

Minute

General Meeting of the Council

Tuesday, 5 July 2022, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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

Present via remote link (Microsoft Teams)

Councillors Stephen G Clackson, P Lindsay Hall and Rachael A King.

Clerk

- Gavin Mitchell, Head of Legal and Governance.

In Attendance

- John W Mundell, Interim Chief Executive (for Items 1 to 17).
- Stephen Brown, Chief Officer, Orkney Health and Social Care Partnership (for Items 1 to 17).
- Karen Greaves, Corporate Director for Strategy, Performance and Business Solutions (for Items 1 to 17).
- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration (for Items 1 to 17).
- James Wylie, Corporate Director for Education, Leisure and Housing (for Items 1 to 17).
- Andrew Groundwater, Head of Human Resources and Organisational Development.
- Sweyn Johnston, Head of Enterprise and Economic Growth (for Items 1 to 17).
- Hazel Flett, Team Manager (Committees).

In Attendance via remote link (Microsoft Teams)

- Kerry Spence, Service Manager (Community Learning, Development and Employability) (for Items 1 to 17).

Observing

- Frances Troup, Head of Community Learning, Leisure and Housing (for Items 1 to 17).

Observing via remote link (Microsoft Teams)

- Kirsty Groundwater, Team Manager (Communications) (for Items 1 to 17).

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Graham A Bevan, Convener.

1. Disclosure of Exempt Information

The Council noted the proposal that the public be excluded from the meeting for consideration of Items, as the business to be discussed involved the potential 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.

2. Special General Meeting of the Council

Minute of Special General Meeting held on 26 April 2022

On the motion of Councillor James W Stockan, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 26 April 2022 as a true record.

3. Planning Committee

Minute of Meeting held on 27 April 2022

On the motion of Councillor Duncan A Tullock, seconded by Councillor Alexander G Cowie, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 27 April 2022 as a true record.

4. Licensing Committee

Minute of Meeting held on 28 April 2022

On the motion of Councillor Duncan A Tullock, seconded by Councillor Alexander G Cowie, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 28 April 2022 as a true record.

5. Statutory General Meeting of the Council

Minute of Statutory General Meeting held on 16 May 2022

On the motion of Councillor Graham A Bevan, seconded by Councillor James W Stockan, the Council resolved to approve the Minute of the Statutory General Meeting of the Council held on 16 May 2022 as a true record.

6. Policy and Resources Committee

Minute of Special Meeting held on 19 May 2022

On the motion of Councillor James W Stockan, seconded by Councillor Heather N Woodbridge, the Council resolved to approve the Minute of the Special Meeting of the Policy and Resources Committee held on 19 May 2022 as a true record.

7. Planning Committee

Minute of Meeting held on 1 June 2022

On the motion of Councillor Owen Tierney, seconded by Councillor Kristopher D Leask, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 1 June 2022 as a true record.

8. Development and Infrastructure Committee

Minute of Meeting held on 7 June 2022

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 7 June 2022 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 7 June 2022.

9. Local Review Body

Minute of Meeting held on 7 June 2022

On the motion of Councillor Kristopher D Leask, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 7 June 2022 as a true record.

10. Education, Leisure and Housing Committee

Minute of Meeting held on 8 June 2022

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Alexander G Cowie, the Council resolved to approve the Minute of the Meeting of the Education, Leisure and Housing Committee held on 8 June 2022 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 8 June 2022.

11. Monitoring and Audit Committee

Minute of Meeting held on 9 June 2022

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 9 June 2022 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 9 June 2022.

12. Policy and Resources Committee

Minute of Meeting held on 21 June 2022

On the motion of Councillor Heather N Woodbridge, seconded by Councillor Gwenda M Shearer, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 21 June 2022 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 21 June 2022.

13. Licensing Committee

Minute of Meeting held on 22 June 2022

On the motion of Councillor Duncan A Tullock, seconded by Councillor Kristopher D Leask, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 22 June 2022 as a true record.

