

Minute

General Meeting of the Council

Tuesday, 8 December 2020, 10:30.

Microsoft Teams.



Present

Councillors J Harvey Johnston, Stephen G Clackson, Alexander G Cowie, Norman R Craigie, Robin W Crichton, David Dawson, Andrew Drever, Barbara Foulkes, Steven B Heddle, Rachael A King, John T Richards, Stephen Sankey, John A R Scott, Gwenda M Shearer, Graham L Sinclair, James W Stockan, Magnus O Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Gavin Mitchell, Head of Legal Services.

In Attendance

- John W Mundell, Interim Chief Executive.
- Gavin Barr, Executive Director of Development and Infrastructure (for Items 1 to 23).
- Gillian Morrison, Interim Chief Officer/Executive Director, Orkney Health and Care (for Items 1 to 23).
- James Wylie, Executive Director of Education, Leisure and Housing.
- Gareth Waterson, Head of Finance.
- Karen Greaves, Head of Executive Support (for Items 1 to 23).
- Garry Burton, Sport and Leisure Service Manager (for Items 1 to 21).
- Hazel Flett, Senior Committees Officer.

Observing

- Hayley Green, Head of IT and Facilities (for Items 21 to 23).
- Andrew Groundwater, Head of HR and Performance.
- Rebecca McAuliffe, Press Officer (for Items 1 to 23).
- Lorraine Stout, Press Officer (for Items 1 to 23).

Apology

- Councillor W Leslie Manson.

Declarations of Interest

- Councillor Steven B Heddle – Item 14.1.
- Councillor Duncan A Tullock – Item 14.1.

Chair

- Councillor J Harvey Johnston, Convener.

1. Urgent Item

In terms of Standing Order 13.3, the Council:

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

- Allocation of Funding to Support Individuals at Financial Risk.

2. Disclosure of Exempt Information

The Council noted the proposal that the public be excluded from the meeting for consideration of Items 24 and 25, as the business to be discussed involved the potential disclosure of exempt information of the class described in the relevant paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

3. General Meeting of the Council

Minute of General Meeting held on 6 October 2020

On the motion of Councillor J Harvey Johnston, seconded by Councillor James W Stockan, the Council resolved to approve the Minute of the General Meeting of the Council held on 6 October 2020 as a true record.

4. Planning Committee

Minute of Meeting held on 7 October 2020

On the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 7 October 2020 as a true record.

5. Licensing Committee

Minute of Meeting held on 8 October 2020

On the motion of Councillor Duncan A Tullock, seconded by Councillor Barbara Foulkes, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 8 October 2020 as a true record.

6. Special General Meeting of the Council

Minute of Special General Meeting held on 9 October 2020

On the motion of Councillor J Harvey Johnston, seconded by Councillor James W Stockan, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 9 October 2020 as a true record.

7. Special General Meeting of the Council

Minute of Special General Meeting held on 13 October 2020

On the motion of Councillor J Harvey Johnston, seconded by Councillor Duncan A Tullock, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 13 October 2020 as a true record.

8. Monitoring and Audit Committee

Minute of Meeting held on 26 October 2020

On the motion of Councillor John T Richards, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 26 October 2020 as a true record.

9. Special General Meeting of the Council

Minute of Special General Meeting held on 28 October 2020

On the motion of Councillor J Harvey Johnston, seconded by Councillor Graham L Sinclair, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 28 October 2020 as a true record.

10. Development and Infrastructure Committee

Minute of Meeting held on 10 November 2020

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, the Council resolved to approve the Minute of the Meeting of the Development and Infrastructure Committee held on 10 November 2020 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 10 November 2020.

11. Education, Leisure and Housing Committee

Minute of Meeting held on 11 November 2020

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 11 November 2020 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 11 November 2020.

12. Monitoring and Audit Committee

Minute of Meeting held on 12 November 2020

On the motion of Councillor John T Richards, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 12 November 2020 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 12 November 2020.

13. Local Review Body

Minute of Meeting held on 19 November 2020

On the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 19 November 2020 as a true record.

14. Policy and Resources Committee

Minute of Meeting held on 24 November 2020

On the motion of Councillor James W Stockan, seconded by Councillor Graham L Sinclair, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 24 November 2020 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 24 November 2020, subject to the following items of amendment:

14.1. Telecare Services – Proposed Introduction of Charges

Councillor Steven B Heddle declared a non-financial interest in this item in that a close family member was in receipt of Telecare services and was not present during discussion thereof.

Councillor Duncan A Tullock declared a non-financial interest in this item in that a close family member was in receipt of Telecare services and took no part in the discussion thereof.

Councillor Stephen Sankey referred to the recommendations of the Policy and Resources Committee regarding the proposed introduction of charges for Telecare services and, seconded by Councillor John T Richards, the Council:

Resolved that the proposal for introducing charges for Telecare services be referred back to the Policy and Resources Committee, to be considered no earlier than the meeting scheduled for 20 April 2021.

