



**Shetland Islands Council - Statutory Meeting**

**23 May 2012**

<b>Appointment of Convener</b>	
GL-30-12-F	
<b>Report Presented by Executive Manager – Governance and Law</b>	<b>Corporate Services Department</b>

## **1.0 Summary**

- 1.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the appointment of Convener requires to be made, in accordance with legislation and the Council's Constitution.

## **2.0 Decision Required**

- 2.1 That the Council elect a Convener, with immediate effect, by the method stated in Section 3.

## **3.0 Method of Appointment**

- 3.1 All nominations for the election of the Convener shall be sought prior to the first vote and no further nominations will be allowed after voting begins. Also prior to voting, each candidate shall be permitted to address the meeting as to their candidature, however no questions will be allowed.
- 3.2 Section 10 of the Council's Standing Orders sets out the method of appointment of office bearers. When Councillors are to be appointed to any positions to be filled by the Council, and where the number of candidates nominated exceeds the number of vacancies, the Councillors to be appointed will be determined by a vote or votes in each of which Members will be entitled to vote for as many candidates as there are vacancies; but they may not cast more than one vote for any candidate.

- 3.3 The vote will normally be taken by a show of hands, unless the Council resolves in the case of any particular appointment to take the vote by secret ballot.
- 3.4 The name of the candidate having fewest votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.
- 3.5 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having fewest votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.
- 3.6 In the case of an equality of votes the Convener shall be elected by lot as between those who received equal votes and proceed on the basis that the person to whom the lot falls upon had received an additional vote.
- 3.7 In accordance with the Council's current Scheme of Administration and Delegations, Section 1.3, a Member appointed to the position of Convener will hold office until the next ordinary election of Councillors, unless otherwise determined by the Council in accordance with the requirements of Section 1.3 of the said Scheme.

#### **4.0 Implications**

##### Strategic

- 4.1 Delivery On Corporate Priorities – None.
- 4.2 Community /Stakeholder Issues – None.
- 4.2 Policy And/Or Delegated Authority – The appointment of a Convener as the first item of business at the First Statutory Meeting of the Council is a legislative requirement, and provided for within the Council's Constitution.
- 4.3 Risk Management – Failure to appoint a Convener would be in breach of legislation and Council procedures.
- 4.4 Equalities, Health And Human Rights – None.
- 4.5 Environmental – None.

##### Resources

- 4.6 Financial – The current allowance for the Convener is £20,294 and can be met from the existing Council Members' budget. A further Civic Allowance of up to £2000 is provided for within the Scheme of Approved Duties.
- 4.7 Legal – Section 4 of the Local Government etc (Scotland) Act 1994 requires the Council to elect a Convener from amongst its members as

the first item of business at the first statutory meeting following an election. The Returning Officer is required to preside until this process is completed.

4.8 Human Resources – None.

4.9 Assets And Property – None.

## **5.0 Conclusions**

5.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the appointment of Convener requires to be made, in accordance with legislation and the Council's Constitution. The Returning Officer is required to preside until this process is completed.

For further information please contact:

*Jan Riise, Executive Manager – Governance and Law*  
01595 744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

14 May 2012

### List of Appendices

None.

### Background documents:

Shetland Islands Council Constitution documents.  
Local Government etc (Scotland) Act 1994

END





**Shetland Islands Council – Statutory Meeting**

**23 May 2012**

## **Members Elected to Serve on Shetland Islands Council**

GL-33-12-F

### **Report Presented by the Returning Officer**

#### **1.0 Summary**

- 1.1 The purpose of this report is to formally advise of the names of those individuals elected to serve on the Shetland Islands Council following the elections on 3 May 2012.

#### **2.0 Decision Required**

- 2.1 That the Council NOTE the names of those individuals elected to serve on the Shetland Islands Council following the elections on 3 May 2012, and that each Councillor has duly accepted office.

#### **3.0 Detail**

- 3.1 A letter from the Depute Returning Officer to the Council's Proper Officer, being the Executive Manager – Governance and Law, is attached, which sets out the names of those elected to the Council following the elections on 3 May 2012.
- 3.2 Following a short induction session, each individual elected has signed the Declaration of Acceptance of Office, and is therefore duly appointed as a Member of Shetland Islands Council.

#### **4.0 Implications**

##### Strategic

- 4.1 Delivery On Corporate Priorities – None.
- 4.2 Community /Stakeholder Issues – None.

- 4.2 Policy And/Or Delegated Authority – In accordance with Section 56 of the Scottish Local Government Elections Order 2011 the Returning Officer is required to notify the Proper Officer of the Council of the names of those candidates elected. The reporting of this to the first statutory meeting does not fulfil any legal requirement, but is necessary for the Council to formally acknowledge the elected Councillors.
- 4.3 Risk Management – No strategic risks to consider. The reporting of the names of those candidates elected, and their acceptance of office, is a procedural requirement only.
- 4.4 Equalities, Health And Human Rights – None.
- 4.5 Environmental – None.

#### Resources

- 4.6 Financial – The current basic allowance for a Councillor is £16,234 and is provided for within the existing Members' Allowances budget.
- 4.7 Legal – None.
- 4.8 Human Resources – None.
- 4.9 Assets And Property – None.

### **5.0 Conclusions**

- 5.1 In accordance with legislation, the Returning Officer is required to notify the Proper Officer of the Council of the names of those candidates elected.

For further information please contact:

*Jan Riise, Returning Officer*

01595 744551 [returning.officer@shetland.gov.uk](mailto:returning.officer@shetland.gov.uk)

14 May 2012

#### List of Appendices

Appendix 1 – Letter from Depute Returning Officer dated 4 May 2012.

#### Background documents:

Election results can be found on the Council's website

[www.shetland.gov.uk/elections](http://www.shetland.gov.uk/elections)

END

**Returning Officer: Jan-Robert Riise**

8 North Ness Business Park  
LERWICK  
Shetland  
ZE1 0LZ

Mr Jan-Robert Riise  
Proper Officer  
Shetland Islands Council  
Office Headquarters  
8 North Ness Business Park  
LERWICK  
ZE1 0LZ

Telephone: 01595 744554  
Fax: 01595 744585  
returning.officer@shetland.gov.uk

If calling please ask for  
**Anne Cogle**  
Direct Dial: 01595 744554

Date: 4 May 2012

Dear Mr Riise

### **Shetland Islands Council - Election - 3 May 2012**

In terms of the Scottish Local Elections Rules, I have to inform you that the following persons were, at the Election held on 3 May 2012, duly elected as Members of Shetland Islands Council

<b>Ward</b>	<b>names</b>	<b>surname</b>	<b>Description (if any)</b>	<b>Address</b>
North Isles	Gary	Cleaver	Independent	1 Hillsgarth, Baltasound, Unst, Shetland, ZE2 9DY
	Steven	Coutts	Independent	Glenlea, Weisdale, Shetland, ZE2 9LQ
	Robert	Henderson	Independent	Maraberg, Cullivoe, Yell, Shetland, ZE2 9DD
Shetland North	Alastair	Cooper	Independent	Linga, Mossbank, Shetland, ZE2 9RB
	Andrea	Manson	Independent	Greystones, Brae, Shetland, ZE2 9QJ
	Drew	Ratter	-	Gaets A Voe, Ollaberry, Shetland, ZE2 9RX
Shetland West	Frank	Robertson	Independent	Columbus, Selivoe, Bridge of Walls, Shetland, ZE2 9NR
	Gary	Robinson	Independent	17 Burnside, Lerwick, Shetland, ZE1 0QH
	Theo	Smith	Independent	Stenaquoy, Wormadale, Whiteness, Shetland, ZE2 9LJ

<b>Ward</b>	<b>names</b>	<b>surname</b>	<b>Description (if any)</b>	<b>Address</b>
Shetland Central	Mark	Burgess	-	Mayburn Cottage, Ladysmith Road, Scalloway, Shetland, ZE1 0XD
	Davie	Sandison	Independent	Bonhoga, 7 Castle Street, Scalloway, Shetland, ZE1 0TP
	Vaila	Wishart	Independent	Eden Cottage, Setter, Burra, Shetland, ZE2 9LB
Shetland South	Allison	Duncan	Independent	1 Hillock, Dunrossness, Shetland, ZE2 9JR
	Billy	Fox	Independent	Brennek, Quarff, Shetland, ZE2 9EY
	George	Smith	Independent	Breasclate, Sandwick, Shetland, ZE2 9HH
Lerwick North	Malcolm	Bell	Independent	Edgcott, 34 St Olaf Street, Lerwick, Shetland, ZE1 0BX
	Michael William	Stout	Independent	Kirkabister, Bressay, Shetland, ZE2 9ER
	Allan	Wishart	Independent	Seafielde Lodge, Lower Sound, Lerwick, Shetland, ZE1 0RN
Lerwick South	Peter	Campbell	Independent	8 Sandyloch Drive, Lerwick, Shetland, ZE1 0SR
	Cecil Laing	Smith	Independent	Faravel, Bousta, Sandness, Shetland, ZE2 9PL
	Amanda	Westlake	Independent	Moya Datcha, 41 Burgh Road, Lerwick, Shetland, ZE1 0LA
	Jonathan	Wills	Independent	Sundside, Bressay, Shetland, ZE2 9ER

Yours sincerely

Anne Cogle  
Depute Returning Officer



**Shetland Islands Council – Statutory Meeting**

**23 May 2012**

## Overview of Appointment Process

GL-43-12-F

**Report Presented by  
Executive Manager – Governance and Law**

**Corporate Services Department**

### **1.0 Summary**

- 1.1 Today's agenda for Shetland Islands Council, prompts appointments to be made, many of which are statutory in nature or respond to requests from external agencies seeking appointment of Members of our Council. To a large extent these appointments are captured by the Council's own Constitution which sets out the composition of the Council's decision making structures within its political management framework.
- 1.2 During the last year of the term of the last Council, one or two issues arose which have also been reflected in discussions with recently elected Members, in relation to possible improvements that could be made to our current constitutional arrangements.
- 1.3 As these issues have been discussed during the last two weeks of induction of the new Council, a few themes have also emerged which it would be worth reflecting upon ahead of making the various appointments required today in line with the Council's existing Constitution.

### **2.0 Decision Required**

- 2.1 In order to make the appointments required, today, it has to be acknowledged that the Council's existing Constitution substantially determines the appointments to be made and also their method of appointment. There is also the need to ensure that the best arrangements are in place and that the new Council can influence these issues early in its term, without compromising the appointments process today. Therefore, the following decisions are commended to the Council, today, for resolution.

