

@islands2014

OUR ISLANDS OUR FUTURE

CONFERENCE REPORT
19-20 SEPTEMBER 2013



THE CAMPAIGN

Orkney Islands Council, Comhairle nan Eilean Siar and Shetland Islands Council launched Our Islands Our Future on 17 June 2013. The three islands share similar challenges and opportunities that are different to other parts of the country.

The campaign wants the islands' unique circumstances to be formally recognised in the constitutional arrangements post the independence referendum – notwithstanding the result of the referendum. The campaign areas include:

- Marine Resources and Energy Growth;
- Constitutional Status and Public Sector Change; and
- Economic Drivers and Island Wellbeing.

Since the launch the campaign has gone from strength to strength. In July the Scottish Government announced during the course of the 'Lerwick Declaration' its intention to convene a Ministerial Working Group to discuss the issues raised by the campaign.

The Group, chaired by Derek Mackay MSP, is working towards developing a prospectus outlining opportunities for island communities in the context of the referendum.

The Island Authorities are also working with the UK Government through the Secretary of State for Scotland and the Scotland Office towards a concordat on the devolution of further powers to the islands

The campaign has been endorsed by the Islands Commission of the Conference of Peripheral Maritime Regions (CPMR). The Islands Commission represents 23 island regions across 12 countries and more than 15 million people.

In November the three Our Islands Our Future council Leaders were jointly named as the Scottish Local Politician of the Year for 2013.

Further information on the campaign can be found at:

<http://www.orkney.gov.uk/Council/C/our-islands-our-future.htm>

THE CONFERENCE

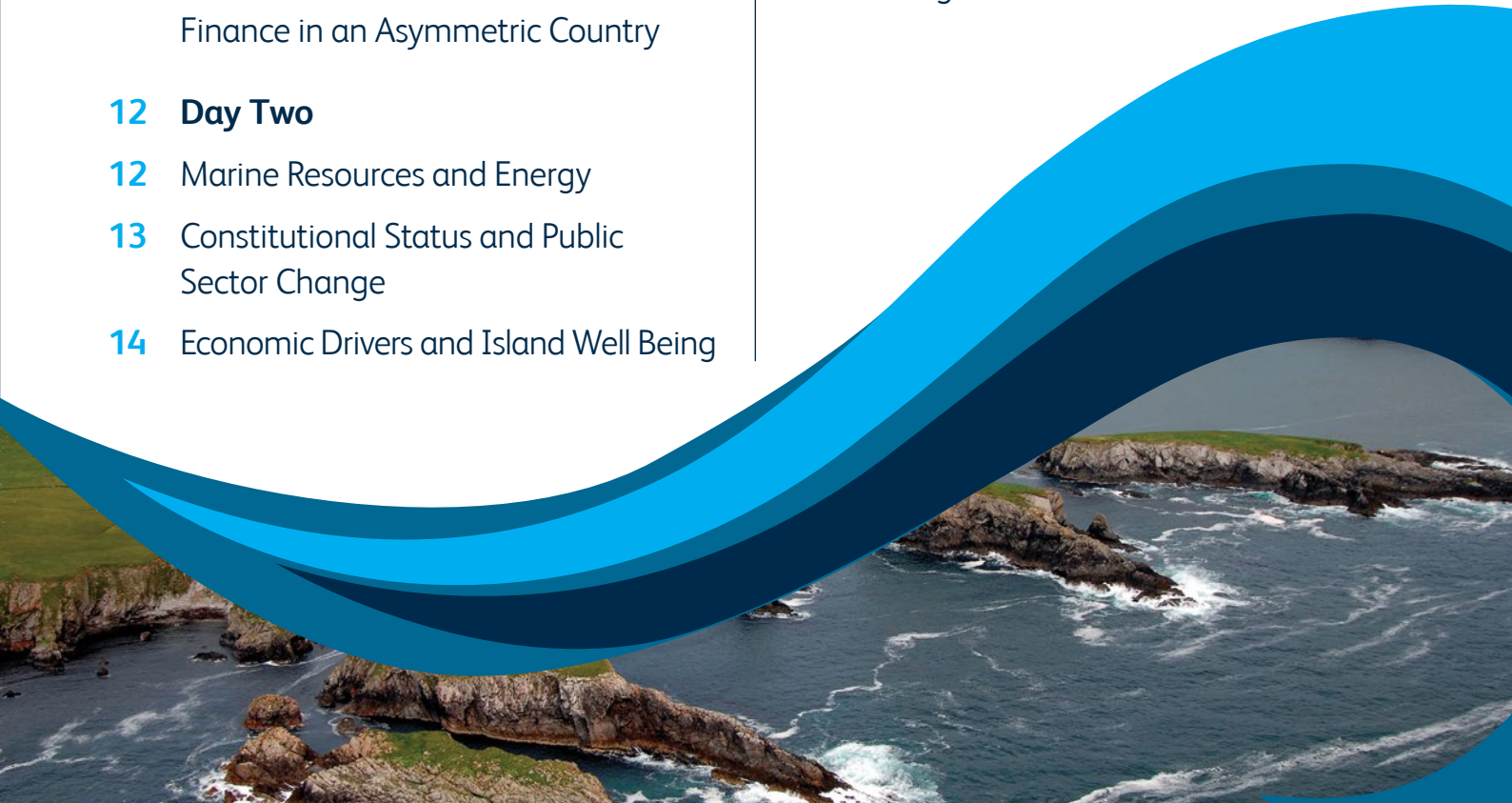
The Our Islands Our Future campaign held its first conference in Orkney over 19 and 20 September 2013.

Over 150 delegates from across Europe gathered at Kirkwall's Pickaquoy Centre to discuss and debate the main issues raised by Scotland's islands councils through the campaign. The event was facilitated by the award-winning political commentator, Iain Macwhirter.

This report is a summary of the presentations and debate that took place over the two day event.

CONTENTS

2	Speaker Profiles	15	The European Perspective – Subsidiarity Models in Europe, the Opportunities
7	Day One	16	Lord Wallace of Tankerness
7	Our Islands Our Future – Key Note Opening Speeches from three island Leaders	17	Island Areas Ministerial Working Group
9	Questions and Answers	18	Presentations by Yes Scotland and Better Together
9	Our Islands: Our Councils	19	Questions to the Government
10	The Importance of Place	20	Closing Key Note Speeches
11	Sauce for the Goose: Governance and Finance in an Asymmetric Country	21	Evening Entertainment
12	Day Two		
12	Marine Resources and Energy		
13	Constitutional Status and Public Sector Change		
14	Economic Drivers and Island Well Being		



SPEAKER PROFILES



Iain Macwhirter

Iain Macwhirter is the award-winning political commentator for the Sunday Herald and the Herald. Born in London, but brought up in Scotland, Iain started at the BBC as a political researcher

with the Devolution Unit in 1979 from Edinburgh University. He presented and produced TV current affairs programmes before becoming the BBC's Scottish Political Correspondent in 1987.

