

Minute

Development and Infrastructure Committee

Tuesday, 8 November 2022, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors David Dawson, Gillian Skuse, Graham A Bevan, P Lindsay Hall, Kristopher D Leask, W Leslie Manson, Raymond S Peace, James W Stockan, Mellissa-Louise Thomson, Owen Tierney and Heather N Woodbridge.

Clerk

- Angela Kingston, Committees Officer (for Items 1 to 9, 15 and 16).
- Hazel Flett, Service Manager (Governance) (for Items 10 to 14).

In Attendance

- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration (for Items 1 to 9, 15 and 16).
- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- James Buck, Head of Marine Services, Transportation and Harbour Master.
- Sweyn Johnston, Head of Enterprise and Economic Growth (for Items 6 to 14).
- Roddy Mackay, Head of Planning and Community Protection (for Items 1 to 10).
- Lorna Richardson, Interim Head of Neighbourhood Services.
- Stuart Allison, Service Manager (Enterprise) (for Items 10 to 14).
- Laura Cromarty, Service Manager (Transportation) (for Items 1 to 8).
- Hazel Flett, Service Manager (Governance).
- Shonagh Merriman, Service Manager (Corporate Finance).
- Kenneth Roy, Team Manager (Roads Support) (for Items 1 to 6).
- James Green, Senior Policy Planner (for Item 10).
- Karen Bevilacqua, Solicitor.

Observing

- Susan Shearer, Service Manager (Development and Marine Planning) (for Item 10).
- Jordan Low, Economic Development Officer (for Items 10 to 14).
- Morag Robertson, Economic Development Officer (for Items 10 to 14).
- Shona Turnbull, Marine Planner (for Item 10).

Apologies

- Councillor Duncan A Tullock.
- Councillor Rachael A King – who had been invited for Item 6.

Not Present

- Councillor Jean E Stevenson – who had been invited for Item 6.

Declarations of Interest

- No declarations of interest had been intimated.

Chair

- Councillor David Dawson.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items 13 to 15, together with Annex B of Item 11, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Performance Monitoring

After consideration of a joint report by the Corporate Director for Enterprise and Sustainable Regeneration and the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Scrutinised:

2.1. The performance of Neighbourhood Services and Infrastructure and Enterprise and Sustainable Regeneration for the reporting period 1 April to 30 September 2022, as set out in sections 3 to 5 and Annexes 1, 2 and 3 of the joint report by the Corporate Director for Enterprise and Sustainable Regeneration and the Corporate Director for Neighbourhood Services and Infrastructure, and obtained assurance.

The Committee resolved to **recommend to the Council:**

2.2. That the following Service Plan actions, which had been progressed to completion, be removed from the Development and Infrastructure Service Plan:

- 07 – CARS scheme for St Margaret's Hope – undertake survey work and submit application to Historic Scotland.
- 22a – Develop and implement a World Heritage Site (WHS) Strategic Masterplan – approved Masterplan and progression of WHS-related projects.
- 22b – Develop and implement a World Heritage Site (WHS) Strategic Masterplan – dispersal of tourism activity to all of Orkney.
- 22c – Develop and implement a World Heritage Site (WHS) Strategic Masterplan – Gateway facility established – Improved infrastructure.

3. Revenue Expenditure Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Service Manager (Corporate Finance), the Committee:

Noted:

3.1. The revenue financial summary statement, in respect of service areas for which the Development and Infrastructure Committee was responsible, for the period 1 April to 30 September 2022, attached as Annex 1 to the report by the Head of Finance, which indicated a budget underspend position of £1,305,300.

3.2. The revenue financial detail by service area statement, in respect of service areas for which the Development and Infrastructure Committee was responsible, for the period 1 April to 30 September 2022, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

3.3. The explanations given and actions proposed, in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

4. Road Asset Replacement Programme and Roads Revenue Maintenance Programme

Expenditure Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Service Manager (Corporate Finance), the Committee:

Noted:

4.1. The summary position of expenditure incurred, as at 30 September 2022, against the approved Road Asset Replacement Programme and the Roads Revenue Maintenance Programme for 2022/23, as detailed in section 4.1 of the report by the Head of Finance.