2.2 I recommend that the Council resolve:

- (a) To make the appointments as required by the Council's Constitution and in implementation of its Scheme of Administration and Delegations in the manner and order broadly set out in the Council's Standing Orders for agenda items at this its first statutory meeting.
- (b) That the duration of office for all of the office bearer positions is for a period to the mid-term of this Council (no later than 31 December 2014).
- (c) To defer appointment of additional Councillor Members to Functional Committees and non-Councillor Members to any of the subsidiary Committees until after a review of such to be undertaken by each Committee and reported to Council before December 2012.
- (d) To undertake a review of ancillary provisions supporting the decision making structure including modifications as required to the Scheme of Administration and Delegations.

2.3 Any changes to the Council's Constitution arising from the above reviews to be enacted before the expiry of a period of one year in the term of this Council (on or before 30 April 2013).

### **3.0 Detail**

3.1 The Council's decision making, primarily by Councillors but also under delegation to Officers, is governed by the Council's principal Constitution document, its Standing Orders for the Conduct of Meetings and its Scheme of Administration and Delegation.

3.2 As the Council's principal document, the Constitution should be a set of enduring arrangements and provide the bedrock for the Council's governance. Provision is made to ensure that any alteration of the Constitution, while it can be recommended at one meeting can only be effected after the date of the next Council meeting. The Council's Standing Orders for meetings, while also a governing document, is more susceptible to flexible application at meetings and can be subject to suspension during the course of Council or Committee meetings, as appropriate, and the law may permit. The Council's Scheme of Administration and Delegations is an even more flexible document which can be added to and altered as required to ensure the effective management of the Council's business, in particular the extent or limitations placed on delegations to Officers and additions made to such delegation, from time to time.

3.3 It was always anticipated that the new Constitution brought in on 8 May 2011 would require some modification after a year or so in operation. Some ideas have emerged during discussion and induction sessions with Councillors including:-

- review of membership of Executive Committee;

- reduction in numbers of members of Functional Committees;
  - retaining Ward membership;
  - renewed consideration of requirement for ex officio membership by the Leader of the Council;
  - the need for an ‘additional Member’ with the relevant skill and expertise in the particular functional area;
  - numbers required for a quorum
  - duration of the term of appointment of ALL office bearers

### 3.4 Review: One Year

The emerging consensus was that these were worthy considerations that should be taken forward in a time frame that would allow changes to be brought in within the period of one year. It is submitted that the variety of options be explored further with Councillors in the next few months with a timescale for a report to the Council before the end of December 2012 and for implementation as soon as practicable thereafter, and before 30 April 2013.

### 3.5 “Additional Member” Appointments

Without compromising the Constitution as currently written, it would be possible to defer appointment of the additional Member to Functional Committees as currently specified in the Constitution. This would, in practical terms, reduce the number of Members of each Functional Committee to ten Members.

### 3.6 “Non-Councillor Appointments to Subsidiary Committees”

Some concern was expressed when the Council sought to change its membership of Subsidiary Committees in May 2011 regarding the extent of non-Councillor appointments both currently appointed and recommended for appointment within the new arrangements. Such was the concern at that time that the Council decided to continue with existing arrangements but to critically review the need for such appointments on a Committee by Committee basis. Similar concerns have been expressed more recently and as part of the discussions during the induction process. It is therefore proposed that the non-Councillor appointments also be deferred until such time as each Committee has taken responsibility for a review of such appointments required for their Committee and reported this to the Council within the one year review period. If there is a pressing need to proceed with particular appointments or to modify arrangement at an earlier date, these can be taken forward with separate reports to the Council between today’s date and the end of this year.

### 3.7 Quorum for Individual Meetings

Concerns were expressed by some Members that the quorum for a meeting should also be addressed so that the relatively small number of Councillors who could on occasion be taking significant decisions on behalf of the Council should have an increase in numbers, some mooted the possibility of 50% of the membership of any Committee being a quorum. The statutory requirement for a quorum is, however, one quarter of the membership of a Committee (always allowing that

numbers should never be less than three). There would be issues about setting a quorum that means the Council's business cannot be transacted. So not observing the statutory prescribed level would have implications. In any event this is more of a theoretical than a real concern because a review of all of the meetings held following introduction of the new Constitution in May of last year has not identified any meeting where membership reduced below the level of 50%.

3.8 One option considered was the retention of the statutory quorum of greater than one quarter, as provided for in the Constitution, but adding a provision that in any circumstances where the numbers present, while exceeding the quorum, were less than 50% of the Committee membership, that resolutions put forward by the Committee be not acted upon until such time as ratified by the Council at its next meeting. Given the infrequent occasions when this might be required, it is not seen as giving rise to a significant interruption in the efficient conduct of the Council's business. A distinct benefit would be that the Committee would in such circumstances still proceed with meetings on which it had given due notice and dealing, substantially, with the matters in hand whilst ensuring that where the number of Members involved in such decision fall below a level acceptable to the Council that there is a wider consideration of those issues by the full Council before they are finally acted upon. A more detailed consideration of this option could be undertaken by staff in Governance & Law with a report presented to the Executive Committee and Council during the next cycle of meetings for approval.

### 3.9 Duration of the term of Office of Appointed Office Bearers

The Council's Scheme of Delegation already provides that the duration in office of appointments of senior office bearers will only extend for the full term of a Council if such approval is given mid term in the life of the Council. The positions affected by this provision are those of the Convener, Leader and four Chairpersons of the Functional Committees.

3.10 Early discussions have suggested that some Members would favour a reappointment process mid term to cover all office bearer positions including those of Chairperson of subsidiary Committees and all Vice-Chairperson appointments.

3.11 This report proposes such a mid term review and the Constitution allows discretion to agree that the term of office shall be limited in this way. Therefore, this option can be decided upon at today's meeting and it is appropriate for such consideration to take place before the remaining appointments are made.

## 4.0 **Implications**

4.1 There are no financial, equalities or resources issues arising from the considerations in this report. There could be organisational and business risks in not proceeding with appointments as set out in the Council's Constitution. The recommendations are in line with

discretion contained within the Council's Constitution and contains timescales for review of residual matters to be addressed.

## **5.0 Conclusions**

- 5.1 As a proportionate step the Council should proceed with its appointment process today, acknowledging that some refinement of our Constitutional arrangements should be debated and might be welcomed early in the life of this Council. This report identifies the measured steps that can be taken today if Members are so minded and a timeframe for further items to be reviewed.

For further information please contact:

*Jan Riise, Executive Manager – Governance and Law*

01595 744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

16 May 2012

END





**Shetland Islands Council - Statutory Meeting**

**23 May 2012**

<b>Appointment of Leader</b>	
GL-34-12-F	
<b>Report Presented by Executive Manager – Governance and Law</b>	<b>Corporate Services Department</b>

## **1.0 Summary**

1.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the appointment of Leader requires to be made, in accordance with the Council's Constitution.

1.2 The Council may also appoint the Leader to act as Vice-Convener.

## **2.0 Decision Required**

2.1 That the Council elect a Leader, with immediate effect, by the method stated in Section 3, and confirm the Councillor appointed also act as Vice-Convener.

## **3.0 Method of Appointment**

3.1 All nominations for the election of the Leader shall be sought prior to the first vote and no further nominations will be allowed after voting begins. Also prior to voting, each candidate shall be permitted to address the meeting as to their candidature, however no questions will be allowed.

3.2 Section 10 of the Council's Standing Orders sets out the method of appointment of office bearers.

3.3 When Councillors are to be appointed to any positions to be filled by the Council, and where the number of candidates nominated exceeds the number of vacancies, the Councillors to be appointed will be determined by a vote or votes in each of which Members will be

entitled to vote for as many candidates as there are vacancies; but they may not cast more than one vote for any candidate.

- 3.4 The vote will normally be taken by a show of hands, unless the Council resolves in the case of any particular appointment to take the vote by secret ballot.
- 3.5 The name of the candidate having fewest votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.
- 3.6 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having fewest votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.
- 3.7 In the case of an equality of votes the Leader shall be elected by lot as between those who received equal votes and proceed on the basis that the person to whom the lot falls upon had received an additional vote.
- 3.8 In accordance with the Council's current Scheme of Administration and Delegations, Section 1.3, a Member appointed to the position of Leader will hold office until the next ordinary election of Councillors, unless otherwise determined by the Council in accordance with the requirements of Section 1.3 of the said Scheme.
- 3.9 The appointment of Vice-Convener is an unremunerated position, and the Leader in the role of Vice-Convener would only be called upon to act in the absence of the Convener to fulfil a civic function.

#### **4.0 Implications**

##### Strategic

- 4.1 Delivery On Corporate Priorities – None.
- 4.2 Community /Stakeholder Issues – None.
- 4.2 Policy And/Or Delegated Authority – The appointment of a Leader as one of the first items of business at the First Statutory Meeting of the Council is a requirement within the Council's Constitution.
- 4.3 Risk Management – Failure to appoint a Leader would be in breach of the Council's Constitution.
- 4.4 Equalities, Health And Human Rights – None.
- 4.5 Environmental – None.

##### Resources

- 4.6 Financial – The current allowance for the Leader is £27,058 and can be met from the existing Council Members’ budget. There is no allowance for the position of Vice-Convener.
- 4.7 Legal – None.
- 4.8 Human Resources – None.
- 4.9 Assets And Property – None.

## **5.0 Conclusions**

- 5.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the appointment of Leader requires to be made, in accordance with the Council’s Constitution

For further information please contact:

*Jan Riise, Executive Manager – Governance and Law*  
01595 744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

14 May 2012

### List of Appendices

None.

### Background documents:

Shetland Islands Council Constitution documents.

END





Shetland Islands Council – Statutory Meeting

23 May 2012

## Appointments to Chairs of Committees

GL-35-12-F

**Report Presented by  
Executive Manager – Governance and Law**

**Corporate Services Department**

### 1.0 Summary

- 1.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the Council is required to appoint the Chairs of those bodies which form part of the Political Management Framework.

### 2.0 Decision Required

- 2.1 That the Council appoints to the following positions

Chair of Education and Families Committee  
Chair of Social Services Committee  
Chair of Development Committee  
Chair of Environment and Transport Committee  
Chair of Planning Committee  
Chair of Audit and Standards Committee  
Chair of Harbour Board  
Chair of Licensing Committee  
Chair of Shetland College Board

- 2.2 It is further recommended that the Council considers the suggestion raised in paragraph 3.8 and RESOLVES that the Chair of the Licensing Committee also be appointed as a member of the Shetland Islands Area Licensing Board.