In 1990 he moved to London to present political programmes for BBC network television such as "Westminster Live" and "Scrutiny". He also presented a number of one off documentaries including "Hung Parliament" about the Palace of Westminster's art collection. He was a member of the Westminster Lobby for nearly ten years and columnist for a number of national newspapers. In 1999 he returned to Scotland to help launch the Sunday Herald and to present the BBC's "Holyrood Live" TV programmes, which he continued to front until 2007.

Iain has also written extensively for journals ranging from Public Finance magazine to the New Statesman; Big Issue to the Observer.

He was Rector of Edinburgh University 2009-11.

In a co-production with STV, Iain presented a three part history of Scottish Nationalism, "Road to Referendum" which was transmitted in June. He has written a best-selling book of the same name published by Cargo Books.



Mark Boden

Mark Boden joined Shetland Islands Council as Chief Executive in October 2012. A lawyer by profession, he has a long career in local government, including ten years as Chief Executive at

Kennet District Council in Devizes, Wiltshire. He was part of the team that successfully created the new unitary Wiltshire County Council.

Mark has a wealth of experience in performance management, delivering efficiencies, continuous improvement and community engagement.



Alistair Buchan

Alistair has been Chief Executive of Orkney Islands Council since August 1997 when he achieved what he describes as the 'mildly embarrassing' distinction of becoming the youngest ever Chief Executive

of an 'all purpose' Council in Scotland. From July 2010 until October 2012 he took on a secondment as Chief Executive of Shetland Islands Council to assist the SIC through a period of change and improvement. His local government career began in 1988 with the post of Personnel Officer at Western Isles Council going on to become Orkney Islands Council's Chief Administrative Officer. Prior to that he worked in the health service and in the private sector in the field of Human Resources Management. Alistair graduated from Glasgow University in 1985 and from the then Napier College in 1987 where he gained a post-graduate diploma in Personnel Management.



Malcolm Burr

Malcolm Burr has been Chief Executive of Comhairle nan Eilean Siar since November 2005. Prior to this he was Assistant Chief Executive at Orkney Islands Council from 2000. Educated at

George Heriot's School in Edinburgh he graduated from the University of Edinburgh in 1988 with Bachelor of Laws (Honours). He gained his Diploma in Legal Practice the following year and a Master of Laws (Honours) from the University of Cambridge (Sidney Sussex College) in 1990. Married to Chrissie, he enjoys reading, current affairs, walking, football and rugby.



Angus Campbell

Angus Campbell is the Leader of Comhairle nan Eilean Siar. He is Director of Angus Campbell Ltd and Lochs Services Ltd. He serves on the Board of the Western Isles Development Trust

and chairs the Lews Castle Trust. Married to Joan, he has two children, Alasdair and Joanna and enjoys boats, the sea, sea angling, travel and reading.



Michael Cook

A non-practising solicitor, Michael was first elected to Scottish Borders Council as an Independent member in May 2002. On becoming Depute Leader of the Council a year later,

he set aside his legal career in favour of serving as a full-time councillor, and is currently Executive Member for Corporate Improvement.

At a national level, between 2007 and 2012, Michael served as COSLA's spokesperson for Strategic Human Resources with responsibility for pay and workforce negotiations across local government. During this period, he was also Vice-President of Scotland Excel, the national procurement agency for local government. In June 2012, Michael was delighted to be elected as Vice-President of COSLA.

Passionate about Berwickshire and the Borders, Michael is associated with a variety of groups and bodies in the

area. Council and COSLA responsibilities keep Michael busy but what spare time he has is spent keeping poultry, walking, reading, watching films and listening to music.

Michael lives on Lamberton Moor in the south of Berwickshire with his wife, Joany, and their daughter, Catriona.



Ian Davidson

Ian Davidson was elected as a Scottish Labour and Co-operative MP in 1992. His first constituency was Govan, then Pollok, now Glasgow South West.

He originally won the seat from Jim Sillars (SNP) and now has a 14,000 majority.

Prior to this he was the Regional Councillor for Govan for 14 years when under Strathclyde Region. He served as the Chair of the Education Committee, which was the largest in Europe. He was also Convenor of the Convention of Scottish Local Authorities Education Committee.

He has been Chair of the Scottish Affairs Select Committee since 2010, leading enquiries into the Scottish Referendum, The Crown Estate, Blacklisting, The Future of the Coastguards and Health and Safety in Scotland, amongst others.

He captained the Parliamentary Rugby Club, swims, no longer runs, reads detective fiction instead. He was brought up in the Borders and married a girl from the Western Isles.

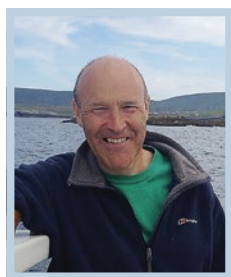


Professor Jim Gallagher

Jim Gallagher holds a Fellowship at Nuffield College Oxford, and is visiting professor of government in the University of Glasgow. His main interest is the UK's territorial constitution, and is

the author (with Iain Maclean and Guy Lodge) of "Scotland's Choices" on the independence referendum, and of "England and the Union: why and how to answer the West Lothian Question" as well as numerous articles in the Scotsman and other newspapers. He is a fellow of the Royal Society of Edinburgh. He was formerly Director General, Devolution for the UK Government and an

adviser at different times to both Gordon Brown and Tony Blair as Prime Ministers. In St Andrew's House he was head of the Justice Department from 2001 and dealt with local government and financing from 1996. Before devolution, he was private secretary to successive Secretaries of State for Scotland. He also works in the private sector as a non-executive director.



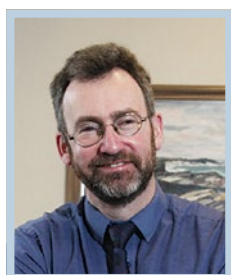
John Goodlad

John Goodlad is the Managing Director of Havsea Fisheries and Marine Consultancy Ltd. Havsea provides a variety of fisheries, aquaculture and marine consultancy services with work undertaken in Europe, North

America and Africa. John is currently acting as Senior Fisheries Advisor to the Prince of Wales International Sustainability Unit, which works to facilitate consensus on solutions to some of the key environmental challenges facing the world.

John holds the chairmanships at Shetland Catch Ltd, Shetland Fish Products Ltd and the Scottish Pelagic Sustainability Group. He is also a Board Member at Sea Fish Industry Authority and of the MSC Stakeholder Council. He worked for many years as a fish farmer in Shetland and also worked for the Shetland Fishermens Association.

In 1987 he stood as the Orkney and Shetland Movement candidate in the General Election.



