

MINUTE

A&B – Public

**Special Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Friday 10 October 2014 at 10.00am**

Present:

M Bell	M Burgess
P Campbell	G Cleaver
A Cooper	S Coutts
B Fox	A Manson
D Ratter	F Robertson
G Robinson	D Sandison
C Smith	G Smith
T Smith	M Stout
A Westlake	V Wishart
J Wills	

Apologies

A Duncan R Henderson
A Wishart
S Coutts (for lateness)

In Attendance (Officers):

M Boden, Chief Executive
N Grant, Director of Development Services
P Peterson, Executive Manager – Executive Services
J Smith, Executive Manager – Change Programme
V Simpson, Executive Manager – Community Planning and Development
K Marshall, Solicitor
L Saunders, Projects Manager
C Anderson, Senior Communications Officer
L Adamson, Committee Officer

Chair:

Mr M Bell, Convener of the Council, presided.

Circular:

The circular calling the meeting was held as read.

The Chair ruled that due to special circumstances, namely due to the timescales involved, the following item of business would be considered at this meeting as a matter of urgency in terms of paragraph 3.2.2 of the Council's Standing Orders for Meetings:

Item 1: Constitutional Reform

Declarations of Interest

None

73/14

Constitutional Reform

The Council considered a report by the Chief Executive (CE-05-14-F), which presented the document "A Framework for the Islands" and included proposals for a

refreshed project structure for the next phase of the Council's Constitutional Reform project.

In introducing the report, the Chief Executive advised that this was the first opportunity for the Council to receive and note the "Framework for the Islands" document, published by the UK Government. He said that the Council has to decide how to go forward with the various strands and aspects on constitutional reform and the aspiration for greater recognition for the three island groups in Scotland. He also made reference to the short timescale for the Council to respond to the Smith Commission on proposals for further devolution of powers to the Scottish Parliament.

(Mr Coutts attended the meeting).

In response to a question, the Chief Executive advised on the proposal that all the areas covered during the Council's constitutional reform project to date will be presented to the Sounding Board in the first instance, where actions and priorities will be agreed to take the project forward.

In response to a question, the Convener confirmed that the Council had written to the political party representatives on the Smith Commission yesterday. In regard to the further submission deadline of 31 October, the Chief Executive advised that he would anticipate that in addition to the Council's response, Members would favour a further joint response with Orkney and the Western Isles.

In response to a comment from a Member, the Chief Executive acknowledged the need for careful consideration to be given to the Council's strategic and tactical approach to the response to the Smith Commission and the project going forward. Again referring to the tight timescale for responses to be made, the Chief Executive advised that the Council's response would be the priority item for discussion by the Project Sounding Board.

During the discussion, Mr Ratter advised that the context of the Council's objectives to this project has been changed by the Referendum and the prospect of more powers for the Scottish Parliament, with the most likely eventual outcome being a significant change in Local Government. He stated that a framework needs to be established to deliver the best outcomes and powers for Shetland in the long term, which he said would differ from what OIOF was seeking prior to the Referendum.

Mr Robertson made reference to the excellent outputs from the OIOF campaign, and complemented the Political Leaders who had been involved. Mr Robertson said that the position had changed since the Referendum, and would depend on the strength of the case made by the Scottish Government to achieve greater devolution of powers. Mr Robertson said that the ZCC Act was the greatest opportunity Shetland had to develop an Act of Parliament for the control of waters around Shetland, and similar control through devolution of the Crown Estate would be a tremendous advantage and a major factor for Orkney, Shetland and the Western isles if it could be achieved.

During the discussion, Members made comment on some of the issues important to Shetland, which included State Aid for remote island communities and fisheries. The Leader advised on the willingness in Europe to discuss State Aid, and that good contacts have been made in the Commission. Members noted the

consequences from a potential referendum on Europe and the need for Shetland to be well connected in Europe for the sake of the local economy.

Reference was made to the community engagement during the recent Referendum, and on the need for the project to find ways to retain that engagement with communities going forward.

Mr G Smith said that he would anticipate the project moving forward to be a very multi-layered piece of work, to pursue the 'Asks' in the short-term but also to consider the longer-term ambitions and benefits to Shetland and how these would be achieved, where he questioned whether the Project would benefit from external advice.

Mr G Smith referred to the recommendations in the report, which he said is a sensible approach at this time, and he moved that the Council approve recommendations 2.1 and 2.2. Dr Wills seconded.

In referring to Section 4.7 of the report, Mr Cooper said that he was of the opinion, that the Chief Executive should be Lead Officer for the Officer Project Board, to create a strong link with the Project Sounding Board, adding that this was no reflection on the officer that had been identified for the role. Mr Smith agreed to include this amendment on the formation of the Officer Project Board into his motion, and the Council concurred.

(Dr Wills left the meeting)

In accordance with Recommendation 2.3 in the report, nominations were sought for a Member from each of the Ward areas to be appointed to the Project Sounding Board. Appointments were made as follows:

- North Isles: Mr S Coutts
- Shetland North: Mr A Cooper
- Shetland West: Following nominations, Mr T Smith was appointed. Mr Smith however advised that he would be unavailable to attend meetings during the next few weeks, and he therefore suggested whether another Shetland West Member could accept the position. Following nominations, Mr F Robertson was appointed.
- Shetland Central: Mr M Burgess
- Shetland South: Mr B Fox
- Lerwick North: Mr M Stout

(Dr Wills returned to the meeting)

- Lerwick South: Mr Campbell and Dr Wills were nominated, and both nominees accepted their nominations. Voting took place by secret ballot, and the result was as follows:

Mr Campbell	9
Dr Wills	10

Dr Wills was duly appointed.

Decision:

The Council **RESOLVED** to:

- NOTE the content of the UK Government’s “Framework for the Islands”;
- DELEGATE authority to the Chief Executive, working with the Political Leader and supported by a Project Sounding Board, to deliver the proposals set out in section 4 of this report for the future direction of the constitutional reform campaign;
- APPOINT the Chief Executive as the Lead Officer for the Officer Project Board; and
- APPOINT the Political Leader, and one representative from each Ward area to the Project Sounding Board, namely, Mr S Coutts, Mr A Cooper, Mr F Robertson, Mr M Burgess, Mr B Fox, Mr M Stout and Dr J Wills.

The meeting concluded at 10.45am.

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Convener