### 3.0 Method of Appointment

- 3.1 All nominations for the election of a Chair shall be sought prior to the first vote and no further nominations will be allowed after voting begins. Also prior to voting, each candidate shall be permitted to address the meeting as to their candidature, however no questions will be allowed.

- 3.2 Section 10 of the Council's Standing Orders sets out the method of appointment of office bearers. When Councillors are to be appointed to any positions to be filled by the Council, and where the number of candidates nominated exceeds the number of vacancies, the Councillors to be appointed will be determined by a vote or votes in each of which Members will be entitled to vote for as many candidates as there are vacancies; but they may not cast more than one vote for any candidate.
- 3.3 The vote will normally be taken by a show of hands, unless the Council resolves in the case of any particular appointment to take the vote by secret ballot.
- 3.4 The name of the candidate having fewest votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.
- 3.5 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having fewest votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.
- 3.6 In the case of an equality of votes the Chair shall be elected by lot as between those who received equal votes and proceed on the basis that the person to whom the lot falls upon had received an additional vote.
- 3.7 In accordance with the Council's current Scheme of Administration and Delegations, Section 1.3, a Member appointed to the position of Chair will hold office until the next ordinary election of Councillors, unless otherwise determined by the Council in accordance with the requirements of Section 1.3 of the said Scheme.
- 3.8 Whilst a separate report on the Membership of the Shetland Islands Area Licensing Board is to be considered later on the agenda, the Council, in making the appoint of Chair of the Licensing Committee, is asked to consider agreeing to the suggestion that the membership of the Licensing Committee and the Shetland Islands Area Licensing Board be the same. In doing so, however, Members should have regard to the advice in that separate report with regard to the training requirements, and any possible conflicts of interest or disqualifications.

## **4.0 Implications**

### Strategic

- 4.1 Delivery On Corporate Priorities – The terms of this report accord with the Council's Improvement Plan in relation to Strategic Leadership.
- 4.2 Community /Stakeholder Issues – None
- 4.3 Policy And/Or Delegated Authority – In accordance with Section 2 of the Council's Scheme of administration and delegations all

appointments to any part of the political management framework are matters reserved to the Council.

4.4 Risk Management – Having agreed its political management framework, there is a risk that failure to complete the constitutional arrangements and make the necessary appointments could result in a decision making vacuum.

4.5 Equalities, Health And Human Rights – None.

4.6 Environmental – None.

#### Resources

4.7 Financial – Committee Chair appointments carry approved duty status and are remunerated positions in terms of the Council's Scheme of Councillors' Approved duties as described in Part G of the Council's Constitution. The remuneration available for those posts are tightly constrained by regulations under the Local Governance (Scotland) Act 2004. The Chairs of the four functional Committees will currently receive £18,804, and the Chairs of the remaining Committees will currently receive £17,832.

4.8 Legal – None.

4.9 Human Resources – None.

4.10 Assets And Property – None.

## **5.0 Conclusions**

5.1 The Council is required to make appointments to its political management framework in order to provide the basis for strategic leadership and improvement.

For further information please contact:

*Jan Riise*

744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

15 May 2012

#### List of Appendices

None.

#### Background documents:

- Council's Standing Orders:  
<http://intranet2/Policy/Shared%20Documents/4PartBStandingOrdersapproved12052011.pdf>
- Council's Remuneration and Approved Duties:  
<http://intranet2/Policy/Shared%20Documents/7PartGRemunerationandApprovedDutiesapproved12052011.pdf>

END





Shetland Islands Council – Statutory Meeting

23 May 2012

## Appointments to Vice-Chairs of Committees

GL-36-12-F

**Report Presented by  
Executive Manager – Governance and Law**

**Corporate Services Department**

### 1.0 Summary

- 1.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the Council is required to appoint the Vice-Chairs of those bodies which form part of the Political Management Framework.

### 2.0 Decision Required

- 2.1 That the Council appoints to the following positions

Vice-Chair of Education and Families Committee  
Vice-Chair of Social Services Committee  
Vice-Chair of Development Committee  
Vice-Chair of Environment and Transport Committee  
Vice-Chair of Planning Committee  
Vice-Chair of Audit and Standards Committee  
Vice-Chair of Harbour Board  
Vice-Chair of Licensing Committee  
Vice-Chair of Shetland College Board

- 2.2 It is further recommended that the Council considers the suggestion raised in paragraph 3.8 and **RESOLVES** that the Vice-Chair of the Licensing Committee also be appointed as a member of the Shetland Islands Area Licensing Board.

### 3.0 Method of Appointment

- 3.1 All nominations for the election of a Vice-Chair shall be sought prior to the first vote and no further nominations will be allowed after voting begins. Also prior to voting, each candidate shall be permitted to

address the meeting as to their candidature, however no questions will be allowed.

- 3.2 Section 10 of the Council's Standing Orders sets out the method of appointment of office bearers. When Councillors are to be appointed to any positions to be filled by the Council, and where the number of candidates nominated exceeds the number of vacancies, the Councillors to be appointed will be determined by a vote or votes in each of which Members will be entitled to vote for as many candidates as there are vacancies; but they may not cast more than one vote for any candidate.
- 3.3 The vote will normally be taken by a show of hands, unless the Council resolves in the case of any particular appointment to take the vote by secret ballot.
- 3.4 The name of the candidate having fewest votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.
- 3.5 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having fewest votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.
- 3.6 In the case of an equality of votes the Vice-Chair shall be elected by lot as between those who received equal votes and proceed on the basis that the person to whom the lot falls upon had received an additional vote.
- 3.7 In accordance with the Council's current Scheme of Administration and Delegations, Section 1.3, a Member appointed to the position of Vice-Chair will hold office until the next ordinary election of Councillors, unless otherwise determined by the Council in accordance with the requirements of Section 1.3 of the said Scheme.
- 3.8 Whilst a separate report on the Membership of the Shetland Islands Area Licensing Board is to be considered later on the agenda, the Council, in making the appoint of Vice-Chair of the Licensing Committee, is asked to consider agreeing to the suggestion that the membership of the Licensing Committee and the Shetland Islands Area Licensing Board be the same. In doing so, however, Members should have regard to the advice in that separate report with regard to the training requirements, and any possible conflicts of interest or disqualifications.

## **4.0 Implications**

### Strategic

- 4.1 Delivery On Corporate Priorities – The terms of this report accord with the Council's Improvement Plan in relation to Strategic Leadership.

- 4.2 Community /Stakeholder Issues – None
- 4.3 Policy And/Or Delegated Authority – In accordance with Section 2 of the Council’s Scheme of administration and delegations all appointments to any part of the political management framework are matters reserved to the Council.
- 4.4 Risk Management – Having agreed its political management framework, there is a risk that failure to complete the constitutional arrangements and make the necessary appointments could result in a decision making vacuum.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

#### Resources

- 4.7 Financial – Committee Vice-Chair appointments carry approved duty status as described in Part G of the Council’s Constitution, but are not remunerated positions.
- 4.8 Legal – None.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

### **5.0 Conclusions**

- 5.1 The Council is required to make appointments to its political management framework in order to provide the basis for strategic leadership and improvement.

For further information please contact:

*Jan Riise*

744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

15 May 2012

#### List of Appendices

None.

#### Background documents:

- Council’s Standing Orders:  
<http://intranet2/Policy/Shared%20Documents/4PartBStandingOrdersapproved12052011.pdf>
- Council’s Remuneration and Approved Duties:  
<http://intranet2/Policy/Shared%20Documents/7PartGRemunerationandApprovedDutiesapproved12052011.pdf>

END





Shetland Islands Council – Statutory Meeting

23 May 2012

## Appointments to Executive Committee

GL-37-12-F

**Report Presented by  
Executive Manager – Governance and Law**

**Corporate Services Department**

### 1.0 Summary

- 1.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the Council is required to appoint members to those bodies which form part of the Political Management Framework.

### 2.0 Decision Required

- 2.1 That the Council confirms its appointment of Members to the Executive Committee, as per the schedule in Appendix 1.

### 3.0 Method of Appointment

- 3.1 Section 10 of the Council's Standing Orders sets out the method of appointment of office bearers.
- 3.2 When Councillors are to be appointed to any positions to be filled by the Council, and where the number of candidates nominated exceeds the number of vacancies, the Councillors to be appointed will be determined by a vote or votes in each of which Members will be entitled to vote for as many candidates as there are vacancies; but they may not cast more than one vote for any candidate.
- 3.3 The vote will normally be taken by a show of hands, unless the Council resolves in the case of any particular appointment to take the vote by secret ballot.
- 3.4 The name of the candidate having fewest votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.

- 3.5 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having fewest votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.
- 3.6 In the case of an equality of votes the Leader shall be elected by lot as between those who received equal votes and proceed on the basis that the person to whom the lot falls upon had received an additional vote.
- 3.7 In accordance with the Council's current Scheme of Administration and Delegations, Section 1.3, a Member appointed to the Executive Committee will hold office until the next ordinary election of Councillors, unless otherwise determined by the Council in accordance with the requirements of Section 1.3 of the said Scheme.

## **4.0 Implications**

### Strategic

- 4.1 Delivery On Corporate Priorities – The recommendation in this report is not linked directly to any of the Corporate Priorities.
- 4.2 Community /Stakeholder Issues – None
- 4.3 Policy And/Or Delegated Authority – In accordance with Section 2 of the Council's Scheme of administration and delegations all appointments to any part of the political management framework are matters reserved to the Council.
- 4.4 Risk Management – Having agreed its political management framework, there is a risk that failure to complete the constitutional arrangements and make the necessary appointments could result in a decision making vacuum.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

### Resources

- 4.7 Financial – Executive Committee appointments carry approved duty status as described in Part G of the Council's Constitution, but do not attract any additional remuneration.
- 4.8 Legal – None.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

## 5.0 Conclusions

- 5.1 The Council is required to make appointments to its political management arrangements in order to provide the basis for strategic leadership and improvement.

For further information please contact:

*Jan Riise*

744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

15 May 2012

### List of Appendices

Appendix 1 – Schedule of Appointments required.