Steven Heddle

Steven was born and brought up in Kirkwall. After school he studied at Aberdeen and Edinburgh Universities and gained a BSc and PhD in Physics, working after graduation in research and development and engineering.

Since coming home in 1999 he has taken an active role in community life and run a business and technical consultancy, often working with Highlands and Islands Enterprise Orkney. He was elected in 2007 in Orkney Islands Council's Kirkwall East ward, and subsequently elected Convener in May 2012.



Jean-Didier Hache

Jean-Didier Hache is the Executive Secretary of the Islands Commission of the Conference of Peripheral Maritime Regions (CPMR).

With a membership of some 150 Regional authorities located along Europe's coastline or in its islands, CPMR is one of the main regional lobbying groups in Brussels. It is dedicated to promoting Europe's maritime dimension, and is actively campaigning for a more balanced economic, social and territorial development of the European Union.

The Islands Commission's role is to make the EU's institutions more aware of the specific situation of islands, and to advocate policies better suited to their needs.

Born in Paris in 1953, Jean-Didier Hache studied in France (Politics at the Sorbonne University, and Contemporary History at the Ecole des Hautes Etudes en Sciences Sociales), as well as in Scotland (he was made Honorary Fellow of Centre for European Governmental Studies of the University of Edinburgh in 1985).

Jean-Didier's career has been closely associated with the development of CPMR and of its Islands Commission over the years, but it has also included various consultancy work for Regional authorities and EU Institutions. He has written or contributed to numerous books and articles on island political and institutional issues, including 'What status for Europe's Islands?' (Paris, L'Harmattan, 2000).

He has close associations with Scotland (his three children have dual French/Scottish nationality), and with the Western Isles in particular. He has a keen interest in Franco-Scottish history and published a book on Napoleon's Marshal Alexandre MacDonald (The French MacDonald, Lewis, Islands Book Trust), as well as collaborating on the BBC Alba's programme Domnallaich na Frainge (Caledonia TV, 2007).



Derek Mackay

Elected an MSP in May 2011 representing Renfrewshire North & West, Derek was appointed Minister for Local Government and Planning in December 2011, having served on the Finance

Committee of the Scottish Parliament and as PLO (Political Liaison Officer) to the Cabinet Secretary for Parliamentary Business & Government Strategy.

Following his election as an MSP, he became SNP Business Convenor, responsible for chairing Conference, the National Executive, and the management and administration of the party. Elected to Renfrewshire Council in 1999 at the age of 21 he was the youngest male Councillor in Scotland at the time. He won three successive ward elections, to become Leader of Renfrewshire Council in May 2007, taking the SNP from opposition to lead the administration for the first time. He became a national figure in local government leading the SNP group at COSLA (Convention of Scottish Local Authorities) 2009–2011.

Derek enjoys reading, running, swimming and time at the gym. He is married with two children and continues to live in the constituency he represents.



Colin Mair

Colin Mair is chief executive of the Improvement Service, a COSLA/SOLACE partnership set up to support local government improvement across Scotland. The IS' aim is to help councils and their partners improve the

health, quality of life and opportunities of all people in Scotland through community leadership, strong local governance and the delivery of high quality, efficient local services.

Before joining the Improvement Service in 2004, Colin worked with Scottish councils as Director of the Scottish Local Authority Management Centre. Prior to that, he was Director of International Programmes at Strathclyde University where he worked on local government and public sector development in India, sub-Saharan Africa and Eastern Europe.



Professor James Mitchell

James Mitchell is a graduate of Aberdeen and Oxford Universities and has been a Professor at Sheffield University, Strathclyde University and now Edinburgh University. He currently holds an Economic

and Social Research Council Fellowship studying 'The Scottish Question' which includes examining the future of local governance. He was a member of the Christie Commission on the Future Delivery of Public Services. His most recent books include 'Devolution in the United Kingdom' and a forthcoming book, 'The Scottish Question'.



Jörgen Pettersson

Jörgen Pettersson is one of 30 members of the Parliament in the Åland Islands. He is the chairman of the Finance, Industry, Trade and Agriculture Committee, one of three standing committees in the

Parliament. The Åland Islands have since 1922 been a self-governed part of Finland. Åland's autonomy gives it the right to pass laws in areas relating to the internal affairs of the region and to exercise its own budgetary power. Åland's legislature, its Parliament, is known as lagtinget. The Parliament appoints the regional Åland Government, landskapsregeringen. Jörgen Pettersson is also a member of the Town Council of Mariehamn and, apart from being a politician, the Chairman of the International Island Games Association, the host of NatWest Island Games which Shetland, Orkney and Western Isles take part in.



Gary Robinson

Elected as an independent Councillor in May 2007 representing Shetland West, Gary became Leader of Shetland Islands Council following the elections in May 2012.

He currently holds directorships with Lerwick Port Authority and the Sullom Voe Association Ltd which oversees Europe's biggest oil terminal and is the recently retired chairman of Shetland Heat Energy and Power Ltd - the company responsible for Lerwick's innovative district heating scheme. As a former chairman of the Shetland Childcare Partnership Gary maintains a keen interest in early years policy and provision.

Prior to his election as a Councillor, Gary was an active community Councillor and Vice-Convenor of the Shetland Credit Union Steering Group.



Jóannes Hansen

Jóannes Hansen is the Head of Representation of the Faroes in London, Minister Counsellor to the Court of St. James', and permanent Representative for the Faroes to the International Maritime Organisation.

He facilitates cooperation on behalf of the Faroes with the North East Atlantic Fisheries Commission (NEAFC) and the North Atlantic Salmon Conservation Organisation (NASCO).

He holds an MA in Diplomacy from the University of Nottingham, and BSc Econ in International Relations from the University of Wales.

Between 2008-2011 he served in the Faroes Ministry of Foreign Affairs, first as Public Diplomacy Adviser then as Private Secretary to the Minister. From 2007 to 2008 he was Junior Advisor in the Faroes Prime Minister's Office. Prior to that, he worked as Contract Manager for the Faroes Transport Company.

Jóannes was born in Torshavn in the Faroe Islands and now lives in London.



Dennis Canavan

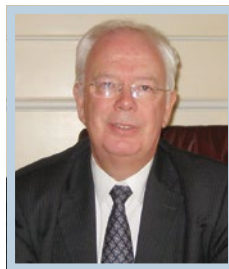
Dennis Canavan, one of Scotland's longest serving and most experienced parliamentarians, was first elected to Westminster in 1974 as Scottish Labour MP for West

Stirlingshire. After boundary changes he represented the Falkirk West constituency from 1983 until 2000.

Throughout his entire political life he has been an avid campaigner for a Scottish Parliament. In 1999, at the first Scottish Parliament election, he was rejected by New Labour as an MSP candidate despite having 97% support from local party members. He stood as an Independent and was returned with the largest majority in Scotland.

