

Minute

Harbour Authority Sub-committee

Tuesday, 22 January 2019, 11:15.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham L Sinclair, Andrew Drever, David Dawson, Gwenda M Shearer, Magnus O Thomson, Owen Tierney and Kevin F Woodbridge.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Brian Archibald, Harbour Master.
- Colin Kemp, Corporate Finance Senior Manager.
- Michael Morrison, Business Development Manager.
- Karen Bevilacqua, Solicitor.

Observing

- Chloe Rosie, Modern Apprentice, Business and Administration.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Graham L Sinclair.

1. Disclosure of Exempt Information

The Sub-committee noted the proposal that the public be excluded from the meeting for Items 7 and 8, 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. Revenue Expenditure Monitoring

After consideration of a joint report by the Executive Director of Development and Infrastructure and the Head of Finance, copies of which had been circulated, and after hearing a report from the Corporate Finance Senior Manager, the Sub-committee:

Noted:

2.1. The revenue financial summary statement in respect of the Scapa Flow Oil Port and Miscellaneous Piers for the period 1 April to 31 December 2018, attached as Annex 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, which indicated a budget surplus position of £814,700.

2.2. The revenue financial detail by Service Area statement in respect of the Scapa Flow Oil Port and Miscellaneous Piers for the period 1 April to 31 December 2018, attached as Annex 2 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance.

2.3. 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 joint report by the Executive Director of Development and Infrastructure and the Head of Finance.

3. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

Draft Budgets

After consideration of a joint report by the Executive Director of Development and Infrastructure and the Head of Finance, copies of which had been circulated, and after hearing a report from the Corporate Finance Senior Manager, the Sub-committee:

Noted:

3.1. That the respective budgets for Miscellaneous Piers and Harbours and Scapa Flow Oil Port, as trading activities, were based upon an assumption that a surplus could be generated from their activities.

3.2. That contributions from the operation of the respective harbour trading activities were made, on an annual basis, to the Repairs and Renewals Fund to support development of a long-term Property, Plant and Equipment Maintenance Programme.

3.3. That provision had been made within the revenue budget for Miscellaneous Piers and Harbours in respect of major maintenance and repair works, with a sum of £842,000 included in the draft budget for 2019 and 2020.

The Sub-committee resolved to **recommend to the Council:**

3.4. That the draft revenue budgets for financial year 2019 to 2020 in respect of Miscellaneous Piers and Harbours and Scapa Flow Oil Port, attached as Annex 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, be submitted to the Policy and Resources Committee for consideration through the budget setting process for 2019 to 2020.

4. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

Minor Capital Improvement Programmes

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Corporate Finance Senior Manager, the Sub-committee:

Noted the summary position of expenditure incurred, as at 31 December 2018, in respect of the minor capital improvement programmes for Miscellaneous Piers and Harbours and the Scapa Flow Oil Port, as detailed in section 4 of the report by the Head of Finance.

5. Miscellaneous Piers and Harbours

Maintenance Programme

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Corporate Finance Senior Manager, the Sub-committee:

Noted the summary position of expenditure incurred, as at 31 December 2018, in respect of the Miscellaneous Piers and Harbours maintenance programme, as detailed in section 5 of the report by the Head of Finance.

6. Exclusion of the Public

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, the Sub-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 Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

7. Proposed Harbour Charges 2019 to 2020

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this items on the grounds that it involved the disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Harbour Master, the Sub-committee:

Resolved to **recommend to the Council** that the Schedule of Charges for Miscellaneous Piers and Harbours and the Scapa Flow Oil Port, attached as Appendix 1 to this Minute, be approved, to take effect from 1 April 2019.

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.

8. Competent Harbour Authority – Pilotage

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

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Harbour Master, the Sub-committee:

Noted:

8.1. The business considered by the Examining Body of the Competent Harbour Authority at its examination meetings held on 23 March, 15 May, 2 August, 2 October and 17 December 2018, attached as Appendices 1 to 5 respectively to the report by the Executive Director of Development and Infrastructure.

8.2. The business considered by the Examining Body of the Competent Harbour Authority at its meeting with pilotage stakeholders held on 31 October 2018, attached as Appendix 6 to the report by the Executive Director of Development and Infrastructure.

8.3. That the number of Acts of Pilotage increased from 639 in 2017 to 874 in 2018, its highest level since 2007, due, mainly, to the greater complexity, increased tonnage and predominance of the Ship to Ship and cruise nature of the Pilotage Acts.

8.4. That the report by the Executive Director of Development and Infrastructure would be passed to the Designated Person as part of his Port Marine Safety Code assurance requirement.

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.

9. Conclusion of Meeting

At 12:30 the Chair declared the meeting concluded.

Signed: Graham L Sinclair.