### Background documents:

- Council's Standing Orders:  
<http://intranet2/Policy/Shared%20Documents/4PartBStandingOrdersapproved12052011.pdf>
- Council's Remuneration and Approved Duties:  
<http://intranet2/Policy/Shared%20Documents/7PartGRemunerationandApprovedDutiesapproved12052011.pdf>

END



<b>Executive Committee</b>	
11 Councillors, being the Leader of the Council as chair, the Chairs of the 4 Committees mentioned at sub-paragraph (2) below, 4 Vice Chairs, the Convener and one other Councillor	
<b>Leader</b>	From report no. GL34
<b>Convener</b>	From report no. GL30
<b>Chair for Education and Families</b>	From report no. GL35
<b>Chair for Social Services</b>	From report no. GL35
<b>Chair for Development</b>	From report no. GL35
<b>Chair for Environment and Transport</b>	From report no. GL35
<b>Vice Chair for Education and Families</b>	From report no. GL36
<b>Vice Chair for Social Services</b>	From report no. GL36
<b>Vice Chair for Development</b>	From report no. GL36
<b>Vice Chair for Environment and Transport</b>	From report no. GL36
<b>Additional Member 1</b>	





Shetland Islands Council – Statutory Meeting

23 May 2012

## Appointment of Members to Committees

GL-38-12-F

**Report Presented by  
Executive Manager – Governance and Law**

**Corporate Services Department**

### 1.0 Summary

- 1.1 As this is the first meeting of the Council to be held after the ordinary election of Shetland Islands Council, the Council is required to appoint the remaining members of those bodies which form part of the Political Management Framework, following the appointment of the Chairs and Vice-Chairs.

### 2.0 Decision Required

- 2.1 That the Council appoints members to the following Committees, in accordance with the schedule attached as Appendix 1.

Education and Families Committee  
Social Services Committee  
Development Committee  
Environment and Transport Committee  
Planning Committee  
Audit and Standards Committee  
Harbour Board  
Licensing Committee  
Shetland College Board

- 2.2 It is further recommended that the Council considers the suggestion raised in paragraph 3.8 and RESOLVES that the remaining members of the Licensing Committee also be appointed as members of the Shetland Islands Area Licensing Board; and

- 2.3 That the Council appoints Tom Macintyre as the Church of Scotland representative on the Education and Families Committee

### **3.0 Method of Appointment**

- 3.1 Section 10 of the Council's Standing Orders sets out the method of appointment of office bearers.
- 3.2 When Councillors are to be appointed to any positions to be filled by the Council, and where the number of candidates nominated exceeds the number of vacancies, the Councillors to be appointed will be determined by a vote or votes in each of which Members will be entitled to vote for as many candidates as there are vacancies; but they may not cast more than one vote for any candidate.
- 3.3 The vote will normally be taken by a show of hands, unless the Council resolves in the case of any particular appointment to take the vote by secret ballot.
- 3.4 The name of the candidate having fewest votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.
- 3.5 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having fewest votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.
- 3.6 In the case of an equality of votes a Member shall be elected by lot as between those who received equal votes and proceed on the basis that the person to whom the lot falls upon had received an additional vote.
- 3.7 In accordance with the Council's current Scheme of Administration and Delegations, Section 1.3, a Member appointed to a Committee will hold office until the next ordinary election of Councillors, unless otherwise determined by the Council in accordance with the requirements of Section 1.3 of the said Scheme.
- 3.8 Whilst a separate report on the Membership of the Shetland Islands Area Licensing Board is to be considered later on the agenda, the Council, in making the appoint of Vice-Chair of the Licensing Committee, is asked to consider agreeing to the suggestion that the membership of the Licensing Committee and the Shetland Islands Area Licensing Board be the same. In doing so, however, Members should have regard to the advice in that separate report with regard to the training requirements, and any possible conflicts of interest or disqualifications.
- 3.9 The Council has already confirmed its method of appointment of statutory religious representation on the Education and Families Committee. Mr Tom Macintyre has been confirmed by the Church of Scotland as their representative and the Council is asked to confirm that appointment today. We await confirmation from the Shetland Inter Faith Group and the Shetland Churches Council Trust as to their nominations for the remaining two positions, and unless they respond

before the date of this meeting, those appointments will be presented to the Council at its next meeting in July.

## **4.0 Implications**

### Strategic

- 4.1 Delivery On Corporate Priorities – The recommendation in this report is not linked directly to any of the Corporate Priorities.
- 4.2 Community /Stakeholder Issues – None
- 4.3 Policy And/Or Delegated Authority – In accordance with Section 2 of the Council’s Scheme of administration and delegations all appointments to any part of the political management framework are matters reserved to the Council.
- 4.4 Risk Management – Having agreed its political management framework, there is a risk that failure to complete the constitutional arrangements and make the necessary appointments could result in a decision making vacuum.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

### Resources

- 4.7 Financial – Committee member appointments carry approved duty status as described in Part G of the Council’s Constitution, but are not remunerated positions.
- 4.8 Legal – None.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

## **5.0 Conclusions**

- 5.1 The Council is required to make appointments to its political management framework in order to provide the basis for strategic leadership and improvement.

For further information please contact:

*Jan Riise*

744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

15 May 2012

### List of Appendices

Appendix 1 – Schedule of Appointments required.

### Background documents:

- Council's Standing Orders:  
<http://intranet2/Policy/Shared%20Documents/4PartBStandingOrdersapproved12052011.pdf>
- Council's Remuneration and Approved Duties:  
<http://intranet2/Policy/Shared%20Documents/7PartGRemunerationandApprovedDutiesapproved12052011.pdf>

END

	<b>Education and Families Committee</b> (7 ward members + Ch & VCh + Leader + 1 + 3 Religious Reps)	<b>Social Services Committee</b> (7 ward members + Ch & VCh + Leader + 1)	<b>Development Committee</b> (7 ward members + Ch & VCh + Leader + 1)	<b>Environment and Transport Committee</b> (7 ward members + Ch & VCh + Leader + 1)
<b>Chair</b>	from report no GL35	from report no GL35	from report no GL35	from report no GL35
<b>Vice-Chair</b>	From report no GL36	From report no GL36	From report no GL36	From report no GL36
<b>North Isles</b>				
<b>Shetland North</b>				
<b>Shetland West</b>				
<b>Shetland Central</b>				
<b>Shetland South</b>				
<b>Lerwick South</b>				
<b>Lerwick North</b>				
<b>Leader</b>	From Report No. GL34	From Report No. GL34	From Report No. GL34	From Report No. GL34
<b>Additional Member</b>				
<b>Religious Reps (3)</b>				

**Planning Committee**

11 Councillors, being a member from each ward, plus two further Councillors to be chair and vice chair appointed by the Council, plus two further Councillors having regard to skill and expertise

<b>Chair</b>	from report no GL35
<b>Vice-Chair</b>	From report no GL36
<b>North Isles</b>	
<b>Shetland North</b>	
<b>Shetland West</b>	
<b>Shetland Central</b>	
<b>Shetland South</b>	
<b>Lerwick South</b>	
<b>Lerwick North</b>	
<b>Additional Member 1</b>	
<b>Additional Member 2</b>	

	<b>Audit and Standards Committee</b> 9 Councillors, including two Councillors to be chair and vice chair appointed by the Council, plus two independent assessor members who are non-councillors co-opted by the Council, in the selection of whom the Council will have regard to skills and expertise	<b>Harbour Board</b> 8 Councillors, including two Councillors to be chair and vice chair appointed by the Council	<b>Licensing Committee</b> 8 Councillors, including two Councillors to be chair and vice chair appointed by the Council	<b>Shetland College Board</b> 8 Members, being 6 Councillors including two Councillors to be chair and vice chair appointed by the Council, and 2 other members co-opted by the Council in the selection of whom the Council will have regard to skills and expertise
<b>Chair</b>	1 From report no GL35	1 From report no GL35	1 From report no GL35	1 From report no GL35
<b>Vice-Chair</b>	2 From report no GL36	2 From report no GL36	2 From report no GL36	2 From report no GL36
<b>Members</b>	3	3	3	3
	4	4	4	4
	5	5	5	5
	6	6	6	6
	7	7	7	7 Non-Councillor
	8	8	8	8 Non-Councillor
	9			
	10 Non-Councillor			
	11 Non-Councillor			





## Shetland Islands Council – Statutory Meeting 23 May 2012

### Appointments to Internal Groups

GL-39-12-F

**Report Presented by Executive Manager –  
Governance and Law**

**Corporate Services Department**

#### 1.0 Summary

- 1.1 This report addresses the appointment of Members to the Council's various internal formal groups.
- 1.2 Information regarding the remit and membership is included in Appendix 1.

#### 2.0 Decision Required

- 2.1 I recommend that the Council proceed to make the necessary elected Member appointments as outlined in Appendix 1, taking cognisance of the information relating to the Employees Joint Consultative Committee set out in Section 3.1 below.

#### 3.0 Detail

- 3.1 Appointments to the following informal groups require to be made: -

- Employees Joint Consultative Committee.  
As the Council has previously made these appointments of senior Members, it would seem appropriate to appoint Members of the Executive Committee. The constitution only requires 6 Members, so it is proposed that the Council appoint the Convener, Leader and the 4 Committee Chairs with the remaining members of the Executive Committee being appointed as substitutes, in order to ensure that lack of quorum on the Council side will not delay business.
- Pension Fund Management Consultative Committee.
- Lerwick Town Hall/Lystina House Consultative Committee.

- Education Appeals Sub-Committee
- Staffing Appeals Committee
- Complaints Review Sub-Committee
- Placing Requests Appeals Sub-Committee

## **4.0 Implications**

### Strategic

- 4.1 Delivery On Corporate Priorities – The recommendation in this report is not linked directly to any of the Corporate Priorities, but will support the Council’s Improvement Plan in terms of Governance, Accountability and partnership working.
- 4.2 Community /Stakeholder Issues – None.
- 4.3 Policy And/Or Delegated Authority – In terms of Section 2.1.3 of the Council’s Scheme of Administration and Delegation, matters reserved to the Council include the establishment of any body to be part of the political management framework and all appointments to or removal from those bodies. A decision of the Council is therefore required.
- 4.4 Risk Management – None.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

### Resources

- 4.7 Financial – Any legitimate expenses incurred by Members in attendance at Committees, Sub-Committees, Consultative Committees, and other internal groups to which they are appointed by the Council, shall be met by the Council from the existing Members’ Travel budget.
- 4.8 Legal – The proposals in this report, if adopted, will ensure that a number of the functions which are required to be met by the Council, will be discharged by the most appropriate and efficient means.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

## **5.0 Conclusions**

- 5.1 This reports seeks the Council’s approval to make a range of appointments to internal groups.

