

Minute

General Meeting of the Council

Tuesday, 5 October 2021, 09:30.

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, W Leslie Manson, John T Richards, Stephen Sankey, John A R Scott, Gwenda M Shearer, Graham L Sinclair, James W Stockan, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Gavin Mitchell, Head of Legal Services.

In Attendance

- John W Mundell, Interim Chief Executive.
- Stephen Brown, Chief Officer/Executive Director, Orkney Health and Care.
- Hayley Green, Interim Executive Director of Environmental, Property and IT Services.
- James Wylie, Executive Director of Education, Leisure and Housing.
- Gareth Waterson, Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.
- Karen Greaves, Head of Executive Support.
- Andrew Groundwater, Head of HR and Performance.
- Frances Troup, Head of Community Learning, Leisure and Housing.
- Hazel Flett, Senior Committees Officer.

Observing

- Lorna Richardson, Interim Head of Roads, Fleet and Waste.
- Sandra Craigie, Committees Officer.
- Rebecca McAuliffe, Press Officer.
- Lorraine Stout, Press Officer (for Items 12 to 21).

Not Present

- Councillor Magnus O Thomson.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor J Harvey Johnston, Convener.

1. General Meeting of the Council

Minute of General Meeting held on 6 July 2021

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 July 2021 as a true record.

2. Planning Committee

Minute of Meeting held on 7 July 2021

On the motion of Councillor Robin W Crichton, seconded by Councillor Norman R Craigie, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 7 July 2021 as a true record.

3. Local Review Body

Minute of Meeting held on 7 July 2021

On the motion of Councillor Robin W Crichton, seconded by Councillor Norman R Craigie, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 7 July 2021 as a true record.

4. Licensing Committee

Minute of Meeting held on 8 July 2021

On the motion of Councillor Duncan A Tullock, seconded by Councillor Robin W Crichton, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 8 July 2021 as a true record.

5. Licensing Committee

Minute of Meeting held on 6 August 2021

On the motion of Councillor Duncan A Tullock, seconded by Councillor Robin W Crichton, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 6 August 2021 as a true record.

6. Monitoring and Audit Committee

Minute of Meeting held on 26 August 2021

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 August 2021 as a true record.

7. Planning Committee

Minute of Meeting held on 1 September 2021

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 1 September 2021 as a true record.

8. Development and Infrastructure Committee

Minute of Meeting held on 7 September 2021

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 7 September 2021 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 7 September 2021.

9. Education, Leisure and Housing Committee

Minute of Meeting held on 8 September 2021

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 8 September 2021 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 8 September 2021.

10. Orkney Health and Care Committee

Minute of Meeting held on 8 September 2021

On the motion of Councillor Rachael A King, seconded by Councillor Stephen Sankey, the Council resolved to approve the Minute of the Meeting of the Orkney Health and Care Committee held on 8 September 2021 as a true record.

11. Special General Meeting of the Council

Minute of Special General Meeting held on 15 September 2021

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 15 September 2021 as a true record.

12. Policy and Resources Committee

Minute of Meeting held on 21 September 2021

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 21 September 2021 as a true record, with the exception of items 5 to 7, which were moved by Councillor Robin W Crichton and seconded by Councillor W Leslie Manson.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Policy and Resources Committee held on 21 September 2021.

The Council noted that Councillor Stephen Sankey wished his dissent, from the recommendations at paragraphs 20.15 and 20.16 of the Minute of the Meeting of the Policy and Resources Committee held on 21 September 2021, recorded.

13. Monitoring and Audit Committee

Minute of Meeting held on 23 September 2021

On the motion of Councillor John T Richards, 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 23 September 2021 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 23 September 2021.

14. Community Development Fund Sub-committee

Minute of Meeting held on 14 September 2021

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 14 September 2021, attached as Appendix 1 to this Minute, as a true record.

15. Education, Leisure and Housing Committee

Church Representative

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:

15.1. That Mr Hugh Halcro-Johnston, the Church of Scotland representative on the Education, Leisure and Housing Committee, had stood down, creating a vacancy.

