

Minute

General Meeting of the Council

Monday, 11 March 2024, 11:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham A Bevan, Stephen G Clackson, Alexander G Cowie, David Dawson, P Lindsay Hall, Steven B Heddle, Rachael A King, Kristopher D Leask, W Leslie Manson, James R Moar, Raymond S Peace, Gwenda M Shearer, Gillian Skuse, Jean E Stevenson, Ivan A Taylor, Mellissa-Louise Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Present via remote link (Microsoft Teams)

Councillor John A R Scott.

Clerk

- Gavin Mitchell, Head of Legal and Governance.

In Attendance

- Oliver D Reid, Chief Executive.
- Stephen Brown, Chief Officer, Orkney Health and Social Care Partnership.
- Karen Greaves, Corporate Director for Strategy, Performance and Business Solutions.
- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- James Wylie, Corporate Director for Education, Leisure and Housing.
- Andrew Groundwater, Head of Human Resources and Organisational Development.
- Erik Knight, Head of Finance.
- Hazel Flett, Service Manager (Governance).

Observing

- Kirsty Groundwater, Communications Team Leader.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Graham A Bevan, Convener.

1. Tribute to the late Mac Petrie and Dr John Flett Brown

The Convener referred to the deaths of Mr Mac Petrie and Dr John Flett Brown, former members of Orkney Islands Council, and paid tribute to the service they had given to the Council and the local community over many years, following which the Council observed a minute's silence.

2. Licensing Committee

Minute of Meeting held on 7 December 2023

On the motion of Councillor Duncan A Tullock, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 7 December 2023 as a true record.

3. General Meeting of the Council

Minute of General Meeting held on 12 December 2023

On the motion of Councillor Graham A Bevan, seconded by Councillor Heather N Woodbridge, the Council resolved to approve the Minute of the General Meeting of the Council held on 12 December 2023 as a true record.

4. Development and Infrastructure Committee

Minute of Meeting held on 6 February 2024

On the motion of Councillor David Dawson, seconded by Councillor Gillian Skuse, the Council resolved to approve the Minute of the Meeting of the Development and Infrastructure Committee held on 6 February 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Development and Infrastructure Committee held on 6 February 2024.

5. Education, Leisure and Housing Committee

Minute of Meeting held on 7 February 2024

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Jean E Stevenson, the Council resolved to approve the Minute of the Meeting of the Education, Leisure and Housing Committee held on 7 February 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Education, Leisure and Housing Committee held on 7 February 2024.

6. Monitoring and Audit Committee

Minute of Meeting held on 8 February 2024

On the motion of Councillor Alexander G Cowie, seconded by Councillor P Lindsay Hall, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 8 February 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Monitoring and Audit Committee held on 8 February 2024.

7. Planning Committee

Minute of Meeting held on 14 February 2024

On the motion of Councillor Owen Tierney, seconded by Councillor James R Moar, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 14 February 2024 as a true record.

8. Local Review Body

Minute of Meeting held on 15 February 2024

On the motion of Councillor Owen Tierney, seconded by Councillor Duncan A Tullock, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 15 February 2024 as a true record.

9. Special General Meeting of the Council

Minute of Special General Meeting held on 20 February 2024

On the motion of Councillor Graham A Bevan, seconded by Councillor Heather N Woodbridge, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 20 February 2024 as a true record.

10. Policy and Resources Committee

Minute of Meeting held on 20 February 2024

On the motion of Councillor Alexander G Cowie, seconded by Councillor P Lindsay Hall, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 20 February 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Policy and Resources Committee held on 20 February 2024, subject to the following item of discussion:

Governance Arrangements

Councillor Duncan A Tullock referred to the recommendations of the Policy and Resources Committee regarding governance arrangements and requested that rescinding Standing Order 12.4, which required standing to speak at General Meetings of the Council, be referred back to the Committee for further consideration.

Councillor Heather N Woodbridge, Chair of the Policy and Resources Committee, indicated that she was not prepared to take the matter back for further consideration.

After further debate, Councillor Duncan A Tullock, seconded by Councillor Jean E Stevenson, moved an amendment that Standing Order 12.4, which required standing to speak at General Meetings of the Council, should not be rescinded.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Stephen G Clackson, David Dawson, Steven B Heddle, James R Moar, Raymond S Peace, Gillian Skuse, Jean E Stevenson, Mellissa-Louise Thomson and Duncan A Tullock (9).

For the Motion (the recommendations of the Minute):

Councillors Graham A Bevan, Alexander G Cowie, P Lindsay Hall, Rachael A King, Kristopher D Leask, W Leslie Manson, John A R Scott, Gwenda M Shearer, Ivan A Taylor, Owen Tierney and Heather N Woodbridge (11).

The Motion was therefore carried, and the Council thereafter resolved:

10.1. That Standing Order 12.4, which required standing to speak at General Meetings of the Council, be rescinded.

10.2. That Standing Orders be amended to reflect removal of the requirement for standing to speak at General Meetings of the Council, as outlined above.