The Committee scrutinised:

4.2. The detailed analysis of expenditure figures and programme updates, attached as Appendices 1 and 2 to the report by the Head of Finance, and obtained assurance with regard to significant budget variances and progress being made with delivery of the approved Road Asset Replacement Programme and the Roads Revenue Maintenance Programme.

5. Roads Asset Management Plan

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Interim Head of Neighbourhood Services, the Committee:

Noted:

5.1. That the Corporate Asset Management Plan required individual asset plans based upon the aims and objectives to be developed.

5.2. That the road and bridge network, together with its associated infrastructure, was a high value asset of the Council and provided direct support for all of Orkney's communities, businesses and economic development.

5.3. The draft Roads Asset Management Plan 2023 to 2028, attached as Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure, which was based on a nationally developed framework.

5.4. That maintaining the current road asset condition would require additional budget of £2 million, as detailed in section 11.4 of the report by the Corporate Director for Neighbourhood Services and Infrastructure.

5.5. That maintaining current budgeted investment levels would result in a deterioration in the road asset, as detailed in section 7 of the report by the Corporate Director for Neighbourhood Services and Infrastructure.

The Committee resolved to **recommend to the Council:**

5.6. That the Roads Asset Management Plan 2023 to 2028, attached as Appendix 1 to this Minute, be approved on the basis of the current budget position being maintained, noting the impact on the condition of the roads network.

Councillor W Leslie Manson left the meeting during discussion of this item.

6. Finstown Traffic Management Study

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Interim Head of Neighbourhood Services, the Committee:

Noted:

6.1. That, on 6 September 2022, when considering the outcome and options of the Finstown Traffic Management Study, the Development and Infrastructure Committee recommended:

- That new and revised speed limits be introduced in Finstown at the following locations:
 - New 40mph transitional speed limits on A965 East, A965 West, Old Finstown Road and Heddle Road.
 - Extension of the 40mph transitional speed limit on the A966.
 - Extension of the existing part-time 20mph speed limit on the A966 to cover a section of the A965.
 - Extension of the existing 30mph speed limits on the Old Finstown Road, A966 and A965 East.

- That the costs in respect of introducing the new and revised speed limits in Finstown, referred to above, estimated at £40,000, be funded from the Cycling, Walking and Safer Routes grant for 2022/23.

6.2. That, on 4 October 2022, when considering the recommendations of the Development and Infrastructure Committee detailed above, the Council resolved that the outcome of, and options relating to, the Finstown traffic management study be referred back to the Development and Infrastructure Committee for further consideration.

6.3. That, as well as new and revised speed limits, the Finstown Traffic Management Study proposed the following additional measures:

- Within 12 to 18 months – upgrade existing village gateways.
- Within 2 to 3 years – introduce speed indication devices, upgrade existing and introduce new uncontrolled pedestrian crossings.
- Within 3 to 5 years – introduce traffic calming measures and widen a section of footway on the east side of A966.

6.4. The proposal that, should new and revised speed limits in Finstown be approved, those be reviewed, following installation, with the outcome reported to the Committee in due course, together with proposals for implementing the additional measures detailed above.

On the motion of Councillor Kristopher D Leask, seconded by Councillor P Lindsay Hall, the Committee, resolved to **recommend to the Council**:

6.5. That new and revised speed limits be introduced in Finstown at the following locations:

- New 40mph transitional speed limits on A965 East, A965 West, Old Finstown Road and Heddle Road.
- Extension of the 40mph transitional speed limit on the A966.
- Extension of existing part-time 20 mph limit on the A966 to cover a section of the A965
- Extension of the existing 30mph speed limits on the Old Finstown Road, A966 and A965 East.

6.6. That the costs in respect of introducing new speed limits in Finstown, estimated at £40,000, be funded from the Cycling, Walking and Safer Routes grant for 2022/23.

