

Minute

General Meeting of the Council

Tuesday, 3 October 2023, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham A Bevan, Alexander G Cowie, David Dawson, Rachael A King, 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 and Duncan A Tullock.

Present via remote link (Microsoft Teams)

Councillors Stephen G Clackson, P Lindsay Hall, Steven B Heddle, Kristopher D Leask and Heather N Woodbridge.

Clerk

- Gavin Mitchell, Head of Legal and Governance.

In Attendance

- Oliver D Reid, Chief Executive.
- 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.
- Lynda Bradford, Head of Health and Community Care (Items 1 to 14).
- Andrew Groundwater, Head of Human Resources and Organisational Development.
- Alex Rodwell, Head of Improvement and Performance (for Items 1 to 12).
- Garry Burton, Service Manager (Leisure and Culture).
- Hazel Flett, Service Manager (Governance).

Observing

- Kirsty Groundwater, Communications Team Leader.

Declarations of Interest

- Councillor Stephen G Clackson – Item 13.
- Councillor Mellissa-Louise Thomson – Item 13.

Chair

- Councillor Graham A Bevan, Convener.

1. The Late Mr George R Marwick and Mr Fred J Groundwater

The Convener referred to the deaths of Mr George R Marwick, former member and first Convener of Orkney Islands Council, and Mr Fred J Groundwater, former member 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. Disclosure of Exempt Information

The Council noted the proposal that the public be excluded from the meeting for consideration of Item 15, 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.

3. General Meeting of the Council

Minute of Meeting held on 4 July 2023

On the motion of Councillor Graham A Bevan, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the General Meeting of the Council held on 4 July 2023 as a true record.

4. Planning Committee

Minute of Meeting held on 23 August 2023

On the motion of Councillor Owen Tierney, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 23 August 2023 as a true record.

5. Local Review Body

Minute of Meeting held on 24 August 2023

On the motion of Councillor Owen Tierney, seconded by Councillor Alexander G Cowie, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 24 August 2023 as a true record.

6. Monitoring and Audit Committee

Minute of Meeting held on 31 August 2023

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 31 August 2023 as a true record.

7. Development and Infrastructure Committee

Minute of Meeting held on 5 September 2023

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 5 September 2023 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 5 September 2023.

8. Education, Leisure and Housing Committee

Minute of Meeting held on 6 September 2023

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 6 September 2023 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 6 September 2023.

9. Policy and Resources Committee

Minute of Meeting held on 19 September 2023

On the motion of Councillor James W Stockan, seconded by Councillor Heather N Woodbridge, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 19 September 2023 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 19 September 2023.

10. Monitoring and Audit Committee

Minute of Meeting held on 21 September 2023

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 21 September 2023 as a true record.

11. Nomination of Representative on Board of NHS Orkney

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:

Noted:

11.1. That, on 16 May 2022, the Council resolved that Councillor Steven B Heddle be nominated to serve on the Board of NHS Orkney, for approval by the relevant Scottish Minister, for the period to May 2027.

11.2. That Councillor Heddle had tendered his resignation as a Non-Executive Member of the Board of NHS Orkney, with immediate effect.

11.3. That nomination of an Elected Member to replace Councillor Steven B Heddle on the Board of NHS Orkney would be prudent and appropriate.

11.4. That, should the nomination be approved by Scottish Ministers, the term of office would be for the remaining term of the Council, namely to May 2027.

The result of a secret ballot was as follows:

- Councillor John A R Scott – 7 votes.
- Councillor Jean E Stevenson – 9 votes.
- Councillor Heather N Woodbridge – 5 votes.

In terms of Standing Order 22.11, as the first vote had not produced an absolute majority in favour of any candidate, the candidate having the least votes was removed and a fresh vote took place.

The result of a further secret ballot was as follows:

- Councillor John A R Scott – 10 votes.
- Councillor Jean E Stevenson – 11 votes.

The Council resolved:

11.5. That Councillor Jean E Stevenson be nominated to serve on the Board of NHS Orkney, for consideration by the relevant Scottish Minister, for the period to May 2027.

12. National Islands Plan – Consultation

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 Improvement and Performance, the Council:

Noted:

12.1. That, on 19 September 2023, the Policy and Resources Committee recommended that consideration of the Council's draft response to the Scottish Government's consultation on the review of the National Islands Plan, be deferred, to the General Meeting of the Council to be held on 3 October 2023, to enable elected members to provide feedback on the proposed response.

