

Minute of the Meeting of Birsay Community Council held in the Birsay Community Centre on Thursday, 14 September 2023 at 19:30

Present:

Mr R Delday, Miss K Coghill, Mr S Davidson, Mr E Harvey, Mr S Spence and Mrs V Sinclair.

In Attendance:

- Councillor R King.
- Councillor O Tierney.
- Councillor D Tullock.
- Mr A Rodwell, Head of Improvement and Performance.
- Mr R Cunningham, Service Manager, Democratic Services and Communications.
- Mr R Mackay, Head of Planning and Community Protection (via Teams).
- Mrs J McGrath, Community Council Liaison Officer.
- Miss I Gaudie, Community Council Liaison Assistant.
- Mr J Horrocks, White Ribbon Representative.
- Mr J Richards, White Ribbon Representative.

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1. Welcome

After successfully being elected on to the community council, Mr Euan Harvey and Mr Scott Davidson were welcomed by the Chair and the meeting was commenced.

Mr S Davidson left the meeting at this point.

2. Apologies

Resolved to note apologies had been received from Ms D Hay and Councillor J Stevenson.

3. Adoption of Minutes

The minute of the meeting held on 4 May 2023 was approved, being proposed by Mr R Delday and seconded by Mr S Spence.

4. White Ribbon Presentation

Members were provided with a presentation from members of the White Ribbon Orkney organisation, who advised that their campaign was around ending violence against women and raising awareness. Members were asked to sign the pledge and following further discussion, it was:

Resolved to thank the representatives for their presentation and to note the information provided.

The White Ribbon representatives left the meeting at this point.

5. Matters Arising

A. Foreshore from Ministry Huts to Zanzibar – Signage

The Chair stated that there had been several vehicles using the car park to turn, as the signage had not yet been instated. It was:

Resolved that the Chair and the Community Councils Liaison Officer would work together to determine where the signs can be installed.

B. Public Roads

The Interim Clerk advised no update had been received, and it was:

Resolved to note that no update had been received.

C. Dog Waste Bins

A response had been received from the Team Leader Operations, Neighbourhood Services, stating that the dog waste bins at Birsay and Marwick were emptied at least Monday and Friday and where resource allowed, emptied on a Wednesday during tourist season as well. The Chair queried how many public bins there were in Birsay and whether the bin at the Brough of Birsay could be replaced and it was:

Resolved:

1. To note the information provided.
2. That the Interim Clerk would ask Orkney Islands Council how many public bins are in Birsay and if the one at the Brough of Birsay can be replaced.

D. Area of speeding concern

The Interim Clerk advised no update had been received. The Chair asked if it would be possible to get speed devices instated and it was:

Resolved:

1. To note that no update had been received.
2. That the Interim Clerk would enquire if Birsay could get speed devices installed.

E. Monuments in Birsay Kirkyard

Members heard that a plea had gone out to the local community, in search of relatives belonging to 2 monuments in the Birsay Kirkyard. Tracing relatives had proven difficult, as one monument dates from 1951 and the other dates from 1891. Mr S Spence believed that Ms Ann Stanger may be able to provide information regarding the 1951 monument.

The members asked the Community Council Liaison Officer if Orkney Islands Council would take care of the repairs. The Community Council Liaison Officer stated that the council would either lay the monuments flat or carry out a repair, but that a repair would be very expensive. She also informed members that it is not the practice of Orkney Islands Council to inform the community council beforehand, of any works that may take place.

The Chair stated that he would not be adverse for the community council to pay for the repairs or replacement of the memorials if Orkney Islands Council did not have capacity to carry out the works. It was:

Resolved that the Interim Clerk would get the cost of repairing the memorials from Orkney Islands Council and inform members accordingly.

F. Repairs at Skiba Geo

Miss K Coghill stated that the holes in the road at Skiba Geo had not yet been filled, despite the members having requested a load Type 1 stone, 4 months prior. The holes had worsened, and vehicles are now driving on the verge to avoid the potholes in the road. Miss K Coghill stated that B&F Kemp Haulage carried out the previous repair, so would know how much had been ordered last time and where it should be administered. It was:

Resolved that the Interim Clerk would order a load of Type 1 stone from B&F Kemp and have them carry out the works also.

G. Brough of Birsay Tidal Clock and Lockbox

The Community Council Liaison Officer informed members that she had not received an update but had emailed Historic Environment Scotland and was awaiting a response. It was:

Resolved to note that no update was available.

H. Cemetery Gates at Bishop's Palace

The Chair stated that he would contact Alan Norquoy to arrange for the gates at the Palace to be painted and it was:

Resolved to note the information provided.

