Provision Burial Grounds and Community Areas

The Committee considered a report by the Executive Manager – Environmental Services and Estate Operations (EO-01-20-F) that presented an overview of ground maintenance provision across Shetland’s burial grounds and amenity grass areas and sought approval of a budget increase of approximately £41,453 to implement measures described in Section 1.4.

Mr Thomson advised that there had been a lengthy discussion on the report at Environment and Transport Committee. He thanked the Executive Manager – Environmental Services and Estate Operations and the team, for taking forward the earlier comments raised by the Committee. He acknowledged that although challenging for staff, the new measures for grounds maintenance for burial grounds and amenity areas will address the concerns from constituents. Mr Thomson advised from the decision at Environment and Transport Committee that the recommendations had been approved with no amendment.

In response to questions, the Executive Manager – Environmental Services and Estate Operations explained that 15cm would be the maximum growth height of grass in burial grounds, however the grass would generally be maintained at a length of between 7.5cm – 10cm. Mr Thomson added that the budget would reflect 12-14 cuts per season so it was hoped the grass would never reach the maximum growth height.

During the discussion, comment was made on the preference for the grass in burial grounds to be mown, rather than being strimmed where the cut grass is left to mulch. The Executive Manager – Environmental Services and Estate Operations advised that the service would aim to reduce strimmer use and wherever possible to use the mowers. In response to a question, the Executive Manager – Environmental Services and Estate Operations undertook to provide detail to Mr T Smith on the amount of grass that is cut by strimmer/mower.

In response to a suggestion for a report on the arrangements for weed control, it was advised that a separate report would be prepared for Environment and Transport Committee. During the discussion reference was made to the paved

areas outside Council housing developments and the importance for these areas to be managed for weed control. Comment was also made on the different workforces within the Council and external contractors who are involved in the control of weeds throughout Shetland. It was concluded that the report on weed control would also provide detail on the staff resources, current coverage and quality standards.

During the discussion, reference was made to the issue of rabbit infestation at the burial ground at Levenwick, and while remedial measures had promptly been put in place, the problem was still ongoing. The Executive Manager – Environmental Services and Estate Operations commented that pest control and control in general would be the next logical steps.

In response to questions regarding the decision to merge the contract for grass cutting of burial grounds and amenity areas into one Shetland-wide contract, the Executive Manager – Environmental Services and Estate Operations advised from the previous two contract renewals that all areas tendered had been won by the one contractor. He also advised on the benefits of the one Shetland-wide contract in terms of economies of scale, flexibility and pricing.

In response to a comment regarding arrangements for grounds maintenance in the remoter islands, the Executive Manager – Environmental Services and Estate Operations advised on a current trial of the community handy person model, which he said would include grounds maintenance, was soon to be rolled out in Fetlar.

On the motion of Mr Coutts, seconded by Mr Thomson, the Committee approved the recommendation at Section 1.4 of the report.

Decision:

The Committee **APPROVED** a budget increase to implement the measures described in 1.1, of approximately £41,453.

7/20

Climate Change – Strategic Outline Programme

The Committee considered a report by the Director Infrastructure Services (ISD-01-20-F) that provided an overview of the Climate Change Strategic Outline programme and sought approval of a funding requirement from the Council's Change Fund.

In advising on the good discussion on the report at Environment and Transport Committee, Mr Thomson moved that the Committee approve the recommendations contained therein. Mr McGregor seconded.

During debate, reference was made to the climate emergency in Australia, and with Australia being a significant contributor to climate change. Comment was made in regard to the costs to local authorities in addressing climate change and the need for the Scottish Government to ensure that sufficient funding is in place.

Decision:

The Committee **RECOMMENDED** that Shetland Islands Council:

