

Executive Manager: Jan-Robert Riise
Director of Corporate Services: Christine Ferguson

Governance & Law
Corporate Services Department
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All Councillors

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If calling please ask for
Anne Cogle
Direct Dial: 01595 744554
Email: anne.cogle@shetland.gov.uk

Date: 12 May 2017

Dear Sir/Madam

You are invited to the following meeting:

Shetland Islands Council – Statutory Meeting
Auditorium, Shetland Museum and Archives, Hays Dock, Lerwick
Thursday 18 May 2017 at 10.00am

Apologies for absence should be notified to Anne Cogle at the above number.

Yours faithfully

Executive Manager – Governance and Law

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies for absence, if any.
- (c) Declarations of Interest - Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.
- (d) Confirmation of Members Elected to Serve on Shetland Islands Council
GL-14

1. Appointment of Convener and Depute Convener
GL-15
2. Appointment of Leader and Depute Leader
GL-16
3. Appointment of Committee Chairs and Vice-Chairs
GL-17
4. Appointment of Councillors to the Shetland Community Health and Social Care Partnership - Integration Joint Board (IJB)
GL-13
5. Appointment of Committee Members
GL-18
6. Appointment of Policy and Resources Committee
GL-22
7. Appointment of Councillors to the Shetland Islands Area Licensing Board (SIALB)
GL-19
8. Appointment of Councillors to the Orkney and Shetland Valuation Joint Board (O&SVJB)
GL-11
9. Appointment of Councillors to the Zetland Transport Partnership (ZetTrans)
GL-20
10. Appointment of Councillors to the Pension Board
GL-12
11. Appointments to the Convention of Scottish Local Authorities [COSLA] - Convention and Boards
GL-21
12. Appointments to External Organisations
GL-23

END



Shetland Islands Council

Agenda
Item

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Meeting(s):	Shetland Island Council First Statutory Meeting	18 May 2017
Report Title:	Confirmation of Members Elected to Serve on the Shetland Islands Council	
Reference Number:	GL-14	
Author / Job Title:	Jan-Robert Riise, Executive Manager - Governance and Law	

1.0	Decisions / Action required:
1.1	No decision is required.
2.0	High Level Summary:
2.1	The Local Government etc (Scotland) Act 1994 provides that at the first meeting of the Council held after an ordinary election of councillors, and until the Convener is elected, the Returning Officer shall preside.
2.2	This report is presented as a preliminary matter to the formal business of the Council, by receiving confirmation from the Returning Officer as to the names of those persons elected to serve on the Shetland Islands Council following the elections on 4 May 2017. This report also provides confirmation from the Proper Officer that each Councillor has duly accepted office.
3.0	Corporate Priorities and Joint Working:
3.1	This report has no impact on the Council's corporate priorities or on joint working.
4.0	Key Issues:
4.1	There are no issues to report in relation to the election of Councillors.
5.0	Exempt and/or confidential information:
	None.
6.0	Implications :
6.1 Service Users, Patients and Communities:	By signing their respective declarations of office, each councillor is now entitled to fulfil their corporate, community leader and Ward representative roles. This includes their right to attend today's meeting.
6.2 Human Resources	None.

and Organisational Development:		
6.3 Equality, Diversity and Human Rights:	None.	
6.4 Legal:	In accordance with Section 56(b) 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.	
6.5 Finance:	Councillor's remuneration is set in accordance with the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2017. The current basic allowance for a Councillor is £16,927 and is provided for within the existing Members' Allowances budget.	
6.6 Assets and Property:	None.	
6.7 ICT and new technologies:	None.	
6.8 Environmental:	None.	
6.9 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.	
6.10 Policy and Delegated Authority:	The reporting of this information to the first statutory meeting of the Council does not fulfil any legal requirement, but is necessary for the Council to be satisfied as to the required notification and receipt of information concerning the election of Councillors.	
6.11 Previously considered by:	None.	

Contact Details:

Jan Riise, Executive Manager - Governance and Law jan.riise@shetland.gov.uk
5 May 2017

Appendices:

Appendix 1 - Letter from Depute Returning Officer to the Proper Officer

Background Documents:

Declaration of Results

<http://www.shetland.gov.uk/elections/SICElections-4May2017.asp>

END

Returning Officer: Jan-Robert Riise

Burgh Road
LERWICK
Shetland
ZE1 0LA

Mr Jan-Robert Riise
Proper Officer
Shetland Islands Council
Corporate Services - Governance and Law
Burgh Road
LERWICK
ZE1 0LA

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

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

Date: 5 May 2017

Dear Mr Riise

Shetland Islands Council - Election - 4 May 2017

In terms of Section 56(b) of the Scottish Local Elections Rules, I have to inform you that the following persons were, at the Election held on 4 May 2017, duly elected as Members of Shetland Islands Council

Electoral Ward	Candidate's surname	Candidate's other names	Description (if any)	Candidate's address
North Isles	Priest	Alec George	-	Nessview, Burravoe, Yell, Shetland, ZE2 9AY
	Simpson	Duncan	Independent	1 Bothies, Symbister, Whalsay, Shetland, ZE2 9AQ
	Thomson	Ryan James Andrew	Independent	Ariane, Wadbister, Girsta, Shetland, ZE2 9SQ
Shetland North	Cooper	Alastair Thomas James	Independent	Linga, Mossbank, Shetland, ZE2 9RB
	Macdonald	Emma Louise	Independent	Rocklea, Lower Voe, Shetland, ZE2 9PX
	Manson	Andrea Isabel	-	Greystones, Brae, Shetland, ZE2 9QJ
Shetland West	Coutts	Steven	Independent	Glenlea, Weisdale, Shetland, ZE2 9LQ
	Hughson	Catherine	Independent	Tigh-Na-Mara, South Whiteness, Shetland, ZE2 9LL
	Smith	Theo	Independent	Stenaquoy, Wormadale, Whiteness, Shetland, ZE2 9LJ

Electoral Ward	Candidate's surname	Candidate's other names	Description (if any)	Candidate's address
Shetland Central	Burgess	Mark Robert	-	Viewcliff, Houl Road, Westerhoull, Scalloway, Shetland, ZE1 0XA
	Sandison	Davie	Independent	Bonhoga, 7 Castle Street, Scalloway, Shetland, ZE1 0TP
	Scott	Ian	-	Braehead Cottage, Scalloway, Shetland, ZE1 0TP
Shetland South	Duncan	Allison George Leslie	Independent	1 Hillock, Dunrossness, Shetland, ZE2 9JR
	McGregor	Robbie	Scottish National Party (SNP)	Dumyat, 3 North Heights, Quarff, Shetland, ZE2 9EY
	Smith	George	Independent	Breasclete, Sandwick, Shetland, ZE2 9HH
Lerwick North	Bell	Malcolm John	-	Edgcott, 34 St Olaf Street, Lerwick, Shetland, ZE1 0BX
	Fraser	John Finlay Sinclair	Independent	17 North Road, Lerwick, Shetland, ZE1 0NP
	Leask	Stephen Arthur	Independent	Spindrift, Skellister, South Nesting, Shetland, ZE2 9PS
Lerwick South	Campbell	Peter	Independent	8 Sandyloch Drive, Lerwick, Shetland, ZE1 0SR
	Smith	Cecil Laing	Independent	Faravel, Boust, Sandness, Shetland, ZE2 9PL
	Westlake	Amanda	Independent	Norlande, 60 St Olaf Street, Lerwick, Shetland, ZE1 0EN
	Wishart	Beatrice	Independent	6 Stout's Court, Lerwick, Shetland, ZE1 0AF

Yours sincerely



Anne Cogle
Depute Returning Officer



Shetland Islands Council

Agenda
Item

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Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Convener and Depute Convener	
Reference Number:	GL-15	
Author / Job Title:	Jan-Robert Riise, Executive Manager - Governance and Law	

1.0 Decisions / Action required:

- 1.1 That the Council elect a Convener, with immediate effect, by the method stated in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot.
- 1.2 That the Council RESOLVE whether or not to elect a Depute Convener, and if so resolved, proceeds to make such an appointment, with immediate effect, and also by the method stated in Section 4, and further RESOLVES, in the event of a vote, to elect by secret ballot.

2.0 High Level Summary:

- 2.1 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 [Local Government etc (Scotland) Act 1994] and the Council's Constitution.
- 2.2 The Council's Constitution allows for the appointment of a Depute Convener, if so resolved.
- 2.3 The role descriptions for both positions are set out in the Council's constitution, and for ease of reference, set out in Appendix 1.
- 2.4 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.
- 2.5 If appointed, the role of Depute Convener is an unremunerated position.

3.0 Corporate Priorities and Joint Working:

- 3.1 This report has no impact on the Council's corporate priorities or on joint working.

4.0 Key Issues:

Election of Convener

- 4.1 The Local Government etc (Scotland) Act 1994 requires the Council to elect a convener from among the Councillors. The Act also provides that the election of the Convener shall be the first business transacted at the first meeting of the Council held after an ordinary election of councillors, and at that meeting, until the Convener is elected, the Returning Officer shall preside.
- 4.2 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.
- 4.3 Voting shall be conducted in accordance with Section 10 of the Council's Standing Orders, and as set out in paragraphs 4.6 to 4.10 below.

Following the election of Convener, the Convener will then assume the Chair for the remainder of the meeting.

Election of Deputy Convener

- 4.4 The Local Government etc (Scotland) Act 1994 provides that the Council may elect a member of the Council to be Deputy Convener. The Council's Constitution has provision for this position, and the position was agreed and first appointed to by the Council at its mid-term review of its governance arrangements on 2 July 2014.
- 4.5 If the Council resolves to appoint a Deputy Convener, all nominations for the election of the Deputy Convener shall be sought prior to the first vote and no further nominations will be allowed after voting begins.

Council Members may wish to invite the Convener to apply their nomination in the first instance. Any additional nominations will be pursued thereafter resulting in a vote if more than one candidate emerges.

Also prior to voting, each candidate shall be permitted to address the meeting as to their candidature, however no questions will be allowed.

Method of Election/Voting

- 4.6 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.

