

# Minute

## Policy and Resources Committee

Tuesday, 28 November 2023, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



## Present

Councillors James W Stockan, Heather N Woodbridge, Graham A Bevan, Stephen G Clackson, Alexander G Cowie, David Dawson, P Lindsay Hall, Steven B Heddle, Rachael A King, Kristopher D Leask, 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 and Duncan A Tullock.

## Clerk

- Hazel Flett, Service Manager (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.
- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- James Wylie, Corporate Director for Education, Leisure and Housing.
- Gavin Mitchell, Head of Legal and Governance.
- Lynda Bradford, Head of Health and Community Care (for Items 1 to 5).
- Andrew Groundwater, Head of Human Resources and Organisational Development.
- Erik Knight, Head of Finance.
- Roddy Mackay, Head of Planning and Community Protection (for Items 8 to 10).
- Kenny MacPherson, Head of Property, Asset Management and Facilities (for Items 1 to 8).
- Alex Rodwell, Head of Improvement and Performance.
- Peter Thomas, Chief Finance Officer, Orkney Health and Social Care Partnership (for Items 1 to 3).
- Rosemary Colsell, Service Manager (Procurement) (for Items 6 to 13).
- Donna-Claire Hunter, Service Manager (Safety and Resilience) (for Items 4 to 8).
- Shonagh Merriman, Service Manager (Corporate Finance) (for Items 1 to 3).
- Susan Shearer, Service Manager (Development and Marine Planning) (for Items 8 to 10).
- Glen Thomson, Interim Service Manager (Property and Capital Projects) (for Items 1 and 2).

## **In Attendance via Remote Link (Microsoft Teams)**

- Nick Blyth, Climate Change Strategy Officer (for Items 4 to 10).

## **Observing**

- Obinna Ume, Performance and Best Value Officer (for Items 1 to 4).

## **Declarations of Interest**

- Councillor Graham A Bevan – Item 7.
- Councillor Steven B Heddle – Item 7.
- Councillor Rachael A King – Item 7.

## **Chair**

- Councillor Heather N Woodbridge, Depute Leader.

## **1. Revenue Expenditure Monitoring**

### **1.1. Policy and Resources**

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

**1.1.1.** The revenue financial summary statement, in respect of service areas for which the Policy and Resources Committee was responsible, for the period 1 April to 30 September 2023, attached as Annex 1 to the report by the Head of Finance, indicating a budget underspend position of £742,500.

**1.1.2.** The revenue financial detail by service area statement, in respect of service areas for which the Policy and Resources Committee was responsible, for the period 1 April to 30 September 2023, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

**1.1.3.** The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

### **1.2. Orkney Health and Care**

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

**1.2.1.** The revenue financial summary statement in respect of service areas within the Orkney Health and Social Care Partnership, for which the Council was responsible, for the period 1 April to 30 September 2023, attached as Annex 1 to the report by the Head of Finance, indicating a budget overspend position of £2,429,100.

**1.2.2.** The revenue financial detail by service area statement in respect of service areas within the Orkney Health and Social Care Partnership, for which the Council was responsible, for the period 1 April to 30 September 2023, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

**1.2.3.** The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

### **1.3. Summary**

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

**1.3.1.** The summary revenue expenditure statement for the period 1 April to 30 September 2023, attached as Annex 1 to the report by the Head of Finance, indicating the following:

- A total General Fund underspend of £525,400.
- A surplus in Sources of Funding of £127,700.
- A net Non-General Fund deficit of £4,241,800.

**1.3.2.** The financial detail across individual Sources of Funding for the period 1 April to 30 September 2023, including significant variances identified as Priority Actions, together with changes in the original overall budget position, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

**1.3.3.** The explanations given and actions proposed in respect of significant budget variances across individual Sources of Funding, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

## **2. Capital Expenditure Monitoring**

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Service Manager (Corporate Finance), the Committee:

Noted:

**2.1.** The summary financial position, as at 30 September 2023, in respect of the approved General Fund and Non-General Fund capital programmes, as detailed in section 3.1 of the report by the Head of Finance, indicating the following:

- Actual expenditure incurred as at 30 September 2023 of £5,419,000.
- Annual budget of £45,160,000 which reflected slippage and current timescales for completion of individual projects, as recommended by the Policy and Resources Committee on 19 September 2023.
- Probable outturn as at 31 March 2024 of £17,489,000.

