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Date: 4 August 2020

Dear Sir/Madam

You are invited to the following meeting:

**Special Shetland Islands Council
Monday 10 August 2020 at 2 p.m.**

In terms of Section 50A(3A) of the Local Government (Scotland) Act 1973, as introduced by Schedule 6, Paragraph 13 of the Coronavirus (Scotland) Act 2020, the public are excluded from attendance at this meeting.

Please note that this meeting will be recorded and published online for public access after the meeting.

Yours faithfully

(signed)

Executive Manager – Governance and Law

Convener: Malcolm Bell
Depute Convener: Cecil Smith

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.
1.	Crown Estate Fund <i>DV-14</i>
2.	Appointment of Members to the Orkney and Shetland Valuation Joint Board, Integration Joint Board and the Planning Committee <i>GL-18</i>

END



Meeting(s):	Shetland Islands Council	10 August 2020
Report Title:	Crown Estate Fund – Grant Aid Scheme	
Reference Number:	DV-14-20-F	
Author / Job Title:	Thomas Coutts, Acting Executive Manager – Economic Development Service	

1.0 Decisions / Action Required:

1.1 That the Council RESOLVES -

- 1.1.1 to APPROVE the Crown Estate Fund Grant Aid Scheme Guidelines, attached as Appendix 1, for the pilot period to 01 September 2021; and
- 1.1.2 that the Development Committee be given delegated authority to receive updates on the pilot and to approve and manage the final Scheme, and the determination of appeals.

2.0 High Level Summary

- 2.1 Shetland Islands Council was allocated £1,008,679 in September 2019 and £1,359,806 in July 2020 from the net revenue generated by Scottish Crown Estate assets. The purpose of this funding allocation is to ensure that coastal communities benefit from the net revenue generated by the Scottish Crown Estate marine assets out to 12 nautical miles following the recent devolution of the management of the assets.
- 2.2 This report proposes a Grant Aid Scheme funded from Crown Estate net revenues, designed to mobilise change and deliver positive outcomes for Shetland and its communities. The Scheme seeks to support the community and economic development of coastal communities by investing in infrastructure, community capacity building, and developing community assets and encouraging inclusive growth. The Scheme may also consider support which is in response to community needs arising from impacts of the COVID-19 pandemic.

3.0 Corporate Priorities and Joint Working:

- 3.1 The ambition to benefit coastal communities links to the Council's Corporate Plan 2016-2020, which sets out a range of priorities to maintain and improve quality of life in Shetland including building community strength by supporting communities to find local solutions to issues they face.
- 3.2 The Scheme will contribute to priorities in Shetland's Partnership Plan 2018–2028 in relation to all four priorities, but with a particular reference to Place and Participation:

- Place: “Shetland is an attractive place to live, work, study and invest”
- Participation: People participate and influence decisions or services and use of resources

The Place priority is aimed at ensuring Shetland can attract and retain the people it needs to sustain its economy and communities in the future. One of the key areas of activity in relation to Place is place-making and locality planning, which aims to create positive and attractive places to live through a programme of work to develop infrastructure and community assets, and encourage inclusive growth, to help make better places.

3.3 The Scheme will also contribute towards the remaining priorities in Shetland’s Partnership Plan of : -

- People: Individuals and families thrive and reach their full potential
- Money: All households can afford to have a good standard of living