14.2. Burial Grounds

Councillor Duncan A Tullock referred to the recommendations of the Policy and Resources Committee regarding the provision of additional resource to ensure full implementation of the endorsed Burial Grounds Code of Practice and, seconded by Councillor Owen Tierney, the Council:

Resolved that the provision of additional resource to ensure full implementation of the endorsed Burial Grounds Code of Practice be referred back to the Policy and Resources Committee for further consideration.

15. Special General Meeting of the Council

Minute of Special General Meeting held on 25 November 2020

On the motion of Councillor J Harvey Johnston, seconded by Councillor James W Stockan, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 25 November 2020 as a true record.

16. Licensing Committee

Minute of Meeting held on 1 December 2020

On the motion of Councillor Duncan A Tullock, seconded by Councillor Barbara Foulkes, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 1 December 2020 as a true record.

17. Planning Committee

Minute of Meeting held on 2 December 2020

On the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 2 December 2020 as a true record.

18. Policy and Resources Committee

Minute of Meeting held on 3 December 2020

On the motion of Councillor Rachael A King, seconded by Councillor John T Richards, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 3 December 2020 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 3 December 2020.

19. Community Development Fund Sub-committee

Minute of Meeting held on 29 September 2020

On the motion of Councillor J Harvey Johnston, seconded by Councillor Rachael A King, the Council resolved to approve the Minute of the Meeting of the Community Development Fund Sub-committee held on 29 September 2020, attached as Appendix 1 to this Minute, as a true record.

20. Vacancies on Committees

After consideration of a report by the Chief Executive, copies of which had been circulated, and after hearing a report from the Head of Executive Support, the Council:

Noted:

20.1. That, following the resignation of Councillor David Dawson, a vacancy existed on the Orkney Health and Care Committee.

20.2. That Councillor Dawson's resignation also created a vacancy for a proxy for the Integration Joint Board.

20.3. That, whichever member was appointed to the vacancy on the Orkney Health and Care Committee would automatically be appointed as the third proxy member of the Integration Joint Board, as outlined in section 4.2 of the report by the Chief Executive.

20.4. That the Clinical and Care Governance Committee, established to provide the Board of NHS Orkney with assurance that robust clinical governance controls and management systems were in place and effective throughout NHS Orkney, also fulfilled the function of providing the Integration Joint Board with assurance that robust clinical and care governance controls and management systems were in place and effective for the functions that NHS Orkney and the Council had delegated to it.

20.5. That current membership of the Clinical and Care Governance Committee allowed for four members of the Council, comprising the three voting members of the Integration Board and one of the three proxies.

20.6. That, following the appointment of Councillor Stephen Sankey as Vice Chair of the Orkney Health and Care Committee, a vacancy existed on the Clinical and Care Governance Committee.

20.7. The proposal to fill the vacancy on the Clinical and Care Governance Committee, as outlined in section 5.6 of the report by the Chief Executive.

20.8. That the appointments made to fill the vacancies on the Orkney Health and Care Committee, the proxy member of the Integration Joint Board and the fourth Council member of the Clinical and Care Governance Committee would last for the remainder of the term of this Council, namely until May 2022.

The Council resolved:

20.9. That Councillor Heather N Woodbridge be appointed to the vacancy on the Orkney Health and Care Committee.

20.10. That, as a result of her appointment to the vacancy on the Orkney Health and Care Committee, Councillor Heather N Woodbridge be confirmed as the third proxy member of the Integration Joint Board.

20.11. That Councillor Heather N Woodbridge be appointed to the vacancy on the Clinical and Care Governance Committee.

21. International Island Games – Funding

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Sport and Leisure Service Manager, the Council:

Noted:

21.1. That, on 28 February 2017, when considering whether to make the financial commitment required to support a bid by the Orkney Island Games Association to host the 2023 International Island Games, the Policy and Resources Committee recommended:

- That the Council should financially support a bid by Orkney Island Games Association to host the 2023 Natwest International Island Games.
- That a sum no greater than £1 million, to be met from the Strategic Reserve Fund, be made available to Orkney Island Games Association, towards Orkney hosting the 2023 Games.
- That the bid committee should submit a business case, highlighting risks and mitigation thereof, prior to submission of the formal bid to the International Island Games Association, for consideration by the Policy and Resources Committee no later than September 2017.

21.2. That a master contract between the International Island Games Association and Orkney Island Games Association agreeing to Orkney hosting the 2023 Island Games was signed in July 2018, including signature by the Chief Executive of the Council.

21.3. That grant funding conditions between the Council and the Orkney Island Games 2023 Organising Company were signed in July 2018.

21.4. That, to date, the Council had paid a total of £22,157 to the Orkney Island Games 2023 Organising Company.

21.5. That, as a result of the COVID-19 pandemic, the International Island Games Association announced that there would be no Island Games in 2021.