4.7	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. It has been custom and practice for the Council to undertake such voting by secret ballot.
4.8	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.
4.9	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.
4.10	In the case of an equality of votes the Convener or Depute 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.
5.0 Exempt and/or confidential information:	
5.1	None.
6.0 Implications :	
6.1 Service Users, Patients and Communities:	None.
6.2 Human Resources and Organisational Development:	None.
6.3 Equality, Diversity and Human Rights:	None.
6.4 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.
6.5 Finance:	The current allowance for the Convener is £21,160 and can be met from the existing Council Members' budget. A further Civic Allowance of up to £2,000 is provided for within the Scheme of Councillors' Approved Duties.
6.6 Assets and Property:	The Convener has an allocated office within Lystina House.

6.7 ICT and new technologies:	None.	
6.8 Environmental:	None.	
6.9 Risk Management:	Failure to appoint a Convener would be in breach of legislation and the Council's Constitution.	
6.10 Policy and 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. The appointment of both Convener and Depute Convener are provided for within the Council's Constitution.	
6.11 Previously considered by:	None	None

Contact Details:

Jan Riise, Executive Manager - Governance and Law jan.riise@shetland.gov.uk
9 May 2017

Appendices:

Appendix 1 - Role Descriptions - Convener and Depute Convener

Background Documents:

- Local Government etc. (Scotland) Act 1994
- SIC Constitution - Part A - Governance

END

7. CONVENER

The Convener is the Councillor who chairs Council meetings and in that regard possesses the powers and duties given to him/her by statute, this Constitution and the common law.

The Convener has precedence, that is to say s/he is the first citizen of the Council area.

The Convener's functions include –

- Undertaking civic and ceremonial functions on behalf of the Council and the community
- Upholding good governance and the Constitution and being the “conscience of the Council”
- Securing the rights of all Members to participate in Council's decision taking
- Acting as a focal point for the whole Shetland community
- Acting as an ambassador for and promoting the Council and Shetland as civic leader
- Promoting wider involvement in public life

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9. DEPUTE CONVENER

The Depute Convener functions include supporting and assisting the Convener in the carrying out of their duties and functions, and to deputise for the Convener in respect of the following duties when the Convener is absent –

- chairing meetings of the Council
- representing the Council and the community at civic and ceremonial functions

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Leader and Depute Leader	
Reference Number:	GL-16	
Author / Job Title:	Jan-Robert Riise, Executive Manager - Governance and Law	

1.0 Decisions / Action required:

- 1.1 That the Council elect a Leader, with immediate effect, by the method stated in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot.
- 1.2 That the Council resolve whether or not to elect a Depute Leader, and if so resolved, to proceed to make such an appointment, with immediate effect, and also by the method stated in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot.

2.0 High Level Summary:

- 2.1 The Council's Constitution allows for the appointment of a Leader and, if so resolved, a Depute Leader.
- 2.2 The role descriptions for both positions are set out in the Council's constitution, and for ease of reference, set out in Appendix 1.
- 2.3 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.
- 2.4 If appointed, the role of Depute Leader is an unremunerated position.

3.0 Corporate Priorities and Joint Working:

- 3.1 This report has no impact on the Council's corporate priorities or on joint working.

4.0 Key Issues:

Election of Leader

- 4.1 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.

- 4.2 Voting shall be conducted in accordance with Section 10 of the Council's Standing Orders, and as set out in paragraphs 4.5 to 4.9 below.

Election of Depute Leader

- 4.3 The Council's Constitution has provision for this position, and the position was agreed and first appointed to by the Council at its mid-term review of its governance arrangements on 14 May 2014.
- 4.4 If the Council resolves to appoint a Depute Leader, all nominations for the election of the Depute Leader shall be sought prior to the first vote and no further nominations will be allowed after voting begins.

Council Members may wish to invite the Leader to apply their nomination in the first instance. Any additional nominations will be pursued thereafter resulting in a vote if more than one candidate emerges.

Also prior to voting, each candidate shall be permitted to address the meeting as to their candidature, however no questions will be allowed.

Method of Election/Voting

- 4.5 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.
- 4.6 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. It has been custom and practice for the Council to undertake such voting by secret ballot.
- 4.7 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.
- 4.8 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.
- 4.9 In the case of an equality of votes the Leader or Depute 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.

5.0 Exempt and/or confidential information:

- 5.1 None.

6.0 Implications :		
6.1 Service Users, Patients and Communities:	None.	
6.2 Human Resources and Organisational Development:	None.	
6.3 Equality, Diversity and Human Rights:	None.	
6.4 Legal:	None.	
6.5 Finance:	The current allowance for the Leader is £28,213 and can be met from the existing Council Members' budget.	
6.6 Assets and Property:	The Leader has an allocated office within Lystina House.	
6.7 ICT and new technologies:	None.	
6.8 Environmental:	None.	
6.9 Risk Management:	Failure to appoint a Leader would be in breach of the Council's Constitution.	
6.10 Policy and Delegated Authority:	The appointment of both Leader and Depute Leader are provided for within the Council's Constitution.	
6.11 Previously considered by:	None	None

Contact Details:

Jan Riise, Executive Manager - Governance and Law jan.riise@shetland.gov.uk
9 May 2017

Appendices:

Appendix 1 - Role Descriptions - Leader and Depute Leader

Background Documents:

- SIC Constitution - Part A - Governance

END

Appendix 1

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8. LEADER

The Leader's functions include –

- Chairing the Policy and Resources Committee
- Providing political leadership and direction for the organisation, leading the Senior Councillor Chairs
- Working across the Council to establish clear political direction
- Promoting Council interests as political leader
- Representing the Council at meetings with Ministers, CoSLA and other partners
- Responsibility at political level for the management and maintenance of the Council's reputation
- Providing the key political level link between the officer structure and political structure

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10. DEPUTE LEADER

The Depute Leader's functions include supporting and assisting the Leader in the carrying out of their duties and functions, and to deputise for the Leader in respect of the following duties when the Leader is absent –

- chairing the Policy and Resources Committee
- representing the Council at meetings with Ministers, CoSLA and other partners.

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Committee Chairs and Vice-Chairs	
Reference Number:	GL-17	
Author / Job Title:	Jan-Robert Riise, Executive Manager - Governance and Law	

1.0 Decisions / Action required:

- 1.1 That the Council RESOLVES to appoint Members to the following positions, and further RESOLVES, in the event of a vote, to elect such Members by secret ballot:

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

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

- 1.2 That the Council considers the suggestion raised in paragraph 4.2 and RESOLVES to determine that the position of the Council-appointed Chair/Vice-Chair of the Integration Joint Board [subject to a separate report], is regarded as a Senior Councillor appointment for the purposes of remuneration only.
- 1.3 That the Council RESOLVES to agree the proposed rates for Senior Councillor remuneration, as set out in paragraph 4.4.
- 1.4 That the Council considers the suggestion raised in paragraph 4.3 and RESOLVES that the Chair and Vice-Chair of the Licensing Committee also be appointed as members of the Shetland Islands Area Licensing Board.

2.0 High Level Summary:

- 2.1 The Council's Constitution provides for the appointment of Committee Chairs and Vice-Chairs.

- 2.2 The role description for Senior Councillors Chairs is set out in the Council's constitution, and for ease of reference, set out in Appendix 1.
- 2.3 Vice-Chairs have no constitutional role, other than to deputise for the Chair at their appointed Committee. It is recognised that Vice-Chairs may provide a political supportive role to their respective Committee Chair, but the detail as to how that role is defined or developed is a matter for discussion and agreement between the office bearers.
- 2.4 The role of Chair/Vice-Chair of the Shetland Islands Health and Social Care Partnership Integration Joint Board [the "IJB"] is set out in the Integration Scheme and the IJB's constitutional documents. However, and unlike the position for other statutory Joint Boards, such as the Valuation Joint Board, this is not a remunerated position, and it requires a decision of the Council to classify it as a Senior Councillor role in order to receive remuneration.
- 2.5 Regulations set out the maximum available amounts for Senior Councillor roles, and it is again a matter for the Council to determine how those amounts are allocated.
- 2.6 In accordance with the Council's current Scheme of Administration and Delegations, Section 1.3, a Member appointed to any of the Chair or Vice-Chair positions above 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.

3.0 Corporate Priorities and Joint Working:

- 3.1 This report has no impact on the Council's corporate priorities or on joint working.

4.0 Key Issues:

Election of Chairs and Vice-Chairs

- 4.1 All nominations for the election of each of the Chairs and Vice-Chairs 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.
- 4.2 Voting shall be conducted in accordance with Section 10 of the Council's Standing Orders, and as set out in paragraphs 4.5 to 4.9 below.

Council Appointed Chair/Vice-Chair Integration Joint Board

- 4.2 Whilst not currently set in the constitution as a senior councillor role, as the IJB is a separate legal entity, the role of Council-appointed Chair or Vice-Chair of the IJB is in effect responsible as the Council's main portfolio holder in respect of integrated health and social care matters, including statutory functions of the Council. The Council appointed members of the IJB have responsibility for achieving relevant outcomes, but, akin to the role of Senior Councillor Chairs, additional responsibilities are also placed on the Council-appointed Chair/Vice-Chair to provide leadership responsibility at a political

level and to act as Spokesperson for the functional areas within the remit of the IJB. In this regard, it is recommended that the Council formally adopt the role of Council-appointed Chair or Vice-Chair of the IJB as a Senior Councillor Chair for the purposes of remuneration only.

Shetland Islands Area Licensing Board

- 4.3 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 appointment of Chair and 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.

Senior Councillor Remuneration

- 4.4 The maximum sum available for payment of Senior Councillor remuneration is £171,390.37. The maximum amount for any single payment is 75% of the Leader's amount [£28,213], namely £21,159. Former Councils have agreed that the roles of functional Committee Chairs carry a slightly higher level of political and functional responsibility than other Committees and Boards. In this regard, and in order to maintain that differentiation, it is proposed that the payments to Senior Councillor Chairs is as set out below:

Maximum total available	£171,390.37
Chair Education and Families Committee	£19,607.00
Chair Development Committee	£19,607.00
Chair Environment and Transport Committee	£19,607.00
Chair/Vice Chair IJB	£19,607.00
Chair Audit Committee	£18,592.00
Chair Planning Committee	£18,592.00
Chair Licensing Committee	£18,592.00
Chair Harbour Board	£18,592.00
Chair College Board	£18,592.00
	£171,388.00
Leader	£28,213.00
Convener	£21,160.00

The above figures assume that the Council has agreed with the recommendation to determine the role of Council-appointed Chair or Vice-Chair of the IJB as a Senior Councillor Chair.

