



**Item: 4**

**Development and Infrastructure Committee: 4 June 2024.**

**Appointments to Sub-committees, Groups and Other Bodies.**

**Report by Corporate Director for Strategy, Performance and Business Solutions.**

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## **1. Overview**

- 1.1. There are a number of sub-committees, groups and other bodies which fall within the remit of the Development and Infrastructure Committee. These are set out in detail in the Appendix to this report, including existing appointments for information purposes.
- 1.2. Although appointments would normally last for two years, given that Local Government Elections are held at five yearly intervals, it is proposed that all appointments made at this meeting should last until the next Local Government Election, currently scheduled for May 2027.

## **2. Recommendations**

- 2.1. It is recommended that members of the Committee:
  - i. Consider the recommendations associated with the appointments and/or nominations to the various bodies listed in Appendix 1 to this report, and makes appointments/nominations where required.
  - ii. Agree that, where appointments and/or nominations are made, these should be for the remainder of the term of this Council, namely for three years to May 2027.

## **3. Sub-committees**

- 3.1. Standing Orders state that committees of the Council may appoint, with the consent of the Council, sub-committees.

- 3.2. Standing Orders 11.2 and 11.3 refer to the appointment of the Chair and Vice Chair of Sub-committees. Normally, the Chair and Vice Chair of the parent committee are the Chair and Vice Chair of the Sub-committee. However, the Sub-committee could determine to appoint an alternative Chair and Vice Chair from its membership.
- 3.3. Membership of sub-committees is set out in Standing Orders 11.4 to 11.7 and shall normally consist of members of the parent committee. However, non-members can be appointed, but this requires the consent of the Council. Likewise, where the law permits, non-elected members can be appointed to sub-committees, again, only with the consent of the Council.

## **4. Working Groups and Consultative Groups**

- 4.1. The Council has agreed the following principles in respect of working and consultative groups:
- A working group should be subject specific and short life, ideally no longer than six months.
  - The relevant Corporate Director should report the findings of the working group to the service committee, including a recommendation to disestablish.
  - Member/officer consultative groups should be established where the work of the group is likely to continue beyond six months.
- 4.2. The working groups listed in Appendix 1 all have seven members, including ex officio appointments, as agreed in May 2022.
- 4.3. When establishing a working group, the recommended membership would be five, not including the Chair and Vice Chair of the Committee, making a total of seven members. This equates to approximately 50% of the membership of a service committee (which comprise 12 members).
- 4.4. It is open to the Committee to reconsider membership size, bearing in mind nominations received and/or any interest indicated by any individual member, depending on the subject matter of the working group.

## **5. External Bodies**

- 5.1. When making appointments/nominations to external bodies listed in Appendix 1 to this report, regard should be made to Council policy whereby the appointment of elected members to external bodies has ceased with the exception of the following:

- Organisations which are wholly owned by the Council.
- Organisations in which the Council has a majority financial interest.
- Statutory organisations or other bodies to which a Council appointment would be prudent.

5.2. The Council has previously resolved to make appointments/nominations to those external bodies listed in Appendix 1, bearing in mind the policy referred to above. However, it is open to the Development and Infrastructure Committee to reconsider whether any appointment should be made.

**For Further Information please contact:**

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**Implications of Report**

1. **Financial:** none arising directly from this report.
2. **Legal:** none arising directly from this report
3. **Corporate Governance:** Procedures and processes are regulated by the Council's Standing Orders.
4. **Human Resources:** none.
5. **Equalities:** not applicable.
6. **Island Communities Impact:** not applicable.
7. **Links to Council Plan:** not applicable.
8. **Links to Local Outcomes Improvement Plan:** not applicable.
9. **Environmental and Climate Risk:** not applicable.
10. **Risk –** not applicable.
11. **Procurement –** not applicable.
12. **Health and Safety:** not applicable.
13. **Property and Assets:** not applicable.
14. **Information Technology:** not applicable.
15. **Cost of Living:** not applicable.

**List of Background Papers**

Standing Orders for the Regulation of Proceedings and Business of Orkney Islands Council.

Minute of the Meeting of the Development and Infrastructure Committee held on 7 June 2022.

## **Appendix**

Appendix 1 – Sub-committees, Groups and Other Bodies appointed by Development and Infrastructure Committee.

# **Sub-committees, Groups and Other Bodies appointed by Development and Infrastructure Committee**

## **1. Harbour Authority Sub-committee**

### **Remit**

The [Port Marine Safety Code](#), issued by the Department for Transport and the Maritime and Coastguard Agency, is endorsed by the UK Government, the devolved administrations and representatives from across the maritime sector. While the Code is not mandatory, these bodies have a strong expectation that all harbour authorities will comply. The Code states that a competent harbour authority should “formally identify and designate the duty holder, whose members are individually and collectively accountable for compliance with the Code, and their performance in ensuring safe marine operations in the harbour and its approaches”.