21.6. That all member islands were consulted on five potential options for when to next host the Island Games, as detailed in section 5.3 of the report by the Executive Director of Education, Leisure and Housing.

21.7. That the Orkney Island Games 2023 Organising Company's preferred option was Option 3, namely to hold the Island Games in 2023, 2025, 2027 and 2029.

21.8. That the Scottish Government was content, in principle, to move its award of £500,000 to fund the Island Games in Orkney, confirmed in September 2017 by the Cabinet Secretary for Culture, Tourism and External Affairs to the Chairman of the International Island Games Association, to an event in 2025, rather than 2023.

21.9. That the Orkney Island Games 2023 Organising Company was not seeking any additional funding from the Council in respect of an event in 2025, beyond the original funding committed in 2017.

Councillor J Harvey Johnston, seconded by Councillor John A R Scott, moved that:

- The Executive Director of Education, Leisure and Housing, together with the Head of Finance, should review the Orkney Island Games 2023 Organising Company's financial projections for an event to be held in 2025.

- The Executive Director of Education, Leisure and Housing, in consultation with the Head of Finance and the Solicitor to the Council, should review and, where necessary, update the Grant Funding Conditions agreement between the Council and the Orkney Island Games 2023 Organising Company based on an event to be held in 2025.
- Subject to the financial projections for an event to be held in 2025 being no less favourable than the projections for the proposed 2023 Games, the Council's financial support in respect of the 2023 International Island Games in Orkney, being a sum no greater than £1 million, be amended to support an Orkney Island Games in 2025.

Councillor Stephen G Clackson, seconded by Councillor David Dawson, moved an amendment that consideration of the proposal to consider continued commitment from the Council to financially support Orkney hosting the International Island Games, should the Games be postponed to 2025, be deferred until after the next Local Government Elections scheduled for May 2022.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Stephen G Clackson and David Dawson (2).

For the Motion:

Councillors Alexander G Cowie, Norman R Craigie, Robin W Crichton, Andrew Drever, Barbara Foulkes, Steven B Heddle, J Harvey Johnston, Rachael A King, John T Richards, Stephen Sankey, John A R Scott, Gwenda M Shearer, Graham L Sinclair, James W Stockan, Magnus O Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge (18).

The motion was therefore carried.

The Council thereafter resolved:

21.10. That the Executive Director of Education, Leisure and Housing, together with the Head of Finance, should review the Orkney Island Games 2023 Organising Company's financial projections for an event to be held in 2025.

21.11. That the Executive Director of Education, Leisure and Housing, in consultation with the Head of Finance and the Solicitor to the Council, should review and, where necessary, update the Grant Funding Conditions agreement between the Council and the Orkney Island Games 2023 Organising Company based on an event to be held in 2025.

21.12. That, subject to the financial projections for an event to be held in 2025 being no less favourable than the projections for the proposed 2023 Games, the Council's financial support in respect of the 2023 International Island Games in Orkney, being a sum no greater than £1 million, be amended to support an Orkney Island Games in 2025.

22. Urgent Item

Allocation of Funding to Support Individuals at Financial Risk

In terms of section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Convener permitted urgent discussion of this item to enable the Council to consider supplementing a payment of £100 to the families of children who were eligible for free school meals, on the grounds of low family income, to promote the availability of free school meals and encourage applications and thereafter to enable payments to be made before Christmas, which could be a time of considerable stress for families on low incomes.

After consideration of a report by the Chief Executive, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Finance, the Council:

Noted:

22.1. That, on 30 November 2020, the Scottish Government announced a national scheme to make a payment of £100 to each child eligible for free school meals on the grounds of low family income.

22.2. That the Council had been offered a discretionary grant of £46,000 that could be used as support to tackle food insecurity, or alternate provision where that was more appropriate or was the preference of individuals themselves, including for households whose children were registered for free school meals.

22.3. That there were currently 250 children in Orkney eligible for free school meals on the grounds of low family income.

22.4. The proposal that the Council provide a top-up payment of £100 to all children eligible for free school meals on the grounds of low family income, making a total combined payment of £200.

The Council resolved:

22.5. That a Council top-up payment of £100 be paid to all children determined as eligible for free school meals on the grounds of low family income on 30 November 2020 or registered as eligible before 31 January 2021, to be met from the discretionary grant referred to at paragraph 22.2 above.

23. Exclusion of Public

On the motion of Councillor J Harvey Johnston, 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 class described in the relevant paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

24. Recruitment to Post of Chief Executive

25. Governance Arrangements

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for these items 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 hearing a report from the Interim Chief Executive, the Council:

Resolved that consideration of reports relating to recruitment to the post of Chief Executive and Governance Arrangements be deferred, to a Special General Meeting of the Council to be held on 17 December 2020.

26. Conclusion of Meeting

At 12:05 the Convener declared the meeting concluded.

Signed: Harvey Johnston.