14. Community Development Fund Sub-committee

Minute of Meeting held on 14 June 2022

On the motion of Councillor James W Stockan, seconded by Councillor Gwenda M Shearer, the Council resolved to approve the Minute of the Meeting of the Community Development Fund Sub-committee held on 14 June 2022, attached as Appendix 1 to this Minute, as a true record.

15. Appointments to Sub-committees and Other Bodies

15.1. College Management Council Sub-committee

Appointment of Business and Community Representatives

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, the Council:

Noted:

15.1.1. That the governance arrangements in respect of the College Management Council Sub-committee currently allowed for the following membership, all with voting rights:

- 5 elected members of the Education, Leisure and Housing Committee, including the Chair and Vice Chair.
- 3 representatives of the business community.
- 3 representatives of the community, including representatives from the Third Sector.
- 2 student representatives.

15.1.2. That all non-Councillor members were appointed initially for a maximum period of four years and could be re-appointed for a further term of office, with the previous business and community representatives appointed up to May 2022.

15.1.3. That previous business and community representatives were contacted to ascertain whether they wished to continue for a further term of office, with two business representatives and one community representative indicating they wished to be considered for re-appointment.

15.1.4. That expressions of interest would be sought for the one business representative and two community representative vacancies, with the outcome reported to Council in due course.

15.1.5. The proposal that, given the term of office for the student representatives was for one year, powers be delegated to the Corporate Director for Strategy, Performance and Business Solutions to confirm the appointments, in order to expedite the process.

15.1.6. That, if confirmed by Council, the appointment of business and community representatives would ordinarily last until the next Local Government Election, currently scheduled for May 2027.

On the motion of Councillor Rachael A King, seconded by Councillor Gwenda M Shearer, the Council resolved:

15.1.7. That the undernoted representatives be re-appointed to serve on the College Management Council Sub-committee for the period to May 2023:

- Business Representatives:
 - Beccy May.
 - Steven Sinclair.
- Community Representative:
 - Beverly Clubley.

15.1.8. That powers be delegated to the Corporate Director for Strategy, Performance and Business Solutions to confirm the appointment of student representatives to serve on the College Management Council Sub-committee.

15.1.9. That the Corporate Director for Strategy, Performance and Business Solutions should review the composition and operation of the College Management Council Sub-committee, following receipt of expressions of interest in respect of the current vacancies for business and community representatives, and submit a report to the Education, Leisure and Housing Committee no later than May 2023.

Councillor Mellissa-Louise Thomson left the meeting during discussion of this item.

15.2. Orkney Local Access Forum

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, the Council:

Noted:

15.2.1. That, at the Statutory General Meeting held on 16 May 2022, when considering appointments and nominations to various external bodies, the Council resolved:

- That the Council's representative on the Local Access Forum should continue to be a member not on the Development and Infrastructure Committee.
- To defer appointment until the General Meeting of the Council scheduled for 5 July 2022, when membership of the Committees would be known.

15.2.2. That, following confirmation of membership of the Committees, the members listed in section 4.2 of the report by the Corporate Director for Strategy, Performance and Business Solutions were eligible for nomination as the Council's representative to the Local Access Forum.

15.2.3. That, as Committee membership was reviewed after two years, any appointment to the Local Access Forum would be reviewed in May/June 2024.

The Council resolved:

15.2.4. That Councillor John A R Scott be appointed as the Council's representative to the Orkney Local Access Forum.

Councillor Mellissa-Louise Thomson rejoined the meeting during discussion of this item.

16. Exclusion of Public

On the motion of Councillor Graham A Bevan, seconded by Councillor James W Stockan, 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.

17. UK Shared Prosperity Fund – Orkney Investment Plan

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 Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing reports from the Head of Enterprise and Economic Growth and the Service Manager (Community Learning, Development and Employability), the Council:

Noted:

17.1. That the UK Government established its Shared Prosperity Fund (UKSPF) with a prospectus for the fund in Scotland published on 13 April 2022.