I. Treatment of Causeway

The Community Council Liaison Officer stated that she had not received an update but was hopeful that Orkney Islands Council or HES would be able to find a solution to the issue.

J. Poppy Wreaths – Remembrance Sunday

The Community Council Liaison Officer had circulated information prior to the meeting, regarding the ordering of poppy wreaths for Remembrance Sunday from the Royal British Legion, and following discussion, it was:

Resolved that the Interim Clerk would order one poppy wreath from the Royal British Legion and that the cost would be met from the General Fund and an application be submitted to the Community Council Grant Scheme.

K. Marwick Beach

Members heard that several members of the community had been in contact with Miss K Coghill to voice their concerns over a sign that had been placed at Marwick Beach by the RSPB. The RSPB sign states that the area is for pedestrian access only, due to issues with repeated fly-tipping of hazardous waste. The members had not heard that any fly-tipping had taken place at the beach and questioned the legality of the RSPB limiting vehicular access to the beach, by use of large boulders placed across the road. Mr E Harvey felt the boulders also posed a tripping hazard.

Members acknowledged that the RSPB have land rights up and around Marwick Bay and Kitchener's Memorial but do not own the beach or the foreshore and therefore cannot prevent public access to this area. There were also concerns that the refuse lorry would be unable to access the bins at the beach and would be unable to turn.

The Head of Planning and Community Protection advised that the Orkney Islands Council's Access Officer should be able to provide advice on the matter and that he would suggest to the Access Officer, that he speaks with Miss K Coghill. It was:

Resolved that Democratic Services would put the matter to the RSPB and to the relevant council officers.

6. Correspondence

A. Birsay Consultation – meeting OIC Planning

Following consideration of correspondence from Orkney Islands Council's Planning Team, inviting the community council members and elected members to a meeting to discuss the proposals for Birsay Palace, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

B. Scottish Online Conference for Community Councillors

Following consideration of correspondence from the Joint Forum of Community Councils in West Lothian, inviting members to the Scottish Online Conference for Community Councillors on 10 June 2023, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

C. Linkhouse – Orkney Arts Residency Open Day

Following consideration of correspondence from Linkhouse Orkney Arts Residency, inviting members their open day on 10 June 2023, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

D. RSPB Birsay Moors Peatland

Following consideration of correspondence regarding RSBP's upcoming plans to restore peatlands across the Birsay Moors RSBP Reserve, for which responses were due by 14 July 2023, copies of which had previously been circulated, it was:

Resolved to note the information provided and continue to monitor the situation.

E. SSEN Resilient Communities Fund 2023

Following consideration of correspondence from SSEN, regarding their Resilient Communities Fund, the deadline for which applications had to be submitted by 31 July 2023, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

F. VM02 – Shared Rural Network – Orkney Landowner Query

Following consideration of correspondence from Virgin Media O2, requesting local insight into two locations which have been identified as potential sites for communication apparatus, copies of which had been circulated previously, it was:

Resolved that the clerk would feedback the information provided by members, to Virgin Media O2.

G. Scottish Health Council Member Recruitment

Following consideration of correspondence regarding Health Improvement Scotland's Scottish Health Council Member Recruitment, for which applications required to be submitted by 31 July 2023, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

H. Resignation M Leitch as Birsay Community Council Member

The Chair stated that he believed Mr Leitch felt his voice was not being listened to and this was the main reason he had resigned from the community council. It was:

Resolved to note the contents of the correspondence.

I. Climate Change Event – Orkney – 21 July (online)

Following consideration of correspondence from the Scottish Government regarding a Climate Change Online Event, being held on 21 July 2023, copies of which been previously circulated, it was:

Resolved to note the contents of the correspondence.

J. Community Led Local Development (CLLD)

Following consideration of correspondence, advising that the Community Led Local Development Grant Scheme was open for applications, for which expressions of interest were due by 31 July 2023, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

K. Announcement by the Scottish Government Ministers on the Pentland Floating Offshore Wind Farm

Following consideration of correspondence from Scottish Government Ministers regarding the consent to construct and operate an offshore generating station, with generating capacity of around 100MW, copies of which had been previously circulated, it was:

Resolved to note the contents of the correspondence.

L. Scottish Islands Passport - Latest News & Short Survey

Following consideration of correspondence regarding Scottish Islands Passport news update and short survey request, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence and to note that the Chair had filled out the survey but was unable to submit it.