For further information please contact:  
*L Adamson, Committee Officer*  
01595 744555 [louise.adamson@shetland.gov.uk](mailto:louise.adamson@shetland.gov.uk)  
*L Gair, Committee Officer*  
01595 744599 [leisel.gair@shetland.gov.uk](mailto:leisel.gair@shetland.gov.uk)  
16 May 2012

List of Appendices

Appendix 1 – Appointments to Internal Groups

END



## Employees Joint Consultative Committee

### Purpose:

- (a) To provide a formal mechanism for open and constructive consultation to take place between the Council and its employees.
- (b) To promote the continuation of co-operation and informal processes already established between officers and Trade Union representatives, including information sharing, negotiation and consultation.
- (c) To positively influence the mainstreaming of Equality and Diversity issues across the Council and ensure, as far as possible, that this is incorporated into any policies and practices which affect employees.
- (d) To make recommendations to the Council on the application of employment terms and conditions of service and the training and development of employees of the Council.
- (e) To consider and offer recommendations on any structural re-organisation proposals requiring a Council decision, which affects the conditions of employment of the employees represented by the Staff Side of the Committee.
- (f) To provide a mechanism for implementing the elements of the Council's Corporate Plan which have human resource implications.
- (g) To provide a mechanism for employee participation in the way the Council provides its Services, including consideration of suggestions for ways in which employees can improve Services.
- (h) To provide a mechanism for the formal distribution of information to employees, as considered appropriate.
- (i) To consider any relevant matter referred to it by a Committee of the Council, or by any of the Trade Unions and to discharge such other function specially assigned to it, always with the express provision that no question of an individual employee's discipline, promotion or performance can be considered by the Committee.

<b>Membership</b>	<b>Method of Appointment</b>	<b>Approved Duty</b>
6 Members	By Appointment	Yes

## Pension Fund Management Consultative Committee

### Purpose:

To oversee the proper management of the Pension Fund on behalf of contributors and beneficiaries, both employer and employee.

The Consultative Committee shall have no executive powers, but may make appropriate recommendations to the Council

The Consultative Committee shall consist of

#### Employers:

3 elected members of the Shetland Islands Council

1 representative of Admitted Bodies employers, who shall not be an SIC Member or an employee of an Admitted Body or the Council

#### Employees:

3 employees (including at least 1 Unison representative and up to 1 Admitted Body employee representative)

1 pensioner

The Chair of the Consultative Committee shall be appointed by the Consultative Committee and shall alternate on an annual basis between Employer and Employee representatives.

<b>Membership</b>	<b>Method of Appointment</b>	<b>Approved Duty</b>
3 Substantive Members of SIC	By Appointment	Yes
1 Substitute Member of SIC	By Appointment	Yes

## Lerwick Town Hall / Lystina House Consultative Committee

### Purpose

To consider and provide comment on proposals for restoration/improvement or essential construction works on Lerwick Town Hall, Lystina House or their environs, where appropriate.

To consider and provide comments on any proposals relating to public use of Lerwick Town Hall, Lystina House and their facilities. This may include providing comment on the level of charges and type of promotions required to be undertaken.

To consider reports relating to the civic nature of Lerwick Town Hall and Lystina House, in particular with regard to the safe-keeping and display of civic gifts and other items of interest.

The Consultative Committee shall have no delegated authority, but shall make recommendations via the relevant officer to the appropriate Committee or to the Council regarding any proposals within the terms of reference of the Consultative Committee.

The Consultative Committee shall consist of

- 7 Lerwick Members
- 3 Landward Members
- 2 Representatives of Lerwick Community Council

The Chair and Vice-Chair shall be appointed by the Consultative Committee.

<b>Council Membership</b>	<b>Method of Appointment</b>	<b>Approved Duty</b>
7 Lerwick Members of SIC	Ex-officio	Yes
3 Landward Members of SIC	By Appointment	Yes

**Education Appeals Sub-Committee****Purpose**

To determine appeals and grievances lodged by teaching staff.

A Panel of 4 Members will be drawn from amongst a group of 14 Members appointed by the Council

<b>Membership</b>	<b>Method of Appointment</b>	<b>Approved Duty</b>
14 Members	By Appointment	Yes

## Staffing Appeals Committee

### Purpose

To determine appeals and grievances lodged by Council employees, excluding Teaching staff.

A panel of 4 Members will be drawn from amongst a group of 14 Members appointed by the Council.

<b>Membership</b>	<b>Method of Appointment</b>	<b>Approved Duty</b>
14 Members of SIC	By Appointment	Yes

## Complaints Review Sub-Committee

### Purpose

To consider complaints with regard to the discharge of social work functions, including those for children.

To examine objectively and independently the facts as presented by the complainer and by the local authority, in accordance with the Social Work (Representations Procedure) (Scotland) Directions 1996 and/or any other legislation pertaining to the functions of the Sub-Committee

The Sub-Committee shall have no executive powers, but shall make appropriate recommendations to the Social Services Committee.

The panel of persons from which the Sub-Committee shall be drawn shall consist of 4 Members of the Shetland Islands Council and 4 independent persons.

The Sub-Committee shall consist of 3 persons to be drawn from the panel of independent persons and elected members

<b>Membership</b>	<b>Method of Appointment</b>	<b>Approved Duty</b>
4 Members of SIC	By Appointment	Yes

## Placing Requests Appeals Sub-Committee

### Purpose

To hear appeals against decisions on placing requests, in accordance with the relevant provisions of the Education (Scotland) Act 1980 (as amended) and/or any other legislation pertaining to the functions of the Sub-Committee.

The Sub-Committee shall have authority to determine appeals and make relevant recommendations to the Social Services Committee or the Council.

The panel of persons from which the Sub-Committee shall be drawn shall consist of 4 Members of Shetland Islands Council and 4 independent persons.

The Sub-Committee shall consist of 3 persons to be drawn from the panel of independent persons and elected members.

<b>Membership</b>	<b>Method of Appointment</b>	<b>Approved Duty</b>
4 Members of SIC	By Appointment	Yes





## Shetland Islands Council – Statutory Meeting 23 May 2012

### Appointment of Members to the Orkney and Shetland Valuation Joint Board

GL-31-12-F

**Report Presented by Executive Manager –  
Governance and Law**

**Corporate Services Department**

#### **1.0 Summary**

- 1.1 This report seeks the appointment of Members to the Orkney and Shetland Valuation Joint Board.
- 1.2 The Joint Board has responsibility for, inter alia, electoral registration, lands and non-domestic property valuation (Non-Domestic Rates), and domestic property valuation (Council Tax) in the Orkney and Shetland areas.

#### **2.0 Decision Required**

- 2.1 I recommend that the Council appoint 5 substantive Members, and 5 substitute Members, to the Orkney and Shetland Valuation Joint Board.

#### **3.0 Detail**

- 3.1 The Administrative Regulations of the Joint Board state that the total number of Members on the Joint Board is ten in total, consisting 5 Members from each of the constituent authorities of Orkney Islands Council and Shetland Islands Council. 5 substitute members from each authority are also appointed.
- 3.2 The appointments made by Shetland Islands Council will continue until the date of the first statutory meeting of the authority following the ordinary election of the Council.
- 3.4 The election of the Convener and Vice-Convener of the Joint Board is the first business transacted at the statutory meeting of the Joint Board following the ordinary election of Councillors. The Convener and Vice-

Convener shall not, at any time, be members of the same constituent authority. Historically the office bearer role is rotated between Orkney and Shetland, with the role of Convener for this term, namely 2012 to 2017, resting with Shetland Islands Council, and the Vice-Convener with Orkney Islands Council. The amount payable to the Convener and Vice-Convener is £20,294 and £19,279 respectively.

- 3.5 The Joint Board meets at least twice a year, with one meeting in Shetland and one meeting in Orkney.

## 4.0 Implications

### Strategic

- 4.1 Delivery On Corporate Priorities – The recommendation in this report is not linked directly to any of the Corporate Priorities, but will support the Council's Improvement Plan in terms of Governance, Accountability and partnership working.
- 4.2 Community /Stakeholder Issues – None.
- 4.3 Policy And/Or Delegated Authority – In terms of Section 2.1.3 of the Council's Scheme of Administration and Delegation, matters reserved to the Council include the appointment of Councillors to Statutory Joint Boards. A decision of the Council is therefore required.
- 4.4 Risk Management –
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

### Resources

- 4.7 Financial – None.
- 4.8 Legal – The Orkney and Shetland Valuation Joint Board was established by, and exists in accordance with, the Local Government (Scotland) Act 1994 and the Valuation Joint Boards (Scotland) Order 1995.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

## 5.0 Conclusions

- 5.1 This report seeks the appointment of 5 substantive Members, and 5 substitute Members to the Orkney and Shetland Valuation Joint Board.

For further information please contact:  
*Louise Adamson, Committee Officer*  
01595 744555 [louise.adamson@shetland.gov.uk](mailto:louise.adamson@shetland.gov.uk)  
16 May 2012

END





**Shetland Islands Council**

**23 May 2012**

<b>Appointment of Members of Shetland Islands Area Licensing Board</b>	
GL-32-12-F	
<b>Executive Manager – Governance and Law</b>	<b>Corporate Services Department</b>

## **1.0 Summary**

- 1.1 The purpose of this report is to appoint Members to the Shetland Islands Area Licensing Board, from which the Board will appoint a Convener and Vice-Convener at its first meeting.
- 1.2 Members are asked to consider appointing the same Office Bearers and Membership as that of the Licensing Committee presented in an earlier report on the agenda.

## **2.0 Decision Required**

- 2.1 It is recommended that the Council:
  - 2.1.1 appoint 8 Members to the Board and that they be the same Members appointed to the Licensing Committee.
  - 2.1.2 recommends to the Shetland Islands Area Licensing Board that, for continuity, it give consideration to the appointment of their Convener and Vice-Convener, being the same Members who are appointed as Chair and Vice-Chair of the Licensing Committee.

## **3.0 Detail**

- 3.1 Under Schedule 1, paragraph 2, of the Licensing (Scotland) Act 2005, the Council must appoint Members of the Shetland Islands Area Licensing Board at the first meeting of the Council following the ordinary election of Councillors. In terms of Schedule 1, paragraph 1 of the 2005 Act, the Licensing Board must consist of such number of Members of the Council, as may be determined by the Council, being not fewer than 5 and not more than 10 Members. Members are asked to consider aligning the Membership to that of the Licensing Committee, namely 8 Members.