17.2. That a fund, totalling £2.6 billion, between 2022 and 2025 would be allocated to all areas of the UK to support locally-led decision-making, based around themes of community and place, supporting local business, and people and skills.

17.3. That the fund was part of a suite of 'levelling-up' funding and was intended to replace aspects of EU Structural and Investment funds, including the European Social Fund and the European Regional Development Fund.

17.4. That UKSPF funding, which had two elements, 'Core' and 'Multiply', had been confirmed for Orkney, with a total budget of £1,774,147 available over three financial years in the first instance to 31 March 2025.

17.5. That local authorities were required to complete an Investment Plan across all three delivery years, setting out how they intended to use and deliver the funding to meet the three UKSPF investment priorities and, in doing so, must consult with a local partnership group, the Member of Parliament (MP) and the Member of the Scottish Parliament (MSP), before submitting to the UK Government by 1 August 2022.

17.6. The draft Orkney UKSPF Investment Plan, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, outlining the high-level details for the 'Core' and 'Multiply' elements, which was submitted for consultation to the Orkney Partnership Board on 29 June 2022.

Councillor Mellissa-Louise Thomson left the meeting during the officer presentation for this item and rejoined the meeting at this point via a remote link (Microsoft Teams).

The Council resolved:

17.7. That the draft UKSPF Investment Plan, attached as Appendix 2 to this Minute, be endorsed.

17.8. That, taking account of the outcome of consultation with the Orkney Partnership, the MP and the MSP, powers be delegated to the Chief Executive, in consultation with the Leader and the Section 95 Officer, to approve and thereafter submit the final Orkney UKSPF Investment Plan to the UK Government by 1 August 2022.

17.9. That the Corporate Director for Enterprise and Sustainable Regeneration should submit a report, to the next meeting of the Policy and Resources Committee, regarding the establishment of a fund to support projects in Orkney, accessible to local organisations which formerly benefitted from EU funds, which supported communities, local business, people and places, as the Shared Prosperity Fund intended.

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.

Councillor Mellissa-Louise Thomson rejoined the meeting, in person, at this point.

18. Governance Arrangements

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 1 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 Human Resources and Organisational Development, the Council:

Resolved what action should be taken with regard to governance arrangements.

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.

This page is intentionally left blank.

19. Conclusion of Meeting

At 12:17 the Convener declared the meeting concluded.

Signed:

Minute

Community Development Fund Sub-committee

Tuesday, 14 June 2022, 14:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham A Bevan, David Dawson, Kristopher D Leask, W Leslie Manson, Gwenda M Shearer, Gillian Skuse, Jean E Stevenson and James W Stockan.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- John W Mundell, Interim Chief Executive.
- Sweyn Johnston, Head of Enterprise and Economic Growth.
- Colin Kemp, Interim Head of Finance.
- Jackie Thomson, Service Manager (Enterprise).
- Peter Trodden, Solicitor.
- Hazel Flett, Senior Committees Officer.
- Alister Brown, Economic Development Officer.

Observing

- Stuart Allison, Service Manager (Enterprise)
- Kirsty Groundwater, Communications Team Leader.

Declarations of Interest

- Councillor Graham A Bevan – Item 2.
- Councillor Kristopher D Leask – Item 2.

Chair

- Councillor Graham A Bevan.

1. Regeneration Capital Grant Fund – Monitoring Report

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from Jackie Thomson, Service Manager (Enterprise), the Sub-committee:

Noted:

1.1. That the Third-Party Funding Applications Framework, approved by Council in July 2021, stated that, at each meeting of the Community Development Fund Sub-committee, a monitoring report would be submitted to advise of the outcomes of third-party funding applications submitted and to report progress on all projects that had been processed via the framework.

