

Minute

Policy and Resources Committee

Tuesday, 18 June 2019, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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

Clerk

- Karen Greaves, Head of Executive Support.

In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure.
- Gillian Morrison, Executive Director of Corporate Services.
- Gareth Waterson, Head of Finance.
- Peter Diamond, Head of Education (Leisure, Culture and Inclusion).
- Hayley Green, Head of IT and Facilities.
- Andrew Groundwater, Head of HR and Performance.
- Scott Hunter, Head of Children and Families and Criminal Justice and Chief Social Work Officer.
- Gavin Mitchell, Head of Legal Services.
- Paul D Maxton, Programme Manager, Our Islands Our Future (for Items 4.2 to 17).
- Lorna Richardson, Strategic Policy and Projects Manager (for Items 4.2 to 8).
- Anna Whelan, Strategy Manager (for Items 1 to 11).
- Hazel Flett, Senior Committees Officer.

Observing

- Brian Archibald, Head of Marine Services, Engineering and Transportation (for Items 1 to 4).
- Jayne Venables, Islands Deal Project Manager. (for Items 4.2 to 8).
- Andrew Hamilton, Performance and Best Value Officer (for Items 1 to 7).

Apology

- Councillor Barbara Foulkes.

Chair

- Councillor James W Stockan.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items 13 to 16, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Corporate Charging Consultative Group

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 Committee:

Noted:

2.1. That, on 14 May 2019, the Policy and Resources Committee requested that the constitutional arrangements of the Corporate Charging Consultative Group be reviewed.

2.2. The existing constitutional arrangements of the Corporate Charging Consultative Group as follows:

- Chair, Policy and Resources Committee.
- Vice Chair, Policy and Resources Committee.
- Six other members.

2.3. The proposal that, as the Corporate Charging Consultative Group was integral to the budget setting process, the constitutional arrangements be amended to include representation from the four service Committees.

2.4. That, as the term of this Council was five years, it was proposed that appointments to the Corporate Charging Consultative Group should last for the remainder of the term of this Council, namely for three years until May 2022.

Councillor Robin W Crichton, seconded by Councillor W Leslie Manson, moved that membership of the Corporate Charging Consultative Group should comprise the following:

- Chair, Policy and Resources Committee.
- Vice Chair, Policy and Resources Committee.
- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- Chair, Education, Leisure and Housing Committee.
- Vice Chair, Education, Leisure and Housing Committee.
- Chair, Orkney Health and Care Committee.
- Vice Chair, Orkney Health and Care Committee.

Councillor David Dawson, seconded by Councillor John A R Scott, moved an amendment that membership of the Corporate Charging Consultative Group should comprise the following:

- Vice Chair, Policy and Resources Committee.
- Vice Chair, Development and Infrastructure Committee.
- Vice Chair, Education, Leisure and Housing Committee.
- Vice Chair, Orkney Health and Care Committee.
- Three other members.

The result of a recorded vote was as follows:

For the Amendment:

Councillors David Dawson, Steven B Heddle, Stephen Sankey, John A R Scott, Owen Tierney and Duncan A Tullock (6).

For the Motion:

Councillors Alexander G Cowie, Norman R Craigie, Robin W Crichton, Andrew Drever, J Harvey Johnston, Rachael A King, W Leslie Manson, John T Richards, Gwenda M Shearer, Graham L Sinclair, James W Stockan, Magnus O Thomson and Kevin F Woodbridge (13).

The Committee thereafter resolved, in terms of delegated powers:

2.5. That membership of the Corporate Charging Consultative Group should comprise the following:

- Chair, Policy and Resources Committee.
- Vice Chair, Policy and Resources Committee.
- Chair, Development and Infrastructure Committee.
- Vice Chair, Development and Infrastructure Committee.
- Chair, Education, Leisure and Housing Committee.
- Vice Chair, Education, Leisure and Housing Committee.
- Chair, Orkney Health and Care Committee.
- Vice Chair, Orkney Health and Care Committee.