- **NOTES** the actions taken to date in respect of Shetland Islands Council's response to Climate Change, through the existing Carbon Management Plan, and associated activity.
- **CONSIDERS** the information provided in the Climate Change, Strategic Outline Programme (Appendix 1) and the Climate Change Programme Initiation Documentation (Appendix 2) and **COMMENTS** on any aspects of these documents.
- **ENDORSES** the objectives and Critical Success Factors set out in the Strategic Outline Programme (Appendix 1) and Programme Initiation Documentation (Appendix 2), and in particular confirm:
 - The need for shared action across all levels of government, businesses, communities and individuals to address the risks presented by Climate Change;
 - That Shetland Islands Council will adopt a proactive and collaborative approach to Climate Change, emphasising planned partnership action, with the Council providing leadership on behalf of the Shetland community;
 - The critical need for all plans and actions to recognise current inequalities, which result in Shetland residents experiencing some of the highest levels of fuel poverty and transport costs in the United Kingdom; and to ensure Just Transition solutions address these energy affordability problems, as well as reducing emissions;
 - The significant number of jobs in Shetland involved in the energy sector; and the importance that Just Transition solutions also recognise the need for employment transition in communities such as ours, as well as reducing emissions;
- **ENDORSES** the initial governance arrangements set out in that Strategic Outline Programme (Appendix 1) and Programme Initiation Document (Appendix 2); through the Chief Executive, the Council's Corporate Management Team and the Council's senior political office bearers.
- **ENDORSES** that the continuing work of the Carbon Management Plan should be built upon through:
 - the continuation, and where possible, the acceleration of current energy efficiency, energy conversion, waste reduction and waste reuse initiatives, internally within the Council, and across the Shetland community;
 - the review and analysis of key Council and Partnership Plans and strategies for recommended critical path Climate Change actions;
 - the further development of an integrated Shetland Climate Change Action Plan which co-ordinates activity; and
 - the reporting of recommendations from the Shetland Climate Change Action Plan to Shetland Islands Council in line with the Scottish Government's

Climate Change Plan which is anticipated in March / April 2020, and periodically thereafter.

- **ENDORSES** a review of guidance for the Environmental Implications section of committee reports to clarify the need to report Climate Change implications clearly.
- **APPROVES** the funding requirement at paragraph 6.5 from the Council's Change Fund and **ENDORSES** a review of the arrangements for the Council's Change Fund to understand how the Change Fund can best be utilised to support this matter.
- **THANKS** Shetland Climate Action for their petition lodged with the Council on 3 October 2019 (pages 1 – 4 attached as Appendix 3 - full petition listing all signatories is available to Members upon request.). The Council has also had informal representations on this issue, particularly from young people and environmental groups, but also from individual constituents and community councils. The content of the petition, and other representations, align with much of the Climate Change work that the Council has embarked on, and the further actions recommended in this Strategic Outline Programme (Appendix 1). Further information on that alignment is set out in 4.12 – 4.17 of this report.
- **NOTES** that local emission reduction targets, for the Council estate and services, and for Shetland as a whole, will be evaluated as an early activity within the Programme, and be reported to Shetland Islands Council. This review and establishment.

8/20

North Isles Fibre

The Committee considered a report by the Team Leader – Business Development (DV-03-20-F) that provided information on a Full Business Case (FBC) for the Shetland Islands Council's North Isles Fibre Project.

The Team Leader – Business Development summarised the main terms of the report.

There were no questions.

During debate, comment was made on the importance of the project to the north isles and for all the public bodies involved in the islands, and in terms of savings for the IJB. Tribute was paid to officers in the Development Department, and to the Chair and Vice-Chair of Development Committee, who have been instrumental to get the project established. All involved in the project were congratulated on the project reaching this stage and on the funding secured.

Caution was however expressed on the need to ensure up to date information on the school estate, in order to future proof delivery of education in the island communities.

On the motion of Mr Cooper, seconded by Mr Leask, the Committee approved the recommendations in the report.

Decision:

The Committee **RECOMMENDED** that the Council RESOLVES to:

- APPROVE the recommendations set out in the Full Business Case attached as Appendix A to this report; and,
- DELEGATE authority to the Chief Executive (or her nominee) to sign the UK Department of Digital, Culture, Media and Sport (DCMS) Grant Funding Agreement (GFA) described in section 2.3 below; and implement the North Isles Fibre project; and,
- APPROVE the project for inclusion in the 5 year asset investment plan, with a budget of £2,140,322 as described in section 6.5 of the report.

9/20

Corporate Risk Register Report

The Committee considered a report by the Director of Corporate Services (CRP-02-20-F) presenting the current Corporate Risk Register.

In the absence of the Director of Corporate Services, the Executive Manager – Finance introduced the report. He advised on the addition of the new ‘Very High’ risk rating, and drew attention to the two “Very High” risks set out in Section 4.3. He also confirmed that a risk relating to Climate Change would be incorporated into future Risk Registers.