4.0 Key Issues:

Background

- 4.1 Following lobbying from the Council and other local authorities for greater local control of revenues paid to the Crown Estate and ability to utilise those resources to meet local needs, the Scottish Government have committed to provide 100% of the net revenue from Scottish Crown Estate marine assets out to 12 nautical miles to local authorities for coastal community benefit.
- 4.2 Annual allocations to local authorities will be distributed in arrears following the finalisation of the annual accounts for the Scottish Crown Estate. The expectation is that local authorities will use the funding for discretionary expenditure for the specific benefit of coastal communities, ensuring proper transparency and accountability of decision-making to their communities and others for the expenditure. For these purposes the whole of Shetland is considered to be a coastal community.
- 4.3 Each local authority’s allocation is based on an interim formula agreed with COSLA, which is based on a share of total sea area in the 0-12 nautical mile zone adjacent to each local authority. The allocations have been adjusted in line with discussions with COSLA to ensure that each local authority, whether landlocked or with a coastline, receives a *de minimis* allocation of £1,000. Scottish Government and COSLA have agreed that the formula-based arrangement will be reviewed and discussions on the detail of the review process will continue. Annual allocations to individual local authorities in future are likely to fluctuate as they will depend on the net revenue generated by Scottish Crown Estate marine assets out to 12 nautical miles in the relevant year of Scottish Crown Estate operations that provides the basis for the total allocation.
- 4.4 In September 2019, Shetland Islands Council was allocated £1,008,679 from revenue generated from Scottish Crown Estate assets in 2017/2018. A subsequent allocation of £1,359,806 was received in July 2020 for 2018/19.
- 4.5 An informal working group was established in 2019 to consider the distribution of funding from the Crown Estate in future years. This was led by the Chief Executive and, having considered how the funding could be used most effectively

and in line with local need, recommended that the overall aim of the funding should be to support the community and economic development of coastal communities by investing in infrastructure, community capacity building, and developing community assets and encouraging inclusive growth – that is, growth which combines increased prosperity with greater equality, creates opportunities for all, and distributes the benefits of increased prosperity fairly. In response to current circumstances, the Scheme may also consider support in response to needs arising from the impacts of the COVID-19 pandemic.

- 4.6 A report presented to Policy and Resources Committee in November 2019 recommended that the Officer Working Group continue to develop a new scheme for future years Crown Estate monies. It was further agreed that an update report be presented to Committee and that the Chairs Group act as a Sounding Board during the development of the new scheme – the disruption of timescales due to the COVID-19 lockdown and the resultant service priorities in response to this meant that the envisaged consultation was not progressed.

Crown Estate Fund – Grant Aid Scheme

- 4.7 Draft guidelines for the proposed Grant Aid Scheme are attached as Appendix 1. This Scheme will be a pilot which will seek to be responsive to community need and guidelines may develop and change as the pilot progresses to ensure that the fund is reflective of community priorities and circumstances, and accessible to as wide a range of community interests as possible.
- 4.8 The Scheme will be administered and co-ordinated by staff in the Development Services Directorate. Project applications will be assessed by a panel consisting of officers from each Council Directorate, who will make recommendations on project approvals to the Chief Executive, or her nominee.

Reporting

- 4.9 The Scheme is intended to be a pilot grant aid scheme running for an initial 12 month period. At the end of this period the Scheme will be reviewed for effectiveness and a report provided to the Development Committee which will make recommendations on continuation, guidance changes or other matters pertaining to the use of the Crown Estate funding.
- 4.10 There is a requirement to demonstrate transparency and accountability on how the money is spent, as per usual Council grant procedures. The Scottish Government require updates on how Crown Estate funds are spent by local authorities in each year.
- 4.11 Progress on the Scheme, including projects supported, funds committed and any changes or revisions to the guidelines as the pilot progresses, will be reported to the Development Committee.

5.0 Exempt and/or Confidential Information:

- 5.1 None.

