

Minute

Development and Infrastructure Committee

Tuesday, 4 February 2025, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Kristopher D Leask, Graham A Bevan, Alexander G Cowie, P Lindsay Hall, Rachael A King, W Leslie Manson, Raymond S Peace, Gillian Skuse, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Present via remote link (Microsoft Teams)

Councillor Mellissa-Louise Thomson.

Clerk

- Hazel Flett, Service Manager (Governance).

In Attendance

- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- James Buck, Head of Marine Services, Transportation and Harbour Master.
- Lorna Richardson, Head of Neighbourhood Services (for items 1 to 5).
- Karen Bevilacqua, Service Manager (Legal Services).
- Laura Cromarty, Service Manager (Transportation) (for Items 4 to 12).
- Shonagh Merriman, Service Manager (Corporate Finance).
- Kenny Roy, Service Manager (Roads and Grounds) (for items 1 to 5).
- Susan Shearer, Service Manager (Development and Marine Planning) (for Items 5 to 7).
- Gavin Barr, Economic Development Manager (for Items 6 to 9).
- James Green, Team Manager (Marine Planning) (for Items 5 to 7).
- Matthew Wylie, Team Manager (Roads Support) (for Items 1 to 5).
- Symeon Grayson, Airfield Superintendent (for Items 4 to 12).
- Morag Roberston, Economic Development Officer (for Items 6 to 9).

In Attendance via remote link (Microsoft Teams)

- Katy Russell-Duff, Committees Officer.

Observing

- Sweyn Johnston, Head of Enterprise and Economic Growth (for Items 7 to 9).
- Thomas Richards, Senior Human Resources Adviser.
- Emily Gray, Marine Planner (for Items 6 and 7).
- Daniel Morris, Marine Planner (for Items 6 and 7).
- David Work, Roads Support Student (for Items 1 to 5).

Declaration of Interest

- Councillor Rachael A King – Items 8 and 9.

Chair

- Councillor Kristopher D Leask.

1. 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:

1.1. 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 31 December 2024, attached as Annex 1 to the report by the Head of Finance, indicating a budget overspend position of £2,308,200.

1.2. 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 31 December 2024, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

1.3. 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 appropriate action was being taken with regard to significant budget variances.

2. Road Asset Replacement 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:

2.1. The summary position of expenditure incurred as at 31 December 2024, against the approved Road Asset Replacement Programme for financial year 2024/25, as detailed in section 1.4 of the report by the Head of Finance.

The Committee scrutinised:

2.2. The detailed analysis of expenditure figures and programme updates, attached as Appendix 1 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.

3. Road Asset Replacement Programme

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, together with an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Neighbourhood Services, the Committee:

Resolved, in terms of delegated powers:

3.1. That the Road Asset Replacement Programme for 2025/26, together with indicative programmes for 2026/27 and 2027/28, attached as Appendix 1 to this Minute be approved.

3.2. That powers be delegated to the Corporate Director for Neighbourhood Services and Infrastructure, in consultation with the Head of Finance, to adjust the Roads Asset Replacement Programmes referred to above, as variations arose and in order to maximise use of budget allocations.

4. Prohibition of Driving – Bridge Street and Albert Street, Kirkwall

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 Head of Neighbourhood Services, the Committee:

Noted:

4.1. That the Council engaged Sustrans to carry out public engagement on the proposal to close Bridge Street, Kirkwall, on Friday and Saturday nights, which included an online survey as well as on-street engagement with the public and local businesses.

On the motion of Councillor Gillian Skuse, seconded by Councillor Kristopher D Leask, the Committee resolved to **recommend to the Council**:

4.2. That the Corporate Director for Neighbourhood Services and Infrastructure should commence statutory consultation in respect of introducing a new Prohibition of Driving Order covering Bridge Street, Albert Street, Laing Street, St Olaf's Wynd and Bridge Street Wynd, Kirkwall, in accordance with Option 3, as outlined in the report by the Corporate Director for Neighbourhood Services and Infrastructure, namely:

- Prohibiting all vehicles, with exceptions for emergencies only, between the undernoted hours:
 - 11:00 and 15:00.
 - 23:00 and 03:00.

The Committee noted:

4.3. That implementation of any new order would require the installation of retractable bollards at the start of Bridge Street and end of Albert Street and Laing Street, Kirkwall, to ensure strict control of the prohibition order.