2.6. That appointments to the Corporate Charging Consultative Group should be for the remainder of the term of this Council, namely for three years to May 2022.

3. Innovation Fund Consultative Group

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

Noted:

3.1. The existing constitutional arrangements of the Innovation Fund Consultative Group as follows:

- Vice Chairs of Service Committees.
- Three other members.

3.2. That, on 14 May 2019, the Policy and Resources Committee deferred making appointments to the Innovation Fund Consultative Group to enable the Vice Chairs of the Service Committees to be elected.

3.3. That the following appointments had now been confirmed:

- Vice Chair, Policy and Resources Committee – Councillor W Leslie Manson.
- Vice Chair, Development and Infrastructure Committee – Councillor Andrew Drever.
- Vice Chair, Education, Leisure and Housing Committee – Councillor Alexander G Cowie.
- Vice Chair, Orkney Health and Care Committee – Councillor Kevin F Woodbridge.

3.4. That, as the term of this Council was five years, it was proposed that appointments to the Innovation Fund Consultative Group should last for the remainder of the term of this Council, namely for three years until May 2022.

The Committee resolved, in terms of delegated powers:

3.5. That, in addition to the Vice Chairs of the Service Committees noted at paragraph 3.3 above, the following additional members be appointed to the Innovation Fund Consultative Group:

- Councillor Norman R Craigie.
- Councillor Stephen Sankey.
- Councillor Magnus O Thomson.

3.6. That appointments to the Innovation Fund Consultative Group should be for the remainder of the term of this Council, namely for three years to May 2022.

4. Performance Monitoring

4.1. Chief Executive's Service

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 Committee:

Scrutinised:

4.1.1. The performance of the Chief Executive's Service for the reporting period 1 October 2018 to 31 March 2019, as set out in sections 3 to 5 and Annexes 1 and 2 of the report by the Chief Executive, and obtained assurance.

The Committee resolved to **recommend to the Council:**

4.1.2. That the undernoted actions, that had been progressed to completion, be removed from the Chief Executive's Service Service Plan:

- 01 – Review of Audiocasting – Consider options for expanding the audiocasting system to all committee meetings and undertake a review of the audiocasting system hardware and software.
- 06 – Customer Services – Introduce Customer Services Standards across the Council.
- 08a - Councillor Training – With elected members and members of the Senior Management Team, carry out a review of the current Councillors Induction Programme to identify any gaps in the programme, and/or any areas where development or improvement could be made.
- 09 – Communication Strategy – Communication Strategy Action Plan to be developed in consultation with the Member / Officer Working Group.
- 11a – Investment Strategy – Review the strategy for the OIC Pension Fund.
- 11b – Investment Strategy – Review the Investment Strategy for the Strategic Reserve Fund.
- 13 – Long-term Financial Plan – Draft a long-term Financial Plan to assist the Council in developing its budget process.

4.1.3. That the Chief Executive's Service Risk Register, attached as Appendix 1 to this Minute, be approved.

4.2. Corporate Services

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, the Committee:

Scrutinised:

4.2.1. The performance of Corporate Services for the reporting period 1 October 2018 to 31 March 2019, as set out in sections 3 to 5 and Annexes 1 and 2 of the report by the Executive Director of Corporate Services, and obtained assurance.

The Committee resolved to **recommend to the Council:**

4.2.2. That the undernoted actions, that had been progressed to completion, be removed from Corporate Services' Service Plan:

- 01 – General Data Protection Regulation – Prepare for the General Data Protection Regulation coming into law in Summer 2018.
- 07 – Alcohol Licensing Policy – Develop and publish a Statement of Alcohol Licensing Policy.
- 14 – Participation Requests – Implement the Council's new Participation Requests Policy and publish the Council's first statutory annual report.
- 16 – Equality Outcomes – Review and develop a new set of Equality Outcomes for the Council.
- 18 – Best Value – Co-ordinate the Council's Best Value Improvement Plan.
- 23 – Video Conferencing Facilities – Review usage of video-conferencing facilities across the Council.