6.0 Implications :	
6.1 Service Users, Patients and Communities:	<p>Shetland's Partnership Plan expressly seeks to address the needs of the whole community. It has a focus on tackling inequalities so in that respect is naturally biased towards investing in those individuals, families and communities who face barriers to being able to thrive or reach their full potential.</p> <p>The new Scheme will be a pilot and views on scheme operation and accessibility may be considered as it develops.</p>
6.2 Human Resources and Organisational Development:	<p>Managing and monitoring Crown Estate funding will result in additional workload for staff within Development Services.</p>
6.3 Equality, Diversity and Human Rights:	<p>The Scheme will require an Integrated Impact Assessment to ensure issues of equality are addressed by the proposal.</p>
6.4 Legal:	<p>Any investment decisions made by the Council in relation to the Crown Estate funding must comply with all Scottish Government conditions and guidelines for the funding.</p> <p>Grant awards made under the Fund will require specific conditions of award, including maximum amounts and intervention rates, evidence of match funding, expiry dates, and other due diligence requirements, as per normal procedures.</p> <p>The attached draft Crown Estate Fund guidelines indicate grant awards of £10,000 and £100,000 are expected to be the norm. However, the possibility of awards over £100,000 are not completely excluded on cause shown. Although the UK has now left the European Union, the EU State Aid rules still apply during the ongoing transition period. Any funding awards are therefore required to comply with the State Aid regulations. Legal advice will be taken to ensure any State Aid implications are considered prior to any grant award being made.</p>
6.5 Finance:	<p>In 2019/20, £1,008,679 of funding was allocated to the Council, with a further allocation of £1,359,806 in 2020/21. These are additional resources to be applied to meet Council priorities, which are not already provided for in approved budgets.</p> <p>Future funding will fluctuate depending on the level of net revenue generated by the Scottish Crown Estate and changes to the interim arrangements.</p> <p>The Crown Estate monies can be used to provide up to 90% of eligible project costs up to the total of the annual fund, with typical grants to be between £10,000 and £100,000, although grants outside of this range may be considered in exceptional circumstances in consultation with officers.</p>
6.6 Assets and Property:	<p>None at this stage.</p>

6.7 ICT and New Technologies:	There are no ICT implications regarding this report.	
6.8 Environmental:	All projects which receive a grant from the Scheme will have been considered on their merit and will either have no impact or a positive impact on the local environment, or the ability to mitigate any negative impacts.	
6.9 Risk Management:	<p>Careful consideration of projects receiving funding and monitoring projects throughout the process will minimise risks.</p> <p>Project applications will utilise procedures which provide transparency and accountability for the use of public funds, and the expertise of officers within the Development Directorate and the wider Council. This will include the requirement of applicants to provide sufficient and comprehensive documentation to ensure that the projects have been properly planned, that value for money is being sought and that applicants have the capability and resources to realise project objectives.</p> <p>Letters of offer for approved projects will ensure that proper project management is adhered to, that grantee responsibilities are clear, that Crown Estate finances are applied to specific and defined uses, and that funds may be withheld or repaid where the conditions of grant are not met.</p>	
6.10 Policy and Delegated Authority:	In accordance with section 2.3.1 of the Council's Scheme of Administration and Delegations the Policy and Resources Committee has delegated authority to secure the co-ordination, control and proper management of the financial affairs of the Council. However, with the agreement of the Leader and Convener, this report has been submitted directly to the Shetland Islands Council to ensure that the Grant Aid Scheme can be approved timeously. The Development Committee has functional responsibility relating to economy and business, poverty, community regeneration and community development.	
6.11 Previously Considered by:	None.	

Contact Details:

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Date Cleared: 5 August 2020

Appendices: Appendix 1 – Crown Estate Fund – Grant Aid Scheme

Background Documents: None

Crown Estate Fund – Grant Aid Scheme - Guidelines

1. Introduction

This pilot grant aid scheme is administered by Shetland Islands Council and financed from net revenues generated by Scottish Crown Estate assets.

Shetland Islands Council has to date received £2,368,485 from Scottish Crown Estate assets generated from net proceeds. Future funding allocations from the Crown Estate are unknown and may fluctuate from year to year.

The grant scheme is designed to mobilise change and deliver positive outcomes for Shetland and its communities. The scheme seeks to support the development of communities by investing in infrastructure, community capacity building, and developing community assets and encouraging inclusive growth - that is, growth which combines increased prosperity with greater equality, creates opportunities for all, and distributes the benefits of increased prosperity fairly.

The scheme also aims to encourage regeneration of Shetland's communities by supporting projects that safeguard sustainable economic growth and jobs, promote inclusion and contribute towards poverty reduction.

In light of the crisis caused by COVID-19 and resultant lockdown, we must also consider how this funding delivers against local priorities for recovery and renewal over the coming months and years. While regeneration and development remain vital considerations, we must also consider how the funding can contribute to making our communities resilient in areas such as food supply, connectivity and energy, and developing the lessons we have learned during the crisis.