6.7. That the impact of the new and revised speed limits in Finstown detailed above be reviewed following installation, following which the Corporate Director for Neighbourhood Services and Infrastructure should submit a report, to the Committee in due course, together with recommendations for implementing the additional measures set out at paragraph 6.3 above.

Please refer to the Minute of the General Meeting of the Council held on 6 December 2022.

7. Inter-Island Air Services

Proposed Summer 2023 Timetable

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Transportation), the Committee:

Noted:

7.1. That the inter-island air services timetable for summer 2023 was scheduled to operate from 20 February to 29 October 2023 inclusive.

7.2. That the Air Services Consultative Forum met on 24 August and 24 October 2022 to discuss the proposed summer 2023 timetable, with its main comments and representations outlined in section 4 of the report by the Corporate Director for Enterprise and Sustainable Regeneration.

7.3. The proposed timetable, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, which was mainly consistent with that operated in previous years, and incorporated the following amendments:

- Sanday/Stromsair flights on a Friday afternoon and Monday morning swapped to accommodate a teacher returning to their home isle.
- Operation of Sunday service to Stromsair being subject to availability of ground crew on the island.
- Bookings on the Eday drop on a Monday morning being subject to availability from 12:00 the Friday before departure.

7.4. That, in advance of a service budget being established as part of the budget setting process for 2023/24, the level of service provision was subject to an adequate budget being made available.

The Committee resolved, in terms of delegated powers:

7.5. That, subject to an adequate service revenue budget being established for 2023/24, the timetable in respect of inter-island air services, to be operated by Loganair Limited during summer 2023, attached as Appendix 2 to this Minute, be approved.

Councillor W Leslie Manson rejoined the meeting during discussion of this item.

8. Inter-Island Ferry Services

Proposed Summer 2023 Timetables

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Transportation), the Committee:

Noted:

8.1. That the inter-island ferry services timetables for summer 2023 were scheduled to operate from 7 May to 24 September 2023 inclusive.

8.2. That the Ferry Services Consultative Forum met on 24 August and 24 October 2022 to discuss the proposed summer 2023 timetables, with its main comments and representations outlined in section 4 of the report by the Corporate Director for Enterprise and Sustainable Regeneration.

8.3. That, on 27 October 2022, the proposed timetables, together with feedback from the Ferry Services Consultative Forum, were considered by the Board of Orkney Ferries Limited and recommended to the Council for implementation.

8.4. That the proposed timetables for summer 2023, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, incorporated amendments as a result of requests from communities, including no overnighting of vessels in the isles, which was consistent with the timetables presented for consideration over the COVID-19 pandemic.

8.5. That, in advance of a service budget being established as part of the budget setting process for 2023/24, the proposed Orkney Ferries' timetables for summer 2023 were subject to an adequate budget being made available.

The Committee resolved, in terms of delegated powers:

8.6. That the timetable for the South Isles be amended to include serviced Sunday sailings to/from Flotta, namely removal of the wording "On Request" from those sailings.

8.7. That, subject to an adequate service revenue budget being established for 2023/24, the timetables to be operated by Orkney Ferries Limited during summer 2023, incorporating the amendment detailed above and attached as Appendix 3 to this Minute, be approved.

9. Harbour Authority Sub-committee

After consideration of the draft Minute of the Meeting of the Harbour Authority Sub-committee held on 25 October 2022, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Gillian Skuse, seconded by Councillor Heather N Woodbridge, to approve the Minute of the Meeting of the Harbour Authority Sub-committee held on 25 October 2022, attached as Appendix 4 to this Minute, as a true record.

10. Orkney Islands Regional Marine Plan

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Senior Policy Planner, the Committee:

Noted:

10.1. That, in terms of The Delegation of Functions (Regional Marine Plan for the Scottish Marine Region for the Orkney Islands) Direction 2020, the Council was required to prepare an Orkney Islands Regional Marine Plan: Consultation Draft and supporting information for approval by Scottish Ministers prior to formal public consultation.

