

Minute

General Meeting of the Council

Tuesday, 3 March 2020, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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

Clerk

- John W Mundell, Interim Chief Executive.

In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure.
- Gillian Morrison, Executive Director of Corporate Services.
- Sally Shaw, Chief Officer/Executive Director, Orkney Health and Care.
- James Wylie, Executive Director of Education, Leisure and Housing.
- Gareth Waterson, Head of Finance.
- Brian Archibald, Head of Marine Services, Engineering and Transportation.
- Gavin Mitchell, Head of Legal Services.
- Hazel Flett, Senior Committees Officer.

Observing

- Hayley Green, Head of IT and Facilities.
- Andrew Groundwater, Head of HR and Performance (for Items 1 to 15).
- Paul Kemp, Strategic Finance Manager (for Items 1 to 15).
- David Hartley, Communications Team Leader.

Apologies

- Councillor Norman R Craigie.
- Councillor Kevin F Woodbridge.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor J Harvey Johnston, Convener.

1. Death of Mr Ian M MacDonald

The Convener referred to the death of Mr Ian M MacDonald and paid tribute to the service he had given to the Council and the local community over many years.

2. Urgent Item

In terms of Standing Order 59, the Council:

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

- MV Golden Mariana – Replacement.

3. Licensing Committee

Minute of Meeting held on 5 December 2019

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 5 December 2019 as a true record.

4. General Meeting of the Council

Minute of Meeting held on 10 December 2019

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 10 December 2019 as a true record.

5. Planning Committee

Minute of Meeting held on 18 December 2019

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 18 December 2019 as a true record.

6. Special General Meeting of the Council

Minute of Special General Meeting held on 19 December 2019

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 19 December 2019 as a true record.

7. Planning Committee

Minute of Meeting held on 22 January 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 22 January 2020 as a true record.

8. Local Review Body

Minute of Meeting held on 22 January 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 22 January 2020 as a true record.

9. Development and Infrastructure Committee

Minute of Meeting held on 4 February 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 4 February 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 4 February 2020.

10. Education, Leisure and Housing Committee

Minute of Meeting held on 5 February 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 5 February 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 5 February 2020.

11. Monitoring and Audit Committee

Minute of Meeting held on 6 February 2020

On the motion of Councillor David Dawson, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 6 February 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 6 February 2020.

12. Policy and Resources Committee

Minute of Meeting held on 18 February 2020

On the motion of Councillor James W Stockan, seconded by Councillor W Leslie Manson, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 18 February 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 18 February 2020, subject to the following item of amendment:

12.1. Climate Change

Councillor Duncan A Tullock referred to the recommendations of the Committee relating specifically to establishment of a post of Climate Change Project Officer, and the Council:

Resolved that establishment of a post of Climate Change Project Officer be referred back to the Policy and Resources Committee for further consideration.

13. Special General Meeting of the Council

Minute of Special General Meeting held on 20 February 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 20 February 2020 as a true record.

14. Policy and Resources Committee

Minute of Special Meeting held on 25 February 2020

On the motion of Councillor James W Stockan, seconded by Councillor W Leslie Manson, the Council resolved to approve the Minute of the Special Meeting of the Policy and Resources Committee held on 25 February 2020 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Special Meeting of the Policy and Resources Committee held on 25 February 2020, subject to the following items of amendment:

14.1. Budget and Council Tax Level for 2020 to 2021 – Charges

Councillor Stephen G Clackson referred to the recommendations of the Committee regarding charges and, seconded by Councillor John T Richards, moved an amendment that paragraph 5.24 of the Minute of the Special Meeting of the Policy and Resources Committee held on 25 February 2020 be amended to read as follows:

“Executive Directors should review and increase existing charges by a minimum of 3% and by no more than 3.5% without prior approval through the relevant Committee, from 1 April 2020, if possible to do so, or as early as possible thereafter, with the following exceptions:”

The result of a recorded vote was as follows:

For the Amendment:

Councillors Stephen G Clackson, John T Richards, Stephen Sankey, John A R Scott and Owen Tierney (5).

For the recommendations contained in the Minute:

Councillors Alexander G Cowie, Robin W Crichton, David Dawson, Andrew Drever, Barbara Foulkes, Steven B Heddle, J Harvey Johnston, Rachael A King, W Leslie Manson, Gwenda M Shearer, Graham L Sinclair, James W Stockan, Magnus O Thomson and Duncan A Tullock (14).