15.2. That the General Assembly of the Church of Scotland had subsequently nominated Reverend Fraser Macnaughton to serve on the Education, Leisure and Housing Committee for the period to May 2022.

The Council resolved:

15.3. That the nomination of Reverend Fraser Macnaughton, as the Church of Scotland representative to serve on the Education, Leisure and Housing Committee to May 2022, be confirmed.

Councillor Barbara Foulkes joined the meeting during discussion of this item.

16. Islands Deal Joint Committee – Appointments

After consideration of joint report by the Chief Executive and the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Council:

Noted:

16.1. That a Joint Committee between Orkney Islands Council, Comhairle nan Eilean Siar and Shetland Islands Council was to be established for the purpose of managing implementation of the Growth Deal for the Islands.

16.2. That the Joint Committee Governance Agreement in relation to the Islands Deal stated there would be equal representation from each of the three Councils on the Joint Committee, with two representatives from each Council.

16.3. That one of the two representatives to be appointed by each Council should be the Leader, with the second representative to be determined by the relevant Council.

16.4. That the settled position of the Islands Deal Programme Board was that the second appointment should be the relevant Chair of economic development functions, having regard to the economic significance of the various projects within the Islands Deal Programme.

16.5. That elected member appointments to the Islands Deal Joint Committee would last for the remainder of the Council term, namely until May 2022.

The Council resolved:

16.6. That the Leader and the Chair of the Development and Infrastructure Committee be appointed as the Council's representatives on the Islands Deal Joint Committee, once established.

17. Arctic Circle Assembly

After consideration of a report by the Chief Executive, copies of which had been circulated, the Council:

Noted:

17.1. That the Political Engagement Strategy, approved by the Council in October 2018, was reviewed and updated in December 2020.

17.2. That building on existing and cultivating new relationships and alliances with Orkney's Arctic and Nordic neighbours would help to develop an alternative international "family" for Orkney, and help optimise opportunities in the blue and green economies post Brexit.

17.3. That the Arctic Circle Assembly, the largest annual international gathering on the Arctic, was being held again in Reykjavík, Iceland, from 14 to 17 October 2021.

17.4. That Council representation at the Arctic Circle Assembly 2021 would comprise the Leader and the Chief Executive, who had both been included in the Assembly programmes as speakers on the investment opportunities Orkney had to offer.

The Council resolved:

17.5. That the Chief Executive should consider how best to provide additional ongoing representation following the Arctic Circle Assembly 2021 to maximise the promotion of potential economic, environmental and cultural opportunities for Orkney at the event and thereafter submit a follow up report to the Council in early course.

18. Byelaws Regulating Consumption of Alcohol in Public Places

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

Noted:

18.1. That, on 5 May 2021, the Council resolved that the Byelaws Regulating the Consumption of Alcohol in Public Places (Kirkwall) be submitted to full public consultation.

18.2. That no responses were received following the public consultation on the Orkney Islands Council Prohibition of Consumption of Alcohol in Designated Public Places Byelaws (Kirkwall).

18.3. That guidance was awaited from the Scottish Ministers as to whether the map attached to the byelaws required to be supplemented with a written description of the area to which the byelaws applied.

The Council resolved:

18.4. That powers be delegated to the Solicitor to the Council to finalise any written description required by the Scottish Ministers to accompany the byelaws map.

18.5. That, following finalisation of any written description required by the Scottish Ministers, the Orkney Islands Council Prohibition of Consumption of Alcohol in Designated Public Places Byelaws (Kirkwall) 2021 be made.

18.6. That the Solicitor to the Council should submit the principal copy of the byelaws, duly authenticated, to the Scottish Ministers for confirmation.

18.7. That, following receipt of confirmation from the Scottish Ministers, the Solicitor to the Council should inform the relevant authorities of when the byelaws were to come into force and arrange for the byelaws to be advertised in the local press.

18.8. That, following receipt of confirmation from the Scottish Ministers, the Interim Executive Director of Environmental, Property and IT Services should arrange for updated signs to be erected informing the public that the byelaws were in place, and indicating the geographical area to which the byelaws applied.

