

## **Item: 6**

**Development and Infrastructure Committee: 2 February 2021.**

**KIMO.**

**Report by Chief Executive.**

### **1. Purpose of Report**

To consider an appointment to a vacancy on KIMO.

### **2. Recommendations**

The Committee is invited to note:

#### **2.1.**

That, on 12 November 2019, the Development and Infrastructure Committee recommended:

- That an elected member should be appointed to represent the Council on KIMO.
- That the Council's representative on KIMO should be a member of the Harbour Authority Sub-committee.
- That Councillor Kevin F Woodbridge be appointed to represent the Council on KIMO.

#### **2.2.**

That, following the death of Councillor Kevin F Woodbridge, a vacancy exists in respect of the Council's representative on KIMO.

#### **2.3.**

That the nomination to fill the vacancy in respect of the Council's representative on KIMO will last for the remainder of the term of this Council, namely until May 2022.

**It is recommended:**

#### **2.4.**

That the Committee nominates one of the members listed in section 5.2 of this report as the Council's representative on KIMO.

## **3. Background**

### **3.1.**

KIMO is a local authority international environmental organisation designed to give municipalities a political voice at regional, national and international level. There are over 70 members in Belgium, Denmark, the Faroe Islands, Germany, the Netherlands, Sweden and the United Kingdom. KIMO International was formed in 1990, quickly followed by national organisations with KIMO UK being formed in 1991.

### **3.2.**

The stated mission of KIMO International is a commitment to the development of sustainable coastal communities by:

- Preventing pollution of the seas and coastal waters of North West Europe and preserving, improving and enhancing them for future generations.
- Protecting coastal communities from the impacts of marine pollution and climate change.
- Representing its member local authorities and associated members at an international and national level.

### **3.3.**

Current issues for KIMO UK include:

- The provision of emergency towing vessels in Scotland.
- The transport of nuclear material by sea.
- Marine litter.

### **3.4.**

Current projects are:

- Fishing for Litter Scotland.
- Fishing for Litter South West.
- Net Recycling Scotland.
- Pick Up Three Pieces.

#### **3.4.1.**

Fishing for Litter are regional projects where litter picked up by fishing vessels can be safely and correctly disposed of by bringing it ashore.

### **3.5.**

In addition, the UK Co-ordinator is a member of the Scottish Marine Litter Strategy Steering Group.

## **4. Appointment to KIMO**

### **4.1.**

The Council has been a member of KIMO UK for many years. An Elected Member, together with an official, previously attended meetings up to four times per annum and occasionally the annual conference organised by KIMO International. At present there is no nominated Elected Member acting as the Council's representative on KIMO.

### **4.2.**

In April 2007, appointment of Councillors to external bodies ceased with the exception of the following:

- Organisations which are wholly owned by the Council.
- Organisations in which the Council has a majority financial interest.
- Statutory organisations or other bodies to which a Council appointment would be prudent.

### **4.3.**

By having Elected Member representation on KIMO, this will provide the continued local authority and marine environment link with the other 70 members of KIMO, at a time when the marine environment is of high importance and vital to the sustainability of the Orkney environment.

### **4.4.**

On 29 October 2019, the Harbour Authority Sub-committee discussed the growing importance of the range of environmental matters covered by KIMO to the Council in recent years, particular the recent context of the declaration of a Climate Emergency. The Harbour Authority Sub-committee expressed the view that this changing context was considered significant to the consideration of KIMO membership, and that a case could be made to support elected member representation on KIMO.

### **4.5.**

The Sub-committee referred consideration of elected member representation on KIMO to the Development and Infrastructure Committee and further observed that, whilst any Member of the Council could take on this role, there was likely to be an advantage from selecting a Member serving on the Harbour Authority Sub-committee due to the breadth and up to date knowledge of relevant marine matters that members of the Sub-committee have.

### **4.6.**

On 12 November 2019, the Development and Infrastructure Committee recommended:

- That an elected member should be appointed to represent the Council on KIMO.

- That the Council's representative on KIMO should be a member of the Harbour Authority Sub-committee.
- That Councillor Kevin F Woodbridge be appointed to represent the Council on KIMO.

## **5. Vacancy**

### **5.1.**

Following the death of Councillor Kevin F Woodbridge, there is currently a vacancy in respect of the Council representative on KIMO.

### **5.2.**

Membership of the Harbour Authority Sub-committee currently comprises the following:

- Councillor Robin W Crichton.
- Councillor David Dawson.
- Councillor Andrew Drever.
- Councillor Graham L Sinclair.
- Councillor Magnus O Thomson.
- Councillor Owen Tierney.
- Councillor Heather N Woodbridge.

### **5.3.**

It is therefore proposed that the Committee nominate one of the Elected Members listed above to represent the Council by attending KIMO UK and International meetings.

## **6. Method of Voting**

### **6.1.**

The Council's Standing Orders set out the process for making appointments or nominations.

#### **6.1.1.**

Standing Order 22.7 states:

In the making of appointments or nominations by the Council, where the number of candidates is greater than the number of vacancies, a vote shall be taken by secret ballot.

### **6.1.2.**

Standing Order 22.13 makes provision for where two or more vacancies exist:

22.13. Where the number of vacancies exceeds one and where the number of candidates exceeds the number of vacancies, then the “first past the post” method of voting shall apply, subject to the following provisions:

22.13.1. The number of candidates amounting to the same number as there are vacancies and receiving the highest number of votes cast shall be held to be duly elected, nominated or appointed, as the case may be.

22.13.2. Where there is an equal number of votes between two or more candidates which affect such election, an extra vote will be taken between those candidates, whereby the candidate receiving the highest number of votes cast shall be held to be duly elected, nominated or appointed, as the case may be. And.

22.13.3. In the event that Standing Order 22.13.2 still produces an equality of votes, the decision will be by lot, whereby the first named candidate drawn shall be held to be duly elected, nominated or appointed, as the case may be, followed by the second named candidate, should there be more than two candidates with an equality of votes, until the number of candidates amounts to the same number as there are vacancies.

### **6.2.**

In the event that more than two nominations are made and consequently a secret ballot is required, the normal process is obviously not possible, given that the meeting is being held remotely on Microsoft Teams. Accordingly, the following process, which was used to make nominations and appointments at the Special General Meeting of the Council held on 11 June 2020, will be implemented:

- The Chair will confirm the nominations.
- All members should email the Clerk their nomination with the name of the candidate as the subject of the email.
- Once the Clerk has received 12 emails (or the total of those members present and voting), she will read out the names, as would normally happen during a secret ballot held in the Chamber.
- The Clerk will then announce the result.

## **7. Term of Appointment**

It is proposed that the appointment made to fill the vacancy on KIMO should last for the remainder of the term of this Council, namely until May 2022.

## **8. Corporate Governance**

This report relates to governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

## **9. Financial Implications**

Attendance by two people at four meetings in the UK per annum, and attendance at the annual KIMO International Conference, estimated at £5,000 per annum, can be contained within existing Harbour Authority Scapa Flow Oil Port budget.

## **10. Legal Aspects**

There are no legal implications arising directly from the recommendation of this report.

## **11. Contact Officers**

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