The Council thereafter resolved that Executive Directors should review and increase existing charges by a minimum of 3%, from 1 April 2020, if possible to do so, or as early as possible thereafter, with the exceptions as listed at paragraph 5.24 of the Minute of the Special Meeting of the Policy and Resources Committee held on 25 February 2020.

14.2. Budget and Council Tax Level for 2020 to 2021 – Efficiency Savings

Councillor Andrew Drever referred to the recommendations of the Committee regarding efficiency savings, specifically relating to Dial-A-Bus and proposed reductions in free trips per month, and the Council:

Resolved that efficiency saving TRDI02, Dial A Bus Three to One Free Trip a Month, be achieved by the reduction of £22,000 from Orkney Disability Forum's core grant funding, thereby retaining the three free trips per month for membership benefits and achieving the same financial cuts against budget.

15. Community Development Fund Sub-committee

Minute of Meeting held on 10 December 2019

On the motion of Councillor J Harvey Johnston, seconded by Councillor James W Stockan, the Council resolved to approve the Minute of the Meeting of the Community Development Fund Sub-committee held on 10 December 2019, attached as Appendix 1 to this Minute, as a true record.

16. Urgent Item

MV Golden Mariana – Replacement

In terms of section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Convener permitted urgent discussion of this item in that a formal update on various matters was required in order to seek a fresh mandate on next steps.

On the motion of Councillor J Harvey Johnston, seconded by Councillor James W Stockan, the Council resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 6 and 8 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been distributed, and after hearing a report from the Head of Marine Services, Engineering and Transportation, the Council:

Noted:

16.1. That, on 26 November 2019, the Policy and Resources Committee recommended that, as an exception to process, in order to ensure the reliability of the ferry service between Westray and Papa Westray, purchase of a second-hand passenger vessel for the Papa Westray route be added to the capital programme for financial year 2019 to 2020 onwards, at an estimated capital cost of £1,535,000.

The Council resolved:

16.2. That, in order to ensure the reliability of the ferry service between Westray and Papa Westray, the Executive Director of Development and Infrastructure should proceed with the purchase of the Nordic Sea.

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 Owen Tierney left the meeting during discussion of this item.

17. Conclusion of Meeting

At 11:45 the Convener declared the meeting concluded.

Signed: Harvey Johnston.

Minute

Community Development Fund Sub-committee

Tuesday, 10 December 2019, 12:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors J Harvey Johnston, Alexander G Cowie, Robin W Crichton, Andrew Drever, Rachael A King, Gwenda M Shearer, Graham L Sinclair and James W Stockan.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- Gavin Mitchell, Head of Legal Services.
- Alister Brown, Economic Development Officer.
- Jordan Low, Economic Development Officer.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor J Harvey Johnston.

1. Application Number 0/5/8/71

St Magnus Centre Management Committee Proposed Upgrading of St Magnus Centre

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from Jordan Low, Economic Development Officer, the Sub-committee:

Noted:

1.1. That St Magnus Centre Management Committee had applied for assistance from the Community Development Fund towards upgrading St Magnus Centre, comprising extension and reconfiguration of the kitchen area and installation of insulation in the hall area, at a total estimated eligible cost of £51,975.

1.2. That St Magnus Centre Management Committee was contributing £22,867 of its own resources towards the project.

1.3. That St Magnus Centre Management Committee had applied for an interest free loan of £20,803 from Resource Efficient Scotland towards the energy efficiency elements of the project, including a 15% cashback element, amounting to £3,120.

1.4. That messages of support had been received from the undernoted groups and individuals:

- Kirkwall and St Ola Community Council.
- Magnus Guild.
- Orkney Field Club.
- St Magnus Mother and Toddler Group.
- MS Society, Orkney.
- Institute for Northern Studies.
- Orkney Wargamers Club.
- Kirkwall BID.

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

1.5. That a grant amounting to 50% of total eligible costs, up to a maximum sum of £25,988, to be met from the Community Development Fund, be offered to St Magnus Centre Management Committee towards upgrading St Magnus Centre, subject to:

- The full funding package being secured to enable the project to be completed.
- All necessary statutory consents being obtained.

1.6. That powers be delegated to the Executive Director of Development and Infrastructure, in consultation with the Solicitor to the Council, to conclude an Agreement, on the Council's standard terms and conditions, with St Magnus Centre Management Committee in respect of the funding, detailed at paragraph 1.5 above.

2. Conclusion of Meeting

At 12:12 the Chair declared the meeting concluded.

Signed: Harvey Johnston.