Projects seeking funding must be a strong fit to the Shetland Partnership Plan 2018 – 2028 and the shared vision that:

“Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges”

Applicants must demonstrate how their project will drive change for Shetland and deliver on the Partnership priorities, namely:

Place – *“Shetland is an attractive place to live, work, study & invest”*

Participation – *“People participate and influence decisions or services and use of resources”*

People – *“Individuals and families thrive and reach their full potential”*

Money – *“All households can afford to have a good standard of living”*

All applicants are expected to demonstrate the need and support for their proposed project. This could include carrying out community consultation, an options appraisal and/or writing a business case.

2. Who can apply?

Applications are only considered by organisations which are based in Shetland or have a permanent presence in Shetland. The following types of organisations can apply for grant aid:

- Registered charities
- Community groups
- Voluntary organisations
- Social enterprises
- Local Authority departments
- Other public sector bodies
- Collective interest / industry wide bodies

Applications will not be considered from:

- Individuals
- Informal groups
- Sole traders
- Organisations out with Shetland
- Religious or political organisations
- Private businesses, unless part of a collective or industry-wide initiative

3. Priorities for funding

Crown Estate funds must deliver on the priorities of the Shetland Partnership Plan. Funding may be used to help with the following:

- Developing and regenerating Shetland communities including infrastructure and community assets
- Creating and safeguarding sustainable economic growth and jobs
- Providing rural communities with the means and opportunity to address issues of poverty, disadvantage and inequality
- Contributing to the net zero agenda through carbon reduction and renewable energy
- Supporting communities to develop projects which promote and develop local resilience in areas such as food supply, connectivity and energy
- Supporting community capacity building and community development
- Supporting opportunities for skills development and learning experiences
- Adding value to Shetland's economy through collective efforts including supporting promotion of local produce and facilities, developing new products and external markets, and improving sustainability
- Supporting strategic community events such as Tall Ships and Island Games

Projects which intrinsically have the potential to bring the Council into disrepute or cause harm to the reputation of Shetland will not be considered

4. What can it fund?

The scheme can consider both capital and revenue costs.

Funds from this scheme can be used to pay costs including:

- Buildings (this may include construction costs, upgrades and associated professional fees)
- New equipment
- Participatory Budgeting
- Professional fees
- Consents, permissions
- Non recoverable VAT
- Salary costs
- Project overheads
- Volunteer expenses

This scheme will not consider the following costs:

- Core running costs
- Political or religious activities
- Items that benefit individuals
- Loan repayments, service charges arising on finance leases, hire purchase, and credit arrangements
- In-kind costs
- Services that are the responsibility of central or local government
- Project costs which have already been committed
- Onward distribution of funds (unless for an approved Participatory Budgeting event in line with Crown Estate guidelines)
- Consumables – unless directly related to delivery of the project
- Maintenance costs for buildings, plant, equipment or any other items
- Any other costs deemed ineligible

5. How much can you apply for?

The scheme can provide grants from £10,000 to £100,000. Larger funding requests should be discussed with Council officers as soon as possible. However, the Council is keen to spread the Crown Estate funding as widely as possible so it is unlikely to offer grants of more than £100,000 very often.

The scheme can fund up to 90% of eligible project costs, although applicants will be expected to demonstrate that possible avenues of external match funding have been investigated. Applications may have a better chance of being successful where they can demonstrate some level of match funding.

Applications that are a strong fit with the Shetland Partnership Plan and deliver on the plan's outcomes will be prioritised for funding.

6. Application process

This scheme will have a two-stage application process.

Stage one is an Expression of Interest and applicants are required to clearly demonstrate what outcomes and impacts their project will deliver. Potential projects must have a strong fit to the Shetland Partnership Plan and its outcomes. Potential projects deemed to have a weaker fit are likely to be turned down at this point.

Stage two requires completion of the full application form and is by invitation only. Stage two applications may include a range of supporting documents as indicated in the list below. Applications

seeking over £25,000 may be required to submit a Business Justification Case or Business Plan along with the completed application form. Applicants will be informed of this need on a case by case basis.