4.2.3. That Corporate Services' Risk Register, attached as Appendix 2 to this Minute, be approved.

4.3. Council Delivery Plan

After consideration of a joint report by the Chief Executive and the Executive Director of Corporate Services, copies of which had been circulated, the Committee:

Scrutinised:

4.3.1. Progress made in respect of the targets within the Council Delivery Plan 2018 to 2023, for the reporting period 1 October 2018 to 31 March 2019, as set out in Annex 1 to the joint report by the Chief Executive and the Executive Director of Corporate Services, and took assurance.

The Committee resolved to **recommend to the Council:**

4.3.2. That the undernoted actions, that had been progressed to completion, be closed, while continuing to be referenced in future Council Delivery Plan monitoring reports:

- Page 16 – 2.15 – We will embed a reablement focussed approach in our home care service to ensure that we are working with people who receive the service to maximise their independence and ability to retain their skills and abilities as far as possible.
- Page 16 – 2.16 – We will support people with disability into purposeful activities such as education / training employment or volunteering.
- Page 21 – 3.7 – We will review trust options for sports, leisure and learning.
- Page 47 – BV1c – Develop a long-term financial plan for the ten-year period 2018 to 2028.
- Page 51 – BV5c – Review the Orkney Partnership's performance management and reporting procedure to ensure that it is focused on the Partnership's strategic priorities and outcomes.

Councillor Stephen G Clackson joined the meeting during discussion of this item.

5. Local Government in Scotland: Challenges and Performance

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of HR and Performance, the Committee:

Noted:

5.1. The national audit report, Local Government in Scotland: Challenges and Performance 2019, published by Audit Scotland in March 2019, attached as Appendix 1 to the report by the Executive Director of Corporate Services, which provided a high-level, independent view of the challenges facing councils in Scotland, how councils were responding to tightening budgets and how this had affected services.

5.2. The key messages contained within the national audit report, details of which were summarised in section 5 of the report by the Executive Director of Corporate Services.

6. Participation Requests and Community Asset Transfer Requests

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of IT and Facilities, the Committee:

Resolved to **recommend to the Council** that the annual report in respect of Participation Requests and Community Asset Transfer Requests, for the period 1 April 2018 to 31 March 2019, attached as Appendix 3 to this Minute, be approved for publication on the Council website.

7. Orkney Public Consultation Group – Orkney Opinions

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Strategy Manager, the Committee:

Noted:

7.1. That, in July 2018, the Council agreed that Orkney Opinions, the Orkney public consultation group, be continued for a further year, to 31 March 2019, following which the Executive Director of Corporate Services should submit a further report, to the Policy and Resources Committee.

7.2. Evaluation of the second year of Orkney Opinions, as detailed in section 4 of the report by the Executive Director of Corporate Services .

7.3. That resources could be made available within Corporate Services to continue operation of Orkney Opinions for a further year to 31 March 2020.

The Committee resolved to **recommend to the Council**:

7.4. That Orkney Opinions be continued for a further year to 31 March 2020.

7.5. That, subject to sufficient staffing resource being available to support the public consultation group, as informed by the budget setting process for 2020 onwards, Orkney Opinions should thereafter continue beyond 31 March 2020.

8. Islands Deal – Progress Report

After consideration of a joint report by the Chief Executive and the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Strategic Policy and Projects Officer, with reference to the Minute of the Meeting of the Policy and Resources Committee held on 25 September 2018, paragraph 9, the Committee:

Noted:

8.1. That the Chief Executive, in consultation with the Leader and Depute Leader, continued to negotiate and progress, for Orkney Islands Council's interest, a Growth Deal for the Islands for discussion with the Scottish and UK Governments.

8.2. That Growth Deals were the UK and Scottish Governments' stated vehicles for adopting strategic approaches to improving regional economies and that their intent was to tackle economic barriers and maximise opportunities to drive local, regional and national economic growth.