Method of Election/Voting

- 4.5 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.

- 4.6 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. It has been custom and practice for the Council to undertake such voting by secret ballot.
- 4.7 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.
- 4.8 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.
- 4.9 In the case of an equality of votes the Leader or Depute 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.

5.0 Exempt and/or confidential information:

5.1 None.

6.0 Implications :

**6.1
Service Users,
Patients and
Communities:**

None.

**6.2
Human Resources
and Organisational
Development:**

None.

**6.3
Equality, Diversity
and Human Rights:**

None.

**6.4
Legal:**

None.

**6.5
Finance:**

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 constrained by regulations under the Local Governance (Scotland) Act 2004 and will be met from the Council Members' budget. The maximum sum available for senior councillor remuneration from 4 May 2017 [excluding

	<p>Convener and Leader] is £171,390.37 provided that the Council agrees to the classification of Chair/Vice-Chair of the IJB as a Senior Councillor remunerated position.</p> <p>Committee Vice-Chair appointments carry approved duty status as described in Part G of the Council's Constitution, but are not remunerated positions.</p>	
6.6 Assets and Property:	The Leader has an allocated office within Lystina House.	
6.7 ICT and new technologies:	None.	
6.8 Environmental:	None.	
6.9 Risk Management:	Failure to appoint a Leader would be in breach of the Council's Constitution.	
6.10 Policy and Delegated Authority:	The appointment of both Leader and Depute Leader are provided for within the Council's Constitution.	
6.11 Previously considered by:	None	None

Contact Details:

Jan Riise, Executive Manager - Governance and Law jan.riise@shetland.gov.uk
9 May 2017

Appendices:

Appendix 1 - Role Descriptions - Senior Councillor Chairs

Background Documents:

- SIC Constitution - Part A - Governance
- Local Governance (Scotland) Act 2004

END

6. ROLE

The Leader and Senior Councillor Chairs each have a clear individual leadership responsibility at political level for areas of activity and for achieving relevant outcomes and additional responsibilities are placed on these Councillors. Acting as spokespersons for their respective functional areas, these responsibilities include:-

- (1) Taking a corporate lead in the development of the Council as an organisation and the formulation and achievement of its strategic vision;
- (2) Contributing to the development of the Council's corporate strategies to help ensure the development of service policy within the corporate environment;
- (3) Leading on service matters of political/policy priority at meetings of the Council, Policy and Resources Committee and other committees and groups within the Council;
- (4) Chairing the relevant functional Committee and leading it in its work of service policy development and the performance management of services
- (5) Providing regular chairs reports to Policy and Resources Committee meetings on the areas of work for which they have responsibility, including reporting back on meetings with organisations and other events outside the Council;
- (6) Supporting the relevant Directors/Executive Managers in taking forward the development of service policy issues and their effective implementation, involving all relevant employees, service users and partner organisations;
- (7) In consultation with the Leader of the Council, promoting awareness of service strategies, achievements and constraints in order to inform the public, government and other organisations; to be an ambassador for the service locally and nationally;
- (8) Maintaining good communications with Council employees, providing a bridge between the Council and employees to provide a policy background for, and recognition of, their work.

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Councillors to the Shetland Community Health and Social Care Partnership - Integration Joint Board (IJB)	
Reference Number:	GL-13	
Author / Job Title:	Executive Manager – Governance and Law	

1.0 Decisions / Action required:

- 1.1 That the Council appoint three Members to the Integration Joint Board for a period of 3 years, by the method set out in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot;
- 1.2 That the Council appoint one of these three Members to serve as Chair/Vice-Chair of the Integration Joint Board, noting that this Member will also serve as a member of the Council's Policy and Resources Committee; and
- 1.3 That the Council appoint another of these three Members to the Council's Policy and Resources Committee in order to complete its membership.

2.0 High Level Summary:

- 2.1 This report seeks the appointment of three Members to the Integration Joint Board (IJB), and seeks the appointment of one of these Members to serve as Chair/Vice Chair of the IJB.
- 2.2 The IJB is the governing body of the Health and Social Care Partnership under the body corporate model of integration in terms of the Public Bodies (Joint Working)(Scotland) Act 2014. The Parties (Shetland Islands Council and NHS Shetland/Health Board) agreed the Integration Scheme for Shetland Islands Health and Social Care Partnership, which sets out the delegation of functions by the Parties to the OJB. For ease of reference, the relevant extract setting out the main role and responsibilities of the IJB is set out in Appendix 1.
- 2.3 In making these appointments, the Council should note that the Chair/Vice-Chair will serve for a period of 3 years acting as Vice-Chair of the IJB as the Chair has rotated and falls to the NHS for the next term of office. The appointed member will also serve as a member of the Council's Policy and Resources Committee, along with one other Council appointed IJB member.

3.0 Corporate Priorities and Joint Working:

- 3.1 The recommendation in this report is not linked directly to any of the Corporate Priorities, but will support the Council's responsibilities in terms of ensuring good governance, accountability and partnership working.

4.0	Key Issues:
4.1	Voting members of the Integration Joint Board comprises three persons appointed by the Shetland NHS Board, and three persons appointed by the Shetland Islands Council. There are also eleven non-voting members, nominated by both parties, and the IJB may also appoint such additional members as it sees fit. Such additional members may not be a councillor or non-executive director of the Health Board. All appointments to the IJB are limited to a period of 3 years in office, but are eligible for re-appointment at the end of that period.
4.2	The term of office of Chair/Vice-Chair will be for a period not exceeding three years, and will be carried out on a rotational basis between the appointments made by the Council and NHS Board. As the first Chair of the IJB was appointed by the Council, appointment of the Chair for the current term falls to the NHS Board. Accordingly the Council's appointment will act as Vice-Chair.
4.3	The Vice-Chair may act in all respects as the Chair of the IJB if the Chair is absent or otherwise unable to perform his/her duties.
<u>Method of Election/Voting</u>	
4.4	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.
4.5	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. It has been custom and practice for the Council to undertake such voting by secret ballot.
4.6	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.
4.7	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.
4.8	In the case of an equality of votes the Members of the IJB 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.
5.0	Exempt and/or confidential information:
5.1	None.

6.0 Implications :	
6.1 Service Users, Patients and Communities:	Health and social care integration contributes to achieving the following outcomes in the Shetland's Single Outcome Agreement (SOA): "We have tackled inequalities by ensuring the needs of the most vulnerable and hard to reach groups are identified and met, and that services are targeted at those most in need."; "People are supported to be active and independent throughout adulthood and in older age"; and "We live longer healthier lives".
6.2 Human Resources and Organisational Development:	There are no implications arising directly from this report.
6.3 Equality, Diversity and Human Rights:	The proposals in this report support the responsibilities of the Council with regard to equalities, health and human rights.
6.4 Legal:	The IJB is a body corporate, established by Order under Section 9 of the Public Bodies (Joint Working)(Scotland) Act 2014. The Integration Scheme came into effect on 27 June 2015, the date on which the Parliamentary Order formally established the IJB.
6.5 Finance:	As an approved duty, any appointed elected Members will be entitled to claim expenses for attendance at meetings. This will result in expenditure in relation to the Members' Expenses budget.
6.6 Assets and Property:	There are no implications arising directly from this report.
6.7 ICT and new technologies:	There are no implications arising directly from this report.
6.8 Environmental:	There are no implications arising directly from this report.
6.9 Risk Management:	The main risks associated with this report are failure to support the Integration Scheme which would impact on service developments and work on the integration of health and social care.
6.10 Policy and Delegated Authority:	In terms of Section 2.1.3 of the Council's Scheme of Administration and Delegations, matters reserved to the Council include the appointment of Councillors to any body which is part of the political management framework. A decision of the Council is therefore required.

6.11 Previously considered by:	N/A	

Contact Details:

Jan Riise, Executive Manager - Governance and Law jan.riise@shetland.gov.uk
9 May 2017

Appendices:

Appendix 1 - Role and responsibilities of the IJB

Background Documents:

Integration Scheme and IJB Scheme of Administration

[http://www.shetland.gov.uk/Health Social Care Integration/IntegratedJointBoard.asp](http://www.shetland.gov.uk/Health_Social_Care_Integration/IntegratedJointBoard.asp)

END

...
2.3

The responsibilities of the IJB and local operational arrangements agreed by the Parties are as follows:

- The planning of the Integrated Services, which will be achieved through the Strategic Plan.
- Operational oversight of Integrated Services, and operational management of Integrated Services through the Chief Officer.
- Planning of Acute Hospital services delegated to the IJB (the Health Board will be responsible for the operational oversight of Acute Services and through a responsible Director for the operational management of all Acute Services. The Health Board will provide information on a regular basis to the Chief Officer and the IJB on the operational delivery of Acute Services).
- The Chief Officer and Director responsible for Acute Services will establish joint arrangements to ensure effective working relationships across the whole Health & Care system. These will be built on the existing joint working arrangements including joint acute and community strategic meetings and co-location of senior managers from acute and community services.
- The detailed commissioning and operational delivery arrangements will be set out in the Strategic Plan.
- The Parties will support the IJB to work closely with Shetland's Community Planning Partnership as required by the Scottish Government.
- The development and maintenance of a set of performance measures including the Outcomes, national targets, the national inspection processes and locally developed targets.
- The establishment of a Strategic Planning Group which will develop the Strategic Plan for the IJB.
- The Strategic Plan will include the nationally determined performance measures and targets to meet the Outcomes, other national targets and local targets relating to the integrated functions. These will be developed and articulated through the process of preparing the Strategic Plan.
- The maintenance and development the Strategic Plan, updating the Strategic Plan at least every three years as required by the legislation.
- The preparation and publishing of an Annual Report as required by the legislation.

