

# Minute

## Special General Meeting of the Council

Thursday, 8 September 2022, 11:00.

Council Chamber, Council Offices, School Place, Kirkwall.



### Present

Councillors Graham A Bevan, Alexander G Cowie, David Dawson, P Lindsay Hall, 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 and Duncan A Tullock.

### Clerk

- Gavin Mitchell, Head of Legal and Governance.

### In Attendance

- John W Mundell, Interim 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.
- James Buck, Head of Marine Services, Transportation and Harbour Master (for Items 1 to 10).
- Sweyn Johnston, Head of Enterprise and Economic Growth.
- Erik Knight, Head of Finance (for Items 1 to 10).
- Hazel Flett, Service Manager (Governance).

### Observing

- Kirsty Groundwater, Communications Team Leader (for Items 5 to 14).

### Apologies

- Councillor Stephen G Clackson.
- Councillor Rachael A King.
- Councillor Heather N Woodbridge.

### Declaration of Interest

- Councillor Graham A Bevan – Items 10 and 12.

## **Chair**

- Councillor Graham A Bevan, Convener.

### **1. The Late Mrs M Jean B Crichton and Mr A Bryan Taylor**

The Convener referred to the deaths of Mrs M Jean B Crichton and Mr A Bryan Taylor, 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. Urgent Item**

In terms of Standing Order 13.3, the Council:

Noted that the Convener had permitted discussion of the following urgent item:

- Tall Ships Race 2023 – Cruise in Company.

### **3. Disclosure of Exempt Information**

The Council noted the proposal that the public be excluded from the meeting for consideration of Items 8 to 10, 12 and 13, 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.

Councillor John A R Scott joined the meeting at this point.

### **4. Orkney Islands Area Licensing Board and Licensing Committee**

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:

**4.1.** That membership of the Orkney Islands Area Licensing Board and the Licensing Committee was identical, with the period of appointment being for the term of office as Councillor.

**4.2.** That, on 16 May 2022, the Council appointed the following members to the Orkney Islands Area Licensing Board and the Licensing Committee:

- Councillor David Dawson.
- Councillor Steven B Heddle.
- Councillor Rachael A King.
- Councillor Kristopher D Leask.
- Councillor W Leslie Manson.
- Councillor James R Moar.

- Councillor Gwenda M Shearer.
- Councillor Duncan A Tullock.

**4.3.** That, on 8 July 2022, the Clerk to the Orkney Islands Area Licensing Board received a letter of resignation from Councillor James R Moar, to take effect immediately.

**4.4.** That, on 5 August 2022, Councillor James R Moar tendered his resignation from the Licensing Committee, with immediate effect.

**4.5.** That, as a result of existing appointments and limitations on membership, the members listed in section 5 of the report by the Corporate Director for Strategy, Performance and Business Solutions were eligible for nomination to the vacancy on the Orkney Islands Area Licensing Board and the Licensing Committee created by the resignation of Councillor James R Moar.

The Council resolved:

**4.6.** That Councillor Owen Tierney be appointed to fill the vacancy on the Orkney Islands Area Licensing Board and the Licensing Committee.

## **5. Scottish Joint Council for Local Government Employees**

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:

**5.1.** That the Convention of Scottish Local Authorities had requested each Council to nominate one member for the Scottish Joint Council for Local Government Employees (SJC).

**5.2.** That the SJC constitution did not specify anything regarding the councillor nominated and it need not be the Leader or Depute Leader.

**5.3.** That, given the decision-making role for Leaders' meetings on pay and negotiating remits, it was suggested that the Council's representative should be the Depute Leader.

The Council resolved:

**5.4.** That the Depute Leader be nominated as the Council's representative for the Scottish Joint Council for Local Government Employees.

**5.5.** That the requirement for a substitute to attend meetings of the Scottish Joint Council for Local Government Employees be addressed on an ad hoc manner.

## **6. Urgent Item**

### **Tall Ships Race 2023 – Cruise in Company**

In terms of section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Convener permitted urgent discussion of this item as Sail Training International required confirmation of guest harbours for inclusion in promotional literature for the Sail Training International conference to be held in November 2022.

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

Noted:

**6.1.** That Orkney participated in the Tall Ships Cruise-in-Company event in 2011 which was positive from a tourism and local enjoyment perspective but was over budget.

**6.2.** That the leg between Fredrikstad, Norway and Lerwick had been designated as the Cruise-in-Company leg of The Tall Ships Race 2023 where sail trainees were invited to join participating Tall Ships as crew.

**6.3.** That the anticipated cost for sail trainees to participate in the Cruise-in-Company leg of The Tall Ships Race 2023 was £1,800 per trainee, including the fee to the respective sailing ship, the cost of transport to and from the ship, protective clothing and personal expenses.

**6.4.** That, should the Council support Stromness becoming a Guest Port for 2023, the Council could support a number of sail trainees by providing funding for half the cost of sail trainees from Orkney participating in the Cruise-in-Company leg of The Tall Ships Race 2023.

**6.5.** The lessons learned from the 2011 event, as set out in section 5 of the report by the Corporate Director for Enterprise and Sustainable Regeneration.

The Council resolved:

**6.6.** To participate in the 2023 Tall Ships Cruise-in-Company event, with Stromness as a Guest Port.

**6.7.** That the funding source for participation in the 2023 Tall Ships Cruise-in-Company event should be the unallocated 50% balance in the Crown Estate Fund, estimated at £627,000 as at 31 March 2022.

**6.8.** That a budget limit of £70,000 be established, with powers delegated to the Chief Executive to make arrangements to organise the 2023 Tall Ships Cruise-in-Company event locally.

## **7. 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.

## **8. Harbour, Pilotage and Towage Operations**

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 9 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 a report from the Head of Marine Services, Transportation and Harbour Master, the Council:

Noted what action had been taken with regard to harbour, pilotage and towage operations.

**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.**

## **9. H2 Twin Cities Fund**

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 6 and 9 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, the Council:

Resolved that consideration of involvement in the H2 Twin Cities Fund be deferred until later in the meeting.

**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.**

## **10. Request for Assistance**

Councillor Graham A Bevan declared a non-financial interest in this item and was not present during discussion of this item and the continuation at paragraph 12 below.

Signed: Graham A Bevan.

As the Convener had declared an interest in this item and vacated the Chair, the Clerk to the Council called for nominations for a Chair for this item.

The Council resolved that Councillor James W Stockan be appointed Chair for this item.

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 4 and 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 a report from the Head of Enterprise and Economic Growth, the Council:

Noted that an organisation had approached the Council for financial support.

**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.**

## **11. Adjournment of Meeting**

In order to facilitate another statutory meeting involving Councillors and officers, Councillor James W Stockan adjourned the meeting for a period of 30 minutes, reconvening at 12:45.

## **12. Request for Assistance**

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 4 and 6 of Part 1 of Schedule 7A of the Act.

With reference to paragraph 10 above, the Council:

Resolved what action should be taken with regard to a request for assistance.

**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.**



Signed: James W Stockan.

Councillor Graham A Bevan rejoined the meeting at this point and resumed the Chair.

### **13. H2 Twin Cities Fund**

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 6 and 9 of Part 1 of Schedule 7A of the Act.

With reference to paragraph 9, the Council resolved what action should be taken with regard to involvement in the H2 Twin Cities Fund.

**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.**

### **14. Conclusion of Meeting**

At 13:05 the Convener declared the meeting concluded.

Signed: Graham A Bevan.