Mr Canavan resigned his Westminster seat in 2000. He retained his Holyrood seat in 2003, again with the largest majority in Scotland. When he retired before the 2007 election he was the longest-serving Scottish parliamentarian, having spent 33 years at Westminster and Holyrood. He has honorary doctorates from the Universities of Stirling and Strathclyde.

Dennis is currently chair of the Advisory Board of Yes Scotland, the campaign for a Yes vote in the Scottish independence referendum in 2014.



The Rt. Hon. Lord Wallace of Tankerness QC

Lord Wallace is the Advocate General for Scotland, appointed by the Prime Minister on 14 May 2010.

He studied Law at Cambridge and Edinburgh Universities and was called to the Bar in 1979, practising mainly in civil law cases, and was made Queen's Counsel in 1997.

Lord Wallace has enjoyed a long and distinguished political career – for 17 years up until 2001 he was MP for Orkney & Shetland, and MSP for Orkney between 1999 to 2007. From 1992 to 2005 Lord Wallace was Leader of the Scottish Liberal Democrats. He has served as Deputy First Minister of Scotland (1999 to 2005), Minister for Justice (1999 to 2003), and Minister for Enterprise & Lifelong Learning (2003 to 2005).

In 2007, he was appointed to the House of Lords and has been a member of the House of Lords' Select Committee on the Constitution and the Calman Commission on Scottish Devolution.

As Advocate General for Scotland Lord Wallace has taken a number of bills through the House of Lords, including the Scotland Act 2012, the Justice and Security Act and the Succession to the Crown Act.



Liam McArthur

Liam McArthur was elected as Member of the Scottish Parliament for Orkney in May 2007. Born in Edinburgh, he was brought up in Orkney and attended Sanday Junior Secondary and Kirkwall Grammar School.

After working as a political consultant in Westminster and in Brussels for a number of years, he was appointed by former Deputy First Minister and Orkney MSP, Jim Wallace as a Special Adviser in 2002. This role involved advising Ministers across a range of policy areas, including enterprise, lifelong learning, agriculture, fisheries, environment and external affairs.

During his first term as an MSP he sat on the Rural Affairs Committee. He is currently the Liberal Democrat spokesperson for Energy, Young People and Education and Culture.

DAY ONE

OUR ISLANDS OUR FUTURE – KEY NOTE OPENING SPEECHES FROM THE THREE ISLAND LEADERS

Councillor Dr Steven Heddle, Convener of Orkney Islands Council, opened the conference. Cllr. Heddle explained that the campaign was based on the common issues that the remote island groups faced, and the opportunities that they wished to grasp for the benefit of the their communities.

‘In essence, we simply want to make life better for the people who live in our distinct island groups... Our campaign contends that this will be best achieved through devolved powers and local decision making, in a national framework, that recognises our rurality and insularity, and the contribution we make to Scotland, the UK and Europe.’ The conference, he said, would give the campaign the platform to state its case and also allow others to inform the campaign with different perspectives.

‘Devolution was not supposed to stop in Edinburgh’. That was the view of the Shetland Islands Council (SIC) Leader, Gary Robinson, as he made the case for more powers to filter down to local government and into communities. Mr Robinson made reference to the additional powers granted to Shetland through the Zetland County Council Act 1974. The Act allowed the local authority to successfully fulfil the role of Harbour Authority at Sullom Voe where Shetland plays host to the largest oil terminal in Europe. He claimed that the Council,



Cllr Steven Heddle

together with the Shetland Oil Terminal Environmental Advisory Group (SOTEAG), had set the benchmark for good and safe practice in oil and gas installations around the world which he described as a ‘triumph for local self-determination’.

Cllr. Robinson added that the campaign was seeking to secure a fair share of the resources that are being extracted around the islands and a say in how they’re regulated and managed. He concluded by saying that the campaign is setting out, not only to secure what the islands have already, but to enhance those powers in such a way as to help the islands do better for their communities and for the nation. ‘It is about the three island

areas being able to contribute to the nation’s economic growth and prosperity as a respected partner and in a fair manner that recognises our critical strategic and geographic position.’

OIC Convener, Steven Heddle, made reference to the prosperity brought to the Orkney Islands following the passing of the Orkney County Council Act of 1974. He said that the Act had allowed the local authority to develop its own oil reserve fund, Orkney’s version of a ‘sovereign wealth fund’. He said that the devolution of powers in 1974 had been a good thing not just for Orkney but for the country. The fund has supported capital projects which may not otherwise have happened. Reference was made to OIC’s £12m investment in harbour works to support marine renewables which is contributing towards national targets.

“ *In essence, we simply want to make life better for the people who live in our distinct island groups...* ”



Cllr Gary Robinson

Cllr. Heddle said that one size did not fit all and that the islands could do better with more local discretion, more local decision making and better representation. He made reference to the Montgomery Committee of Enquiry into the Functions and Powers of the Islands Councils of Scotland. It recommended in 1984 that opportunities should be taken wherever possible to consolidate, develop and extend the powers of island councils in a continuing process of development in the local government of the islands.

He argued that the recommendations were still valid. 'The islands are no less remote, on the wrong side of the digital divide, and are again at a time of major economic development.' He called for an enhanced relationship with Europe. This would include better representation and access to funding and distribution mechanisms together with the fiscal and regulatory powers to encourage sustainable development in the islands.

Cllr. Heddle explained that the Our Islands Our Future campaign was not about money but about people. This was echoed by Comhairle nan Eilean Siar (CnES) Leader, Angus Campbell. He said that the concept was about making life better for the island communities and securing the means to improve lives themselves. It was about creating a level playing field so that the islands could use their ample resources for the good of their communities and to contribute towards Scottish, UK and European objectives. Cllr. Campbell made reference to the benefits brought to the area following the creation of the unitary island authority in the Western Isles and the success of the recent schools programme. The programme saw £120m spent on six new schools in two years delivered on time and on budget. His point was simple. Give power to the islands and the islands will make things happen.

Cllr. Campbell explained how the islands' development had been thwarted by not having the tools to do the job. 'We have the natural and cultural resources, we have the talents and we have the vision. But we need the tools. We need the political will to make it happen at Scottish, UK and European levels.'

Cllr. Campbell made reference to the fact that 70% of the population in the Outer Hebrides now live on community owned land but

“ We have the natural and cultural resources, we have the talent and we have the vision. But we need the tools. ”

that none of the seabed around the shores belonged to the community. Such arrangements meant that local communities were missing out on a significant income.