To exercise the function of Duty Holder, with responsibility for the safety, effectiveness and affordability of all existing harbour activities and for compliance with all appropriate codes and legislation.

Projects included within and associated with the Orkney Harbours Masterplan fall within the remit of the Strategic Projects Project Board and are reported through the Policy and Resources Committee.

### **Existing Constitutional Arrangements**

Seven members of Orkney Islands Council comprising:

- Chair, Development and Infrastructure Committee (ex officio).
- Vice Chair, Development and Infrastructure Committee (ex officio).
- Three other Members of the Development and Infrastructure Committee.
- Two other Members of the Council.

### **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Three other Members of the Development and Infrastructure Committee:
  - Councillor P Lindsay Hall.
  - Councillor Mellissa-Louise Thomson.
  - Councillor Heather N Woodbridge.
- Two other Members of the Council:
  - Councillor Graham A Bevan.
  - Councillor Ivan A Taylor.

## **Recommendations**

- To make the three other appointments from membership of the Development and Infrastructure Committee.
- To make the two other appointments, who should not necessarily be members of the Development and Infrastructure Committee.

## **2. Neighbourhood Services Consultative Group**

### **Remit**

To contribute towards development of policy and provide a consultative forum in respect of all Neighbourhood Services issues, including roads and environmental services and the management of waste.

### **Existing Constitutional Arrangements**

- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- Five other Members of the Development and Infrastructure Committee.

### **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Five other Members of the Development and Infrastructure Committee:
  - Councillor Kristopher D Leask.
  - Councillor Raymond S Peace.
  - Councillor Mellissa-Louise Thomson.
  - Councillor Owen Tierney.
  - Councillor Duncan A Tullock.

### **Recommendations**

- To make the five other appointments.

## **3. Planning and Community Protection Consultative Group**

### **Remit**

- To develop, scrutinise and monitor various plans within the remit of Planning and Community Protection, including the Building Standards Performance Framework, Building Standards Balanced Scorecard, Food Regulatory Service Plan, Animal Welfare Service Plan, Health and Safety Regulatory Service Plan and Planning Performance Framework.
- To assist the Corporate Director for Neighbourhood Services and Infrastructure in all aspects of reviewing the Local Development Plan.

- To provide a consultative forum on any other relevant matters in respect of all Planning and Community Protection service issues.

### **Existing Constitutional Arrangements**

- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- Chair, Planning Committee.
- Vice Chair, Planning Committee.
- Three other Members of the Development and Infrastructure Committee.

### **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Chair, Planning Committee – Councillor Owen Tierney.
- Vice Chair, Planning Committee – Councillor Kristopher D Leask.
- Three other Members of the Development and Infrastructure Committee:
  - Councillor P Lindsay Hall.
  - Councillor Raymond S Peace.

### **Recommendations**

- To note that, although the constitutional arrangements provide for three other Members of the Committee, on 7 June 2022, the Development and Infrastructure Committee appointed two other Members.
- To make the other appointments.

## **4. Transport Fairer Funding Consultative Group**

### **Remit**

To develop and scrutinise work with the Scottish Government to address financial and policy considerations in relation to wider transportation infrastructure, including the replacement of the internal ferries and infrastructure and internal air services.

### **Existing Constitutional Arrangements**

- Leader.
- Depute Leader.
- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- Three other Members of the Development and Infrastructure Committee.

## **Existing Membership**

- Leader – Councillor Heather N Woodbridge.
- Depute Leader – Councillor Alexander G Cowie.
- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Three other Members of the Development and Infrastructure Committee:
  - Councillor P Lindsay Hall.
  - Councillor W Leslie Manson.
  - Councillor Mellissa-Louise Thomson.

## **Background Information**

In June 2017, the Development and Infrastructure Committee resolved that, in order to reflect the current stage of dialogue with Transport Scotland and the Scottish Government arising from the STAG process, which had identified the role of air and ferry services as lifeline links to island communities, and to match the scope of the studies and negotiation which would take place, the name of the group (previously known as the Ferry Services Member/Officer Working Group) be amended to the Transport Fairer Funding Consultative Group.

The Group has not met recently, and not since the Ferry Task Force with the Scottish Government was established. Full funding for Orkney Ferries' operational deficit is also provided by Scottish Government by way of a specific grant.