M. Important Update on Crofting Applications Process

Following consideration of correspondence from the Crofting Commission regarding an update to how they would be improving efficiencies and processes for applications, effective from 1 September 2023, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

N. An appeal for a compassionate community approach to media engagement ORSAS

Following correspondence from Orkney Rape and Sexual Assault Service regarding their appeal for a compassionate community approach to media engagement, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

O. HES Update - High Level Masonry Inspections

Following consideration of correspondence from Historic Environment Scotland regarding planned work to be undertaken at both Earl's Palace, Birsay and the Brough of Birsay, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

P. My Place Awards 2024 Open for Entries

Following consideration of correspondence from Scottish Civic Trust regarding their My Place Awards, for which the deadline for entries was 14 January 2024, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

Q. Visit Scotland - Funding news

Members considered correspondence from Visit Scotland regarding two funding opportunities, copies of which had been circulated previously. The first for the Community Ownership Fund, for which applications needed to be submitted by 30 August 2023, and the second for People's Postcode Trust, which was currently closed but would reopen for submissions in October 2023. It was:

Resolved to note the contents of the correspondence.

R. Get It Right For Everyone - Idea Generation Session

Following consideration of correspondence from the Orkney Health and Social Care Partnership (HSCP) inviting members to an idea generation session for their 'Get it Right For Everyone' plan in St Magnus Centre on 18 September 2023, copies of which had previously been circulated, it was:

Resolved to note the contents of the correspondence.

7. Consultations

A. Boundaries Scotland – Scottish Parliament Consultation on Provisional Proposals for Constituencies

Following consideration of correspondence from Boundaries Scotland regarding the second review of Scottish parliamentary boundaries, for which responses were required by 17 June 2023, copies of which had been circulated, it was:

Resolved to note the information provided, particularly that the Orkney constituency was protected in legislation.

B. Finstown Variable 20mph Speed Limit Order – launch of the next stage of the statutory consultation process

Following consideration of correspondence from Orkney Islands Council regarding the Finstown Variable 20mph Speed Limit Order, copies of which had previously been circulated, it was:

Resolved to note the information provided.

C. The West of Orkney Windfarm - Pre-Application Consultation (PAC) Notice

Following consideration of correspondence from West of Orkney Windfarm formally notifying of Offshore Wind Power Limited's intention to submit applications for marine licences from Marine Scotland for construction of the offshore windfarm and associated transmission infrastructure, including details of pre-application consultation events, copies of which had been circulated, it was:

Resolved to note that events would be held in Orkney at the Kiln Corner offices, Kirkwall; Sandwick Community Hall; the Pickaquoy Centre, Kirkwall; and the Robert Rendall Building, Stromness, between 23 and 25 May 2023.

D. Scottish Government: Planning Phase 3 of Permitted Development Rights Review

Following consideration of correspondence from the Scottish Government regarding phase 3 of the planning review relating to permitted development rights, for which responses were due by 23 August 2023, copies of which had previously been circulated, it was:

Resolved to note the information provided.

E. Orkney Islands Area Licensing Board – Review of Statement of Alcohol Licensing Policy

Following consideration of correspondence from Orkney Islands Council regarding a review of the Orkney Islands Area Licensing Board's Statement of Alcohol Licensing Policy, for which responses were due by 25 August 2023, copies of which had previously been circulated, it was:

Resolved to note the information provided.

F. Visitor Levy Bill

Members discussed the implications of the proposed visitor levy bill. The Chair asked the councillors present if Orkney Islands Council would make a decision on this matter and Councillor King advised that there has been a lot of correspondence received regarding the issue and that it is proposed that a paper would be brought before Elected Members to create a policy which is suitable and sensitive to Orkney's needs.

Mr S Spence felt that those travelling to Orkney in campervans do not contribute much to the local economy and that it would be more prudent to introduce an additional fee, for those travelling in motorhomes, to cross on the ferry. However, Mr S Spence also felt that the ferry companies on Orkney would not be amenable to such proposals and conceded that Orkney does not want to discourage tourists from travelling to the islands.

Members also discussed the impact of the volume of cruise liner passengers visiting Orkney and suggested that perhaps these tourists could be charged a fee. Councillor King advised that the cruise companies are already charged a fee and introducing additional costs may dissuade them from using Orkney as a port. Orkney is one of the most bankable ports in the UK and is attractive due to its location and links for Nordic cruise routes and because the islands have built a such a good reputation.

Miss K Coghill highlighted the problem of cyclists from the cruise liners and how they pose a significant hazard to other road users. Miss K Coghill also raised her concerns regarding passengers taking the X1 Stagecoach service to travel to the Heart of Neolithic Orkney, as this had increased footfall on the Brodgar Road significantly and had reached the point of being dangerous for both pedestrians and vehicles. Councillor King advised that both Stagecoach and Police Scotland had been contacted about this matter and hoped that things would improve as a result. It was:

Resolved to note the information provided and continue to monitor the situation.