Stage two applicants may also need to include some of the following:

- Quotes or tenders
- Business Plan
- Integrated impact assessment
- Cashflow – where necessary
- Evidence of need and/or community support
- Outputs & outcomes to be delivered
- Permissions & consents confirmed
- Match funding
- 3 years annual accounts
- Any other appropriate information

Applicants are strongly encouraged to discuss their potential projects with Council officers in advance of submitting an Expression of Interest form.

7. How will decisions on applications be made?

- Administration of the Scheme will be co-ordinated by staff in the Development Services Directorate
- Project applications will be assessed by a panel consisting of officers from each Council Directorate, who will make recommendations to the Chief Executive, or her nominee, for approval
- Applicants may appeal against any decision to reject or refuse their application
- Appeals will be determined by the Council's Development Committee. Details of the appeal procedure will be issued with determination letters.

8. When should you apply?

Applications may be submitted at any time. The Crown Estate panel will meet approximately 4 times per annum.

Stage one applications must be received at least two weeks before a funding panel meeting.

Stage two applications must be received at least eight weeks before a funding panel meeting.

Projects cannot start work until the applicant has received and accepted the grant award letter.

9. Service pledges

In order to improve service delivery of the department's grant aid schemes we have the following service pledges:

- The department will provide **accurate information** about their grant aid schemes and application procedures.
- All grant application forms received will be acknowledged **within 5 working days**.

- All applicants will receive a decision on its completed application form **within 1 week** of the funding panel meeting
- All applicants who have had stage one or stage two grant applications rejected will receive a **written explanation** of why it was unsuccessful.
- All organisations that have had a rejected grant application advised in writing have the **right to appeal** against the decision.

10. Data Protection Act 2018 / Freedom of Information (Scotland) Act 2002

The information provided by you is processed in accordance with the Data Protection Act 2018 to allow us to effectively manage the Council's Grant Aid Schemes. The Data Protection Act 2018 gives you the right to know how we will use your data. Further information about how we use your personal data is available from the Grants Unit or the Council's website at <http://www.shetland.gov.uk/information-rights/DataProtection.asp>.

Please note that your information, should you be successful, will be stored by the Council for 5 years plus current year before being destroyed. The information for unsuccessful applications will be stored for 1 year plus current year before being destroyed.

Please note the Freedom of Information (Scotland) Act 2002 gives any person the right to request certain information that we hold. The Council regularly releases information about grant awards and information regarding your application may be made available to the public. Any personal information provided will be processed in accordance with the Data Protection Act 2018.

11. Protection of vulnerable groups requirements

If your organisation is applying for grant assistance from this scheme, your group/ organisation will need to decide whether you have anyone (staff or volunteers) involved in 'Regulated Work' with children (and/or protected adults)*. If your organisation has individuals involved in Regulated Work then those individuals will need to apply to become a member of the PVG Scheme, and your group must also have policies and procedures in place that adequately cover adult and child protection and welfare issues.

You will need to decide whether or not your group has individuals involved in 'Regulated Work' with children and young people under the age of 18, and/or 'Regulated Work' with protected adults (from the age of 16, generally, in receipt of specified services)*

If either of these conditions applies to your group, then you will need to ensure that you have in place **all** of the following: an Adult and Child Protection Policy and an Adult and Child Protection Procedures; for organisations working with children and young people a Code of Conduct for staff and volunteers; an Equal Opportunities Policy.

Templates for these documents are available from the Community Planning & Development Service or at www.shetland.gov.uk/grants/PVG_Templates.asp and must be approved and signed by committee members of your group.

Your organisation must undertake a PVG Scheme Membership check when appointing staff, volunteers or helpers who are doing 'Regulated Work' to make sure they are not barred from working with children/protected adults and as part of checking their suitability for the particular post.