4.4. That the permanent closure of St Olaf's Wynd and Bridge Street Wynd, Kirkwall, would be included in any prohibition of driving order.

5. 20mph Speed Limits

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 Head of Neighbourhood Services, the Committee:

Noted:

5.1. The outcome of the public engagement and online survey in respect of the introduction of 20 mph speed limits on various roads across Orkney, as listed in Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure.

5.2. The proposals for focused 20 mph speed limits as indicated on the location plans attached as Appendix 2 to the report by the Corporate Director for Neighbourhood Services and Infrastructure.

On the motion of Councillor Gillian Skuse, seconded by Councillor Kristopher D Leask, the Committee resolved to **recommend to the Council**:

5.3. That the Corporate Director for Neighbourhood Services and Infrastructure should undertake the statutory consultation process in respect of the proposed introduction of 20mph speed limits on various sections of road throughout Orkney, referred to at paragraph 5.2 above.

5.4. That, regardless of whether any objection was received, the Corporate Director for Neighbourhood Services and Infrastructure should submit a report, to the Development and Infrastructure Committee, on the outcome of the statutory consultation referred to at paragraph 5.3 above.

6. National Planning Improvement Framework

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

Scrutinised:

6.1. The draft Performance Assessment, attached as Annex 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure, and obtained assurance that it provided an accurate reflection of the performance of the Planning Service.

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

6.2. That the Improvement Action Plan, attached as Appendix 2 to this Minute, be approved for submission to the National Planning Improvement Champion.

The Committee noted:

6.3. The Peer Review Workshop Outcomes Report, attached as Annex 3 to the report by the Corporate Director for Neighbourhood Services and Infrastructure.

Councillor Heather N Woodbridge left the meeting during discussion of this item and rejoined the meeting at this point.

7. National Marine Plan 2: Planning Position Statement

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 Team Manager (Marine Planning), the Committee:

Resolved to **recommend to the Council**:

7.1. That the draft Council response to the National Marine Plan 2 Planning Position Statement consultation, attached as Appendix 3 to this Minute, be approved.

7.2. That the Corporate Director for Neighbourhood Services and Infrastructure be authorised to submit the response to the consultation on the National Marine Plan 2 Planning Position Statement to the Scottish Government, on behalf of the Council.

The Council noted:

7.3. That, due to the timescale constraints, the Chief Executive would be requested to exercise emergency powers to authorise submission of the response, referred to at paragraph 7.2 above, prior to approval by the Council.

8. Economic Development Grants and Cost of Living Crisis Business Support Schemes

Budget Monitoring Statement and Delegated Approvals

Councillor Rachael A King declared an interest in this item, her connection being that a close family member had received economic development grant funding, however, as the detail of Annex B was not discussed, she did not leave the meeting.

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 Economic Development Manager, the Committee:

Noted:

8.1. Spending to 31 December 2024, in relation to Economic Development Grants, totalling £220,666, of which £138,233 related to grant commitments made in previous financial years and £82,433 to current year commitments.

8.2. Grant approvals made in the period 1 April to 31 December 2024 totalling £188,958, including grants approved under delegated schemes for the same period totalling £148,958, as detailed in Annex B to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

8.3. Approvals made in the period 1 April to 31 December 2024, totalling £120,000, in respect of Cost of Living Crisis Business Support Schemes, as summarised in Annex C to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

9. Archaeological Investigations

Councillor Rachael A King declared an interest in this item, her connection being that a close family member was an applicant for assistance, and was not present during discussion of this item.

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 Economic Development Officer, the Committee:

Resolved, in terms of delegated powers:

9.1. That, subject to an adequate service revenue budget for 2025/26 being established, a sum of up to £40,000 be allocated within the Economic Development Grants budget in respect of archaeological investigations.

9.2. That, subject to the annual budget for Economic Development Grants for 2025/26 being confirmed, offers of grant, as detailed in Appendix 4 to this Minute, should be made in respect of archaeological investigations for the 2025 season.

10. Civil Aviation Authority – Inspection of Council’s Airfields

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:

Scrutinised the Civil Aviation Authority Oversight Report, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, together with the Council’s response to the Level 2 findings and observations, outlined in section 4 of the report by the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance that the Council owned airfields were operating in compliance with national licensing requirements.

11. Sustainable and Green Transport Fund

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:

11.1. Projects funded from the Sustainable and Green Transport Fund during 2024/25, as summarised in section 4 of the report by the Corporate Director for Enterprise and Sustainable Regeneration.