The Committee scrutinised:

**2.2.** The detailed analysis of capital expenditure, together with project updates in respect of the General Fund and the Non-General Fund capital programmes, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance with regard to significant budget variances and on progress being made with delivery of the approved capital programmes.

### **3. Treasury Management – Mid Year Update**

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Service Manager (Corporate Finance), the Committee:

Scrutinised the mid-year update, attached as Appendix 1 to the report by the Head of Finance, prepared by Link Treasury Services, the Council's Treasury Adviser, which covered the following elements of treasury management, and obtained assurance that the Treasury Management Practices were operating effectively:

- An economic update for the first half of financial year 2023/24.
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy.
- The Council's capital expenditure, as set out in the Capital Strategy and prudential indicators.
- A review of the Council's investment portfolio for 2023/24.
- A review of the Council's borrowing strategy for 2023/24.
- A review of compliance with Treasury and Prudential Limits for 2023/24.

Councillor Stephen G Clackson joined the meeting at this point.

### **4. Performance Monitoring**

#### **4.1. Strategy, Performance and Business Solutions**

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, the Committee:

Scrutinised the performance of the Strategy, Performance and Business Solutions service for the period 1 April to 30 September 2023, as set out in sections 3 and 4 and Annex 1 of the report by the Corporate Director for Strategy, Performance and Business Solutions.

#### **4.2. Orkney Health and Care**

After consideration of a report by the Chief Officer, Orkney Health and Social Care Partnership, copies of which had been circulated, the Committee:

Scrutinised the performance of Orkney Health and Care Council delegated services for the period 1 April to 30 September 2023, as set out in sections 3 and 4 and Appendices 1 to 3 of the report by the Chief Officer, Orkney Health and Social Care Partnership.

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

#### **4.3. Council Delivery Plan 2023-28**

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Improvement and Performance, the Committee:

Scrutinised progress made in respect of the targets within the Council Delivery Plan 2023 to 2028, for the period 1 April to 30 September 2023, as set out in Annex 1 to the report by the Corporate Director for Strategy, Performance and Business Solutions, and obtained assurance.

Councillor Alexander G Cowie left the meeting at this point.

### **5. Registered Services within Orkney Health and Care**

#### **Inspection Assurance**

After consideration of a report by the Chief Officer, Orkney Health and Social Care Partnership, copies of which had been circulated, the Committee:

Scrutinised the inspection activity for registered services within Orkney Health and Care, for the period 1 May to 31 October 2023, as detailed in section 4 of the report by the Chief Officer, Orkney Health and Social Care Partnership, and obtained assurance that action plans had been submitted to the Care Inspectorate and were being progressed where appropriate.

Councillor Alexander G Cowie rejoined the meeting during discussion of this item.

### **6. People Plan**

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Human Resources and Organisational Development, the Committee:

Scrutinised progress to date against the priorities set out in the People Plan 2022-26 and associated Delivery Plan, as detailed in Appendices 1 and 2 to the report by the Corporate Director for Strategy, Performance and Business Solutions, and obtained assurance.

Councillor P Lindsay Hall left the meeting during discussion of this item.

## 7. Corporate Risk Register

Councillors Graham A Bevan, Steven B Heddle and Rachael A King declared interests in this item, their connection being that close family members were employed at UHI Orkney. As the declared interests related to a specific risk, namely Risk 17 – UHI Orkney Budget Shortfall – which was not discussed, they did not leave the meeting.

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 Property, Asset Management and Facilities, the Committee:

Resolved to **recommend to the Council** that the updated Corporate Risk Register, as at November 2023, attached as Appendix 1 to this Minute, be approved.

Councillor P Lindsay Hall rejoined the meeting during discussion of this item and Councillors John A R Scott and Owen Tierney left the meeting at this point.

## 8. Evaluation of Service Health and Safety Performance

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 Service Manager (Safety and Resilience), the Committee:

Scrutinised the Evaluation of Service Health and Safety Performance for 2022/23, attached as Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure, and obtained assurance.

Councillors John A R Scott and Owen Tierney rejoined the meeting during discussion of this item.

## 9. Biodiversity Duty

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 Service Manager (Development and Marine Planning), the Committee:

Noted:

**9.1.** That, in terms of the Wildlife and Natural Environment (Scotland) Act 2011, the Council was required to submit a report every three years to the Scottish Government, setting out actions the Council had taken to further the conservation of biodiversity when carrying out their duties.

**9.2.** That the obligation to further the conservation of biodiversity was a requirement of the Nature Conservation (Scotland) Act 2004.

