



**Item: 7**

**Special General Meeting of the Council: 14 May 2024.**

**Planning Committee – Appointment of Additional Members.**

**Report by Corporate Director for Strategy, Performance and Business Solutions.**

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## **1. Overview**

- 1.1. In terms of the Scheme of Administration, membership of the Planning Committee consists of 12 elected members, comprising at least one representative from each of the six electoral wards, with one member from each ward not being a member of the Committee.
- 1.2. The Planning Committee also sits as the Local Review Body and, in that capacity, exercises delegated authority, on behalf of the Council, to conduct reviews in accordance with Section 43A(8) of The Town and Country Planning (Scotland) Act 1997 as amended, where the appointed officer, for the purposes of determining applications for “local developments” as defined in the Town and Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009:
  - Has refused an application for planning permission or for consent, agreement or approval, or
  - Has granted it subject to conditions, or
  - Has not determined it within the period allowed for determination of the application.
- 1.3. The Leader and the Chair of the Development and Infrastructure Committee are not eligible for membership of the Planning Committee, in order to provide an element of separation between the roles of developer and decision-maker in respect of several strategic Council-led projects which are currently being progressed, all of which have significant planning implications, including, but not limited to the Community Wind Farm project, the Harbours Masterplan and potential Islands Growth Deal projects.

- 1.4. As far as practicable given existing constitutional arrangements, restrictions and other appointments, it is preferable that the Depute Leader and the Vice Chair of the Development and Infrastructure Committee should not serve on the Planning Committee, for the same reasons outlined at section 1.3 above.
- 1.5. Although appointments would normally last for two years, given that Local Government Elections are held at five yearly intervals, it is proposed that all appointments made at this meeting should last until the next Local Government Election, currently scheduled for May 2027.

## **2. Recommendations**

- 2.1. It is recommended that members of the Council:
  - i. Appoint 11 additional members to the Planning Committee, ensuring that each of the undernoted electoral wards is represented by at least one Member, and one Member not on the Committee, noting that the Chair of the Committee will have already been appointed:
    - Kirkwall East.
    - Kirkwall West and Orphir.
    - Stromness and South Isles.
    - West Mainland.
    - East Mainland, South Ronaldsay and Burray.
    - North Isles.
  - ii. Agree that the appointments should be for the remainder of the term of this Council, namely for three years to May 2027.

## **3. Existing Membership**

- 3.1. Existing membership of the Planning Committee is as follows:
  - Kirkwall East:
    - Councillor John A R Scott.
  - Kirkwall West and Orphir:
    - Councillor Alexander G Cowie.
    - Councillor Kristopher D Leask.
    - Councillor Ivan A Taylor.

- Stromness and South Isles:
  - Councillor Graham A Bevan.
  - Councillor P Lindsay Hall.
- West Mainland:
  - Councillor Jean E Stevenson.
  - Councillor Owen Tierney.
  - Councillor Duncan A Tullock.
- East Mainland, South Ronaldsay and Burray:
  - Councillor James R Moar.
  - Councillor Raymond S Peace.
- North Isles:
  - Councillor Mellissa-Louise Thomson.

## 4. Appointments Process

- 4.1. As the Planning Committee is not included on the preference sheets, it is proposed that nominations are sought for the 11 vacancies, bearing in mind the constitutional requirements whereby each electoral ward must have at least one Member who is not appointed.
- 4.2. A pragmatic approach may be for the Council to determine whether the existing Members wish to continue to serve on the Planning Committee. Should any Member wish to step down, nominations can be sought for the resultant vacancy.

### For Further Information please contact:

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### Implications of Report

1. **Financial:** none.
2. **Legal:** none.
3. **Corporate Governance:** Procedures and processes are regulated by the Council's Standing Orders.
4. **Human Resources:** none.
5. **Equalities:** not applicable.
6. **Island Communities Impact:** not applicable.
7. **Links to Council Plan:** not applicable.
8. **Links to Local Outcomes Improvement Plan:** not applicable.

9. **Environmental and Climate Risk:** not applicable.
10. **Risk** – not applicable.
11. **Procurement** – not applicable.
12. **Health and Safety:** not applicable.
13. **Property and Assets:** not applicable.
14. **Information Technology:** not applicable.
15. **Cost of Living:** not applicable.

### **List of Background Papers**

Standing Orders for the Regulation of Proceedings and Business of Orkney Islands Council.

Scheme of Administration.

Minute of the Statutory General Meeting of Orkney Islands Council held on 16 May 2022.

### **Appendix**

None.