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

11.2. That the allocation of funding from the Sustainable and Green Transport Fund in respect of proposed projects during 2025/26, as set out in Appendix 5 to this Minute, be approved.

12. Harbour Authority Sub-committee

After consideration of the draft Minute of the Meeting of the Harbour Authority Sub-committee held on 21 January 2025, copies of which had been circulated, the Committee:

Resolved:

12.1. On the motion of Councillor Kristopher D Leask, seconded by Councillor Mellissa-Louise Thomson, to approve the Minute of the Meeting of the Harbour Authority Sub-committee held on 21 January 2025 as a true record.

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

12.2. That the recommendations at paragraphs 4.2, 4.3, 5.2, 6 and 8 of the Minute of the Meeting of the Harbour Authority Sub-committee held on 21 January 2025, attached as Appendix 6 to this Minute, be approved.

13. Conclusion of Meeting

At 14:34 the Chair declared the meeting concluded.

Signed: Kristopher D Leask.

Appendix 1.

Road Asset Replacement Programmes

Page 1785 – 2025/26 programme.

Page 1786 – 2026/27 indicative programme.

Page 1787 – 2027/28 indicative programme.

Neighbourhood Services Roads and Grounds		Roads Asset Replacement Programme				2025-26
Asset type	Allocated budget	Location	Budget cost	Cost code	Description	Notes
Footways and Kerbing		Royal Oak Road, Kirkwall	£75,000.00		Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded
Associated Infrastructure	£75,000.00		£75,000.00	C25205001		
Drainage		A965 Finstown at Atlantis Lodges	£100,000.00		Upgrade existing drainage and outfall	Existing drainage systems upgraded.
Drainage	£100,000.00		£100,000.00	C25207001		
Bridges and Structures		Branstane Road, Westray Germiston Road, Orphir Houton Road, Orphir	£30,000.00 £40,000.00 £30,000.00		Carry out repairs on bridge structure Carry out repairs on bridge structure Carry out repairs on sea wall	
Bridges and structures	£100,000.00		£100,000.00	C25202001		
Street lighting system upgrade		Royal Oak Road, Kirkwall	£95,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling
Street lights	£95,000.00		£95,000.00	C26101001		
Surface Treatments		St Catherine's Place, Kirkwall West Castle Street, Kirkwall A965 near Atlantis Lodges, Finstown Work Road, St Ola B9052 Graemeshall, Holm Investigation works for 2026 Surfacing projects.	£85,000.00 £15,000.00 £30,000.00 £100,000.00 £50,000.00 £10,000.00		Inlay Surfacing Inlay Surfacing Inlay Surfacing Overlay Surfacing Overlay Surfacing Test Holes	Improvement of carriageway surface Improvement of carriageway surface Improvement of carriageway surface. Associated with drainage works Improvement of carriageway surface Improvement of carriageway surface Investigation Works
Surface treatments	£290,000.00		£290,000.00	C25211001		
Road Reconstruction		A965 Rennibister A965 near Atlantis Lodges, Finstown A961 Burray - Echnaloch to Northfield A964 Orphir Germiston to Smoogro West Castle Street, Kirkwall	£250,000.00 £75,000.00 £235,000.00 £275,000.00 £5,000.00		Haunch reconstruction Haunch reconstruction and associated drainage works Haunch reconstruction Haunch reconstruction Carriageway reconstruction	Carriageway edge strengthening and improvement Carriageway edge strengthening and improvement. Carriageway edge strengthening and improvement Carriageway edge strengthening and improvement Carriageway strengthening and improvement
Reconstruction	£840,000.00		£840,000.00	C25213001		
Total	£1,500,000.00		£1,500,000.00			

