

Minute

General Meeting of the Council

Tuesday, 10 December 2024, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham A Bevan, Stephen G Clackson, Alexander G Cowie, David Dawson, P Lindsay Hall, Rachael A King, W Leslie Manson, James R Moar, Raymond S Peace, John A R Scott, Gwenda M Shearer, Gillian Skuse, Jean E Stevenson, Ivan A Taylor, Mellissa-Louise Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Present via remote link (Microsoft Teams)

Councillors Steven B Heddle and Janette A Park.

Clerk

- Gavin Mitchell, Head of Legal and Governance.

In Attendance

- Oliver D Reid, Chief Executive.
- Stephen Brown, Chief Officer, Orkney Health and Social Care Partnership.
- Karen Greaves, Corporate Director for Strategy, Performance and Business Solutions.
- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- James Wylie, Corporate Director for Education, Leisure and Housing.
- Andrew Groundwater, Head of Human Resources and Organisational Development.
- Erik Knight, Head of Finance.
- Lorna Richardson, Head of Neighbourhood Services.
- David Custer, Service Manager (Engineering).
- Hazel Flett, Service Manager (Governance).

In Attendance via remote link (Microsoft Teams)

- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.

Observing

- Kirsty Groundwater, Communications Team Leader.

Apology

- Councillor Kristopher D Leask.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Graham A Bevan, Convener.

1. General Meeting of the Council

Minute of Meeting held on 8 October 2024

On the motion of Councillor Graham A Bevan, seconded by Councillor Heather N Woodbridge, the Council resolved to approve the Minute of the General Meeting of the Council held on 8 October 2024 as a true record.

2. Planning Committee

Minute of Meeting held on 9 October 2024

On the motion of Councillor Owen Tierney, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 9 October 2024 as a true record.

3. Local Review Body

Minute of Meeting held on 10 October 2024

On the motion of Councillor Owen Tierney, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 10 October 2024 as a true record.

4. Planning Committee

Minute of Meeting held on 28 October 2024

On the motion of Councillor Owen Tierney, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 28 October 2024 as a true record.

5. Licensing Committee

Minute of Meeting held on 5 November 2024

On the motion of Councillor Duncan A Tullock, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 5 November 2024 as a true record.

6. Development and Infrastructure Committee

Minute of Meeting held on 12 November 2024

On the motion of Councillor Heather N Woodbridge, seconded by Councillor Duncan A Tullock, the Council resolved to approve the Minute of the Meeting of the Development and Infrastructure Committee held on 12 November 2024 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 12 November 2024.

7. Education, Leisure and Housing Committee

Minute of Meeting held on 13 November 2024

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Ivan A Taylor, the Council resolved to approve the Minute of the Meeting of the Education, Leisure and Housing Committee held on 13 November 2024 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 13 November 2024.

8. Monitoring and Audit Committee

Minute of Meeting held on 14 November 2024

On the motion of Councillor P Lindsay Hall, seconded by Councillor James R Moar, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 14 November 2024 as a true record.

9. Planning Committee

Minute of Meeting held on 14 November 2024

On the motion of Councillor Owen Tierney, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 14 November 2024 as a true record.

10. Policy and Resources Committee

Minute of Meeting held on 26 November 2024

On the motion of Councillor Heather N Woodbridge, seconded by Councillor Graham A Bevan, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 26 November 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Policy and Resources Committee held on 26 November 2024.

11. Policy and Resources Committee

Minute of Meeting held on 27 November 2024

On the motion of Councillor Heather N Woodbridge, seconded by Councillor Alexander G Cowie, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 27 November 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Policy and Resources Committee held on 27 November 2024.

12. Asset Management Sub-committee

Minute of Meeting held on 3 December 2024

On the motion of Councillor Alexander G Cowie, seconded by Councillor Heather N Woodbridge, the Council resolved to approve the Minute of the Meeting of the Asset Management Sub-committee held on 3 December 2024 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Asset Management Sub-committee held on 3 December 2024, attached as Appendix 1 to this Minute.