2.4 The matters reserved to the IJB are as follows, although it should be noted that matters that are not reserved may be delegated, in accordance with the provisions of the Integration Scheme:

- To change the name of the Integration Joint Board
- To receive any certified abstract of the Integration Joint Board's annual accounts
- Approval of the any investment strategy and annual investment report
- Any other functions or remit which is, in terms of statute or other legal requirement bound to be undertaken by the Integration Joint Board itself
- To establish such committees, sub-committees and working groups as may be considered appropriate to conduct business and to appoint and remove Chairpersons, Vice Chairpersons and members of committees and working groups
- The approval annually of the Revenue Budget
- The approval annually of the Capital Plan
- The incurring of any net new expenditure not provided for in the estimate of capital or revenue expenditure unless, such expenditure is reported to and approved by the Board
- The approval or amendment of the Scheme of Administration regulating the constitution, membership, functions and powers of Committees of the Integration Joint Board
- The approval or amendment of the Standing Orders regulating meetings proceedings and business of the Integration Joint Board and Committees
- The approval or amendment of the Scheme detailing those functions delegated by the Integration Joint Board to its Officers
- The appointment and the dismissal of the Chief Officer or the S95 Financial Officer
- The decision to co-operate or combine with other Integration Joint Boards in the provision of services other than by way of collaborative agreement
- The approval or amendment of the Strategic Plan
- To fix and amend a programme of Board and committee meetings
- To deal with matters reserved to the Integration Joint Board by Standing Orders, Financial Regulations and other Schemes approved by the Integration Joint Board

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Committees	
Reference Number:	GL-18	
Author / Job Title:	Jan-Robert Riise, Executive Manager - Governance and Law	

1.0	Decisions / Action required:
1.1	That the Council appoints members to the Committees, in accordance with the schedule attached as Appendix 1, and detailed in Section 4.1 below;
1.2	That the Council NOTES the arrangements being put in place to seek nominations from the relevant organisation for the statutory appointment of Religious Representatives to the Education and Families Committee, as referred to in paragraph 4.2;
1.3	That the Council considers the matters raised in paragraphs 4.3 to 4.6 and RESOLVES to determine whether any additional councillor and non-councillor appointments should be made;
1.4	That the Council NOTES the information and arrangements with regard to the membership of statutory appeals committees set out in paragraph 4.7; and
1.5	That the Council considers the suggestion raised in paragraph 4.8 and RESOLVES that the members of the Licensing Committee also be appointed as members of the Shetland Islands Area Licensing Board.
2.0	High Level Summary:
2.1	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.
3.0	Corporate Priorities and Joint Working:
3.1	This report has no impact on the Council's corporate priorities or on joint working.
4.0	Key Issues:
4.1	That the Council appoints members to the Committees, in accordance with the schedule attached as Appendix 1 [see also 4.3 below with regard to functional committee memberships].

Education and Families Committee (see also 4.2)
Development Committee
Environment and Transport Committee
Planning Committee (see also 4.4 below)

Audit Committee (see also 4.5 below)
Harbour Board
Licensing Committee (see also 4.8 below)
Shetland College Board (see also 4.6 below)
Appeals Committees (see also 4.7 below)
Pension Fund Committee
Town Hall Sub-Committee
Employees Joint Consultative Committee
College Lecturers Joint Consultative/Negotiating Committee

Education and Families Committee

- 4.2 The Council is required by Section 124 of the Local Government (Scotland) Act 1973 as revised by Section 31 of the Local Government etc. (Scotland) Act 1994 to appoint three representatives of religious interests to its Education and Families Committee. We await confirmation from the Church of Scotland, Shetland Inter Faith Group and the Shetland Churches Council Trust as to their nominations for these positions, and unless they respond before the date of this meeting, those appointments will be presented to the Council at its next meeting on 29 June.

Additional Councillor Members

- 4.3 Functional Committees: Each of the functional committees has a vacancy for an Additional Council Member. The previous Council considered this during its midterm review in 2014, and no proposal was made to change the composition at that time, leaving the vacancy in place for the remainder of its term. It is therefore a matter for this Council to determine whether that additional Council member appointment remains a requirement.
- 4.4 Planning Committee: The Planning Committee has vacancies for two additional Councillor Members. Again, the previous Council considered this during its midterm review in 2014, and no proposal was made to change the composition at that time, leaving the vacancies in place for the remainder of its term. It is therefore a matter for this Council to determine whether those additional Council members remain a requirement.
- 4.5 Audit Committee: The Audit Committee also has vacancies for two independent people to be selected by the Council. As with other vacancies, these were not regarded by the previous Council as requiring to be filled, thereby leaving the vacancies in place for the remainder of its term. It is therefore a matter for this Council to determine whether those additional Council members remain a requirement.

Additional non-Councillor Members

- 4.6 Shetland College Board: During the 2012-2017 Council term, the Shetland College Board membership included two additional non-councillor members, appointed following a public advertisement for those with relevant skills and expertise. Those appointments came to an end on 3 May 2017, and the Council is asked to

consider whether it wishes to continue with those appointments at this time. If so, arrangements will be put in place to commence with advertising the vacancies, in consultation with the Chair of Education and Families Committee and the Chair of the Shetland College Board and nominations will be reported to the Council at its meeting on 29 June.

Appeals Committees

- 4.7 Complaints Social Work Review Sub-Committee: A change in legislation has resulted in this Sub-Committee no longer being a requirement, but there is a current outstanding case which requires to be heard under the existing Committee arrangements.

Licensing Committee

- 4.8 Whilst a separate report on the Membership of the Shetland Islands Area Licensing Board is to be considered later on the agenda, the Council is asked to consider agreeing to the suggestion raised in agenda item 7 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.

5.0 Exempt and/or confidential information:

- 5.1 None.

6.0 Implications :

6.1 Service Users, Patients and Communities:	None.
6.2 Human Resources and Organisational Development:	None.
6.3 Equality, Diversity and Human Rights:	None.
6.4 Legal:	None.
6.5 Finance:	Attendance at Council committees is an approved duty and costs are met from the Members' budget.
6.6 Assets and Property:	None.

6.7 ICT and new technologies:	None.	
6.8 Environmental:	None.	
6.9 Risk Management:	Failure to make the remaining appointments to Committee would be in breach of the Council's Constitution.	
6.10 Policy and Delegated Authority:	The appointment of Committee members are provided for within the Council's Constitution and is a matter reserved to the Council.	
6.11 Previously considered by:	None	None

Contact Details:

Jan Riise, Executive Manager - Governance and Law jan.riise@shetland.gov.uk
9 May 2017

Appendices:

Appendix 1 - Schedule of Appointments.

Background Documents:

SIC Constitution - Part A - Governance

END

	Education and Families Committee (7 ward members + Ch & VCh + Leader + 1 + 3 Religious Reps)	Development Committee (7 ward members + Ch & VCh + Leader + 1)	Environment and Transport Committee (7 ward members + Ch & VCh + Leader + 1)
Chair	From Report No. GL-17	From Report No. GL-17	From Report No. GL-17
Vice-Chair	From Report No. GL-17	From Report No. GL-17	From Report No. GL-17
North Isles			
Shetland North			
Shetland West			
Shetland Central			
Shetland South			
Lerwick South			
Lerwick North			
Leader	From Report No. GL-16	From Report No. GL-16	From Report No. GL-16
Additional Member	Additional councillor	Additional councillor	Additional councillor
Religious Reps (3)			

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	
Chair	From Report No. GL-17
Vice-Chair	From Report No. GL-17
North Isles	
Shetland North	
Shetland West	
Shetland Central	
Shetland South	
Lerwick South	
Lerwick North	
Additional Member 1	Additional councillor
Additional Member 2	Additional councillor

	Audit Committee 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	Harbour Board 8 Councillors, including two Councillors to be Chair and Vice Chair appointed by the Council	Licensing Committee 8 Councillors, including two Councillors to be Chair and Vice Chair appointed by the Council	Shetland College Board 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
Chair	1 From Report No. GL-17	1 From Report No. GL-17	1 From Report No. GL-17	1 From Report No. GL-17
Vice-Chair	2 From Report No. GL-17	2 From Report No. GL-17	2 From Report No. GL-17	2 From Report No. GL-17
Members	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			

Appeals Committees:			
Complaints (Social Work) Review Sub-Committee 3 persons to be drawn from a Panel of 4 Councillors and 4 independent persons.	Placing Requests Appeals Sub-Committee 3 persons to be drawn from the Panel of 4 Councillors and 4 independent persons.	Staffing Appeals Committee A Panel of 4 Councillors to be drawn from a group of 14 Councillors .	Education Appeals Sub-Committee A Panel of 4 Councillors will be drawn from a group of 14 Councillors .
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
		5	5
		6	6
		7	7
		8	8
		9	9
		10	10
		11	11
		12	12
		13	13
		14	14

Pension Fund Committee All Members of the Council's Policy and Resources Committee	Town Hall Sub-Committee 2 Councillors from each of the Lerwick South and Lerwick North Wards; Five Councillors from the remaining five Wards - one from each. The Chair and vice-chair shall be a Councillor, appointed by the Council from amongst those Councillors appointed to the Sub- Committee.	Employees Joint Consultative Committee 8 Councillors	College Lecturers Joint Consultative Committee (JCC) and College Lecturers Joint Negotiating Committee (JNC) Committees to comprise 4 Councillors of the Shetland College Board
1 From Report No. GL-22	1 Chair	1	1
2 From Report No. GL-22	2 Vice-Chair	2	2
3 From Report No. GL-22	3	3	3
4 From Report No. GL-22	4	4	4
5 From Report No. GL-22	5	5	
6 From Report No. GL-22	6	6	
7 From Report No. GL-22	7	7	
8 From Report No. GL-22	8	8	
9 From Report No. GL-22	9		
10 From Report No. GL-22			



Shetland Islands Council

Agenda
Item

6

Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Policy and Resources Committee	
Reference Number:	GL-22	
Author / Job Title:	Jan-Robert Riise, Executive Manager - Governance and Law	