19. Proposed National Care Service for Scotland

After consideration of a report by the Chief Officer/Executive Director, Orkney Health and Care, copies of which had been circulated, the Council:

Noted:

19.1. That, in response to the Independent Review of Adult Social Care, published in February 2021, the Scottish Government was now undertaking a consultation on the creation of a National Care Service for Scotland, for which responses were due by 2 November 2021.

19.2. That the proposals contained within the consultation on the creation of a National Care Service for Scotland went beyond the scope and recommendations of the Independent Review of Adult Social Care and sought to give Scottish Ministers accountability for all social work and social care services, including children's services, alcohol and drug services and community justice.

19.3. That the proposed reform of social care represented one of the most significant pieces of public service reform to be proposed by the Scottish Government and had the potential to be the biggest public sector reform in Scotland for decades.

19.4. That implementation of the recommendations of the Independent Review of Adult Social Care and the current consultation regarding a National Care Service provided an opportunity to shape the future approach to addressing some of the challenges in the delivery of social care in Scotland as highlighted before and during the pandemic.

19.5. That the Scottish Government believed the proposals presented an opportunity to change the way that Scotland delivered support and services, placing human rights at the centre of decision making; shifting the emphasis to prevention; empowering people to engage positively with their own care; embedding fair work and ethical commissioning and strengthening the commitment to integrating social care with community healthcare, which was last legislated for in 2014.

19.6. That the Chief Officer/Executive Director, Orkney Health and Care was currently preparing a draft response to the National Care Service consultation for consideration by the Council in advance of the closing date of 2 November 2021.

20. Afghan Locally Employed Staff Relocation Scheme

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 Head of Community Learning, Leisure and Housing, the Council:

Noted:

20.1. That, in May 2021, the first of two UK Government schemes was announced, namely the Afghan Locally Employed Staff Relocation Scheme, which sought to relocate Afghan nationals who had endured dangerous and challenging situations in supporting UK forces since 2013.

20.2. That numbers to be resettled through the Afghan Locally Employed Staff Relocation Scheme were understood to be approximately 8,000, however a second scheme would require to resettle a further 20,000 Afghan nationals throughout the UK, with the potential for that number to grow due to the current situation in Afghanistan.

20.3. That the Council participated in the Syrian Resettlement Scheme between 2017 and 2021, which was extremely resource intensive.

20.4. That all prospective Syrian families were briefed that, while Orkney could offer a safe resettlement, it did have various limitations, including a lack of cultural diversity and access to cultural amenities which might be desired.

20.5. That, although four Syrian families were resettled on that understanding, all had since left Orkney citing a lack of a cultural network, lack of a mosque, issues with accessing halal food and some conflict between Syrian families as the reasons they felt unable to settle in Orkney.

20.6. That there was currently extremely high pressure on housing in Orkney and challenges for the Council in meeting its statutory duties in relation to homelessness.

20.7. The options for participating in the Afghan Locally Employed Staff Relocation Scheme, as detailed in section 8 of the report by the Executive Director of Education, Leisure and Housing, with the preferred option being Option 3, namely that the Council should seek to identify two private sector properties which could be leased directly to Afghan households, under a private residential tenancy, as that would not impact on those who were homeless or otherwise on the waiting list.

The Council resolved:

20.8. To participate in the UK Government's Afghan Locally Employed Staff Relocation Scheme but emphasising the challenges and therefore engaging in the resettlement process as follows:

- Two properties be sought from the private rented sector to house Afghan households.
- In the event that no suitable properties were obtained from the private rented sector, the Council, working where possible in partnership with Orkney Housing Association Ltd, should seek to re-house two Afghan households.
- A multi-agency, operational group be established to undertake the relevant preparatory work to support the Afghan Locally Employed Staff Relocation Scheme.

20.9. That the Executive Director of Education, Leisure and Housing should investigate requirements for temporary additional staffing to support the Afghan Locally Employed Staff Relocation Scheme.

21. Conclusion of Meeting

At 11:08 the Convener declared the meeting concluded.

Signed: Harvey Johnston.