During discussion, and in referring to Risk “ORG0037 – BREXIT and its impacts” comment was made that while the withdrawal from the European Union was largely outwith the Council’s control or influence, the Council however has a degree of responsibility, as the Local Authority, to the community. In that regard, a request was made for a report in early course to illustrate mitigation that may be taken. The Chief Executive advised that the risk of Brexit and its impacts have been a live issue for some time and contingency planning was in place around “no deal Brexit”. She undertook to report to Members on the work done in that regard.

In response to a question on the emerging Shared Prosperity Funding, the Chief Executive reported that consultation was still ongoing, with the Council continuing to engage and make representations. She added that the main issue was the likelihood of a funding gap and uncertainty in the period before the new schemes are set up.

During the discussion, reference was made to Risk ‘ORG00462’ where concern was expressed on the delay with the award of the North Isles Ferry Service contract while the tender process is challenged in the courts. In that regard reference was made to the ‘Consequences’ section of the Risk namely, “The contracted service does not meet the needs of Shetland, can’t support the economic growth of Shetland and could trigger economic stagnation and decline”. The Chief Executive reported that throughout the delay on the tender the Council has highlighted the need for flexibility to address pressures for freight and passengers. She advised on the dialogue with Transport Scotland regarding the tender, and discussions continue on flexibility and how it is deployed. The Leader said that the risk has been identified as significant, with the timescale on the new contract still unknown. He went on to refer to the wider budget discussions at Westminster and Holyrood, which he stated are clearly far from an ideal situation, however it was positive that

the Scottish Government's budget would be coming forward. In that regard, he stressed the need for sufficient funding for essential services.

During the discussion reference was made to Risk "ORG0021 - Need for Investment in Shetland's Infrastructure", where comment was made on the irrelevance of some of the information included within the 'Details' section. It was agreed that the text would be reviewed to better reflect both the current and longer-term issues.

In referring to the updates provided on the individual Risks since the previous quarter as set out in Section 4.5 of the report, a suggestion was made for future reports to also detail whether there has been any change in the actual risk ranking. The Chief Executive advised the Committee on the regular reviews of the risks at the quarterly meetings of CMT, and she took on board the suggestion to report on any changes in the risk ratings.

Decision:

The Committee:

- CONSIDERED the content of the report and of the Corporate Risk Register attached as Appendix 1;
- ADVISED the Chief Executive and Corporate Management Team of their views; and
- ENDORSED the actions being taken by management to mitigate the risks described in Appendix 1.

Mr Coutts moved that in order to avoid the disclosure of exempt information, the Committee resolve to exclude the public in terms of the relevant legislation during consideration of the following items of business. Mr Duncan seconded.

10/20 **Expansion of Early Learning and Childcare Funded Providers - Request to Transfer to Shetland Islands Council**

The Committee considered a report by the Director of Children's Services that informed on requests from Scalloway Preschool and Little Tikes to become local authority run Early Learning and Childcare (ELC) settings, with staff transferring to Shetland Islands Council under Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE Regulations).

Mr G Smith advised that the proposals in the report had been given full consideration at Education and Families Committee, and the recommendation had been agreed unanimously.

There were no questions or debate. Mr G Smith moved that the Committee approve the recommendation at 1.1, and Mr T Smith seconded.

Decision:

The Committee **RECOMMENDED** that Shetland Islands Council RESOLVE to approve the requests from Scalloway Preschool and Little Tikes that their settings become local authority run Early Learning and Childcare (ELC) settings, with staff

transferring to Shetland Islands Council under Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE Regulations).

11/20 **Closure of Kid Zone After School Club and Holiday Club at Mossbank Primary School**

The Committee considered a report by the Director of Children's Services presenting information on the proposed closure of the Kid Zone After School Club and Holiday Club at Mossbank Primary School.

Mr G Smith advised from the decision at Education and Families Committee, that consideration of the report be deferred to allow for further discussion with the community to better understand the impact should the report come forward with the current recommendations. Mr T Smith seconded and the Committee concurred.

Decision:

The Committee **RECOMMENDED** that Shetland Islands Council defer consideration of the report to allow further discussion with the community to better understand the impact should the report come forward with the current recommendations.

12/20 **Confidential Corporate Risk Register**

The Committee considered a report by the Director of Corporate Services, presenting the current Confidential Corporate Risk Register.

In the absence of the Director of Corporate Services, the Executive Manager - Finance summarised the main terms of the report.

Decision:

The Committee **CONSIDERED** and **NOTED** the content of the report and the Confidential Corporate Risk Register.

The meeting concluded at 4.05pm.

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Chair