Cllr. Campbell said that further powers to the islands would benefit not only the islands, but Scotland, the UK and Europe. He said that the islands will



Cllr Angus Campbell

be the centre of green energy, remained key players in oil and gas, produced world famous exports and contributed Norse and Gaelic cultures to the country. The campaign, he said, had ambitious, clear and achievable aims. He claimed that the islands are not a problem but a solution. As Cllr. Robinson had said earlier, the islands are 'serious players' and have legitimate objectives.

Q&A

Following the leaders' speeches Tavish Scott, MSP for Shetland, asked whether the campaign could push for more powers now rather than wait for the referendum. He said that the islands should push for a bigger say in transport links and should seek the relocation of civil servants to the isles. Angus Campbell agreed and said a lot could be achieved without constitutional change.

John Ross Scott, Chair of NHS Orkney, applauded the campaign's ambition but added that partner organisations should be involved in the campaign to strengthen its cause.

Cllr Heddle said that he welcomed the involvement of partner organisations in the campaign and added his view that health boards should be part of the local democratic process.

Jean Urquhart MSP remarked that local government in Scandinavia generally has more autonomy than in Scotland.

OUR ISLANDS: OUR COUNCILS

OIC Chief Executive, Alistair Buchan, who has worked for all three islands councils over the last 25 years, including 2 years as Chief Executive of Shetland Islands Council, spoke on behalf of the three Chief Executives.

Alistair offered some reflections on some of the achievements and the challenges faced by the three Councils during his time in management. He felt that the islands councils had been massive contributors to the wellbeing of the island communities which would all have been very different places had they not had their own islands councils.

Some of their successes had been truly ground breaking on an international scale and he pointed in particular to the Orkney and Shetland county council acts and the success of Comhairle nan Eilean Siar in the promotion of the Gaelic language. In many ways the Our Island Our Future campaign represented the continuation of that rich heritage. While each council had come through their challenges and periods of difficulty he argued that much had been learned in that time and that the councils were now more mature, resilient organisations capable of taking on greater responsibility together with their community planning partners. He felt that a good topic for a future conference was how the councils continued the process



OIC Chief Executive, Alistair Buchan

of developing as successful organisations to exploit most effectively the opportunities offered by change.

He referred to the unprecedented level of cooperation between the councils which had led to the OIOF campaign and said that the public would be better served as a result.

He concluded that he had no doubt that there was the ability and the commitment in the councils to rise to the challenge of greater powers to the lasting benefit those who they were there to serve.

THE IMPORTANCE OF PLACE

One of the aims of the Our Islands Our Future campaign is to secure local government in the islands in any written constitution for Scotland.

It was noted by Professor James Mitchell that local government is not uncommonly included in written constitutions. Excluding the UK, given the unwritten nature of its constitution, Latvia is the only EU state that does not refer to local government in its constitution.

Professor Mitchell described the proponents of the Our Islands Our Future Campaign as purposeful opportunists, a term he did not intend to be viewed in a pejorative sense. Noting that the islands had been quick off the mark he said that he liked the initiative. It allowed the public to have their choice on independence informed by the islands debate. The campaign, he added, appeared to be a model of insinuation.

He said that one of the main weaknesses of the existing constitutional debate at a national level was that it was heavily top-down. It was failing to incorporate discussion about how the country will constitute itself at a local level. The importance of 'place' had been diminished and given way to a top-down approach which was motivated by a functionalist symmetrical approach. By place, he meant an emphasis on the local community where services were delivered. He said that the



Professor James Mitchell

islands initiative was important as it represented an on-going challenge to the 'one-size-fits-all' approach. A focus on place, he added, encouraged empowerment, integration, efficiency and allowed for a focus on prevention. This is consistent with the Our Islands Our Future Campaign. He indicated regret that the Christie Commission that reported on the future delivery of public services did not place more emphasis on the importance of place.

Professor Mitchell also made reference to the Royal Commission on Local Government in Scotland (the Wheatley Commission). In its 1969 report the Commission recommended against giving the Scottish islands special islands status. Professor Mitchell said that there had been a tendency

to seek symmetry informed by a highly functionalist logic that took insufficient account of place. He said such arguments are still advanced today. He explained that was why he found the islands initiative important as it represented an on-going challenge to such thinking and also acted as a lesson to the rest of Scotland.

Claiming that the balance of power between central government and local government had to be restored, Professor Mitchell concluded by quoting the words of John Stuart Mill, an advocate of local democracy:

'It is but a small portion of the public business of a country which can be well done or safely attempted by the central authorities...'

SAUCE FOR THE GOOSE: GOVERNANCE AND FINANCE IN AN ASYMMETRIC COUNTRY

‘The UK is a funny old place’ was the view expressed by Professor Jim Gallagher. He explained to delegates that the country’s constitution was lopsided, asymmetric and untidy.

England, Scotland, Wales and Northern Ireland all had different powers with different legislative bodies with different methods of calculating budgets. But this was nothing to be scared of as it lifted the curse of what he called the ‘wiring diagram’.

He said that the same principles could apply in local government in order to give ‘real’ institutional form to community planning and ‘outcome stuff’. He added that



Professor Jim Gallagher

a huge amount of effort had been made towards community planning and an emphasis on outcomes but that the existing set up was not well designed for making cuts or choices.

Professor Gallagher said that although he was behind the project, there were three risks that came with enhanced devolution to the islands:

- dealing with occasions of exceptional demand or circumstances outwith the norm;
- the costs associated with restricted access to national resources; and
- increased responsibility and accountability.

Professor Gallagher said that the public body overhead was too high and was blatantly problematic in the islands. He put forward the view that there

should be one major public body in each of the islands. The body would have taxation powers, including devising a replacement of the council tax, and have responsibility for most public services. The body he said would have a legal responsibility for the provision of services in the each island. It would be obliged to meet national standards and could receive a direct grant from the government to do so. It could contract with other national bodies to provide services for it. He was pleased to note that the Council leaders acknowledged that with greater powers comes greater responsibility and accountability.

Professor Gallagher concluded that this was the ‘moment’ for the islands. They had the leverage; now they needed a plan.

DAY TWO

MARINE RESOURCES AND ENERGY

80 % of Scottish seas are within the seas of the islands. 80 % of the UK's oil and gas output comes from the seas of the islands. Over 50 % of the fish caught in UK waters comes from the seas of the islands. The UK Treasury receives £10bn per year from the extraction of oil and gas in the islands' seas.

These were the opening remarks of SIC Chief Executive Mark Boden as he opened a session on Marine Resources and Energy.

Ian Davidson MP, Chair of the Scottish Affairs Select Committee, began his presentation by saying that in his view the referendum result was now settled; Scotland would, he opined, vote 'No'. The Our Islands Our Future campaign, he argued, should not be tied to whether or not there would be a 'yes' vote at the referendum. The focus should now turn to the evolution of devolution. He argued that everything related to marine resources should be delegated to the lowest level. He was sceptical as to whether the Scottish Government shared that view.