8.3. Progress towards an announcement of a Growth Deal for the Islands, as set out in section 3 of the joint report by the Chief Executive and the Executive Director of Development and Infrastructure.

8.4. The proposed strategy and approach towards finalising the content of the Islands Deal, in particular with regard to the Orkney components, as set out in section 4 of the joint report by the Chief Executive and the Executive Director of Development and Infrastructure.

8.5. The process for elected member engagement, as outlined in section 4.4 of the joint report by the Chief Executive and the Executive Director of Development and Infrastructure, to finalise the next stage of the Islands Deal proposal.

The Committee resolved to **recommend to the Council:**

8.6. That the eight principles detailed below be adopted as the basis for guiding the Orkney contribution to the next stage of the Islands Deal proposal document:

- The Islands Deal project proposals that are identified must contribute to the core agenda of the Islands Deal in terms of transformational change to re-balancing population and/or economic prosperity.
- The Islands Deal project proposals that are identified clearly reflect UK and Scottish Government objectives, including their clearly expressed desire to respond to the declared climate emergency, and hence have the best chance of ensuring their buy-in and support, and maximising financial support.
- It is recognised that the Islands Deal is not the only funding source for Orkney project opportunities and projects must be assessed in terms of their fit with Islands Deal priorities and likely timeframes for release of funding. This could result in projects seeking alternative sources of more appropriate funding, if necessary, and in changes over time to the list of projects.
- Projects should look to develop innovative approaches to intractable problems, achieve strategic objectives and add value to existing approaches. They cannot be "business as usual".
- Projects should maximise opportunities for additional income to Orkney from both UK and Scottish Governments, and private and other public sector agencies.
- The Islands Deal proposal must present a series of projects which maximise the identified "Islands Advantage" and are transformational for the joint Island group of Orkney, Shetland and the Western Isles on a broadly parallel and equal basis, albeit not necessarily a simple 3-way split of available funding.
- The benefit of projects should be assessed on their projected outcomes and ability to achieve strategic objectives, not just in terms of their capital cost.
- The suite of projects which make up the Deal could be subject to change as the Deal progresses, circumstances change and further evidence is generated with regard to the best opportunities for addressing the strategic objectives of the Deal.

8.7. That powers be delegated to the Chief Executive, in consultation with the undernoted members, to finalise the Orkney contribution to the Islands Deal proposal document for submission to the Scottish Government and UK Government:

- Leader.
- Depute Leader.
- Chair, Development and Infrastructure Committee.
- Chair, Education, Leisure and Housing Committee.
- Chair, Orkney Health and Care Committee.

9. Police and Fire Sub-committee

After consideration of the draft Minute of the Meeting of the Police and Fire Sub-committee held on 28 May 2019, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Andrew Drever, seconded by Councillor David Dawson, to approve the Minute of the Meeting of the Police and Fire Sub-committee held on 28 May 2019, attached as Appendix 4 to this Minute, as a true record.

10. Human Resources Sub-committee

After consideration of the draft Minute of the Meeting of the Human Resources Sub-committee held on 30 May 2019, copies of which had been circulated, the Committee:

Resolved:

10.1. On the motion of Councillor W Leslie Manson, seconded by Councillor John T Richards, to approve the Minute of the Meeting of the Human Resources Sub-committee held on 30 May 2019 as a true record.

The Committee resolved to **recommend to the Council**:

10.2. That the recommendation at paragraph 3.1 of the Minute of the Meeting of the Human Resources Sub-committee held on 30 May 2019, attached as Appendix 5 to this Minute, be approved.

11. National Islands Plan and Island Communities Impact Assessments

After consideration of a report by the Chief Executive, copies of which had been circulated, and after hearing a report from the Programme Manager, Our Islands Our Future, the Committee:

Noted:

11.1. That the Scottish Government had published a consultation on the National Islands Plan and Island Communities Impact Assessments, seeking the views of interested stakeholders, for which responses were required by 6 July 2019.