10.2. That the Orkney Islands Regional Marine Plan: Consultation Draft, attached as Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure, together with supporting information, had been prepared with input from a wide range of stakeholders, including local communities, the Orkney Marine Planning Advisory Group and Marine Scotland.

10.3. That the supporting information comprised the following draft documentation, attached as Appendices 2 to 7 respectively to the report by the Corporate Director for Neighbourhood Services and Infrastructure:

- Children's Rights and Wellbeing Impact Assessment.
- Equality Impact Assessment.
- Habitats Regulations Appraisal Record.
- Island Communities Impact Assessment.
- Partial Business Regulatory Impact Assessment.
- Strategic Environmental Assessment: Draft Environmental Report.

10.4. That the 2020 Direction required that, when preparing the Orkney Islands Regional Marine Plan: Consultation Draft, the Council must pay regard to National Planning Framework 4, which was due to be adopted by Scottish Ministers in Autumn 2022.

10.5. That the Orkney Islands Regional Marine Plan: Consultation Draft, had been prepared to align with Draft National Planning Framework 4, which was published by Scottish Ministers on 10 November 2021, and would be reviewed and updated to align with the adopted National Planning Framework 4 when it was published.

10.6. That, when submitted to Scottish Ministers for approval for public consultation, the Orkney Islands Regional Marine Plan: Consultation Draft and supporting information would be subject to potential amendment in response to feedback from Marine Scotland.

10.7. That it was anticipated that the Orkney Islands Regional Marine Plan: Consultation Draft and supporting information would be deposited for formal public consultation in Summer 2023, subject to approval by Scottish Ministers.

The Committee resolved to **recommend to the Council:**

10.8. That the Orkney Islands Regional Marine Plan: Consultation Draft and supporting information, referred to at paragraphs 10.2 and 10.3 above, be endorsed for submission to Scottish Ministers for approval for public consultation.

10.9. That powers be delegated to the Corporate Director for Neighbourhood Services and Infrastructure, in consultation with the Chair and Vice Chair of the Development and Infrastructure Committee, to amend the Orkney Islands Regional Marine Plan: Consultation Draft, and supporting information, to align with the requirements of the adopted National Planning Framework 4 when published, and thereafter submit the Orkney Islands Regional Marine Plan: Consultation Draft, and supporting information, to Scottish Ministers.

11. Economic Development Grants

Budget Monitoring Statement and Delegated Approvals

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Enterprise), the Committee:

Noted:

11.1. That, for financial year 2022/23, the approved budget in respect of Economic Development Grants amounted to £306,300.

11.2. Spending to 30 September 2022, in relation to Economic Development Grants, totalling £90,125, of which £54,526 related to grant commitments made in previous financial years and £35,599 to current year commitments.

11.3. That, as at 30 September 2022, the budget available for approval from the Economic Development Grants budget amounted to £148,392, as detailed in Annex A to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

11.4. Grant approvals made in the period 1 April to 30 September 2022, totalling £157,908, which included grants approved under delegated schemes for the same period, totalling £85,838, as detailed in Annex B to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

12. Exclusion of Public

On the motion of Councillor David Dawson, seconded by Councillor Gillian Skuse, the Committee resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

13. Economic Development Grants – Application Number 0/5/3/97

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 4 and 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Enterprise), the Committee:

Resolved, in terms of delegated powers, what action should be taken with regard to application number 0/5/3/97.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

14. Economic Development Grants – Application Number 0/5/3/110

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 4 and 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Enterprise), the Committee:

Resolved, in terms of delegated powers, what action should be taken with regard to application number 0/5/3/110.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

15. Orkney Ferries Limited – Financial Performance 2021/22

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Corporate Finance), the Committee:

Scrutinised the revenue budget and management information for 2021/22 in respect of Orkney Ferries Limited, as contained in sections 4 and 5 and Annex 1 of the report by the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance with regard to the financial and operational performance of the company.

16. Conclusion of Meeting

At 12:42 the Chair declared the meeting concluded.

Signed: David Dawson.