His advice to the campaign was not to let the Islands Area Ministerial Working Group 'drag on'. There was much that could be achieved notwithstanding the independence debate. Mr Davidson added: "what you are trying to achieve has the complete support of the [Scottish Affairs Select] Committee. I think it strengthens the case enormously that there's an environment where the three

authorities are working jointly." He added, perhaps in response to earlier questions from delegates representing Argyll and Bute Council, that the campaign should not broaden in its membership. Other islands in Scotland should find their own route for change.

Mr Davidson added that local authorities were best placed to deal with community planning. He viewed community planning partnerships as a means by which officers planned the community rather than locally elected politicians.

John Goodlad then took to the floor. The Shetland businessman said that he was no politician although he stood for the Orkney and Shetland Movement in 1987. Mr Goodlad focused on the Shetland Islands Regulated Fishery (Scotland) Order 1999 (the Order). The Order allowed the Shetland Islands to regulate shellfish fishing around the Shetland coast within a 6-mile limit. As a result the shellfish stocks are in a good state. He referred to the outstanding achievement of three of Shetland's main fisheries in

achieving the prestigious Marine Stewardship Council certification for sustainable and well-managed fisheries. 'Local control and local management deliver the best results for local societies, ecologically and sustainably.'

Devolution would have a direct impact on communities and would not merely be a Council project. The Order he said involved the community taking over the control – not the Council. The success of the Order was a 'real example' of what island autonomy could do.

He added that the three islands did not have to develop at the same speed. Although each island group was on the same journey towards further devolution, it could choose its own future and speed of development within that journey.

In his parting shot Mr Goodlad pressed the islands not to be modest in their demands. The islands had a 'once in a lifetime opportunity' to seize more powers. He warned that future generations would look back on what was achieved and what was not achieved.

CONSTITUTIONAL STATUS AND PUBLIC SECTOR CHANGE

Alistair Buchan opened the second session of Day 2. Joining him were Scottish Borders Councillor and the Vice-President of the Convention of Scottish Local Authorities (COSLA), Michael Cook, and Chief Executive of the Improvement Service, Colin Mair.

Whether there is a ‘yes’ vote or a ‘no’ vote change is coming. That was the view of Mr Cook as he congratulated the campaign. He said it was consistent with COSLA’s vision for local government which includes the following four principles:

- 1 Empowering Local Democracy
- 2 Integration not Centralisation
- 3 Outcomes not Inputs
- 4 Local Democracy at the Heart of Improvement and Accountability

Little debate has been had in Scotland about decentralisation until COSLA and Our Islands Our Future intervened. Critics may say



Michael Cook

that local government is being opportunistic but he argued that councils have a duty to stand up for their communities. Ambition and leadership were required to ensure autonomy and independence for local government as is recognised across most western societies. He said that Scotland was one of the most centralised communities in Europe and that the country was missing out as a result. He argued that locally delivered accountable services were far more sensitive to local needs, local people and local communities. Local councils were at the heart of local services and need more powers to make real changes to peoples’ lives. Mr Cook made reference to the cities’ recent calls for additional powers. He encouraged local authorities to work together – this wasn’t a competition.

Mr Mair continued on a similar theme noting that the Faroe Islands had over 30 councils in the country and that Norway had 19 counties with 434 municipalities. In the UK there has been a trend of centralisation and uniformity.

He noted that in 1966 Scotland had over 150 councils and by 1996 this has reduced to 32



Colin Mair

councils. He blamed the reduction on top down technocracy, the absence of constitutional protection, corporacy and standardisation.

He argued that local democracy needed to be rethought. Democracy ought to drive technocracy. The differences between local authorities should be recognised – the ‘more you localise services the more local people engage with those services.’ Mr Mair commended the Single Public Authority model for the isles which he noted as a practical proposition. He said that it would achieve integration and localisation.

ECONOMIC DRIVERS AND ISLAND WELL BEING

Malcolm Burr, Chief Executive of Comhairle nan Eilean Siar, opened the third session of the day. He said that the three island communities needed more economic control if their true potential was to be achieved. It was time to do something different.

There followed two presentations into the constitutional arrangements of, firstly the Åland Islands and then the Faroe Islands. Jörgen Pettersson, a member of the Parliament of Åland and Chair of one of the Parliament's three standing committees, took delegates through the 'Åland example'. Åland is a self-governing region of Finland with a population of 29,000. An Act of Parliament granting Åland autonomy took effect in 1922 and since then the islands have been on their own journey of evolutionary devolution. The island is currently working on its 4th autonomy act that will see even more powers devolved from Finland to the Swedish speaking islands. Mr Pettersson advised that unemployment has reduced in line with enhancements to Åland's autonomy.

Åland is represented on the Nordic Council and has one seat on the Committee of Regions. Åland joined the European Union with Finland in 1995. The islands however have a number of derogations arising from its special status in international law. Åland has a special representative at the Permanent Representation of Finland in Brussels. Åland is still demanding a seat in the European Parliament.

All taxes, duties and fees collected in Åland by the Finish state are returned roughly in line with Åland's share of Finland's population. That



Jörgen Pettersson

gives Åland's Parliament a budget of around £280m. He stressed that Finland did not subsidise Åland. Mr Pettersson was keen to demonstrate the benefits of autonomy for Åland both domestically and internationally. He explained that 'autonomy gives you inspiration to try harder in competition in sport, culture and business. It gives you freedom to deal with your own priorities which are different to larger countries.' Åland produces, for example, its own postage stamps and has its own radio and TV stations. Again these assist in developing a sense of place and the islands being 'special'. With autonomy, Åland has the self-confidence to deal with its own matters. It has the freedom to deal with its own priorities which may be different to those of larger countries.

He offered the campaign Åland's sincere best wishes adding that Åland 'will be there for you.' He noted that after 91 years of autonomy Åland still did not have all the answers. But he challenged the



Joannes Hansen

campaign by asking, 'can you afford not to try and find new ways into the future?'

Joannes Hansen, Head of Representation of the Faroe Islands in London, then took to the stage. The Faroe Islands is a self-governing nation within the Danish realm and Mr Hansen provided a broad background to the history of Faroe and its political arrangement. Similar to the 'Åland example', Faroe gained home rule through an Act of Parliament in 1948 and since then there has been a shift in power from Denmark to Faroe over the island's affairs.

Faroe is not a member of the EU even though Denmark is. As such it has bilateral fisheries agreements with the European Union as well as Russia, Norway, Iceland and Greenland. The Faroe Islands also have bilateral trade agreements with other countries, the most extensive being with Iceland. The Faroe Islands also cooperate closely with the Nordic Council.