1.0	Decisions / Action required:																
1.1	That the Council confirms the membership of Policy and Resources Committee.																
2.0	High Level Summary:																
2.1	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.																
3.0	Corporate Priorities and Joint Working:																
3.1	This report has no impact on the Council's corporate priorities or on joint working.																
4.0	Key Issues:																
4.1	Membership of the Council's Policy and Resources Committee will have been appointed to by way of earlier reports on today's agenda, as follows, and the names of those appointed will be confirmed by the Convener at the meeting: <table border="1" data-bbox="284 1480 1423 2134"> <tr> <td colspan="2">Policy and Resources Committee</td></tr> <tr> <td colspan="2">10 Councillors, being the Leader, the Deputy Leader, the three Committee Chairs and the three Committee Vice-Chairs, the Councillor appointed Chair/Vice-Chair of the Integration Joint Board, and one other Councillor appointed member of the Integration Joint Board. The appointment of additional Council members is permitted but limited to the number required in order to achieve representation of all Council wards</td></tr> <tr> <td>Leader</td><td>From report no. GL-16 - Agenda item 2</td></tr> <tr> <td>Deputy Leader</td><td>From report no. GL-16 - Agenda item 2</td></tr> <tr> <td>Chair of Education and Families Committee</td><td>From report no. GL-17 - Agenda Item 3</td></tr> <tr> <td>Chair of Development Committee</td><td>From report no. GL-17 - Agenda Item 3</td></tr> <tr> <td>Chair of Environment and Transport Committee</td><td>From report no. GL-17 - Agenda Item 3</td></tr> <tr> <td>Vice Chair of Education and</td><td>From report no. GL-17 - Agenda Item 3</td></tr> </table>	Policy and Resources Committee		10 Councillors, being the Leader, the Deputy Leader, the three Committee Chairs and the three Committee Vice-Chairs, the Councillor appointed Chair/Vice-Chair of the Integration Joint Board, and one other Councillor appointed member of the Integration Joint Board. The appointment of additional Council members is permitted but limited to the number required in order to achieve representation of all Council wards		Leader	From report no. GL-16 - Agenda item 2	Deputy Leader	From report no. GL-16 - Agenda item 2	Chair of Education and Families Committee	From report no. GL-17 - Agenda Item 3	Chair of Development Committee	From report no. GL-17 - Agenda Item 3	Chair of Environment and Transport Committee	From report no. GL-17 - Agenda Item 3	Vice Chair of Education and	From report no. GL-17 - Agenda Item 3
Policy and Resources Committee																	
10 Councillors, being the Leader, the Deputy Leader, the three Committee Chairs and the three Committee Vice-Chairs, the Councillor appointed Chair/Vice-Chair of the Integration Joint Board, and one other Councillor appointed member of the Integration Joint Board. The appointment of additional Council members is permitted but limited to the number required in order to achieve representation of all Council wards																	
Leader	From report no. GL-16 - Agenda item 2																
Deputy Leader	From report no. GL-16 - Agenda item 2																
Chair of Education and Families Committee	From report no. GL-17 - Agenda Item 3																
Chair of Development Committee	From report no. GL-17 - Agenda Item 3																
Chair of Environment and Transport Committee	From report no. GL-17 - Agenda Item 3																
Vice Chair of Education and	From report no. GL-17 - Agenda Item 3																

	Families Committee	
	Vice Chair of Development Committee	From report no. GL-17 - Agenda Item 3
	Vice Chair of Environment and Transport Committee	From report no. GL-17 - Agenda Item 3
	Chair/Vice-Chair IJB	From report no. GL-13 - Agenda Item 5
	Councillor appointed member of the Integration Joint Board	From report no. GL-13 - Agenda Item 5
	<i>Additional Members [if required in order to achieve all Wards representation]</i>	

5.0	Exempt and/or confidential information:
5.1	None.

6.0	Implications :
6.1 Service Users, Patients and Communities:	None.
6.2 Human Resources and Organisational Development:	None.
6.3 Equality, Diversity and Human Rights:	None.
6.4 Legal:	None.
6.5 Finance:	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. Committee Vice-Chair appointments carry approved duty status as described in Part G of the Council’s Constitution, but are not remunerated positions.
6.6 Assets and Property:	None.
6.7 ICT and new technologies:	None.

6.8 Environmental:	None.	
6.9 Risk Management:	None.	
6.10 Policy and Delegated Authority:	The appointment of members to the Policy and Resources Committee is provided for within the Council's Constitution.	
6.11 Previously considered by:	None.	

Contact Details:

Jan Riise, Executive Manager - Governance and Law jan.riise@shetland.gov.uk
9 May 2017

Appendices:

None.

Background Documents:

None

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Members to the Shetland Islands Area Licensing Board (SIALB)	
Reference Number:	GL-19	
Author / Job Title:	Executive Manager – Governance and Law	

1.0 Decisions / Action required:

1.1 That the Council **RESOLVES** to:

- 1.1.1 APPOINT 8 Members to the Shetland Islands Area Licensing Board (SIALB) and that they be the same Members appointed to the Licensing Committee, by the method set out in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot;
- 1.1.2 RECOMMEND 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.

2.0 High Level Summary:

- 2.1 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.
- 2.2 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.

3.0 Corporate Priorities and Joint Working:

- 3.1 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.

4.0 Key Issues:

- 4.1 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.

- 4.2 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.
- 4.3 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.
- 4.4 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

- 4.5 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.
- 4.6 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 SIC Workforce Development using the services of a national trainer Alcohol Focus who will deliver the nationally approved course. This is scheduled to be delivered on Monday 29 May 2017.
- 4.7 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.
- 4.8 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.
- 4.9 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.

- 4.10 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

- 4.11 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.
- 4.12 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.
- 4.13 The Licensing Scotland Act 2005 also requires the Licensing Board to hold a joint meeting with the local forum each year.

Method of Election/Voting

- 4.14 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.
- 4.15 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. It has been custom and practice for the Council to undertake such voting by secret ballot.
- 4.16 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.
- 4.17 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.
- 4.18 In the case of an equality of votes the Members 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.	
5.0 Exempt and/or confidential information:	
5.1	None.
6.0 Implications :	
6.1 Service Users, Patients and Communities:	Community involvement is provided for through consultation with the Licensing Forum. Annual joint meetings are held between the Board and the Forum.
6.2 Human Resources and Organisational Development:	There are no impacts on employees and/or wider workforce management and development, and there are no issues which will affect staff health, safety and wellbeing.
6.3 Equality, Diversity and Human Rights:	There are no known internal and/or external equalities issues associated with the terms of this report.
6.4 Legal:	The Council is required by statute to administer the functions set out in the Licensing (Scotland) Act 2005.
6.5 Finance:	<p>The expenses of the Board will be met from existing Council budgets.</p> <p>As an approved duty, any appointed elected Members will be entitled to claim expenses for attendance at meetings. This may result in an increase in expenditure in relation to the Members' Expenses budget.</p>
6.6 Assets and Property:	There are no implications for any of the Council's major assets and property, buildings or equipment.
6.7 ICT and new technologies:	There are no implications for ICT and ICT systems
6.8 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.
6.9 Risk Management:	If the Council do not appoint to the Membership of the Licensing Board, it is failing in its duty to comply with the Licensing (Scotland) Act 2005.
6.10 Policy and 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.	
6.11 Previously considered by:	None	

Contact Details:

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10 May 2017

Appendices:

None

Background Documents: Licensing (Scotland) Act 2005

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Councillors to the Orkney and Shetland Valuation Joint Board (O&SVJB)	
Reference Number:	GL-11	
Author / Job Title:	Executive Manager – Governance and Law	

1.0 Decisions / Action required:

- 1.1 That the Council **RESOLVES** to appoint 5 substantive Members, and 5 substitute Members, to the Orkney and Shetland Valuation Joint Board by the method set out in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot.

2.0 High Level Summary:

- 2.1 This report seeks the appointment of Members to the Orkney and Shetland Valuation Joint Board.
- 2.2 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.

3.0 Corporate Priorities and Joint Working:

- 3.1 The recommendation in this report is not linked directly to any of the Corporate Priorities, but will support the Council's responsibilities in terms of ensuring good governance, accountability and partnership working.

4.0 Key Issues:

- 4.1 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.
- 4.2 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.
- 4.3 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 2017 to 2022, resting with Orkney Islands Council, and the Vice-Convener with Shetland Islands Council.

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

Method of Election/Voting

- 4.5 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.
- 4.6 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. It has been custom and practice for the Council to undertake such voting by secret ballot.
- 4.7 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.
- 4.8 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.
- 4.9 In the case of an equality of votes the Members 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.

5.0 Exempt and/or confidential information:

- 5.1 None.

6.0 Implications :

6.1 Service Users, Patients and Communities:	None
6.2 Human Resources and Organisational Development:	There are no impacts on employees and/or wider workforce management and development, and there are no issues which will affect staff health, safety and wellbeing.
6.3 Equality, Diversity and Human Rights:	There are no known internal and/or external equalities issues associated with the terms of this report.

6.4 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.	
6.5 Finance:	<p>As an approved duty, any appointed elected Members will be entitled to claim expenses for attendance at meetings. This may result in an increase in expenditure in relation to the Members' Expenses budget.</p> <p>The amount payable to the Convener and Vice-Convener is £21,118 and £20,063 respectively. The sum payable to the Vice-Convener will be an extra amount of not more than £3,136 depending on any other remunerated position that Councillor might hold.</p>	
6.6 Assets and Property:	There are no implications for any of the Council's major assets and property, buildings or equipment.	
6.7 ICT and new technologies:	There are no implications for ICT and ICT systems	
6.8 Environmental:	There are no implications for the local environment, Climate Change or Carbon Management - a Strategic Environmental Impact Assessment is not required.	
6.9 Risk Management:	None	
6.10 Policy and 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.	
6.11 Previously considered by:	None	

Contact Details:

Louise Adamson, Committee Officer, louise.adamson@shetland.gov.uk
9 May 2017

Appendices:

None

Background Documents: None

END



Meeting(s):	Shetland Islands Council	18 May 2017
Report Title:	Appointment of Members to the Zetland Transport Partnership (ZetTrans)	
Reference Number:	GL-20	
Author / Job Title:	Executive Manager – Governance and Law	

1.0	Decisions / Action required:
1.1	That the Council RESOLVES to appoint 4 substantive Members, and 2 substitute Members, to Zetland Transport Partnership (ZetTrans) by the method set out in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot.
2.0	High Level Summary:
2.1	The purpose of this report is to appoint 6 Members to ZetTrans.
3.0	Corporate Priorities and Joint Working:
3.1	The recommendation in this report is not linked directly to any of the Corporate Priorities, but will support the Council's responsibilities in terms of ensuring good governance, accountability and partnership working.
4.0	Key Issues:
4.1	The Zetland Transport Partnership (ZetTrans) is a statutory body that was established by, and exists in accordance with, the Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005 made under the Transport (Scotland) Act 2005.
4.2	ZetTrans exists to undertake the strategic transport planning function and to provide and maintain public bus services in the Shetland Islands. Working in co-operation with a number of stakeholders and interested bodies, including bus operators, airlines and ferry companies; ZetTrans is geared towards the development of a sustainable transport network for internal and inter island travel as well as external services and infrastructure to meet the needs of the present while also looking towards the future.
	Membership
4.3	The Partnership's Membership is made up of four substantive and 2 substitute Local Authority Members and a further two Other Members from the NHS and HIE Shetland. The Members appointed by these three organisations are then approved by the Scottish Government. The Shetland Islands Council provide their appointments at the beginning of each new term of office.