- 3.2 It is the function of the Licensing Board to administer the licensing of premises and persons for the sale or supply of alcoholic liquor and for other associated matters. The Board will also carry out certain premises licensing functions under the gambling legislation.
- 3.3 Although the Council appoints members and provides facilities and administration through the appointment of a Clerk, the Licensing Board, in law, is a separate entity from the Council.
- 3.4 If the membership is confirmed to be 8 Members, the quorum of a Licensing Board is one half of the number of Members, therefore in this case the quorum is 4.

### **Membership of the Board/Training Requirements**

- 3.5 In law, the Licensing Board and the Council's Licensing Committee are separate bodies and it will be for the Licensing Board to appoint its own Chairperson (termed a "convener of the Board" under the 2005 Act). However, it is suggested to the Board that they consider appointing the same person as is appointed Chairperson for the Committee. No additional remuneration would arise for service as convener of the Licensing Board.
- 3.6 It should be noted that under the 2005 Act there is a requirement for Board members to undergo prescribed training. This is to be undertaken within 3 months of being elected to the Board, and a Board member is not allowed to take part in proceedings under the 2005 Act unless the prescribed training has been undertaken. To meet these statutory requirements, a training session for the Board members has been arranged through Train Shetland using the services of a national trainer from the Alcohol Scotland organisation who will deliver the nationally approved course. This is scheduled to be delivered at the Train Shetland premises on Friday 15 June 2012.
- 3.7 It should be noted that in terms of Schedule 1, Section 3(1)a-e of the Licensing (Scotland) Act 2005 there are provisions concerning disqualification from being a Member of the Licensing Board. The provisions are as follows if a Member is:-
  - (a) a premises licence holder, (b) an employee of a premises licence holder and works as such in licensed premises, (c) whether alone or in partnership with another person, engaged in the business of producing or selling alcohol, (d) a director or other officer of a company so engaged, or (e) an employee of any person so engaged and works as such in that business.
- 3.8 The Clerk to the Licensing Board sought Counsel's opinion on the question of whether Trustees of a licensed hall or a member of the management committee of such halls were thereby excluded from being appointed to the Licensing Board in terms of the comparative disqualifications under the licensing (Scotland) Act 1976. Counsel's opinion was to the effect that person who is a Trustee of such a non-profit making Trust or who was a member of a management committee of a voluntary organisation which has obtained a licence to sell alcohol,

would not fall within the disqualifications from being appointed as a member of the Board under the Licensing (Scotland) Act 1976.

- 3.9 The disqualifications under the Licensing (Scotland) Act 2005 are expressed in radically different terms. It is therefore not possible to rely on the terms of the previous Counsel's opinion in considering the meaning of the disqualifications under the Licensing (Scotland) Act 2005. The underlying purpose of the disqualifications, which is to avoid a situation where someone commercially involved in the supply of alcohol, is not sitting on the Board which regulates its sale, does not appear to have altered. The Clerk to the Licensing Board is of the view that the current wording of the disqualifications does not exclude a Councillor from the Board merely because they are a member of a management committee or are a Trustee of a hall which has a premises licence.
- 3.10 It may be, however, that any such Councillor, if appointed to the Licensing Board, would have to declare an interest in and withdraw from consideration of, an application at a Licensing Board meeting relating to the particular hall premises with which the Councillor had a connection.

### **Local Licensing Forum**

- 3.11 Under section 10 of the 2005 Act the Council established a body called a 'Local Licensing Forum'. This is a statutory body whose principal functions will be to keep under review the operation of the Act in the Board's area, with particular reference to the exercise of the Board's functions and give advice and make recommendations to the Board as the Forum considers appropriate. However, the Forum will not be involved in considering individual licence applications.
- 3.12 The Forum comprises 21 members who are representative of the following interests: (a) licence holders, (b) the chief constable, (c) persons having health, education or social work functions, (d) young people, and (e) residents in the area.
- 3.13 The Licensing Scotland Act 2005 also requires a Licensing Board to hold a joint meeting with the local forum each year. The next annual joint meeting is yet to be confirmed but is likely to be at the end of June 2012.
- 3.14 The Executive Manager - Environmental Health and Trading Standards has responsibility for the licensing standards function, which is set out in Part 2 Section 13 of the Licensing (Scotland) Act 2005.

## **4.0 Implications**

### Strategic

- 4.1 Delivery On Corporate Priorities – None.
- 4.2 Community /Stakeholder Issues – Community involvement is provided for through consultation with the Licensing Forum. Annual joint meetings are held between the Board and the Forum.

- 4.3 Policy And/Or Delegated Authority – By virtue of the Licensing (Scotland) Act 2005 and as set out in Section 2.1.3(b) of the Council's Scheme of Delegations and Administration, the appointment of Councillors to Licensing Board is reserved to Council.
- 4.4 Risk Management – If the Council do not appoint to the Membership of the Licensing Board, it is failing in it's duty to comply with the Licensing (Scotland) Act 2005.
- 4.5 Equalities, Health And Human Rights – The Board has its own policies on
- 4.6 Environmental – All environmental issues are addressed by the inspections carried out by the Environmental Health and Trading Standards Service who carry out the Licensing Standards function.

#### Resources

- 4.7 Financial – The expenses of the Board will be met from existing Council budgets.
- 4.8 Legal – The Council is required by statute to administer the functions set out in the Licensing (Scotland) Act 2005.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

#### **5.0 Conclusions**

- 5.1 The Council are required under the Licensing (Scotland) Act 2005 to make appointments to the Shetland Islands Area Licensing Board.

For further information please contact:  
Jan Riise, Executive Manager – Governance and Law  
Ext. 4551/jan.riise@shetland.gov.uk  
May 2012

#### List of Appendices

None.

#### Background documents:

Licensing (Scotland) Act 2005

END



Shetland Islands Council – Statutory Meeting

23 May 2012

## CoSLA Appointments

GL-40-12-F

**Report Presented by  
Executive Manager – Governance and Law**

**Corporate Services Department**

### 1.0 Summary

- 1.1 The purpose of this report is to make appointments to the CoSLA Convention and the CoSLA Executive Groups

### 2.0 Decision Required

- 2.1 The Council is asked to RESOLVE to make appointments to the CoSLA Convention and Executive Groups, as considered appropriate.

### 3.0 Detail

- 3.1 A list of appointments required is attached as Appendix 1.
- 3.2 CoSLA Convention: In broad terms, the CoSLA constitution provides for the appointment of a prescribed delegation of councillors from each local authority and our allocation is for the appointment of three councillors. A letter from the Chief Executive of CoSLA confirming this position, is attached as Appendix 1. Additionally, the Leader of each Council meet approximately ten times a year at the end of each month in order to provide direction and authority for CoSLA to take action outwith its Convention meetings which meet about three times a year.
- 3.3 CoSLA Executive Groups: In support of the CoSLA Executive and to facilitate consultation and if necessary intervention in areas of local government functions, CoSLA also provides for the appointment of Executive Groups.
- 3.4 Given the nature of CoSLA representation being at a political level, suggested appointments have been listed in Appendix 2 that would align with appointments made under the Council's Political Management Framework.

## 4.0 Implications

### Strategic

4.1 Delivery On Corporate Priorities – The terms of this report accord with the Council's Improvement Plan in relation to Strategic Leadership and Partnership Working.

4.2 Community /Stakeholder Issues – None.

4.3 Policy And/Or Delegated Authority – In order to ensure approved duty status, appointments to external organisations as a representative of the Council must be made by the Council or a Committee which forms part of the political management framework. Given the political nature of the appointments it is considered more appropriate to have all the appointments made by the Council.

In the event of more than one nomination for any position, the Council will vote by show of hands, or may resolve to take the vote by secret ballot (Standing Order 10.5).

4.4 Risk Management – Failure to make the appropriate appointments may lead to a loss of knowledge and involvement in matters affecting the Council's governance and services.

4.5 Equalities, Health And Human Rights – None.

4.6 Environmental – None.

### Resources

4.7 Financial – The costs of any attendance outwith Shetland will be maintained within existing budgets.

However, the Council is continuing to pursue efficiencies by carefully considering the requirement to attend meetings on the mainland. Officers and Councillors alike are making use of alternatives such as video conferencing to avoid the cost of travel to the mainland, and such efficiencies will be sought whenever possible.

4.8 Legal – None.

4.9 Human Resources – None

4.10 Assets And Property – None.

## 5.0 Conclusions

5.1 The status of appointments to CoSLA should ensure that they align with the new political management structure, where appropriate.

For further information please contact:  
*Jan Riise, Head of Legal and Administration*

01595 744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)  
15 May 2012

List of Appendices

Appendix 1 – Letter from CoSLA

Appendix 2 - List of COSLA Executive Group Appointments

Background documents:

CoSLA Constitution

<http://www.cosla.gov.uk/sites/default/files/documents/constitution2012.pdf>

.

END





8 May 2012

To: Chief Executives

Dear Chief Executive

### Nominations for COSLA Convention

- I realise that for many Councils the next couple of weeks will be a period of internal negotiation and discussion to arrive at a new Administration. I know that in some cases this will be both a time consuming and difficult process, however, I hope that you can find some time to consider the national as well as local issues of local government representation.

The purpose of this letter is very straightforward. It is to encourage you to ensure that by the time of the COSLA Convention on the 29<sup>th</sup> June your Council has nominated its full Convention delegation which will allow a properly empowered Convention to take place which can address the whole range of issues that it might wish to discuss. Your Council has a defined number of delegates and we ask that Councils bear in mind the balance of parties on the Council in arriving at that delegation. Attached to this letter is an Appendix which outlines the number of places for each Council on the COSLA Convention.

In theory, you could provide us with this information right up until the day before the meeting. However, we want to make sure that everyone who is entitled to vote gets a voting card and also crucially, COSLA cannot appoint any Spokespersons until the political balance of the Convention is established and that depends on Council nominations. Once the political balance on the Convention is clear, the Groups on COSLA will be advised and invited to agree the division of portfolios and nominate Spokespersons - neither individual Councils nor COSLA have an involvement in this. Therefore, as this all takes a bit of time I would be grateful, if at all possible, if the names and political party of your Council's delegation to the COSLA Convention could be sent no later than **Monday 18<sup>th</sup> June**.

Your Council will also receive a letter from COSLA outlining the process for electing the President and Vice-President and a paper which provides a clear breakdown of the various timelines which COSLA is working to between now and the Convention meeting on 29<sup>th</sup> June. I appreciate this overlaps with an already very busy time for you locally but once again can I encourage you to integrate your Council's decision making on COSLA matters into your already busy schedule of meetings.