THE EUROPEAN PERSPECTIVE – SUBSIDIARITY MODELS IN EUROPE, THE OPPORTUNITIES

To add to the international theme delegates received a presentation from Jean-Didier Hache, Executive Secretary of the CPMR Islands Commission. Mr Hache showed that many European Islands already enjoy special status with the EU and that the demands of Our Islands Our Future were reasonable and legitimate.

Indeed it is the norm with the majority of island regions in Europe already having some kind of special status or autonomy with the Scottish Islands being the exception. He said that 7 of the European Union's island regions had legislative autonomy. In 8 EU member states, there are special provisions for islands in the national constitution, or in the structure of national government, parliament or administration. He added that there were no homogeneous forms of autonomy. For example, Åland can vet international treaties which may affect it. Corsica on the other hand has no legislative autonomy but exerts direct control over the running and subsidising of its sea and air transport services to the mainland.

Mr Hache made reference to articles 170 and 174 in the EU Treaty. The former on trans-European networks (energy, transport, and communications) recognises that attention should be paid to the special situation of the islands and peripheral areas. Article 174 requires special



Jean Didier Hache

attention to be paid to a number of specific territories such as those with permanent and severe geographic and demographic handicaps including islands.

He said that in the event of a 'yes' vote there would be a tremendous opportunity for Scotland to negotiate a special deal for the islands as part of an Accession Treaty. The islands could demand 'permanent representation' in Scotland's European Embassy to ensure that the islands get a 'heads up' on what law and policy may be coming their way. Alternatively

the islands could have their own representation/offices in Brussels like the Canary Islands, Corsica and Sicily. This would provide added opportunity for the islands to seek any change or exception to laws and policies if required.

Any special status for the islands at a national level would only have a very limited effect without an EU dimension because such a high percentage of national laws stem from the EU. Special status could be demanded on the basis of considerations such as the island's combination of insularity, low or very low population

density, peripherality and harsh climate. Alternatively the islands could seek to leave the European Union as Greenland did in 1985 after securing autonomy from Denmark. The Faroe Islands, Isle of Man, Jersey and Guernsey are other islands that are not in the EU.

In Mr Hache's view, the UK government was unlikely to welcome a permanent islands representation at the UK's European Embassy. However, Mr Hache insisted that there were other ways in which the islands could influence Europe. He encouraged the islands to strive for 'front seats' in the EU policy making process by:

- playing a direct role in framing national responses to EU policy proposals; and
- seeking financial and political support from national authorities when seeking redress with the European Court of Justice.

It was noted by the Chair, Iain Macwhirter, that the Conservatives intend to renegotiate a number of European treaties and hold a referendum on EU membership should they secure a majority at the next General Election. This could give the islands a unique opportunity at a European level to seek special status and enhanced representation.

LORD WALLACE OF TANKERNESS

Lord Wallace of Tankerness, Advocate General for Scotland, spoke on behalf of the UK Government. He agreed with Cllr. Robinson's view that devolution shouldn't stop in Edinburgh but added that devolution should equally not stop in Kirkwall, Lerwick or Stornoway. Powers should be devolved down to individuals in each of the island's communities.

In defence of the Crown Estate Lord Wallace of Tankerness said that a lot of good work had been done but acknowledged there was more to do. He announced that the Crown Estate is to invest £380,000 in development of marine tourism on North Uist.



Lord Wallace of Tankerness

Lord Wallace also explained the benefits of the islands remaining part of the UK. He argued that the strike price of £115 per megawatt hour for island onshore wind was only possible due to the islands being part of the wider UK market. It is the first time that the UK Government has announced a different strike price for a particular area of the UK,

which, he said, reflects the unique circumstances and potential of the Scottish islands.

Lord Wallace of Tankerness argued that the UK Government also had a good track record of devolving more powers to Scotland and to local authorities in England. He referred to the then Secretary of State for Scotland's three principles when considering whether or not to devolve more powers:

- 1 the argument to devolve is evidence based;
- 2 there is widespread consensus on the need to devolve; and
- 3 devolution to part of the country will not be to the detriment of others.

Lord Wallace added that any proposals for change from the islands would have to be robustly planned, thought through and detailed. He welcomed the campaign and said that he looked forward to seeing the outcome of the discussions between the UK Government and the campaign.

ISLAND AREAS MINISTERIAL WORKING GROUP

Derek Mackay MSP noted that the referendum provided Scotland with an ‘immense opportunity’ at an ‘immense constitutional moment’.

He commented on the work of the Islands Area Ministerial Working Group which was created following the Lerwick Declaration. He warned however that the Scottish Government could not transfer power to the islands if it didn’t have the powers to do so. He argued that the empowerment of Scotland would see empowerment within Scotland.

Mr Mackay criticised the UK Government for ignoring the recommendations of the Scottish Affairs Committee report on the Crown Estate in Scotland that recommended devolution of the Crown Estate in Scotland. He argued that taking action on the Crown Estate clearly required the powers of independence.

Following Mr Mackay’s comments Lord Wallace of Tankerness commented that the Scottish Government had



Derek Mackay MSP

sufficient powers to devolve more powers now. He encouraged the local authorities to engage directly with the UK Government who would look at each case on its own merits. He indicated that the campaign should engage with the public to ensure that the time it was investing into the campaign reflected public support for the campaign.

Following Mr Mackay’s presentation, the leader of Argyll and Bute Council, Councillor Roddy McCuish, stated that there ought to be a minister for the isles. Mr Mackay responded by saying that all ministers ‘got’ island issues. He added that the ramifications of the campaign would impact all parts of local government.

PRESENTATIONS BY YES SCOTLAND AND BETTER TOGETHER

Both sides of the independence debate made speeches at the conference and both seemed supportive of the Our Islands Our Future campaign.

Dennis Canavan, Chair of Yes Scotland, claimed that an independent Scotland would have a written constitution that would entrench the status and powers of local government. It would acknowledge the special status of the islands recognising that they make a massive contribution to the economy but face transport and fuel difficulties. However, the tools required by the islands were in the hands of Westminster politicians.

Mr Canavan added that the Scottish Parliament was a creature of Westminster. Westminster could easily abolish the Scottish Parliament. The Scottish Parliament would only become a sovereign parliament if Scotland was granted independence.

Mr Canavan then gave examples of the type of policies that Scotland could adopt in the event of independence:

- the abolition of the spare room subsidy;
- a stop to the privatisation of Royal Mail;
- a transfer of the control of the sea bed around Scotland's coast from the Crown Estate to the Scottish Government;



Dennis Canavan

- an end to the payment of big bonuses in the financial industry; and
- the removal of nuclear weapons from Scotland and a stop to war mongering.

Liam McArthur, MSP for Orkney, spoke on behalf of the Better Together campaign. He argued that more powers for Scotland was the answer, not the break-up of the UK. He added that politics should be built from the bottom up. In response to Mr Canavan's statement that Scotland got a UK government it didn't vote for Mr McArthur claimed that Orkney got a Scottish Government that it didn't vote for.