11. Policy and Resources Committee

Minute of Special Meeting held on 27 February 2024

On the motion of Councillor Heather N Woodbridge, seconded by Councillor Alexander G Cowie, the Council resolved to approve the Minute of the Special Meeting of the Policy and Resources Committee held on 27 February 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Special Meeting of the Policy and Resources Committee held on 27 February 2024, subject to the following item of discussion:

Budget and Council Tax Level for 2024/25

The Convener referred to the recommendations of the Policy and Resources Committee regarding setting the budget and Council Tax level for 2024/25 and advised that confirmation had been received, by no later than 10 March 2024, that the overall level of Scottish Government funding to the Council was sufficient to maintain the Council Tax at 2023/24 levels.

Accordingly, the Council resolved:

11.1. That the General Fund revenue budget for financial year 2024/25 be set at £112,424,000.

11.2. That powers be delegated to the Head of Finance, in consultation with the Corporate Director for Enterprise and Sustainable Regeneration and the Chief Executive, to revise the General Fund revenue budget for financial year 2024/25 in respect of any change to the estimated funding level referred to at paragraph 5.1 of the Minute of the Special Meeting of the Policy and Resources Committee held on 27 February 2024.

11.3. That any additional funding secured for 2024/25, that was not specific to government initiatives that must be funded, be retained in the non-earmarked General Fund balance and used to reduce the exceptional draw on reserves.

11.4. That the Band D Council Tax level for financial year 2024/25 be set at £1,369.21, being the same level as 2023/24.

11.5. That the Council's budget uprating assumptions, as set out in Appendix 3 to the Minute of the Special Meeting of the Policy and Resources Committee held on 27 February 2024, be approved.

11.6. That, whilst recognising the need to balance the budget and bring spending into line with available funding, known unavoidable service pressures amounting to £3,264,500, attached as Appendix 4 to the Minute of the Special Meeting of the Policy and Resources Committee held on 27 February 2024, be approved for inclusion in the revenue budget for 2024/25.

11.7. That the service efficiencies, summarised below, totalling £2,463,700, be approved for inclusion in the revenue budget for 2024/25:

- Reduction in employer's pension contribution rate from 17% to 15% – £959,300.
- Re-introduction of 1% reduction in staff budgets in respect of anticipated staff turnover – £815,500.
- Impact of interest rate movement in loan charge receipts – £128,000.
- Introduction of 100% surcharge on Second Homes Council Tax – £300,000.
- Other miscellaneous amounts – £260,900.

11.8. That the savings targets, split between each Directorate, as detailed in Appendix 5 to the Minute of the Special Meeting of the Policy and Resources Committee held on 27 February 2024, be approved for inclusion in the revenue budgets for 2025/26 to 2027/28.

11.9. That powers be delegated to the Head of Finance, in consultation with the Corporate Director for Enterprise and Sustainable Regeneration and the Chief Executive:

- To allocate any General Fund underspend from 2023/24 to the setting of the General Fund revenue budget for 2024/25.
- To determine where any General Fund overspends from 2023/24 would be funded from within General Fund earmarked reserves balances, while ensuring that the non-earmarked General Fund reserves balance, amounting to 2% of the overall revenue budget for 2024/25 was in place.

11.10. That Corporate Directors should review and increase existing charges by a minimum of 6.7%, from 1 April 2024 if possible to do so, or as early as possible thereafter, with the following exceptions, where alternative arrangements were required or proposed:

- Building warrant and planning fees.
- Harbour charges.
- Ferry fares.
- Car park and electric vehicle charges.

- Residential care and home care.
- Very sheltered housing.
- Supported accommodation.
- Meals At Home Service
- Licensing fees.
- Ship sanitation certification.
- Marriage / civil partnership.
- Roads inspection fees.
- Trade waste charges.
- Homelessness rents.
- Selected quarry product sales.

11.11. That powers be delegated to the Head of Finance, in consultation with the Chief Executive, to determine further variations in charges during 2024/25 where it was deemed expedient to do so.

11.12. That the draw from the Strategic Reserve Fund for 2024/25 be set at £20,000,000.

11.13. That the policy of presumption against new commitments should continue to remain in force across General Fund services, with the following conditions:

- Exceptions might be considered for new commitments which were 100% funded by external bodies – proposals involving the Council in partnership funding shall require compensatory savings to be identified.
- The Council should consider undertaking new statutory duties or any case where it was considered that statutory duties were not being fulfilled, however, such duties having financial implications should first be reported to the relevant Committee for approval.
- The Council should consider new commitments where compensatory savings could be identified – any Committee considering such recommendations should, in the first instance, seek to identify savings from within its revenue budget.

11.14. That powers be delegated to the Head of Finance, in consultation with the Corporate Director for Enterprise and Sustainable Regeneration and the Chief Executive, to prepare and distribute a detailed budget incorporating all the budget adjustments agreed by the Council, and any settlement updates and/or clarifications unknown at the date of this meeting.

12. Community Development Fund Sub-committee

Minute of Meeting held on 22 February 2024

On the motion of Councillor Graham A Bevan, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Community Development Fund Sub-committee held on 22 February 2024, attached as Appendix 1 to this Minute, as a true record.

13. Exclusion of Public

On the motion of Councillor Graham A Bevan, seconded by Councillor Heather N Woodbridge, the Council resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

14. Appointments to External Organisation

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Legal and Governance, the Council:

Resolved what action should be taken with regard to appointments to an external organisation.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

15. Conclusion of Meeting

At 12:45 the Convener declared the meeting concluded.

Signed: Graham A Bevan.