WHEN CALLING PLEASE ASK FOR: Stuart Johnston 0131 474 9214 [stuart.johnston@cosla.gov.uk](mailto:stuart.johnston@cosla.gov.uk)

I look forward to seeing Council Leaders on 25<sup>th</sup> May and full delegations from every Council on 29<sup>th</sup> June.

Yours sincerely,

A handwritten signature in black ink that reads "Rory Mair". The signature is written in a cursive, flowing style.

Rory Mair  
Chief Executive

## NUMBER OF PLACES ON CONVENTION

<b>COUNCIL</b>	<b>NO. OF COUNCIL PLACES</b>
Glasgow City	8
Edinburgh, City of	6
Fife	6
North Lanarkshire	6
South Lanarkshire	6
Aberdeen City	5
Aberdeenshire	5
Dundee City	5
Highland	5
Renfrewshire	5
Angus	4
Dumfries and Galloway	4
East Ayrshire	4
East Dunbartonshire	4
Falkirk	4
North Ayrshire	4
Perth and Kinross	4
Scottish Borders	4
South Ayrshire	4
West Lothian	4
Argyll and Bute	3
Clackmannanshire	3
Comhairle nan Eilean Siar	3
East Lothian	3
East Renfrewshire	3
Inverclyde	3
Midlothian	3
Moray	3
Orkney Islands	3
Shetland Islands	3
Stirling	3
West Dunbartonshire	3
<b>TOTAL SCOTLAND</b>	<b>133</b>



<b>COSLA Appointments</b>	<b>Member</b>	<b>Substitutes</b>
COSLA Convention	Ex-officio Convener Ex-officio Leader 1 other from substitutes	Ex-officio Chair Education and Families Ex-officio Chair Social Services Ex-officio Chair Environment and Transport Ex-officio Chair Development
Leaders Meeting	Ex-officio Leader	
Community Well-being & Safety Executive Group	Chair – Social Services Committee	Vice-Chair – Social Services Committee
Education, Children & Young People Executive Group	Chair – Education and Families Committee	Vice-Chair – Education and Families Committee
Health & Well-being Executive Group	Chair – Social Services Committee	Vice-Chair – Social Services Committee
Regeneration & Sustainable Development Executive Group	Chair – Development Committee	Vice-Chair – Development Committee
Resources & Capacity Executive Group	Chair – Executive Committee	
Strategic Human Resource Management Executive Group	Chair – Executive Committee	





<b>Nominations for CoSLA President and Vice-President</b>	
GL-41-12-F	
<b>Report Presented by Executive Manager – Governance and Law</b>	<b>Corporate Services Department</b>

## **1.0 Summary**

- 1.1 The purpose of this report is to consider a letter from the Chief Executive of the Convention of Scottish Local Authorities (CoSLA) seeking nominations from member Councils for the senior office bearers of President and Vice-President, and to determine the appropriate response.

## **2.0 Decision Required**

- 2.1 The Council is asked to consider the request for nominations for the principal office bearers of President and Vice-President of CoSLA and consider the terms of the letter from CoSLA and determine if any response is required in relation to the request for nomination of Office Bearers and instruct the Chief Executive to respond accordingly.

## **3.0 Detail**

- 3.1 The term of office of the Senior Officer Bearers of CoSLA continue until the first Convention meeting after an ordinary election of Councillors. The first item of business for the Convention on 29 June will be to make such appointments and separately on this agenda we will be identifying our Members who will form Shetland Islands Council’s delegation to that meeting. Members should note that any nomination requires to be with CoSLA’s Chief Executive by Friday 8 June 2012.
- 3.2 The request from CoSLA asks us to consider if we wish to submit a nomination for the President or Vice President positions. If our Council was minded to do so, our nomination would require to be supported by another Council.
- 3.3 If we are not minded to submit a nomination of our own, we may nevertheless wish to empower the Leader, attending the Leaders

meeting on 25 May, having consulted with other Shetland Islands Councillors, authority to lend our Council's political support to the nomination of any other Council's nomination as may be deemed appropriate.

- 3.4 This is entirely a matter for debate by Members without recommendation from Officers, the only observation I would make is that when Shetland Islands Council in the past nominated a former Convener to hold a vice presidency position it was found that the subsequent appointment to that position required quite a high degree of attendance outwith Shetland.

## 4.0 Implications

### Strategic

- 4.1 Delivery On Corporate Priorities – The terms of this report accord with the Council's Improvement Plan in relation to Strategic Leadership and Partnership Working.
- 4.2 Community /Stakeholder Issues – None.
- 4.3 Policy And/Or Delegated Authority – In order to ensure approved duty status, appointments to external organisations as a representative of the Council must be made by the Council or a Committee which forms part of the political management framework.

In the event of more than one nomination for any position, the Council will vote by show of hands, or may resolve to take the vote by secret ballot (Standing Order 10.5).

- 4.4 Risk Management – No strategic risks whether the Council does or does not make nominations.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

### Resources

- 4.7 Financial – Should the Council wish to submit a nomination which ultimately proved to be successful for appointment to the President or one of the Vice President positions, any expenses arising from such an appointment in relation to business conducted in that role, would result in the travel and other expenses/allowances being met directly by CoSLA. There are, therefore, no financial implications arising from this report or from whatever decision Members may wish to take regarding the nomination process.

However, the Council is continuing to pursue efficiencies by carefully considering the requirement to attend meetings on the mainland. Officers and Councillors alike are making use of alternatives such as video conferencing to avoid the cost of travel to the mainland, and such efficiencies will be sought whenever possible.

4.8 Legal – None.

4.9 Human Resources – None

4.10 Assets And Property – None.

## **5.0 Conclusions**

5.1 Only the Council is in a position to make a nomination for either of the principal office bearers or CoSLA. Any such nominations would also require the support of another Council.

For further information please contact:  
*Jan Riise, Head of Legal and Administration*  
01595 744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)  
15 May 2012

### List of Appendices

Appendix 1 – Letter from CoSLA

### Background documents:

CoSLA Constitution

<http://www.cosla.gov.uk/sites/default/files/documents/constitution2012.pdf>

END



**From the Chief Executive Rory Mair**



8 May 2012

To: Chief Executives

Dear Chief Executive

### **Nominations for COSLA President and Vice-President**

Under the terms of paragraph 5.3 of our Constitution, COSLA is required to elect its principal office bearers at the first meeting of the Convention following the election of Councillors, such a meeting to be held within 9 weeks of the election date. The purpose of this letter is to advise you therefore that a report seeking consideration and a decision on this matter will be put before the Convention on 29<sup>th</sup> June. This letter provides formal notification that nominations are sought and sets out the arrangements for doing so.

As you will be aware from the Constitution, the principal office bearers are the President and Vice-President. The Constitution also requires the election of a Vice-President who is not a member of the political group or coalition which forms the majority in COSLA. As we don't yet know the political make-up of Convention and are unlikely to know until a few days before the meeting, my advice would be to provide any and all nominations that you may have at this time. While it is possible for nominations to be withdrawn it is not possible constitutionally to add further nominations after the deadline outlined below.

Nominations for the President and Vice-President must be sent to COSLA's Chief Executive no later than **Friday 8<sup>th</sup> June**. To stress again, we cannot vary the timescales here because they are set out in our Constitution. If your Council misses the deadlines involved they lose the chance to nominate and we have no flexibility to make an exception. In order to be valid, nominations must also be made by two member councils.

On Friday 15<sup>th</sup> June, COSLA will write to all member Councils setting out the names received for each position, the Council they represent, and the member councils supporting their nomination.

I appreciate the challenges involved at this time but hope you will be able to integrate these timescales into your Council's decision making process and bring them to the attention of your political leadership as soon as this becomes clear.

WHEN CALLING PLEASE ASK FOR: Stuart Johnston 0131 474 9214 [stuart.johnston@cosla.gov.uk](mailto:stuart.johnston@cosla.gov.uk)

COSLA, Verity House, 19 Haymarket Yards, Edinburgh EH12 5BH

Telephone 0131 474 9200 Fax 0131 474 9292 Internet [www.cosla.gov.uk](http://www.cosla.gov.uk)

Lastly, if any further discussion would be helpful, please don't hesitate to contact Stuart Johnston, contact details at bottom of page one, or Barbara Lindsay on (0131 474 9206 – [Barbara@cosla.gov.uk](mailto:Barbara@cosla.gov.uk))

Yours sincerely,

A handwritten signature in black ink that reads "Rory Mair". The signature is written in a cursive style with a large initial 'R'.

Rory Mair  
Chief Executive



## Shetland Islands Council – Statutory Meeting 23 May 2012

### Appointments to External Organisations

GL-29-12-F

Report Presented by Executive Manager –  
Governance and Law

Corporate Services Department

#### 1.0 Summary

- 1.1 In the process of discharging its functions, the Council contributes to membership, along with other authorities and organisations, to a number of national and local organisations.
- 1.2 In addition, some groups are constituted by legislation outwith the normal Committee structure, but are administered by the Shetland Islands Council.

#### 2.0 Decision Required

- 2.1 I recommend that the Council make the necessary elected Member appointments as outlined in the Appendix to this report.

#### 3.0 Detail

- 3.1 The appointments required are set out in the Appendix, and further detail on each of the appointments will be provided at the meeting.

#### 4.0 Implications

##### Strategic

- 4.1 Delivery On Corporate Priorities – The recommendation in this report is not linked directly to any of the Corporate Priorities, but will support the Council's Improvement Plan in terms of Governance, Accountability and partnership working.
- 4.2 Community /Stakeholder Issues – None.

- 4.3 Policy And/Or Delegated Authority – In terms of Section 2.1.3 of the Council’s Scheme of Administration and Delegation, matters reserved to the Council include the establishment of any body to be part of the political management framework and all appointments to or removal from those bodies. A decision of the Council is therefore required.
- 4.4 Risk Management – None.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

#### Resources

- 4.7 Financial – There are no significant financial implications arising from this Report. The majority of expenses incurred by Members in attending meetings are classed as an approved duty and met from the Members’ Expenses budget head. Otherwise expenses may be met from the appropriate external body.

However, the Council is continuing to pursue efficiencies by carefully considering the requirement to attend meetings on the mainland. Officers and Councillors alike are making use of alternatives such as video conferencing to avoid the cost of travel to the mainland, and such efficiencies will be sought whenever possible.

- 4.8 Legal – None.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

### **5.0 Conclusions**

- 5.1 This reports seeks the Council’s approval to make a range of appointments to external organisations.