*There are various stages to go through to decide whether someone is doing 'Regulated Work.' The Safer Shetland website www.safershetland.com includes links to sources of help, in particular a self-assessment tool produced by Disclosure Scotland which will help you work through the various stages: www.disclosurescotland.co.uk/pvg_training/self-assessment/

In case of doubt, you may wish to seek further advice from either the Central Registered Body for Scotland (CRBS), on 01786 849777, or Disclosure Scotland on 0870 609 6006. Contact details for local support on this subject and more information are available on the Safer Shetland website www.safershetland.com.

Help and information about training courses is also available from the Community Development Team or from Voluntary Action Shetland, who locally can undertake free checks for volunteers.

12. Monitoring and assessing impacts

Recipients of Crown Estate funding will be required to monitor delivery, measure the impact of their project and provide evidence of the improvement to agreed outcomes. This could include providing regular performance information, and/or project evaluations and case studies as appropriate.

We will report on the Crown Estate grant scheme annually to the community and partners. This report will include information about the projects funded, the impact of projects against outcomes and case studies.

Outcomes in this case are the things that result from the project. An outcome is not the provision of a service or the delivery of a project, but the tangible difference it makes to the lives of service users or the community through being provided or delivered. Improving outcomes means making things better for people living in Shetland.

The following outcomes are examples of what could be different for communities as a result of projects delivered:

- Shetland will continue to be a safe and happy place, with more people feeling connected to their communities and benefitting from living in good places and keeping active
- Shetland will be attracting and retaining the people needed to sustain our economy, communities and services
- All areas of Shetland will be benefitting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development
- Communities will be actively involved in shaping their own future resilience, creating positive places that are economically, socially and environmentally sustainable
- Communities will be empowered to provide innovative solutions and support to help people maximise their incomes and minimise their outgoings from the support available
- Staff from across the Shetland Partnership will be actively seeking to involve communities in decision making and service delivery, including identifying and involving those who do not often have their voices heard

The following are examples of outcome indicators that could be used as measures for improvement, in addition to measures relevant to each project in order to assess how successful the project is in improving peoples' lives in Shetland:

- People in Shetland who feel part of their community
- Children living in low-income families
- Fuel poverty
- 'Place Standard' – how people in Shetland rate 'Our Place'
- Households in Shetland who do not earn enough to have an acceptable standard of living

- Positive destinations for school leavers
- Population aged 16-29
- Carbon emissions

13. Contact details

Officers in the Council's Development Department directorate are available to give advice and guidance on the completion of grant applications and supporting documents as required. If you need assistance you should contact staff at the earliest opportunity.

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Meeting(s):	Special Shetland Islands Council	10 August 2020
Report Title:	Appointment of Members to the Orkney and Shetland Valuation Joint Board, Integration Joint Board and the Planning Committee	
Reference Number:	GL-18-20	
Author / Job Title:	Executive Manager – Governance and Law	

1.0 Decisions / Action required:

- 1.1 That the Council RESOLVES to appoint:
 - 1.1.1 one member of the Council as a Substitute Member to the Orkney and Shetland Valuation Joint Board (O&SVJB);
 - 1.1.2 one member of the Council to the Integration Joint Board (IJB) for the remaining term of office to 17 May 2023; and
 - 1.1.3 one member of Shetland South, to the Planning Committee.
- 1.2 In terms of 1.1.1 and 1.1.2 above, in the event of any substitute member being appointed as a substantive member, that the Council further resolves to appoint to those substitute vacancies.
- 1.3 In relation to 1.1 and 1.2 above, that the Council make those appointments by the method set out in Section 4. Should the Council RESOLVE, in the event of a vote, to elect by secret ballot, this will be conducted via email.

2.0 High Level Summary:

- 2.1 On 29 April 2020, Councillor Malcolm Bell intimated his resignation as a substitute Member of the O&SVJB.
- 2.2 On 16 July 2020, Councillor Stephen Leask intimated his resignation as a member of the IJB.
- 2.3 On 29 July 2020, Councillor George Smith intimated his resignation as a member of the Planning Committee.
- 2.4 The purpose of the report is to provide the Council with an opportunity to fill those vacancies.