Neighbourhood Services Roads and Grounds		Roads Asset Replacement Programme				2026-27
Asset type	Allocated budget	Location	Budget cost	Cost code	Description	Notes
Footways and Kerbing		Pumpwell Park, Stromness Slater Street, Kirkwall White Street, Kirkwall	£20,000.00 £25,000.00 £25,000.00		Lay new kerbs and surface Lay new kerbs and surface Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded Defective kerbing and footway surface to be upgraded Defective kerbing and footway surface to be upgraded
Associated Infrastructure	£70,000.00		£70,000.00	C25205001		
Drainage		Orkney Various	£100,000.00		Upgrade existing drainage	Existing drainage systems upgraded. To be identified in 2025
Drainage	£100,000.00		£100,000.00	C25207001		
Street lighting system upgrade		Bellevue Park, Kirkwall	£24,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling. BP01 - BP04
Column Replacement		Orkney Various Hillside Terrace, Stromness Helliar View, Shapinsay	£56,000.00 £5,000.00 £15,000.00		Replace columns only Replace columns only Replace columns only	Replace obsolete Corus folding columns Replace columns over 30yrs old. HT01 & HT02 Replace columns over 30yrs old. HV01 - HV05
Street lights	£100,000.00		£100,000.00	C26101001		
Bridges and structures		Retaining Walls, Sea Walls, Coastal Defences	£100,000.00		Various repairs	To be identified in 2025.
Bridges and structures	£100,000.00		£100,000.00	C25202001		
Surface Treatments		Crowness Crescent, Kirkwall Castle Street, Kirkwall Moss Road, Holm Various locations Investigation works for 2027 Surfacing projects.	£60,000.00 £80,000.00 £55,000.00 £175,000.00 £10,000.00		Inlay Surfacing Inlay Surfacing Overlay Surfacing Inlay / Overlay Surfacing Test Holes	Improvement of carriageway surface Improvement of carriageway surface Improvement of carriageway surface Improvement of carriageway surface. To be identified 2025 Investigation Works
Surface treatments	£380,000.00		£380,000.00	C25211001		
Road Reconstruction		A964 Orphir village to Gyre Road A961 Lambholm Various locations	£300,000.00 £50,000.00 £400,000.00		Haunch reconstruction Haunch reconstruction Haunch reconstruction and associated drainage works	Carriageway edge strengthening and improvement Carriageway edge strengthening and improvement Carriageway edge strengthening and improvement. To be identified in 2025
Reconstruction	£750,000.00		£750,000.00	C25213001		
Total	£1,500,000.00		£1,500,000.00			

Neighbourhood Services Roads and Grounds		Roads Asset Replacement Programme				2027-28
Asset type	Allocated budget	Location	Budget cost	Cost code	Description	Notes
Footways and Kerbing		King Street, Kirkwall Faravel, Stromness	£40,000.00 £30,000.00		Lay new kerbs and surface Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded Defective kerbing and footway surface to be upgraded
Associated Infrastructure	£70,000.00		£70,000.00	C25205001		
Drainage		Orkney Various	£100,000.00		Upgrade existing drainage	Existing drainage systems upgraded. To be identified.
Drainage	£100,000.00		£100,000.00	C25207001		
Street lighting system upgrade		Garson Drive, Stromness Faravel, Stromness	£30,000.00 £40,000.00		Replace columns, cabling and control systems Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling. GD01 - GD05 Replace columns over 30yrs old and upgrade control/cabling.
Column Replacement		Otterswick Crescent, Kirkwall	£30,000.00		Replace columns only	Replace columns over 30yrs old. (OT01 - OT10)
Street lights	£100,000.00		£100,000.00	C26101001		
Bridges and structures		Retaining Walls, Sea Walls, Coastal Defences	£100,000.00		Various repairs	To be identified in 2026.
Bridges and structures	£100,000.00		£100,000.00	C25202001		
Surface Treatments		Various locations Investigation works for 2028 Surfacing projects.	£370,000.00 £10,000.00		Inlay Surfacing Test Holes	Improvement of carriageway surface. To be identified in 2026 Investigation Works
Surface treatments	£380,000.00		£380,000.00	C25211001		
Road Reconstruction		Various locations	£750,000.00		Haunch reconstruction and associated drainage works	Carriageway edge strengthening and improvement. To be identified in 2026
Reconstruction	£750,000.00		£750,000.00	C25213001		
Total	£1,500,000.00		£1,500,000.00			

NATIONAL PLANNING IMPROVEMENT FRAMEWORK

ORKNEY ISLANDS COUNCIL DRAFT IMPROVEMENT ACTION PLAN 2024

Improvement Action Plan (Theme 1 - People theme)

Attribute	Score (1=Making excellent progress, 5= No progress)
1. The planning authority has sufficient resources and skills to maximise productivity	3
2. The planning authority has a value and supported workforce	4

Based on the grading above, outline any areas of improvement that are required and by whom and their level of importance (High/ Medium/ Low) and by when (short/ medium/ long term).