For further information please contact:  
*Anne Cogle, Team Leader – Administration*  
*01595 744554 [anne.cogle@shetland.gov.uk](mailto:anne.cogle@shetland.gov.uk)*  
*16 May 2012*

#### List of Appendices

Appendix 1 – Appointments Required

#### Background documents:

None

END

	<b>External Organisation</b>	<b>Appointments/Nominations Required by Council</b>
1	Atlantic Frontier Environment Forum	1 Substantive 1 Substitute
2	Conference on Peripheral Maritime Regions (CPMR) of the EEC	1 Substantive 1 Substitute
3	Dounreay Stakeholders Group	1 Observer
4	Geopark Shetland Liaison Group	1 Substantive
5	Highlands and Islands Fire Board	2 Substantive 2 Substitute
6	Highland Reserve Forces and Cadets Association	1 Substantive
7	KIMO	5 Substantive 3 Substitute
8	NHS Shetland	1 Nomination*
9	Northern Community Justice Authority	1 Substantive 1 Substitute
10	Northern Joint Police Board	2 Substantive 2 Substitute
11	Nuclear Free Local Authorities (Scotland) (NFLA)	1 Substantive 1 Substitute
12	Scotland Excel	1 Substantive
13	Scottish Accident Prevention Council	1 Substantive 1 Substitute
14	Scottish Councils Committee on Radioactive Substances	1 Substantive
15	Shetland Alcohol and Drugs Action Team (SADAT)	2 Substantive
16	Shetland Childcare Partnership	2 Substantive
17	Shetland Crofting, Farming and Wildlife Advisory Group (SCFWAG)	3 Substantive
19	Shetland Islands Citizens Advice Bureau Board of Management	1 Substantive
20	Shetland Partnership Board	1 Ex-Officio
21	Shetland Ocean Alliance (SHOAL)	3 Substantive
22	Shetland Oil Terminal Environmental Advisory Group	2 Substantive 2 Substitutes
23	Shetland Shellfish Management Organisation (SSMO)	2 Substantive
24	Shetland Tourism Association	1 Substantive
25	Shetland Youth Information Service	3 Substantive
26	Shetland/Vagsoy Twinning Association	Ex-officio Convener Ex-officio Vice-Convener 2 Members
27	Sullom Voe Association Ltd	Ex-officio Convener Ex-officio Vice-Convener 2 Substitutes
28	Sumburgh Airport Consultative Committee	5 Substantive
29	Visiting Committee for Legalised Police Cells	3 Substantive
30	Zetland Transport Partnership [ZetTrans]	Ex-Officio Chair of Environment and Transport Committee Ex-Officio Vice-Chair of Environment and Transport Committee 2 Substantive 2 Substitutes

	<b>Trusts</b>	<b>Appointment/Nomination Required by Council</b>
31	Brownies Taing Pier Trust	1 Ex-officio for Shetland South 1 Councillor
32	Eliza Charlotte Harper Bequest Trust	1 Ex-officio Convener
33	Fair Isle Bird Observatory Trust	1 Ex-officio for Shetland South
34	Foula Electricity Trust	2 Councillors
35	Georgeson Charitable Trust	1 Ex-officio for Shetland West
36	Germatwatt Centre Trust	1 Ex-officio for Shetland West
37	Hunter Morrison Trust	2 Ex-officio Convener & Vice Convener
38	Shetland Alcohol Trust	4 Councillors
39	Shetland Amenity Trust	2 Councillors
40	Shetland Fisheries Training Centre Trust	4 Councillors
41	Textile Working Museum Trust	1 Councillor
42	The Shetland Trust	2 Ex-Officio Convener and Vice-Convener
43	Voxter Centre Trust	3 Councillors
44	William Strong Bequest	1 Ex-Officio Convener

END



Shetland Islands Council

23 May 2012

## Schedule of Meetings: May – December 2012

GL-07-12-F

Report Presented by Executive Manager –  
Governance and Law

Corporate Services Department

### 1.0 Summary

- 1.1 The purpose of this report is to seek Members' approval as to the diary of meetings for the cycles following the Local Government Elections in May this year.

### 2.0 Decision Required

- 2.1 I recommend that the Council approve the schedule of meetings for the cycles from May to December 2012.

### 3.0 Detail

#### Proposal

- 3.1 The proposed scheduling of Council, Committee, Sub-Committee and Board meetings for these cycles is attached as Appendix 1.
- 3.2 Members are asked to note the following:

All morning meetings commence at 10 a.m., and all afternoon meetings commence at 2 p.m.

### 4.0 Implications

#### Strategic

- 4.1 Delivery On Corporate Priorities – The recommendation in this report is not linked directly to any of the Corporate Priorities.
- 4.2 Community /Stakeholder Issues – None

- 4.3 Policy And/Or Delegated Authority – A decision of the Council is required as noted in Paragraph 1.2 of the Standing Orders for Meetings.
- 4.4 Risk Management – None
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

#### Resources

- 4.7 Financial – There are no additional costs to be added to existing budgets.
- 4.8 Legal – None.
- 4.9 Human Resources – None.
- 4.10 Assets And Property – None.

### **5.0 Conclusions**

- 5.1 The Council is required to approve the meeting dates set out in Appendix 1 to this report.

For further information please contact:

*Jan Riise*

744551 [jan.riise@shetland.gov.uk](mailto:jan.riise@shetland.gov.uk)

16 May 2012

#### List of Appendices

Schedule of Meetings May – December 2012

ENDS

2012	Date	Monday	Tuesday	Wednesday	Thursday	Friday	
Week beginning Monday	Week ending Friday						
21 May	25 May a.m.			SIC (Statutory Meeting)	SCT		1
	p.m.						
28 May	1 June a.m.						2
	p.m.						
4 June	8 June a.m.		HOLIDAY	ENVIRONMENT AND TRANSPORT COMMITTEE	AUDIT AND STANDARDS COMMITTEE	<i>Planning Committee Members' Training</i>	3
	p.m.						
11 June	15 June a.m.			SOCIAL SERVICES COMMITTEE	EDUCATION AND FAMILIES COMMITTEE	<i>Licensing Board Members Training</i>	4
	p.m.	ZETTRANS			SHETLAND COLLEGE BOARD		
18 June	22 June a.m.			<i>Improvement Service visit to Shetland – All Members</i>	DEVELOPMENT COMMITTEE	LICENSING COMMITTEE/SIALB	5
	p.m.						
25 June	29 June a.m.	EXECUTIVE COMMITTEE	SLAP	HARBOUR BOARD	SCT		6
	p.m.						
2 July	6 July a.m.	Planning Site Visits	PLANNING COMMITTEE	SIC			7
	p.m.						

2011	Date	Monday	Tuesday	Wednesday	Thursday	Friday		
Week beginning Monday	Week ending Friday							
9 July	13 July a.m.						recess	
	p.m.							
16 July	20 July a.m.							
	p.m.							
23 July	27 July a.m.							
	p.m.							
30 July	3 August a.m.	Planning Site Visits	PLANNING COMMITTEE					
	p.m.							
6 Aug	10 Aug a.m.							
	p.m.							
13 Aug	17 Aug a.m.	EXECUTIVE COMMITTEE	AUDIT AND STANDARDS COMMITTEE	ENVIRONMENT AND TRANSPORT COMMITTEE				1
	p.m.							

2011 Week beginning Monday	Date Week ending Friday	Monday	Tuesday	Wednesday	Thursday	Friday	
20 Aug	24 Aug a.m.		SOCIAL SERVICES COMMITTEE		LICENSING COMMITTEE/SIALB		2
	p.m.						
27 Aug	31 Aug a.m.	Planning Site Visits	PLANNING COMMITTEE	EDUCATION AND FAMILIES COMMITTEE	SHETLAND COLLEGE BOARD		3
	p.m.	ZETTRANS					
3 Sept	7 Sept a.m.			DEVELOPMENT COMMITTEE	HARBOUR BOARD		4
	p.m.						
10 Sept	14 Sept a.m.	EXECUTIVE COMMITTEE	SLAP		SCT		5
	p.m.						
17 Sept	21 Sept a.m.				SIC		6
	p.m.						
24 Sept	28 Sept a.m.	Planning Site Visits	PLANNING COMMITTEE				7
	p.m.						
1 Oct	5 Oct a.m.	EXECUTIVE COMMITTEE		ENVIRONMENT AND TRANSPORT COMMITTEE	AUDIT AND STANDARDS COMMITTEE	LICENSING COMMITTEE/SIALB	1
	p.m.	ZETTRANS					

2011	Date	Monday	Tuesday	Wednesday	Thursday	Friday	
Week beginning Monday	Week ending Friday						
8 Oct	12 Oct a.m.						
	p.m.						
15 Oct	19 Oct a.m.						2
	p.m.						
22 Oct	26 Oct a.m.	<i>Planning Site Visits</i>	PLANNING COMMITTEE				
	p.m.						
29 Oct	2 Nov a.m.			SOCIAL SERVICES COMMITTEE			3
	p.m.						
5 Nov	9 Nov a.m.	EXECUTIVE COMMITTEE		EUDCATION AND FAMILIES COMMITTEE			4
	p.m.				SHETLAND COLLEGE BOARD		
12 Nov	16 Nov a.m.		SLAP	DEVELOPMENT COMMITTEE	SCT	LICENSING COMMITTEE/SIALB	5
	p.m.						
19 Nov	23 Nov a.m.	Planning Site Visits	PLANNING COMMITTEE		HARBOUR BOARD		6
	p.m.	ZETTRANS					

2011	Date	Monday	Tuesday	Wednesday	Thursday	Friday	
Week beginning Monday	Week ending Friday						
26 Nov	30 Nov a.m.	EXECUTIVE COMMITTEE					6
	p.m.						
3 Dec	7 Dec a.m.			SIC			7
	p.m.						
10 Dec	14 Dec a.m.	LICENSING COMMITTEE/SIALB	SLAP	ENVIRONMENT AND TRANSPORT COMMITTEE	SCT		8
	p.m.				AUDIT AND STANDARDS COMMITTEE		
17 Dec	21 Dec a.m.	<i>Planning Site Visits</i>	PLANNING COMMITTEE				
	p.m.	EXECUTIVE COMMITTEE					
24 Dec	28 Dec a.m.		<i>Public Holiday</i>	<i>Public Holiday</i>	<i>Christmas Closedown</i>	<i>Christmas Closedown</i>	1
	p.m.						
31 Dec	4 Jan 2013 a.m.	<i>Christmas Closedown</i>	<i>Public Holiday</i>	<i>Public Holiday</i>			
	p.m.						