4.4	<p>The Council's custom and practice has been to appoint ex officio the Chair and Vice Chair of the Environment and Transport Committee plus two further substantive Members and two substitutes.</p> <p>The appointment as a substantive Member or substitute Member of ZetTrans will continue for the full term of Council office, unless that Member ceases to be a Councillor prior to the next ordinary election, whereby he or she shall immediately cease to be a Member of ZetTrans.</p>
4.5	<p>Only one substitute Member may attend in place of a substantive Member who is absent and that substitute Member shall have the same powers as the Councillor Member who is absent.</p> <p>It should be noted that ZetTrans is undergoing a governance review during 2017/18, which will include a review of the membership.</p>
<u>Method of Election/Voting</u>	
4.6	<p>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.</p>
4.7	<p>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. It has been custom and practice for the Council to undertake such voting by secret ballot.</p>
4.8	<p>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.</p>
4.9	<p>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.</p>
4.10	<p>In the case of an equality of votes the Members 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.</p>
5.0 Exempt and/or confidential information:	
5.1	None.
6.0 Implications :	
6.1 Service Users,	None.

Patients and Communities:	
6.2 Human Resources and Organisational Development:	There are no impacts on employees and/or wider workforce management and development, and there are no issues which will affect staff health, safety and wellbeing.
6.3 Equality, Diversity and Human Rights:	There are no known internal and/or external equalities issues associated with the terms of this report.
6.4 Legal:	None.
6.5 Finance:	As an approved duty, any appointed elected Members to ZetTrans will be entitled to claim expenses for attendance at meetings, as set out in the ZetTrans Administrative Regulations 2007.
6.6 Assets and Property:	There are no implications for any of the Council's major assets and property, buildings or equipment.
6.7 ICT and new technologies:	There are no implications for ICT and ICT systems
6.8 Environmental:	There are no implications for the local environment, Climate Change or Carbon Management - a Strategic Environmental Impact Assessment is not required.
6.9 Risk Management:	None.
6.10 Policy and 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 Boards. A decision of the Council is therefore required.
6.11 Previously considered by:	None

Contact Details:

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9 May 2017

Appendices:

None

Background Documents: ZetTrans Administrative Regulations

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointment of Members to the Pension Board	
Reference Number:	GL-12	
Author / Job Title:	Executive Manager – Governance and Law	

1.0	Decisions / Action required:
1.1	That the Council RESOLVES to appoint 3 Members to the Pension Board by the method set out in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot.
2.0	High Level Summary:
2.1	This report seeks the appointment of 3 Members to the Pension Board, who are not Members of the SIC Pension Fund Committee.
3.0	Corporate Priorities and Joint Working:
3.1	The recommendation in this report is not linked directly to any of the Corporate Priorities, but will support the Council's responsibilities in terms of ensuring good governance, accountability and partnership working.
4.0	Key Issues:
4.1	<p>The Pension Board is the body responsible for assisting the Scheme Manager in relation to compliance with scheme regulations and the requirement of the Pensions Regulator. The terms of reference are set out in Appendix 1.</p> <p>Membership of the Pension Fund Committee is the same membership as the Policy and Resources Committee. Membership of the Pension Board is from the remaining Councillors.</p>
4.2	Membership of the Pension Board consist of equal numbers of trade union representatives and employer representatives, drawn from Shetland Islands Council and scheduled or admitted bodies in membership of the Pension Fund. Pension Board representatives must not also participate in or act as members of the Pension Fund Committee. Local Authority employer representatives will be Elected Members of the Council.
4.3	There are four trade union representatives appointed from amongst the Council's recognised trade unions and four employer representatives appointed by the respective employer organisations as follows:

Shetland Islands Council	3
Scheduled/Admitted bodies	1

Method of Election/Voting

- 4.4 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.
- 4.5 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. It has been custom and practice for the Council to undertake such voting by secret ballot.
- 4.6 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.
- 4.7 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.
- 4.8 In the case of an equality of votes the Members 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.

5.0 Exempt and/or Confidential information

- 5.1 None.

6.0 Implications :

6.1 Service Users, Patients and Communities:	None.
6.2 Human Resources and Organisational Development:	There are no impacts on employees and/or wider workforce management and development, and there are no issues which will affect staff health, safety and wellbeing.
6.3 Equality, Diversity and Human Rights:	There are no known internal and/or external equalities issues associated with the terms of this report.

6.4 Legal:	Under sections 5(1) and (2) of the Local Government Pension Scheme (Governance) (Scotland) Regulations 2015, which were laid before the Scottish Parliament on 19 February 2015, and come into force on 1 April 2015, each Local Government Pension Scheme Manager in Scotland is required to establish a Pension Board.	
6.5 Finance:	As an approved duty, appointed elected Members will be entitled to claim expenses for attendance at meetings. To reduce this impact, every attempt will be made to schedule meetings on the same day as other Council meetings that those Members attend.	
6.6 Assets and Property:	There are no implications for any of the Council's major assets and property, buildings or equipment.	
6.7 ICT and new technologies:	There are no implications for ICT and ICT systems.	
6.8 Environmental:	There are no implications for the local environment, Climate Change or Carbon Management - a Strategic Environmental Impact Assessment is not required.	
6.9 Risk Management:	Failure to comply with the Public Service Pensions Act 2013 (PSPA) and associated regulations, at both a Fund and National level, would deem the Council to be in breach of legislation resulting in serious reputational damage at both a local and national level.	
6.10 Policy and 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 the Pension Board. A decision of the Council is therefore required.	
6.11 Previously considered by:	None	

Contact Details:

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9 May 2017

Appendices:

Appendix 1: Pension Board – Terms of Reference

Background Documents:

END

PENSION BOARD – TERMS OF REFERENCE

1. Introduction

- 1.1. Each Local Government Pension Scheme Manager in Scotland is required to establish a Board separate from the Committee that acts as the Scheme Manager.
- 1.2. The Shetland Islands Council Pension Fund Pension Board is established under the provisions of The Local Government Pension Scheme (Scotland) Regulations 2014.

2. Objectives

- 2.1 The Pension Board is the body responsible for assisting the Scheme Manager in relation to compliance with scheme regulations and the requirements of the Pensions Regulator.
- 2.2 The Pension Board will determine the areas they wish to consider including, amongst others:
 - Reports produced for the pensions committee;
 - Seek reports from the Scheme Manager on any aspect of the Pension Fund;
 - Monitor investments and the investment principles/strategy/guidance;
 - The Pension Fund annual report;
 - External voting and engagement provisions;
 - Pension Fund administrative performance;
 - Actuarial reports and valuations;
 - Pension Fund funding policy; and
 - Any other matters that the Pension Board deems appropriate.

3. Membership

- 3.1 Membership of the Pension Board will consist of equal numbers of trade union representatives and employer representatives, drawn from Shetland Islands Council and scheduled or admitted bodies in membership of the Pension Fund. Pension Board representatives must not also participate in or act as members of the Pension Committee. Local Authority employer representatives will be Elected Members of the Council.
- 3.2 The Scheme Manager will appoint a senior officer as Joint Secretary. The trade unions will appoint their own Joint Secretary. The Joint Secretary's role is to liaise with Pension Board members and other colleagues to support the smooth operation of Pension Board meetings and to assist in the resolution of any issues arising within normal Pension Board meetings or processes.
- 3.3 The term of appointment to the Pension Board will be concurrent with the Council election cycle. Pension Board members may be reappointed to serve further terms.

- 3.4 There will be four trade union representatives appointed from amongst the Council's recognised trade unions as follows:

GMB
Nautilus International
UCATT
UNISON
Unite

- 3.5 Trade unions will arrange their own selection process. The Scheme Manager will confirm the appointments once satisfied that the persons to be appointed do not have a conflict of interest.

- 3.6 There will be four employer representatives appointed by the respective employer organisations as follows:

Shetland Islands Council	3
Scheduled/Admitted bodies	1

- 3.7 The Shetland Islands Council representatives will be Councillors appointed by the Council. On ceasing to be a Councillor the Council representatives will also cease to be a member of the Pension Board.

- 3.8 The Scheduled and Admitted Bodies will be invited to nominate representatives who will be chosen by the drawing of lots at a meeting of the Pension Board.

- 3.9 Pension Board representatives will serve for a period concurrent with the Council election cycle and may be reappointed to serve further terms. Timescales for organisations to notify the Pension Board of their representatives shall be determined locally. Employer bodies and organisations retain the right to withdraw representatives and identify replacements on occasion. Pension Board representatives are required to adhere to the Model Code of Conduct as specified by Scottish Government (details can be found at the link <http://www.scotland.gov.uk/Topics/Government/localgovernment/governance/ethical-standards/codes>)

- 3.10 Appointing bodies can appoint a named substitute for their representative. Such substitutes must undertake the same training as set out in section 6 below.

- 3.11 Advisors may attend meetings of the Pension Board in a non-voting capacity.

- 3.12 No person may be appointed to the Pension Board who has a significant conflict of interest. A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Pension Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the scheme or any connected scheme for which the Pension Board is established. The Pension Board will adopt policies and protocols for handling any conflicts that are unanticipated and might arise during membership.