11.2. The draft response, attached as Appendix 1 to the report by the Chief Executive, which would form the basis of the Council's response to the consultation on the National Islands Plan and Island Communities Impact Assessments.

The Committee resolved to **recommend to the Council:**

11.3. That powers be delegated to the Chief Executive, in consultation with the Leader and Depute Leader, to finalise the response, referred to at paragraph 11.2 above, having regard to any comments raised by members, and thereafter to submit the response, on behalf of the Council, to the Scottish Government by the deadline of 6 July 2019.

12. Exclusion of Public

On the motion of Councillor James W Stockan, seconded by Councillor W Leslie Manson, the Committee resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

13. Orkney Islands Local Marine Asset Management and Local Governance Pilot Scheme

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 7A of the Act.

After consideration of a joint report by the Chief Executive and the Executive Director of Development and Infrastructure, copies of which had been circulated, with reference to the Minute of the Meeting of the Policy and Resources Committee held on 25 September 2018, paragraph 11, the Committee:

Noted:

13.1. That, as the Stage 1 application to Crown Estate Scotland in respect of the Orkney Islands Local Marine Asset Management and Local Governance Pilot Scheme was successful, a Stage 2 application, in the form of a Business Plan, attached as Appendix 1 to the joint report by the Chief Executive and the Executive Director of Development and Infrastructure, was submitted to Crown Estate Scotland by the revised deadline of 31 March 2019.

13.2. That, on 10 June 2019, Crown Estate Scotland confirmed that the Council's Stage 2 application had been granted "interim preferred project status" by its Board, which had subsequently been confirmed by Scottish Government.

13.3. That the Council's application would proceed to "preferred project status" once the key issues identified during the Stage 2 assessment process, detailed in section 4.3 of the joint report by the Chief Executive and the Executive Director of Development and Infrastructure, had been clarified.

13.4. The suggested governance arrangements for the decision-making process relating to the Orkney Islands Local Marine Asset Management and Local Governance Pilot Scheme, as outlined in sections 6 and 7 of the joint report by the Chief Executive and the Executive Director of Development and Infrastructure.

13.5. The advantages and disadvantages of progressing with the Orkney Islands Local Marine Asset Management and Local Governance Pilot Scheme, as outlined in section 8 of the joint report by the Chief Executive and the Executive Director of Development and Infrastructure.

The Committee resolved to **recommend to the Council:**

13.6. That, subject to the key issues identified during the Stage 2 assessment process being clarified and “preferred project status” thereafter secured, the Council should proceed with the Orkney Local Marine Asset Management and Local Governance Pilot Scheme.

14. Asset Management Sub-committee

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 6, 8 and 9 of Part 1 of Schedule 7A of the Act.

After consideration of the draft Minute of the Meeting of the Asset Management Sub-committee held on 30 May 2019, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor W Leslie Manson, seconded by Councillor James W Stockan, to approve the Minute of the Meeting of the Asset Management Sub-committee held on 30 May 2019, attached as Appendix 6 to this Minute, as a true record.

15. St Magnus Cathedral Sub-committee

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Act.

After consideration of the draft Minute of the Meeting of the St Magnus Cathedral Sub-committee held on 3 April 2019, copies of which had been circulated, the Committee:

Resolved:

15.1. On the motion of Councillor Robin W Crichton, seconded by Councillor John T Richards, to approve the Minute of the Meeting of the St Magnus Cathedral Sub-committee held on 3 April 2019 as a true record.

The Committee resolved to **recommend to the Council:**

15.2. That the recommendations at paragraphs 2.4, 3.5, 4.3 and 4.4 of the Minute of the Meeting of the St Magnus Cathedral Sub-committee held on 3 April 2019, attached as Appendix 7 to this Minute, be approved.

16. Scapa Flow Visitor Centre and Museum

The Committee noted that this item had been withdrawn.

17. Conclusion of Meeting

At 13:10 the Chair declared the meeting concluded.

Signed: James W Stockan.