

Item: 15

General Meeting of the Council: 4 July 2023.

Notice of Motion.

Joint Report by Chief Executive and Corporate Director for Strategy, Performance and Business Solutions.

1. Purpose of Report

To consider the implications of the suggested course of action contained in the Notice of Motion, lodged by Councillor Stockan, as detailed on the agenda for this meeting.

2. Recommendations

The Council is invited to note:

2.1.

That the Chief Executive has received a Notice of Motion seeking the exploration of options for alternative models of governance that would provide greater fiscal security and economic opportunity for the islands of Orkney.

2.2.

That the Notice of Motion requests that the investigations should include Nordic connections, Crown Dependencies and other options for greater subsidiarity and autonomy which should be presented to the community for consideration.

2.3.

That the main implications of the suggested course of action are the officer time that would be associated with the investigation, reporting and subsequent public consultation on alternative models of governance for the islands of Orkney.

It is recommended:

2.4.

That Council consider the implications of supporting the Notice of Motion.

2.5.

That, should the Council be minded to support the Notice of Motion, the Chief Executive should submit a report, to the Policy and Resources Committee, detailing the scope of work, together with the resources required, to address the matters raised in the Notice of Motion.

3. Notice of Motion

3.1.

The Notice of Motion, as detailed on the agenda for this meeting, was lodged on 13 June 2023 in accordance with Standing Order 17 and is in the following terms:

“Due to historical and contemporary challenges in relation to equitable capital and revenue funding, and policy support across our island communities, Orkney Islands Council should now explore options for alternative models of governance that provide greater fiscal security and economic opportunity for the islands of Orkney. Those investigations to include Nordic connections, crown dependencies and other options for greater subsidiarity and autonomy to be presented to the community for consideration.”

3.2.

Standing Order 17.3 states that a Notice of Motion shall be accompanied by a report from the Chief Executive or the relevant Corporate Director on the implications of any suggested course of action.

3.3.

The implications associated with the Notice of Motion are discussed in more detail in Section 4 of this report.

4. Notice of Motion Implications

4.1.

It is not within the scope of this report to investigate the alternative models of governance that may be available to the Council, but the Notice of Motion does identify the investigation of Nordic connections (this could include the Faroe Islands as a self-governing territory of Denmark) and the status of British Crown Dependencies (Bailiwick of Guernsey, Bailiwick of Jersey, and Isle of Man) as possible areas of investigation. Other examples that may be subject to further investigation include British Overseas Territories such as the Falkland Islands.

4.2.

The matters raised in the Notice of Motion are, therefore, broad in nature, and the investigation, reporting and subsequent public consultation on alternative governance models would involve a significant volume of work, in terms of Officer time, for the Council.

4.3.

It is not within the scope of this report to investigate implementation of possible alternative models of governance available to the Council, but it is worth noting that implementation of any alternative governance model may require the utilisation of one or more of the following (note that this is not intended to be an exhaustive list):

- UK Legislation.
- Scottish Legislation.
- A tri-partite agreement between Orkney Islands Council, the UK Government, and the Scottish Government.
- Referenda.
- Petitions.

4.4.

It will, therefore, not only take significant resources to determine what alternative models of governance are available and publicly acceptable, but the implementation of these alternative models would demand a substantial amount of Officer time.

5. Corporate Governance

This report relates to the Council complying with governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

6. Financial Implications

6.1.

There are no direct financial implications arising from the report recommendations.

6.2.

Significant analysis would be required in order to assess the potential financial impacts of any alternative governance models together with the associated costs of the public consultation process.

6.3.

It is unlikely that the Council would receive any external financial support to pursue a case for alternative governance models so the costs of any activity undertaken would be expected to be borne fully by the Council. The costs of investigation, reporting and subsequent public consultation would be a significant expense, in terms of Officer time, and the Council would need to be clear about the perceived benefits of any actions in this regard before committing any significant level of resource to pursuing alternative models of governance.

7. Legal Aspects

7.1.

There are no direct legal implications arising from the recommendations contained in this report.

7.2.

Significant analysis would however be required in order to assess the potential legal impacts of any alternative governance models that may be identified.

8. Contact Officers

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