- 3.13 Ordinarily all items, including exempt items, will be open to the Pension Board. Exceptionally, the Pension Committee may reserve the right to consider items in the Pension Board's absence.

4. Meetings

- 4.1 The Chair of the Pension Board will be rotated on an annual basis between the trade union and employer sides of the Pension Board.
- 4.2 Pensions Board meetings will be administered by Shetland Islands Council as agreed with the Joint Secretaries appointed by the trade union and the employers' sides of the Pension Board. All reasonable administration costs shall be met by the Pension Fund.
- 4.3 The Pension Board will meet at least quarterly. A majority of either side may requisition a special meeting of the Pension Board in exceptional circumstances.
- 4.4 The Pension Board may establish sub-committees.
- 4.5 While the statutory roles and function of the Pension Committee and Pension Board are separate, the normal practice will be that both bodies will meet at the same time to consider the same agenda, with the Chair of the Pension Committee chairing the concurrent meeting. The Council's Standing Orders will apply at concurrent meetings. The aim is to engender a positive and proactive partnership culture where in practice the two bodies act as one.

5. Dispute resolution

- 5.1 If the Pension Committee and Pension Board cannot reach joint agreement on any matter the process for resolving any differences between the two bodies will be as follows. Whilst this process is undertaken the decision of the Pension Committee is still competent.
- 5.2 In the first instance, if at least half of the members of the Pension Board agree, then the Pension Board can refer back a decision of the Pension Committee for further consideration if any of the following grounds are met:
- That there is evidence or information which it is considered needs re-evaluating or new evidence or data which the Pension Committee did not access or was not aware of at the point of decision making and which is considered material to the decision taken;
 - That the decision of the Pension Committee could be considered illegal or contrary to regulations;
 - That the decision of the Pension Committee is contrary to a relevant Code of Practice published by the Pensions Regulator; or

- That the decision is not in the interest of the continued financial viability of the Scheme or is against the principles of proper and responsible administration of the Scheme
- 5.3 If there is no agreement after the matter has been referred back to the Pension Committee, then the difference in view between the Pension Board and the Pension Committee will be published in the form of a joint secretarial report on the Pension Fund website and included in the Pension Fund annual report.
- 5.4 The Scottish LGPS Scheme Advisory Board may also consider and take a view on the matter and, if considered appropriate, provide advice to the Scheme Manager or the Pension Board in relation to the matter.

6. Training

- 6.1 All members (and named substitutes) of the Pension Board must undertake a training programme in accordance with any guidance issued by the pensions regulator and complying with best practice training requirements of the Pension Committee.
- 6.2 The Pension Board shall agree policies and arrangements for the acquisition and retention of knowledge and understanding for Pension Board members.
- 6.3 The Scheme Manager will keep an updated list of the documents with which they consider Pension Board members need to be conversant to effectively carry out their role and make sure that both the list and the documents are accessible.

7. Access to Information

- 7.1 The Scheme Manager and the Pension Board will together ensure that information is published about the activities of the Pension Board including:
- the full terms of reference for the Pension Board, including details of how it will operate;
 - the Pension Board appointment process;
 - who each individual Pension Board member represents; and
 - any specific roles and responsibilities of individual Pension Board members.
- 7.2 The minutes of the Pension Board will be published on the Pension Fund website. The Pension Board may undertake such communications and stakeholder engagement as it deems appropriate to perform its functions.

END



Meeting(s):	Shetland Islands Council First Statutory Meeting	18 May 2017
Report Title:	Appointments to the Convention of Scottish Local Authorities (CoSLA) – Convention and Boards	
Reference Number:	GL-21	
Author / Job Title:	Executive Manager – Governance and Law	

1.0	Decisions / Action required:
1.1	That the Council RESOLVES to: <ul style="list-style-type: none"> 1.1.1 note that the Council's Leader will attend the CoSLA Leaders' meetings; 1.1.2 Consider the recommendations made in Section 4, and appoint 3 members and 3 substitutes to the CoSLA Convention and appoint one member and one substitute member to each of the CoSLA Boards; and 1.1.3 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).
2.0	High Level Summary:
2.1	This report seeks the appointment of Members to the CoSLA Convention and to the CoSLA Boards.
3.0	Corporate Priorities and Joint Working:
3.1	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.
4.0	Key Issues:
4.1	CoSLA is seeking representation on the following groups:
4.2	<u>CoSLA Leaders' Meeting</u> : The Leaders of each Council meet approximately eight 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. Substitution, if required, would be undertaken by the Depute Leader, if appointed, as set out in the Council's Constitution.
4.3	<u>CoSLA Convention</u> : The CoSLA constitution provides for the appointment of a prescribed delegation of Councillors from each local authority and this Council's allocation is for the appointment of three Councillors. The paper from CoSLA, attached as Appendix 1, confirms this position. The CoSLA Convention meet

twice a year. CoSLA have confirmed that named substitutions are permissible, although ad hoc arrangements on a meeting by meeting basis is also acceptable. In this regard, it is recommended that the Council follow the custom and practice of former Councils by appointing the Convener, Leader and 1 named Senior Councillor Chair with other named substitutes, as follows:

Group	Substantive	Substitutes
CoSLA Convention	Leader Convener 1 Senior Councillor Chair	3 remaining Senior Councillor Chairs

This arrangement means that substitution could be arranged depending on the business being transacted, and the availability of those attending.

- 4.4 **CoSLA Boards:** There are four Boards which meet six times a year. Each Council has one nominated elected Member as their representative. A generic remit for the Boards is attached as Appendix 2. COSLA have advised that each Board will agree a specific work plan at their first meeting which will cover the entirety of the work it will take forward. However, a broad indication of the functional areas that each of the Boards will cover is outlined in Appendix 3.

- 4.5 Given the nature of CoSLA representation being at a political level, it is recommended that the Council follow the custom and practice of previous Council appointments and align the appointments with the most appropriate appointments already made by the Council, as follows:

COSLA Board	Substantive	Substitutes
Children and Young People	Chair - Education and Families Committee	Vice-Chair - Education and Families Committee
Health and Social Care Board	Chair/Vice Chair IJB	P&R member of IJB
Environment and Economy Board	Chair - Environment and Transport Committee	Vice- Chair - Environment and Transport Committee
Community Wellbeing Board	Chair - Development Committee	Vice-Chair - Development Committee

The remit of some Boards may cross over into the functional areas of more than one Council Committee and so, again, substitution could be arranged depending on the business being transacted, or the availability of members.

5.0 Exempt and/or confidential information:

- 5.1 None.

6.0 Implications :

6.1 Service Users, Patients and Communities:

None.

6.2 Human Resources and Organisational Development:	There are no impacts on employees and/or wider workforce management and development, and there are no issues which will affect staff health, safety and wellbeing.	
6.3 Equality, Diversity and Human Rights:	There are no known internal and/or external equalities issues associated with the terms of this report.	
6.4 Legal:	None.	
6.5 Finance:	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.	
6.6 Assets and Property:	There are no implications for any of the Council's major assets and property, buildings or equipment.	
6.7 ICT and new technologies:	There are no implications for ICT and ICT systems.	
6.8 Environmental:	There are no implications for the local environment, Climate Change or Carbon Management - a Strategic Environmental Impact Assessment is not required.	
6.9 Risk Management:	Failure to make the appropriate appointments may lead to the loss of knowledge and involvement in matters affecting the Council's governance and services.	
6.10 Policy and 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.	
6.11 Previously considered by:	None	

Contact Details:

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10 May 2017

Appendices:

Appendix 1: Membership of CoSLA

Appendix 2: Boards - Remit

Appendix 3: Boards - Functional Roles

Background Documents:

None

END

a) **COUNCILS CURRENTLY IN COSLA MEMBERSHIP**

COUNCIL	NO. OF COUNCIL PLACES
Edinburgh, City of	6
Fife	6
North Lanarkshire	6
Aberdeenshire	5
Dundee City	5
Highland	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
TOTAL	109

b) **COUNCILS NOT CURRENTLY IN COSLA MEMBERSHIP**

Glasgow City	8
South Lanarkshire	6
Aberdeen City	5
Renfrewshire	5
TOTAL	24
TOTAL SCOTLAND	133



COSLA Board Remit

1. MEMBERSHIP AND VOTING

The chair of each Board will be the Spokesperson appointed by the Convention.

Each member Council will have one representative on each Board.

The Board will meet six times each year. The Spokesperson may call extraordinary meetings of the Board as appropriate.

Board Members unable to attend a meeting should arrange a suitable substitute, and advise COSLA Member Support of this substitute in advance of the meeting. The substitute will be a member of the Board for that meeting and will be entitled to take part in the meeting with the full powers, duties and responsibilities of a member.

In the event of a vote each member, or substitute present, has one vote, with the Chair having the casting vote in the event that this is required.

If a decision which would normally be made by the Board requires to be made urgently between meetings of the Board, the Spokesperson, in consultation with the President and Vice President, may take action, subject to the matter being reported to the next meeting of the Board or Leaders.

One quarter of the members of the Board will constitute a quorum.

2. KEY RESPONSIBILITIES

Each Board has responsibility for discharging the following functions:

- Engage with and focus on councils' priorities in relation to its terms of reference.
- Provide the key network through which all member councils create policy, examine legislative or other developments, and investigate options for future direction in relation to its terms of reference.
- Take forward work that delivers the strategic priorities set by Convention including campaigns, research, improvement support, public statements and others steps as appropriate.
- Work with COSLA's Resources Spokesperson to scrutinise and address the financial, human, and other resource implications for local government associated with their terms of reference, making recommendations to Leaders as appropriate.
- Involve members, councils and other appropriate stakeholders in the delivery of its work through a varied mix of events, presentations of advice and evidence, networks, debate, and other means of engagement.
- Draw on the expertise of key advisors from the sector, including SOLACE. Professional advisers attending meetings will not have voting rights.

- Contribute to reforms, efficiencies, and improvements in the delivery of local services, and identify and share good practice and ideas to stimulate innovation and improvement.

Individual Members will be expected to:

- Represent their council through regular attendance at Board meetings, providing a channel of communication and engagement between their Council and the work of the Board.
- come to the Board with an informed view of the papers, reflective of their Council position.
- report back the decisions of the Board to their respective Councils and deliver any agreed actions.