Given that the deliberations of the Ferry Task Force include the air service, and all members are regularly updated on the work, through briefings and seminars, it is considered that the requirement for this consultative group has been overtaken.

## **Recommendation**

- That the Transport Fairer Funding Consultative Group be disestablished.

## **5. Regulatory Appeals Panel**

### **Background Information**

The Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016 came into force on 5 December 2016. Paragraph 6 of Schedule 1 to the Act allows for the recipient of a Fixed Penalty Notice to request a hearing.

Recipients of Fixed Penalty Notices issued in terms of the Dog Fouling (Scotland) Act 2003 can also request a hearing.

### **Remit**

To determine hearings in connection with the serving of Fixed Penalty Notices issued in terms of regulatory legislation within the remit of the Environmental Health service.



## **Existing Constitutional Arrangements**

- Three members of the Committee to be selected on an ad hoc basis as and when required.

Powers are delegated to the Chief Executive to select members to sit on the Regulatory Appeals Panel, as and when required, depending on availability and the nature of the appeal. This is also the existing practice with the Education Appeals Committee.

## **Recommendation**

- To note current arrangements.

## **6. Destination Orkney Strategic Partnership**

### **Remit**

To lead, manage and review the sustainable growth, management and protection of Orkney as a tourism destination to 2025, focussing on the following four key areas:

- Development and agreement of the Destination Orkney Strategy and Priorities 2018 to 2025.
- Completion and sign off Destination Orkney project mapping and emerging Development Plan and agreed actions and lead responsibilities for each action area.
- Agreement on the funding model for Destination Orkney 2018 to 2025 based on the above.
- Co-ordination, review and monitoring progress of the Destination Orkney Development Plan, present the work to date and forward an annual plan of Destination Orkney to an annual tourism summit open to all tourism businesses, stakeholders and interested parties.

## **Existing Constitutional Arrangements**

Membership and participation on the Destination Orkney Strategic Partnership is in an advisory capacity only, whilst representing the function and remit of the stakeholder organisation represented.

- Chair, Development and Infrastructure Committee
- Vice Chair, Development and Infrastructure Committee.

## **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

## **Recommendation**

- To confirm existing arrangements and appointments.

## **7. Highlands and Islands Transport Partnership (HITRANS)**

### **Remit**

HITRANS, the Highlands and Islands Transport Partnership, is a statutory regional transport partnership covering Eilean Siar, Orkney, Highland, Moray and most of the Argyll and Bute area.

HITRANS works with local authorities, the Scottish Government, Transport Scotland, Highlands and Islands Enterprise, transport operators and other stakeholders to improve transport services and infrastructure in the north of Scotland and on routes to the Highlands and Islands.

### **Existing Constitutional Arrangements**

- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee as substitute.

### **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse (substitute).

### **Recommendation**

- To confirm existing arrangements and appointments.

## **8. KIMO**

### **Remit**

KIMO is a local authority international environmental organisation designed to give municipalities a political voice at regional, national and international level, with a clear mission statement and is committed to the development of coastal communities.

There are over 70 members in Belgium, Denmark, the Faroe Islands, Germany, the Netherlands, Sweden and the United Kingdom. KIMO International was formed in 1990, quickly followed by national organisations with KIMO UK being formed in 1991.

The stated mission of KIMO International is a commitment to the development of sustainable coastal communities by:

- Preventing pollution of the seas and coastal waters of North West Europe and preserving, improving and enhancing them for future generations.
- Protecting coastal communities from the impacts of marine pollution and climate change.
- Representing its member local authorities and associated members at an international and national level.

## **Existing Constitutional Arrangements**

- One member of the Harbour Authority Sub-committee.

## **Existing Membership**

- Councillor Heather N Woodbridge.

## **Recommendations**

- That the Committee determines whether to continue with an appointment to KIMO.
- That, should the Committee continue with an appointment, to seek nominations and appoint a member.

## **9. Orkney Energy Strategy Stakeholder Group**

### **Remit**

- To oversee development and review of the Orkney Energy Strategy.
- To oversee development and delivery of an action plan to progress the Orkney Energy Strategy.

### **Existing Constitutional Arrangements**

- Convener.
- Leader.
- Depute Leader.
- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- Head of Enterprise and Economic Growth.
- Head of Marine Services, Transportation and Harbour Master.
- Head of Planning and Community Protection.
- Head of Community Learning, Leisure and Housing.
- Chair, Orkney Renewable Energy Forum.
- Innovation Manager, Community Energy Scotland.
- Managing Director, EMEC.
- Area Manager, Orkney, Highlands and Islands Enterprise.