1.2. That, on 21 October 2021, the Community Development Fund Sub-committee resolved that the Council should submit Second Stage applications to the Scottish Government's Regeneration Capital Grant Fund on behalf of the following organisations:

- Birsay Heritage Trust in respect of its HMS Tern project.
- North Ronaldsay Trust in respect of its project to restore redundant property and land at Treb, North Ronaldsay.

1.3. That, in December 2021, notification was received from the Scottish Government that the application submitted on behalf of Birsay Heritage Trust had been unsuccessful.

1.4. That, in December 2021, notification was received from the Scottish Government that the application submitted on behalf of North Ronaldsay Trust had been successful, subject to funding for the Regeneration Capital Grant Fund being made available in the Scottish Government's 2022/23 budget.

1.5. That, in April 2022, the Council received a formal offer of funding from the Scottish Government in respect of a grant, of up to £985,460, from the Regeneration Capital Grant Fund, towards North Ronaldsay Trust's Community Resource Hub project at Treb, North Ronaldsay.

2. Stage 1 Funding Applications – Regeneration Capital Grant Fund

Councillor Graham A Bevan declared a non-financial interest in this item, in that a close family member was on the Board of the Pier Arts Centre, and left the meeting at this point.

Councillor Kristopher D Leask declared a non-financial interest in this item, in that he was a Director on the Board of the Pier Arts Centre, and left the meeting at this point.

Signed: Graham A Bevan.

As the Chair, Councillor Graham A Bevan, had left the meeting, the Clerk called for nominations for Chair for this item.

The Sub-committee resolved:

2.1. That Councillor James W Stockan be appointed Chair for this item.

Councillor James W Stockan took the Chair.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Economic Development Officer, the Sub-committee:

Noted:

2.2. That the Scottish Government's Regeneration Capital Grant Fund, which was open to and delivered in partnership with local authorities, supported locally developed place-based regeneration projects that involved local communities helping to tackle inequalities and deliver inclusive growth in disadvantaged and fragile remote communities across Scotland.

2.3. That, on 22 June 2021, when considering a draft framework that would allow the Council to submit applications on behalf of community organisations to funding schemes that were open to local authorities, the Policy and Resources Committee recommended:

- That the Third-Party Funding Applications Framework be approved.
- That powers be delegated to the Community Development Fund Sub-committee to determine requests to the Council to submit funding applications on behalf of a third party.

2.4. That the Council had received requests from the undernoted organisations to submit Stage 1 applications to the Regeneration Capital Grant Fund for the 2023/24 funding round:

- Birsay Heritage Trust – regeneration of HMS Tern – £930,000.
- Longhope Lifeboat Museum – improved heritage and cultural facility – £895,000.
- Pier Arts Centre – provision of a creative arts hub – £1,608,000.

The Sub-committee resolved, in terms of delegated powers:

2.5. That the Council should submit a Stage 1 funding application to the Scottish Government's Regeneration Capital Grant Fund, on behalf of Birsay Heritage Trust, for the requested amount of £930,000.

2.6. That the Council should submit a Stage 1 funding application to the Scottish Government's Regeneration Capital Grant Fund, on behalf of Longhope Lifeboat Museum, for the requested amount of £895,000.

2.7. That the Council should submit a Stage 1 funding application to the Scottish Government's Regeneration Capital Grant Fund, on behalf of the Pier Arts Centre, at the requested amount of £1,608,000.

3. Conclusion of Meeting

At 14:26 the Chair declared the meeting concluded.

Signed: James W Stockan.

Appendix 2.

UK Shared Prosperity Fund

Investment Plan

Pages 438 to 477.

Resolved that, under section 50A(4) of the Local Government (Scotland) Act 1973, the public were 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 I of Schedule 7A of the Act.

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

Local Government (Scotland) Act 1973 – Schedule 7A

Access to Information: Descriptions of Exempt Information

Paragraph 6. Information relating to the financial or business affairs of any particular person (other than the authority).