

Notice of Meeting and Agenda

General Meeting of the Council

Venue: **Council Chamber, Council Offices, Kirkwall.**

Date: **Wednesday, 3 May 2023.**

Time: **10:30.**



Dear Councillor,

You are invited to attend the above meeting.

A note of the business to be considered is attached.

Oliver D Reid,
Chief Executive.

Contact

Clerk Name: Hazel Flett.

Clerk Telephone: 01856 873535 extension 2208.

Clerk Email: committees@orkney.gov.uk.

Further Information

This is a meeting which is open to the public.

This agenda and associated reports are available in portable document format (pdf) [here](#).

Audio Recording Notice

Please note that this meeting will be broadcast live (audio only) over the Internet on Orkney Islands Council's website. The meeting will also be recorded, with the recording publicly available for listening to after the meeting for a period of 12 months. The Council is a Data Controller in terms of data protection legislation. Data collected during the audio cast will be retained in accordance with the Council's Data Protection Policy. Further information about how the Council uses personal information and associated rights is available on the Council's website.

Order of Business

1. Apologies.

2. Declarations of Interest.

Members are asked to consider whether they have an interest to declare in relation to any item on this agenda. Any member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.

3. Disclosure of Exempt Information.

The Council is asked to consider whether the public should be excluded from the meeting for Item 15, as consideration of the business may involve the likely 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.

4. General Meeting of the Council – Draft Minute of General Meeting held on 7 March 2023 (pages 2073 to 2080) **attached**.

5. Planning Committee – Draft Minute of Meeting held on 8 March 2023 (pages 2081 to 2096) **attached**.

6. Licensing Committee – Draft Minute of Meeting held on 9 March 2023 (pages 2097 to 2103) **attached**.

7. Development and Infrastructure Committee – Draft Minute of Meeting held on 28 March 2023 (pages 2104 to 2125) **attached**.

8. Education, Leisure and Housing Committee – Draft Minute of Meeting held on 29 March 2023 (pages 2126 to 2267) **attached**.

9. Monitoring and Audit Committee – Draft Minute of Meeting held on 30 March 2023 (pages 2268 to 2277) **attached**.

10. Local Review Body – Draft Minute of Meeting held on 31 March 2023 (pages 2278 to 2280) **attached**.

11. Policy and Resources Committee – Draft Minute of Meeting held on 18 April 2023 (pages 2281 to 2380) **attached**.

12. Development and Infrastructure Committee – Draft Minute of Special Meeting held on 19 April 2023 (pages 2381 to 2396) **attached**.

13. Human Resources Sub-committee – Draft Minute of Meeting held on 21 March 2023 **attached**.

14. To receive the following Notice of Motion:

“Currently the Council is required under the terms of the Local Government (Scotland) Act 1973 to have three religious representatives on any committee established by the Council to discharge their responsibilities as an education authority.

In the case of Orkney Islands Council this is the Education, Leisure and Housing Committee. Section 124 of the Local Government (Scotland) Act 1973 sets out that, in the case of Orkney Islands Council, the three religious representatives shall comprise: one representative of the Church of Scotland, nominated in such manner as may be determined by the Church; and two persons, in the selection of whom, the Council is required to have regard (taking account of the representation of the Church of Scotland) to the comparative strength of all the churches and denominational bodies having duly constituted charges or other regularly appointed places of worship within Orkney.

A Scottish Government spokesperson has since clarified the Scottish Government’s interpretation of the Local Government (Scotland) Act 1973 in recent press articles where they state, “where an education authority appoints a committee to discharge their functions, the Local Government (Scotland) Act 1973 requires councils to appoint members to that committee, including religious representatives.” They go on to state “voting rights on committees are a matter for each local authority”.

Proposed Changes

In line with the above clarification statement by the Scottish Government, the following is proposed:

That the Council agrees to amend the Scheme of Administration to agree that only elected members of the Council with a mandate from the electorate should be allowed to vote on the Education, Leisure and Housing Committee.

Proposed by Councillor John Ross Scott.

Seconded by Councillor Kristopher Leask.”.

And report by Corporate Director for Strategy, Performance and Business Solutions **attached**.

15. Nordic Atlantic Cooperation – report by Corporate Director for Enterprise and Sustainable Regeneration **to follow**.

Not for publication by virtue of paragraph 6 of Part I of Schedule 7A of the Local Government (Scotland) Act 1973.

Local Government (Scotland) Act 1973 – Schedule 7A

Access to Information: Descriptions of Exempt Information

Paragraph 6. Information relating to the financial or business affairs of any particular person (other than the authority).