To provide corporate oversight, the undernoted Corporate Directors are invited to participate in the deliberations of the Orkney Energy Strategy Stakeholder Group, as and when required:

- Corporate Director for Enterprise and Sustainable Regeneration.
- Corporate Director for Neighbourhood Services and Infrastructure.
- Corporate Director for Education, Leisure and Housing.

## **Existing Membership**

- Convener – Councillor Graham A Bevan.
- Leader – Councillor Heather N Woodbridge.
- Depute Leader – Councillor Alexander G Cowie.
- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

## **Background Information**

At its last meeting held in March 2024, the Orkney Energy Strategy Stakeholder Group agreed that the remit and membership of the Group required to be refreshed in order to allow a focus on strategic energy opportunities for Orkney.

It was further agreed that representations from the following organisations be invited to join the Group:

- Scottish and Southern Electricity.
- Heriot-Watt University.
- UHI Orkney.
- Islands Centre for Net Zero.
- The Orkney Partnership.

## **Recommendations**

- To note the proposals to review the remit and membership of the Orkney Energy Strategy Stakeholder Group.
- To confirm existing appointments.
- To supplement membership, the following additional officers/organisations be invited to attend:
  - Head of Property, Asset Management and Facilities.
  - Scottish and Southern Electricity.
  - Heriot-Watt University.
  - UHI Orkney.
  - Islands Centre for Net Zero.
  - The Orkney Partnership.
  - Any other organisation deemed necessary in order to fulfil the remit of the Stakeholder Group.

## **10. Orkney Local Plan District Partnership**

### **Remit**

- To oversee, facilitate, plan and enable all work that will result in the agreement of Flood Risk Management strategies and delivery of the Local Flood Risk Management Plan.

- To deal with all aspects of communications and stakeholder management.

### **Existing Constitutional Arrangements**

- One member of the Development and Infrastructure Committee.

### **Existing Membership**

- Councillor W Leslie Manson.

### **Recommendation**

- To make the appointment.

## **11. Orkney Marine Planning Advisory Group**

### **Remit**

To provide advice and feedback on development of the Orkney Regional Marine Plan and help ensure effective stakeholder and public participation in developing the Plan.

### **Existing Constitutional Arrangements**

- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- Chair, Planning Committee.
- Vice Chair, Planning Committee.

The Chair and Vice Chair of the Development and Infrastructure Committee are Chair and Vice Chair respectively of the Orkney Marine Planning Advisory Group.

Representation from the following:

- Orkney Islands Council.
- Scottish Environment Protection Agency.
- NatureScot.
- Historic Environment Scotland.
- Royal Society for the Protection of Birds.
- Orkney Marinas.
- Orkney Regional Inshore Fisheries Group.
- Orkney Sub Aqua Club.
- Scottish and Southern Electricity Networks.
- Scottish Salmon.
- Orkney Harbour Authority.
- Orkney Marine Services Association.
- Repsol Sinopec.
- Visit Scotland.

- Crown Estate Scotland.
- Orkney Renewable Energy Forum.
- Heriot Watt University International Centre for Island Technology.

### **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Chair, Planning Committee – Councillor Owen Tierney.
- Vice Chair, Planning Committee – Councillor Kristopher D Leask.

### **Recommendation**

- To confirm existing arrangements and appointments.

## **12. Orkney Renewable Energy Forum**

### **Remit**

- To encourage the preferential use of renewable energy in Orkney.
- To debate the best technical and sustainable options for increasing renewable energy and energy efficiency in Orkney.
- To facilitate Research and Development in renewable energy and energy efficiency.
- To disseminate information on renewable energy and energy efficiency.
- To lobby on the strategic issues affecting the development of a renewable energy sector in Orkney.
- To act as a consultative body on issues related to connecting Orkney to renewable energy markets.

### **Existing Constitutional Arrangements**

- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.

Both appointments are observer status only.

### **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

### **Recommendation**

- To confirm the appointments, noting observer status only.

## **13. Road Safety Forum**

### **Remit**

Orkney's Road Safety Forum, a multi-agency group, comprising representatives from Orkney Islands Council; Police Scotland; NHS Orkney; Scottish Fire & Rescue Service; Scottish Ambulance Services and other interested parties, has been paramount in the production of Road Safety Plans for Orkney. The Forum is committed to working together to improve safety on the roads throughout the islands thus reducing the number of road collisions and road casualties in Orkney.

### **Existing Constitutional Arrangements**

- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- One other Member of the Development and Infrastructure Committee.

### **Existing Membership**

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Councillor Duncan A Tullock.

### **Recommendation**

- To make the one other appointment.