3.0 Corporate Priorities and Joint Working:

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

4.0 Key Issues:

Orkney and Shetland Valuation Joint Board

- 4.1 The O&SVJB has responsibility for electoral registration, lands and non-domestic property valuation (Non-Domestic Rates), and domestic property valuation (Council Tax) in the Orkney and Shetland areas.
- 4.2 The Administrative Regulations of the Joint Board state that the total number of Members on the Joint Board is ten in total, consisting of five Members from each of the constituent authorities of Orkney Islands Council and Shetland Islands Council. Five substitute members from each authority are also appointed.
- 4.3 It is recommended that the Council proceed to make one substitute Councillor appointment to the Joint Board. The existing Shetland Islands Council membership of the Joint Board is as follows:

<u>Substantive Members</u>	<u>Substitute Members</u>
A Cooper	<i>Vacancy</i>
A Duncan	S Leask
J Fraser	E Macdonald
G Smith	G Smith
T Smith (Vice-Convener)	R Thomson

Integration Joint Board

- 4.4 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.
- 4.5 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 non-voting members, nominated by both parties, and the IJB may 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.
- 4.6 It is recommended that the Council proceed to make a substantive member appointment to the IJB to fill the current vacancy, for the remainder of the term of office. This appointment will also take up a position on the IJB Audit Committee, to be appointed by the IJB. Current membership of the IJB is as follows:

<u>Substantive Members</u>	<u>Substitute Members</u>
<i>Vacancy</i>	S Flaws
E Macdonald (Chair)	A Manson
R McGregor	

Planning Committee

4.7 The existing membership of the Planning Committee is set out below:

- Chair: E Macdonald (Shetland North)
- Vice-Chair: A Manson (Shetland North)
- Lerwick North: M Bell
- Shetland West: C Hughson
- Shetland Central: D Sandison
- North Isles: D Simpson
- Shetland South: *Vacancy*
- Lerwick South: C Smith
- Additional Member: M Lyall

4.8 Should the remaining members of Shetland South decline appointment to the Committee, there is provision within Part C of the Scheme of Administration and Delegations, Section 1.3.3, for a further Councillor to be appointed to the Planning Committee, having regard to their skills and expertise. The Council could therefore decide to appoint one other Member, from any of the other Ward areas under this provision.

4.9 It should be noted, that if a Member appointed to the Committee has not previously received planning training, then training would be arranged.

Method of Election/Voting

4.10 Section 10 of the Council's Standing Orders sets out the method of appointment of Councillors. 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.

4.11 Voting is normally taken by a show of hands, but whilst meetings are currently being held remotely, votes will be taken by roll call. It has been custom and practice for the Council to undertake voting on appointments by secret ballot, and this would require a resolution of the Council to do so. If the Council resolves to undertake a secret ballot, this will be done by email, with votes collated and counted by the Team Leader – Administration.

4.12 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.

4.13 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.

4.14 In the case of an equality of votes, nominees 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:	There are no implications for service users arising directly from this report.
6.2 Human Resources and Organisational Development:	There are no implications for staff arising directly from this report.
6.3 Equality, Diversity and Human Rights:	There are no equality implications arising directly from this report and an Equalities Impact Assessment is not required.
6.4 Legal:	The legal framework for this report is supported by legislation, and by the Constitutional documents relating to the Council, the O&SVJB and the IJB.
6.5 Finance:	As an approved duty, any appointed elected Member will be entitled to claim expenses for attendance at meetings. However, as these appointments are to fill current vacancies, no significant additional expenditure is expected in relation to the Members' Expenses budget.
6.6 Assets and Property:	There are no implications for assets and property arising directly from this report.
6.7 ICT and new technologies:	There are no implications for ICT and ICT systems arising directly from this report.
6.8 Environmental:	There are no environmental implications arising directly from this report.
6.9 Risk Management:	The main risk associated with this report is the 'do nothing' option, which would result in a failure to support the Council's Constitution, and a failure to make provision for adequate democratic accountability for constituents.
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 that is part of the political management framework or to outside organisations. A decision of the Council is therefore required.
6.11 Previously considered by:	N/A

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Appendices: None

Background Documents: None

END