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Attribute 1: Investigate feasibility of charging for pre-application planning advice for larger scale development proposals in consultation with developers/agents (links with proposed action to provide tailored multi-disciplinary pre-	Service Manager – Development Management	High	Medium	Staff time (Planning/ Finance/Developers/Planning Agents)

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
application advice in Attribute 9 below)				
Attribute 1: Continue to seek opportunities to establish a new post of Historic Environment Officer	Service Manager – Development and Marine Planning	High	Medium	Staff Time (Planning/ Corporate Director/ Finance/Human Resources) Financial cost of establishing new post
Attribute 1: Complete the Planning and Developer Guidelines setting out the key details and specifications required in respect of Roads and Engineering elements of planning applications.	Service Manager – Development Management	High	Short	Staff Time (Planning/ Roads/Engineering) Financial cost of external consultancy support to develop guidelines
Attribute 1: Explore and support measures to improve data collection, handling and analysis at a Council-wide level	Service Manager – Development and Marine Planning	Medium	Medium	Staff Time (Planning/Improvement and Performance)
Attribute 2: Prepare a formal workforce strategy document as part of the NSI Workforce Plan detailing opportunities for staff	Chief Planning Officer	High	Short	Staff time (Planning/ Corporate Director/Finance/Human Resources)

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
training, development and progression, including exploring the scope for more competitive and proportionate career grades and salary levels.				Financial cost of changes to career grades and salary levels
Attribute 2: Ensure staff review and development engagement is undertaken in a timely manner	Chief Planning Officer	High	Short	Staff time (Planning)
Attribute 2: Provide opportunities for new graduate planners to work in both Development Management and Development Planning functions.	Service Managers – Development Management/ Development and Marine Planning	Medium	Medium	Staff time (Planning)
Work with internal and external partners to tackle the impact of social/local media and online misinformation on staff health and well-being	Corporate Director/ Chief Planning Officer/Service Managers	High	Short	Staff time (Planning/Communications Health & Safety)

Improvement Action Plan (Theme 2 - Culture theme)

Attribute	Score (1=Making excellent progress, 5= No progress)
3. This Planning Authority has embedded continuous improvement	3
4. This Planning Authority has sound governance	3
5. This Planning Authority has effective leadership	3

Based on the grading above, outline any areas of improvement that are required and by whom and their level of importance (High/ Medium/ Low) and by when (short/ medium/ long term).

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Attribute 3: Implement service improvement actions and the delivery of the National Planning Improvement Framework.	Chief Planning Officer	High	Short	Staff time (Planning)
Attribute 4: Review Planning Scheme of Delegation, in particular, the level of delegation to officers to determine applications.	Service Manager, Development Management	High	Short	Staff time (Planning/ Legal/Committees) following engagement with Elected Members
Attribute 4: Update Council Scheme of Delegation to reflect	Chief Planning Officer	High	Short	Staff time (Planning/ Legal/Committees)

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
the statutory role of the Chief Planning Officer				
Attribute 4: Continue with training programme for Elected Members	Corporate Director/ Chief Planning Officer	High	Medium	Staff time (Planning/ Legal/Committees)
Attribute 5: Appoint to and fully embed the role of Chief Planning Officer within OIC to ensure that the post-holder is fully involved in key strategic decision-making	Corporate Director	High	Short	Staff time (Corporate Director)

Improvement Action Plan (Theme 3 - Tools theme)

Attribute	Score (1=Making excellent progress, 5= No progress)
6. The planning authority has a robust policy and evidence base	3
7. The planning authority makes best use of data and digital technology	4
8. The planning authority has effective and efficient decision-making processes	3

Based on the grading above, outline any areas of improvement that are required and by whom and their level of importance (High/ Medium/ Low) and by when (short/ medium/ long term).

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Attribute 7: Implement electronic retention of records on the Uniform system	Service Manager, Development Management	Medium	Medium	Staff Time (Planning/IDOX)
Attribute 7: Implement the Idox Enterprise system to improve planning casework management	Service Manager, Development Management	High	Short	Staff Time (Planning/IDOX)
Attribute 7: Investigate the implementation of digital solutions/technology to enhance delivery of the Planning service.	Chief Planning Officer	Medium	Medium	Staff Time (Planning/IT)