12.2. That no feedback had been received from elected members in respect of the Council's draft response to the Scottish Government's consultation on the review of the National Islands Plan, attached as Appendix 1 to the report by the Corporate Director for Strategy, Performance and Business Solutions.

12.3. That the date for which responses were required had been extended to 7 November 2023, to accommodate workshops arranged by the Scottish Government in relation to the review of the National Islands Plan.

On the motion of Councillor Steven B Heddle, seconded by Councillor James W Stockan, the Council resolved:

12.4. That the Council's draft response to the Scottish Government's consultation on the review of the National Islands Plan, attached as Appendix 1 to this Minute, be approved.

12.5. That the Corporate Director for Strategy, Performance and Business Solutions should submit the response to the Scottish Government, on behalf of the Council, in relation to the consultation on the review of the National Islands Plan, by the revised deadline of 7 November 2023.

13. Notice of Motion

Councillor Stephen G Clackson declared an interest in this item, his connection being that he was involved in small scale agricultural production, but concluded that his interest did not preclude his involvement in the discussion.

Councillor Mellissa-Louise Thomson declared that she had an interest in this item but, having taken legal advice, had concluded that her interest was not significant enough to preclude her involvement in the discussion.

The Council had for consideration the following Notice of Motion:

“In these difficult and hard times for the local farming industry, both fiscal and political, Orkney Islands Council takes this opportunity to recognise the considerable contribution farming and farmers have made and continue to make to the environment and economy of these islands.

Their top quality sustainably produced Beef, Lamb, Pork, and Dairy is the envy of the rest of the U.K. All achieved with the welfare of their animals along with care of the countryside a priority.

OIC also recognises the willingness of farmers not to stand still but to embrace innovative new methods in farming, all to the benefit of Orkney.

Orkney Islands Council offers its wholehearted support to our local farming industry and encourage all to buy their produce, helping both farming and local business flourish into the future.

Proposer: Duncan Tullock.

Seconder: Mellissa Thomson.”.

After receiving procedural advice from the Head of Legal and Governance, the Council:

Noted:

13.1. That the Notice of Motion was procedurally competent, in that:

- It was received in the requisite timeframe.
- It was signed by an Elected Member and countersigned by at least one other Elected Member.
- It was accompanied by a report from the Corporate Director for Enterprise and Sustainable Regeneration on the implications of the suggested course of action contained in the Notice of Motion.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, the Council:

Noted:

13.2. That the Chief Executive had received a Notice of Motion seeking to set out the Council's support for the local farming industry.

13.3. That the Notice of Motion requested that the Council:

- Recognises the considerable contribution farming and farmers have made and continue to make to the environment and economy of these islands.
- Recognises the willingness of farmers not to stand still but to embrace innovative new methods in farming, all to the benefit of Orkney.
- Offers its wholehearted support to the local farming industry and encourages all to buy their produce, helping both farming and local business flourish into the future.

13.4. That there were no significant implications associated with the suggested course of action contained within the Notice of Motion.

On the motion of Councillor Duncan A Tullock seconded by Councillor Mellissa-Louise Thomson, the Council resolved:

13.5. That the Notice of Motion be supported, in that the principles of support, referred to at paragraph 13.3 above, be supported and adopted to inform future policy decisions.

14. Exclusion of Public

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

Councillors Rachael A King, Kristopher D Leask and Heather N Woodbridge left the meeting at this point.

15. Proposed Development of Mountain Bike Track

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 paragraphs 2 and 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Service Manager (Leisure and Culture), the Council:

Noted:

15.1. That the Council had received a request from The Pickaquoy Centre Trust to add site K4, identified as Area B on the map attached as Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing, to its existing lease for the purpose of constructing and operating a mountain bike track.

15.2. That, on 5 September 2023, when considering a consultative draft Development Brief in respect of K4 (Kirkwall), the Development and Infrastructure Committee noted that, as the site was no longer considered appropriate for further housing development, it should be utilised to extend and connect the existing green infrastructure in this location.

The Council resolved:

15.3. That the Corporate Director for Education, Leisure and Housing, in consultation with the Corporate Director for Neighbourhood Services and Infrastructure and the Head of Legal and Governance, should arrange for the existing Pickaquoy Trust lease to be amended to include site K4, subject to all necessary external funding being secured.

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.

16. Conclusion of Meeting

At 12:55 the Convener declared the meeting concluded.

Signed: Graham A Bevan.