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

**9.3.** That the Biodiversity Duty Report 2020 – 2023, attached as Appendix 2 to this Minute, be approved and submitted to Scottish Government and published on the Council's website.

Councillor P Lindsay Hall left the meeting during discussion of this item.

## 10. Climate Change Reporting Duties

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 Planning and Community Protection, the Committee:

Noted:

**10.1.** The Climate Change Duties Report, attached as Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure, which summarised the actions undertaken by the Council during the period 1 April 2022 to 31 March 2023 in order to fulfil its climate change duties.

**10.2.** That the Climate Change Duties Report was due for submission to the Scottish Government by 30 November 2023.

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

**10.3.** That the Climate Change Duties Report, attached as Appendix 3 to this Minute, be approved for submission to the Scottish Government.

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

## 11. Procurement Annual Report

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Service Manager (Procurement), the Committee:

Noted:

**11.1.** That, in terms of Section 18 of the Procurement Reform (Scotland) Act 2014, the Council must prepare an annual procurement report on its regulated procurement activities as soon as reasonably practicable after the end of the financial year to which the report related.

**11.2.** That the Council was required to notify the Scottish Ministers when the Procurement Annual Report had been published.

**11.3.** That the Scottish Government had issued guidance and a template which public authorities could use to report on procurement performance.

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

**11.4.** That the Procurement Annual Report for 1 April 2022 to 31 March 2023, attached as Appendix 4 to this Minute, be approved for publication.

Councillors Graham A Bevan and James R Moar left the meeting at this point.

## 12. Police and Fire Sub-committee

After consideration of the draft Minute of the Meeting of the Police and Fire Sub-committee held on 12 September 2023, copies of which had been circulated, the Committee:

Resolved:

**12.1.** On the motion of Councillor David Dawson, seconded by Councillor Duncan A Tullock, to approve the Minute of the Meeting of the Police and Fire Sub-committee held on 12 September 2023 as a true record.

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

**12.2.** That the recommendation at paragraph 3.4 of the Minute of the Meeting of the Police and Fire Sub-committee held on 12 September 2023, attached as Appendix 5 to this Minute, be approved.

### **13. Investments Sub-committee**

After consideration of the draft Minute of the Meeting of the Investments Sub-committee held on 14 September 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor James W Stockan, seconded by Councillor Rachael A King, to approve the Minute of the Meeting of the Investments Sub-committee held on 14 September 2023, attached as Appendix 6 to this Minute, as a true record.

### **14. Pension Fund Sub-committee, together with Pension Board**

After consideration of the draft Minute of the Meeting of the Pension Fund Sub-committee, together with the Pension Board, held on 20 September 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Heather N Woodbridge, seconded by Councillor Rachael A King, to approve the Minute of the Meeting of the Pension Fund Sub-committee, together with the Pension Board, held on 20 September 2023, attached as Appendix 7 to this Minute, as a true record.

### **15. Asset Management Sub-committee**

After consideration of the draft Minute of the Meeting of the Asset Management Sub-committee held on 7 November 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Heather N Woodbridge, seconded by Councillor James W Stockan, to approve the Minute of the Meeting of the Asset Management Sub-committee held on 7 November 2023, attached as Appendix 8 to this Minute, as a true record.

Councillor James R Moar rejoined the meeting at this point.

### **16. Human Resources Sub-committee**

After consideration of the draft Minute of the Meeting of the Human Resources Sub-committee held on 7 November 2023, copies of which had been circulated, the Committee:



Resolved:

**16.1.** On the motion of Councillor Heather N Woodbridge, seconded by Councillor John A R Scott, to approve the Minute of the Meeting of the Human Resources Sub-committee held on 7 November 2023 as a true record.

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

**16.2.** That the recommendation at paragraph 3.3 of the Minute of the Meeting of the Human Resources Sub-committee held on 7 November 2023, attached as Appendix 9 to this Minute, be approved.

## **17. Staff Appeals Sub-committee**

After consideration of the draft Minute of the Meeting of the Staff Appeals Sub-committee held on 30 October 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Duncan A Tullock, seconded by Councillor John A R Scott, to approve the Minute of the Meeting of the Staff Appeals Sub-committee held on 30 October 2023, attached as Appendix 10 to this Minute, as a true record.

## **18. Conclusion of Meeting**

At 15:10 the Chair declared the meeting concluded.

Signed: H N Woodbridge.