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Attribute 8: Support work being undertaken by Heads of Planning Scotland to update national standards for the validation of planning applications in order to ensure consistency.	Service Manager, Development Management	High	Short	Staff Time (Planning)
Attribute 8: Review the process of checking planning applications to ensure it is carried out within five working days of receiving the application.	Service Manager, Development Management	High	Short	Staff Time (Planning)
Attribute 8: Review legacy planning application cases to establish solutions that could enable speedier decision making	Service Manager, Development Management	High	Short	Staff Time (Planning)
Attribute 8 – Review the process for local review cases in order to reduce the average timescales for determining reviews	Planning Advisor to the Local Review Body	High	Short	Staff time (Planning/ Legal/Committees)
Attribute 8 – Consider the provision of additional staffing resource to support the planning control function	Service Manager, Development Management	High	Short	Staff Time (Planning/ Corporate Director/ Finance/Human Resources)

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
				Financial cost of establishing new post
Attribute 8 – Work with planning agents to improve validation rates.	Service Manager, Development Management	High	Medium	Staff Time (Planning) following engagement with planning agents

Improvement Action Plan (Theme 4 - Engage theme)

Attribute	Score (1=Making excellent progress, 5= No progress)
9. This planning authority has good customer care	3
10. The planning authority has effective engagement and collaboration with stakeholders and communities.	2

Based on the grading above, outline any areas of improvement that are required and by whom and their level of importance (High/ Medium/ Low) and by when (short/ medium/ long term).

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Attribute 9: Provide tailored in-person multi-disciplinary pre-application advice for larger scale development proposals (links with action to investigate feasibility of charging for this type of pre-application planning advice highlighted under Attribute 1 above)	Chief Planning Officer	Medium	Medium	Staff (Planning/Engineering/ Roads)
Attribute 10: Participate in the national customer survey and analyse the results to identify any improvement actions.	Chief Planning Officer	High	High	Staff (Planning)

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Attribute 10: Introduce a customer service survey measuring satisfaction with the pre-application planning advice service.	Service Manager, Development Management	Medium	Short	Staff (Planning)

Improvement Action Plan (Theme 5 - Place theme)

Attribute	Score (1=Making excellent progress, 5= No progress)
11. The planning authority supports the delivery of sustainable, liveable and productive places	4
12. This planning authority supports the delivery of appropriate development	3

Based on the grading above, outline any areas of improvement that are required and by whom and their level of importance (High/ Medium/ Low) and by when (short/ medium/ long term).

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Attribute 11. Explore how to embed high-quality placemaking within Council decision-making and across the development industry, working collaboratively with developers/agents and drawing on national sources of support and guidance from the Scottish Government, Architecture & Design Scotland, Public Health	Chief Planning Officer	High	Medium	Staff (Planning/Housing/Capital Projects/Developers/Planning Agents)

Improvement Action What action will you take? What will the outcome be?	Owner	Importance High Medium Low	Timescale Short term – 1 year Medium term – 3 years Long term – 3+ years	Resources
Scotland and the Improvement Service.				
Attribute 12. Engage positively and work collaboratively with Housing Services to deliver adequate housing supply to meet local needs	Chief Planning Officer	High	Medium	Staff (Planning/Housing)

Orkney Islands Council Response to the National Marine Plan 2: Planning Position Statement Consultation (Draft)

High level objectives

Development of draft National Marine Plan 2 (NMP2) high-level objectives (HLOs) has been informed by the legal requirements set out in the Marine Acts and other existing legislation and strategies (detailed in Section 3 of the Planning Position Statement (PPS) [consultation paper](#)).

*Please read **Section 4 High Level Objectives** in the PPS [consultation paper](#) before answering the following question(s).*

1. Do you agree with the updated wording for the high-level objectives (HLOs) and the focus they set out for policies in the National Marine Plan 2 (NMP2)?

No.

Please state which high-level objectives (HLOs) you are referring to in your response.

Orkney Islands Council (OIC) supports the First Minister's Environment Council (FMEC) advice that a reduced number of national-level strategic objectives should be included in NMP2 as compared to the current National Marine Plan 2015 (NMP).

The PPS proposes that NMP2 should adopt an area-based structure aligning with the place-based approach taken in NPF4 to promote cohesion between the marine and terrestrial planning regimes. In principle this appears to be a sensible approach, though **it is of paramount importance that local authorities, Marine Planning Partnerships (MPPs) and wider stakeholders are closely engaged in the identification of regional areas, area-based priorities and related policies in NMP2. NMP2 should highlight/support the role and benefits of MPPs and regional marine plans (RMPs) taking forward locally appropriate policy and spatial planning within the proposed national area-based framework.**

Section 4.1 in the (PPS) states that a set of 12 draft high-level objectives and policy ideas have been subject to review and comment by representatives from across government, marine sectors and non-governmental organisations through an extensive engagement programme from April to August 2024. OIC contributed to this engagement process and emphasised the need for the high-level objectives to address the specific needs of island and coastal communities. This is reflected at PPS paragraph 4.1.1, bullet point 1.