3. PRINCIPLES

The Board will ensure that:

- its work is conducted fairly and that all members have the opportunity to contribute.
- existing areas of service delivery or the potential impact of a new policy are considered from equalities and sustainability perspectives.
- deliberations include a broad range of interests and views from across communities, local and national government, and wider stakeholders.
- it shapes action in pursuit of COSLA's vision for local government in Scotland and in ways which uphold COSLA's principles of:
 - Strengthening Local Democracy
 - Working Together Locally
 - Delivering Outcomes
 - Focusing on Communities
 - Defending Local Choices
- in line with the above principles, asymmetry is considered as part of policy development/positions.

4. WORK PLAN AND REPORTING ACCOUNTABILITIES

Through engagement with member councils, the Board will develop and maintain a programme of work to deliver their brief, linking with other boards where appropriate. This workplan should include how the Board will contribute to COSLAs overall priorities as agreed by Convention.

The work plan will be reviewed at every meeting to reflect new issues and updates as appropriate.

The Board will report to Leaders meetings on relevant matters arising from their work plan, and refer issues of significant political and budgetary implication to Leaders.

The Board will provide an annual update to Convention on the fulfilment of their work plan.

5. SPECIAL INTEREST GROUPS AND APPOINTMENTS

The Board may recommend to COSLA's Leadership Sounding Board the establishment of Special Interest Groups, with terms of reference as Leadership Sounding Board may determine.

The Board may also:

- Appoint members to relevant outside bodies
- Appoint member champions from the Board to lead on key issues

6. REPORTS AND MINUTES

Papers will be circulated by COSLA 7 days in advance of the meeting and include clear advice on further sharing of reports.

The draft minute will be circulated within five working days of the meeting for comment, amendments and note of action points. Final agreement of the minute will be at the next meeting of the Board.

TERMS OF REFERENCE

Insert summaries for each Board (should include reference to workforce and funding considerations).

COSLA Boards - 2017

Health and Social Care

- Integration of Health and Social Care
- Reform of Adult Social Care
- Charging Policies for Social Care
- Public Health and Health Inequalities
- Older People's Care and Support/ NCHC and Care Home Provision
- Supporting Carers
- Social Care Workforce

Children and Young People

- GIRFEC (Getting it Right for Every Child) policy development and implementation
- Education, including education governance, Curriculum for Excellence, assessment and examinations, attainment and achievement, infrastructure, learning in early years' settings, post 16 education and additional support for learning
- Early Learning and Childcare Expansion
- Integrated children's services, including those for children with a disability and young carers
- Children and young people's health
- Improving outcomes for Looked After Children in all settings including at home, in foster care, kinship care, residential and secure care, and Corporate Parenting
- Child protection
- Children's hearings and youth justice
- Child poverty
- Aspects of employability for young people

Community Wellbeing

- Community Empowerment & Engagement
- Equalities and Human Rights
- Community and Criminal Justice
- Housing & Homelessness
- Community Safety and Resilience
- Migration and Refugee Issues
- Consumer Protection
- Poverty
- Sports, Culture and Leisure
- Social Security & Welfare Reform
- Employability

Environment and Economy

- Unconventional Onshore Oil and Gas Extraction
- Planning
- Transport
- Crown Estate
- Digital
- Islands Bill
- Climate Change
- Waste
- Scotland's Economic Strategy (including the Enterprise and Skills Review)
- Regeneration Capital Grant Fund



Meeting(s):	Shetland Islands Council - First Statutory Meeting	18 May 2017
Report Title:	Appointments to External Organisations	
Reference Number:	GL-23	
Author / Job Title:	Executive Manager - Governance and Law	

1.0	Decisions / Action required:
1.1	That the Council RESOLVES to make the necessary elected Member appointments as outlined in Section 4 of this report and summarised in Appendix 1, by the method also set out in Section 4, and RESOLVE, in the event of a vote, to elect by secret ballot.
2.0	High Level Summary:
2.1	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.
3.0	Corporate Priorities and Joint Working:
3.1	This report relates directly to “Our Plan” 2016 to 2020, in that appointments to external organisations relates to the Council’s vision to be known as an excellent organisation that works well with our partners.
4.0	Key Issues:
4.1	<p><u>Shetland Partnership Board (SPB)</u></p> <p>Under the Local Government in Scotland Act 2003, a local authority has to establish a Community Planning Partnership, made up of all the relevant public, private, voluntary and community bodies in its area. The Community Empowerment Act is bringing changes to Community Planning in Scotland, putting Community Planning on a statutory footing and giving a number of public sector agencies a commitment to take part. The role of the Shetland Partnership is to support and enhance community planning with particular regard for community engagement and partnership working. The partnership also brings together those involved in working towards the outcomes of the community plan, to provide an effective link between strategic direction and coordinated planning. The partnership plays a key role in meeting the objectives and priorities detailed in the Community Plan and the Local Outcome Improvement Plan (LOIP).</p> <p>The SPB is currently in a transitional period and undergoing a review of its governance arrangements. In this regard, it is RECOMMENDED that the Council make the ex-officio appointments of the Leader, Convener and interim appointments of Committee Chairs (Development, Environment & Transport and</p>

Education & Families - note the IJB makes separate appointments of its Chair and Vice-Chair) to the SPB pending completion of the governance review.

4.2 Community Safety and Resilience Board (CSRB)

The CSRB is a multi-agency board delivering on the 'Safer' strand of the Shetland Performance Framework and Shetland's Local Outcome Improvement Plan (LOIP) 2016-20. It is RECOMMENDED that, as required by the CSRB Terms of Reference, the Council appoints 7 members, one from each Ward, and appoints a Chair from amongst those members appointed.

4.3 Sullom Voe Association (SVA)

The SVA is a non profit making association tasked with controlling, supervising and organising operations of the Terminal, the leasing of land from the Council and associated rights, the control of permissions in respect of the Terminal and the entering into negotiations and agreements with the Council in respect of the Sullom Voe harbour facilities, jetty agreements, structures and associated infrastructure.

Councillor Malcolm Bell and Councillor Alastair Cooper are existing Directors.

The Shetland Islands Council, at its meeting on 22 March 2017, noted that existing Director appointments would continue until such time as the Council make new appointments. In order to ensure appointments were not delayed, the Council resolved that these appointments be made at this statutory first meeting. In order to ensure continuity of knowledge, the Council is RECOMMENDED to confirm the continuing appointment of Councillors Malcolm Bell and Alastair Cooper, and 2 further Directors, ensuring that, in keeping with custom and practice given the strategic importance of the Sullom Voe Harbour and Terminal to Shetland and the Council, that these appointments include the Leader and Convener.

4.4 Shetland Oil Terminal Advisory Group (SOTEAG)

The role of SOTEAG is to monitor, examine and advise on the environmental implications of the terminal at Sullom Voe during all stages of construction, commissioning, operation, decommissioning and site rehabilitations.

The Shetland Islands Council, at its meeting on 22 March 2017, also agreed that to ensure appointments were not delayed, the Council resolved that these appointments be made at this statutory first meeting. The Council is therefore RECOMMENDED to appoint 2 substantive members, and 2 substitute appointments.

4.5 KIMO

The objectives of KIMO are to: (a) Provide a viable and financially sustainable organisation; (b) Increase the influence of the organisation both nationally and internationally; (c) Exchange information on effective pollution prevention and cleaning up operations and sustainable development; (d) Lobby national Governments, the European Commission and others to take effective actions on issues affecting Northern Seas; (e) Lead by example by improving regional marine environments; (f) Make joint representations against threatening proposals; (g) Develop best practice on coastal issues; and (h) Undertake demonstrative environmental projects.

The Shetland Islands Council, at its meeting on 22 March 2017, noted that meetings of KIMO were scheduled to take place early in June - KIMO International Board meeting on 9 June, and the KIMO UK Board meeting on 16 June - and

therefore the Council also agreed that to ensure appointments were not delayed, the Council resolved that these appointments be made at this statutory first meeting. Therefore, and in accordance with the current KIMO membership and terms of reference, the Council is RECOMMENDED to appoint up to 4 members, and it would be for those members to determine the division of work and attendance at meetings of KIMO International, KIMO UK and other subsidiary meetings.

4.6 A schedule of appointments required is attached as **Appendix 1**.

Method of Election/Voting

4.7 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.

4.8 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. It has been custom and practice for the Council to undertake such voting by secret ballot.

4.9 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.

4.10 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.

4.11 In the case of an equality of votes appointments shall be made 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.

5.0 Exempt and/or confidential information:

None.

6.0 Implications :

**6.1
Service Users,
Patients and
Communities:**

None.

**6.2
Human Resources
and Organisational
Development:**

None.

6.3 Equality, Diversity and Human Rights:	None.	
6.4 Legal:	None.	
6.5 Finance:	<p>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.</p> <p>The Council continues to pursue efficiencies by carefully considering the requirement to attend meetings on the mainland and by making use of alternatives such as video conferencing to avoid the cost of travel, and such efficiencies will be sought whenever possible.</p>	
6.6 Assets and Property:	None.	
6.7 ICT and new technologies:	None.	
6.8 Environmental:	None.	
6.9 Risk Management:	None.	
6.10 Policy and Delegated Authority:	In terms of confirming approved duty status, appointments and nominations to external organisations can only be determined by the Council or its Committees.	
6.11 Previously considered by:	None.	

Contact Details:

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10 May 2017

Appendices:

Appendix 1 - Recommended Appointments

Background Documents: None

END

External Appointment Recommendations

Shetland Partnership Board	Appointments Required - Members	2 Ex-officio	Leader
			Convener
		3 Interim	Chair - Education and Families
			Chair - Development
			Chair - Environment and Transport

Community Safety and Resilience Board	Appointments Required - Members	North Isles	
		Shetland North	
		Shetland West	
		Shetland Central	
		Shetland South	
		Lerwick North	
		Lerwick South	
		One of the above to be appointed as Chair	

Sullom Voe Association	Appointments Required - Directors	4 Directors	Leader
			Convener
			Malcolm Bell
			Alastair Cooper

SOTEAG	Appointments Required - Members	2 Substantive	
		2 Substitutes	

KIMO	Appointments Required - Members	4 Substantive	