He congratulated the campaign on its opportunism but noted that there was a lot of work still to be done to flesh out the detail



Liam McArthur MSP

and to bring the community along with the campaign. He encouraged the campaign to get commitment from political parties rather than seek promises from the YES Campaign or the Better Together campaign pointing out that devolution was a process and not an event.

During discussion, OIC Councillor, Owen Tierney, suggested that the islands would have a stronger voice in a smaller country. Cllr. Dr Stephen Clackson suggested that the islands could remain part of the UK in the event of a 'no' vote in the islands but a 'yes' vote elsewhere in Scotland. Mr Canavan responded to these comments by agreeing with Cllr. Tierney and concluded by saying that he would hope that all parts of Scotland would respect the outcome of the democratic will of Scotland.

QUESTIONS TO THE GOVERNMENT

Professor Mitchell, Professor Gallagher, Derek Mackay MSP, Lord Wallace of Tankerness, Dennis Canavan, Liam McArthur MSP, Sarah Boyack MSP and Mike MacKenzie MSP sat on a panel for a question and answer session.

During questioning Mike MacKenzie MSP claimed that it had long been the policy of the Scottish National Party to devolve more power to the islands. However he insisted that the SNP could not give powers away that it did not have.

There was discussion on the devolution of tax raising powers. Liam McArthur said that council tax was only meant to be frozen until such time as a new local income tax could be brought in. Derek MacKay defended the government's position stating that a council tax freeze had been the subject of the SNP's manifesto. Jim Gallacher said that there were some tax raising powers, such as taxes on share transfers, that could not be decentralised. It was much easier to decentralise tax raising powers on things that did not move about, for example, property. He said that Scotland's taxation on land and property was out of date.

During the debate Derek Mackay MSP stated that the ring fencing of local government budgets had reduced from £2.7bn to £200m since the Scottish Government came to power. He said that there would be an opportunity for greater local empowerment, including fiscal decision making, in the event of an independent Scotland. Independence would also help give the islands a greater say

in Europe. In the meantime he said that a change to local government structure in Scotland wasn't planned. The SNP supported subsidiarity as embodied in the 'Lerwick Declaration'. He added that his 'Kirkwall Declaration' was to deliver the 'Lerwick Declaration'.

Labour MSP, Sarah Boyack, said that the 'new and exciting opportunities' being discussed at the conference needed to be brought out into the constitutional debate. She said that the campaign had put the islands' needs on the Labour Party's agenda. She added that she was keen to continue discussions with the campaign to consider a 'progressive localism' agenda. She added that she would not rule out the possibility of an islands representative on the UK's EU team. She concluded by saying that the debate on the transfer of powers was about the next 5-10 years and not a specific end date.

Iain Macwhirter noted that Derek Mackay MSP, Sarah Boyack MSP and Lord Wallace of Tankerness were in effect saying 'maybe' in response to a question on whether the UK Government or Scottish Government would devolve control and ownership of the seabed from the Crown Estate to the islands. Professor Gallagher warned that the Crown Estate represents a



Sarah Boyack MSP

stream of revenue to the UK Government. Should control and ownership be devolved then the Scottish Government could expect a reduction in the block grant it receives from Westminster.

Dennis Canavan expressed the importance of culture to the islands. He said that the islands should retain centres of excellence to help retain jobs, vibrancy and people in the islands.

Professor Mitchell, asking 'where are the Conservatives?', encouraged the campaign to get clarity from each of the parties on what exactly they will do for the islands.

Professor Gallagher said that most of the issues discussed at the conference were independent of the referendum. He warned against the temptation to merely seek 'more power' and said that the approach should focus on proposing a clear assumption of responsibility.

CLOSING KEY NOTE SPEECHES

‘Go back to your islands and prepare for change.’ Those were the words of encouragement from Cllr. Campbell after he concluded that it was not a case of ‘if’ the campaign achieves something but a question of how far the campaign will go.

Cllr. Campbell noted that the campaign had been told to be ambitious and reiterated that it would continue to be ambitious. He challenged government at all levels to immediately implement what they could for the campaign.

He said that the islands had a right to future income earned from the islands particularly income generated from marine resources. Although he welcomed the ‘strike price’ referred to earlier in the day by Lord Wallace of Tankerness, he accused it as being a false way to correct a wrong. If the islands were truly part of the United Kingdom they ought to be part of the UK grid. He said that the campaign would empower the islands’ communities on the communities’ terms.

Cllr. Campbell said that the campaign fully accepted that with increased powers comes increased responsibility.

He guaranteed that the campaign would listen and that communities will be empowered on their terms. Buy-in from the communities was key to the success of Our Islands Our Future.

Cllr. Campbell paid tribute to the sessions from Jörgen Pettersson, Joannes Hansen and Jean-Didier Hache who had all given much continental food for thought. He said it was time for Europe to ensure the implementation of the spirit of the European Treaties which seek to achieve equality of opportunity, harmonious development, competitive markets and good government close to the citizen.

Cllr. Robinson added that ‘a theme throughout the conference has been ‘now is the time’ – we all agree. This is a once-in-a-lifetime opportunity for our islands, and we will not shirk from the challenge.’

Cllr. Heddle commented that the conference had ‘encouraged’ and ‘inspired’ the campaign to seize the moment and had ‘validated’ the work done to date. He said that the feedback had energised the campaign to press on strongly with a drive for greater powers for the islands communities. Citizen rights should be standardised, but their delivery should not be. He concluded by challenging the governments to ‘give us the tools to do it ourselves and we will’.

Closing the conference, Iain Macwhirter claimed it was one of his most enjoyable conferences and that he would remember it with great affection.

“ Give us the tools to do
it ourselves and we will. ”



EVENING ENTERTAINMENT

During the course of the conference delegates enjoyed two evenings of entertainment. On the first day of the conference a reception was held at Kirkwall Town Hall. Outside Kirkwall City Pipe Band performed to arriving guests on Broad Street while Faram, a band of young musicians from the Western Isles, and folk band Hullion, which included OIC Cllr. Owen Tierney, entertained guests inside.

A gala dinner was held at the Pickaquoy Centre on the final day of the conference. OIC Cllr. Harvey Johnston compered the event that included a celebration of music from across the three islands. Hadhirgaan, Faram, Evergreen, Three of Bu and Kirkwall City Pipe Band provided musical entertainment throughout the evening. The evening ended with a rendition of Auld Lange Syne.

A raffle was also held which raised £630 for local charity, 'Tommy's Fund'. The charity aims to raise funds for a respite house in Orkney to be used by families affected by children with cancer. The house aims to be a 'home from home' to give families a rest from the hospital environment.