13. Notice of Motion

The Council had for consideration the following Notice of Motion:

“In March 2021, following consideration of a report presented to the Development and Infrastructure Committee on 2 February 2021, the Council resolved that no further studies be undertaken at that time in respect of wave overtopping at Barrier Number 2, and the Executive Director of Development and Infrastructure should explore financial support from the Scottish Government for potential engineering solutions. In recent years, weather conditions and safety measures have seen an increase in the number of occasions that the barriers have been closed and, if climate change projections are accurate, this could increase further in years to come. It is therefore proposed that the costs of the options to deal with wave overtopping at Barrier No 2, as identified in the aforementioned committee report, should be updated and presented to the Council, to include a recommended preferred option and an estimate of the associated costs, and that the relevant Corporate Director update the Council on work that has been undertaken to date around exploring financial support for potential engineering solutions, to allow any further action to address the wave overtopping at Barrier Number 2 to be considered and determined by the Council.

Proposer: Gillian Skuse.

Seconder: Raymie Peace”.

The Council noted:

13.1. That the Notice of Motion was procedurally competent, in that:

- It was received in the requisite timeframe.
- It was signed by an Elected Member and countersigned by at least one other Elected Member.
- It was accompanied by a report from the Corporate Director for Neighbourhood Services and Infrastructure on the implications of the suggested course of action contained in the Notice of Motion.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Neighbourhood Services, Councillor Gillian Skuse, seconded by Councillor Raymond S Peace, moved the Notice of Motion.

Councillor Heather N Woodbridge, seconded by Councillor Alexander G Cowie, moved an amendment to retain the existing Council position agreed in March 2021, namely:

- That no further studies be undertaken at this time in respect of wave overtopping at Barrier Number 2.
- That the Corporate Director for Neighbourhood Services and Infrastructure should explore financial support from the Scottish Government for potential engineering solutions, failing which the Council should determine what action to take.
- That the Corporate Director for Neighbourhood Services and Infrastructure should undertake to continue to review options to enhance current safety arrangements with regard to wave overtopping at Barrier Number 2 where possible.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Alexander G Cowie, David Dawson, Steven B Heddle, Rachael A King, W Leslie Manson, John A R Scott, Gwenda M Shearer, Jean E Stevenson, Ivan A Taylor, Mellissa-Louise Thomson, Duncan A Tullock and Heather N Woodbridge (12).

For the Motion:

Councillors Graham A Bevan, Stephen G Clackson, P Lindsay Hall, James R Moar, Janette A Park, Raymond S Peace, Gillian Skuse and Owen Tierney (8).

The Amendment was therefore carried.

The Council thereafter resolved:

13.2. To retain the existing Council position agreed in March 2021, namely:

- That no further studies be undertaken at this time in respect of wave overtopping at Barrier Number 2.
- That the Corporate Director for Neighbourhood Services and Infrastructure should explore financial support from the Scottish Government for potential engineering solutions, failing which the Council should determine what action to take.
- That the Corporate Director for Neighbourhood Services and Infrastructure should undertake to continue to review options to enhance current safety arrangements with regard to wave overtopping at Barrier Number 2 where possible.

14. Conclusion of Meeting

At 11:50 the Convener declared the meeting concluded.

Signed: Graham A Bevan.

Minute

Asset Management Sub-committee

Tuesday, 3 December 2024, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Alexander G Cowie, Steven B Heddle, Janette A Park, Ivan A Taylor, Mellissa-Louise Thomson and Heather N Woodbridge.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- James Wylie, Corporate Director for Education, Leisure and Housing.
- Frances Troup, Head of Community Learning, Leisure and Housing.
- Kenny MacPherson, Head of Property, Asset Management and Facilities.
- David Brown, Service Manager (Resources).
- Graeme Christie, Service Manager (Estates).
- Shonagh Merriman, Service Manager (Corporate Finance).
- Michael Scott, Solicitor.

Observing

- Erik Knight, Head of Finance.

Apology

- Councillor Kristopher D Leask.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Alexander G Cowie.

1. Exclusion of Public

On the motion of Councillor Alexander G Cowie, seconded by Councillor Heather N Woodbridge, the Sub-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.

2. Proposed Property Acquisition

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 a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Service Manager (Resources), the Sub-committee:

Resolved to **recommend to the Council** what action should be taken with regard to a proposed property acquisition.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

3. Conclusion of Meeting

At 09:40 the Chair declared the meeting concluded.

Signed: Alexander G Cowie.