G. 20mph Speed Limits Island Schools

Following consideration of correspondence from Orkney Islands Council regarding proposals for 20mph speed limits outside island schools, copies of which had previously been circulated, it was:

Resolved to note the information provided.

H. Listening to you - Invitation to the Scottish Water ACM 2023

Following consideration of correspondence from Scottish Water inviting members to their Annual Consultative Meeting, to be held on 29 August 2023, copies of which had been circulated previously, it was:

Resolved to note the information provided.

8. Financial Statements

A. General Fund

Following consideration of the General Fund statement, copies of which had previously been circulated, it was:

Resolved to note that the estimated balance was £10,979.87 as at 23 August 2023.

B. Birsay Energy Fund

Following consideration of the Birsay Energy Fund, copies of which had previously been circulated, it was:

Resolved to note that the estimated balance was £22,475.09 as at 23 August 2023.

C. Community Council Grant Scheme

Following consideration of the financial statement for the Community Council Grant Scheme, it was:

Resolved to note the balance remaining available for approval in the main capping limit was £3,434.40 and the balance in the additional capping limit was £743.00 as at 23 August 2023.

D. Community Development Fund

Following consideration of the financial statement for the Community Development Fund, it was:

Resolved to note the balance remaining available for allocation was £8,183.37 as at 23 August 2023.

E. Seed Corn Fund

Following consideration of the financial statement for the Seed Corn Fund, it was:

Resolved to note the balance remaining available for approval was £21.64 as at 23 August 2023.

9. Applications for Financial Assistance

A. Tegan Spence – Guernsey International Island Games 2023

Following consideration of correspondence from Tegan Spence, copies of which had previously been circulated, requesting financial assistance towards her competing at the Guernsey Island Games, it was:

Resolved that a donation of £100 should be made from the general fund.

B. Bonfire and Fireworks - Picky, November 2023

Members considered correspondence from Kirkwall and St Ola Community Council, copies of which had previously been circulated, requesting financial assistance towards the annual bonfire and fireworks event at Pickaquoy in November 2023.

Miss K Coghill stated her belief that fireworks should be banned, as they are a waste of money, noisy, bad for the environment and pose a risk to pets, livestock, and wildlife. The other members felt that as the event was for the public, it may discourage people from holding their own individual bonfires and fireworks, and that the event would go ahead regardless, and it was:

Resolved that a donation of £100 should be made from the general fund.

10. Publications

Resolved to note that the following publications had been forwarded to members:

- VAO – Newsletter – May, June, July and August 2023
- VAO - Training & Funding Update – May, June, July and August 2023
- ORSAS Quarterly Newsletter – June and September 2023
- Police Scotland – Orkney Area Command – Newsletter 2
- NHS Good to Share Information Bulletin
- Police Scotland - Orkney Area Command Newsletter - Issue 3

11. Any Other Competent Business

A. Overhanging Trees at Nistaben

Mr S Spence raised his concern that the trees at Nistaben had again begun to overhang onto the road. The Chair stated that it can depend on the direction of the wind, as to when it causes problems and that with winter on the horizon, it would lessen the impact as well. Miss K Coghill asked if they could approach the landowner and ask his permission to cut back the trees and that the community council would pay for the cost of carrying this out. The other members agreed with this proposal, and it was:

Resolved that the community council would get the landowners approval to cut back the trees and then arrange for a contractor to carry out the work.

B. Footpath at Quilco

Mr S Spence asked if there was scope within the council budget to have a footpath instated at Quilco and if it could be requested again. The members also had a discussion surrounding the need for cycle lanes in the same area and were informed by the councillors that this would involve getting several landowners permission and the costs of implementing such works would be huge. It was:

Resolved that the Community Council Liaison Officer would ask if a footpath could be instated on the road up to Quilco.

C. Birsay Plan

The members had a discussion regarding place planning and Councillor King advised that it would be beneficial for the community council to submit any requests or feedback for the Birsay Palace area, as soon as possible, so that planners can include this from the start. Miss K Coghill and Mr S Spence asked if Quilco could be included in the plans and Councillor King said that could certainly be considered. It was:

Resolved to note the information provided.

12. Date of Next Meeting

Following consideration of dates for the next meeting, it was:

Resolved that the next meeting of Birsay Community Council would be held on Thursday, 30 November 2023 at 19:30 in Birsay Community Centre and via Microsoft Teams.

13. Conclusion of Meeting

There being no further business, the Chair declared the meeting closed at 20:50.