It is therefore very concerning that the draft High-level Objective 4.1 (Annex A), *Enhance and safeguard opportunities for sustainable, resilient and diverse marine economies within Scotland's Island and coastal communities*, is no longer proposed to be included in NMP2.

As identified at PPS paragraph 4.1.2, the proposed high-level objectives fall under five thematic areas; Climate Change Mitigation and Adaptation, Nature, Sustainable Marine Economy, Accessibility and Wellbeing, and Implementation. There is a significant omission in these themes; which is thriving coastal and island communities. The connection between communities, the marine environment and marine resources is a fundamental element of marine planning and management. The omission of a high-level objective to deliver thriving coastal and island communities would fail to capture the importance of place, community and stewardship within the high-level objectives. **It is strongly recommended that a high-level**

objective to ‘Support and enable thriving and resilience island and coastal communities’ be included in NMP2.

The PPS states at paragraph 4.5.2 that the high-level objectives for island and coastal communities, culture heritage and wellbeing have been combined. The proposed objective is ‘Enable safe and fair access to Scotland’s coast and seas, whilst protecting and promoting valuable cultural assets’. This high-level objective does not address the needs of coastal and island communities and their priorities.

2. Please add any additional comments on the high-level objectives (HLOs) in the space provided below.

Clarity is required on the definition of ‘cultural heritage’. As detailed in response to Question 9, a clear distinction needs to be made between the ‘historic environment’ i.e. historic buildings, structures, vessels and other physical remains and ‘wider cultural heritage’ e.g. local customs, languages or livelihoods. Historic environment assets are managed under clear and specific statutory requirements, and wider cultural heritage is not. Therefore, NMP2 should clearly distinguish between these topics and have appropriate separate policy approaches.

Climate change mitigation and adaptation

National Marine NMP2 will include dedicated policies) on climate change mitigation and adaptation, setting out specific implementation criteria to guide decision-makers.

*Please read **Section 5.1 Climate Change Mitigation and Adaptation** in the Planning Position Statement (PPS) [consultation paper](#) before answering the following question(s).*

3. What are your views on the policy ideas proposed under the 'Climate Change Mitigation and Adaptation' section?

Please give us your views

NMP2 should include dedicated policy(ies) on climate change mitigation and adaptation, setting out specific implementation criteria to guide decision-makers and addressing climate related impacts on island communities.

The current NMP GEN5 adds nothing to the existing statutory provisions.

Orkney Islands Regional Marine Plan – Consultation Draft (OIRMP) supports the approach taken in National Planning Framework 4 Policy 1 and Policy 2. Refer to OIRMP General Policy 3 and General Policy 9 for suggested wording on how NPF4 policy can be translated into a marine plan/marine decision-making context with relevant criteria.

Through the OIRMP consultation, it has emerged that guidance to help implement General Policy 3 and General Policy 9 would be beneficial. Guidance would also be helpful at the national level on greenhouse gas emissions assessments and how climate policies should be applied proportionately depending on the scale and type of development, and each sector’s capacity for emissions reduction. It would also be beneficial to have national guidance on emissions that should be scoped in and out of an assessment.

NPF4 Policy 22 has limited relevance to marine planning and greater relevance to local development plans. NPF4 Policy 10 Coastal Development is of greater relevance to the climate change adaptation policy issues in NMP2. Refer to OIRMP Policy 7 which addresses coastal

development, coastal processes and coastal protection policy issues. Policies regarding the principle of coastal development in land use terms should sit under NPF4/local development plans as opposed to marine plans.

Giving significant weight in decision making to the climate crises is considered adequate. NMP2 should not go beyond this with stronger policy wording. Giving significant weight to particularly policy issues still retains the ability for other considerations to be appropriately balanced in decision-making with due consideration to the magnitude/significance of a range of impacts/effects/benefits. Going beyond giving significant weight will not enable decisions that support a just transition to net zero.

Nature

Policy ideas for ecosystem health, protection and restoration, and enhancement include suggestions to consider National Planning Framework 4 (NPF4) Policy 3 on:

- *nature positive developments and nature-inclusive design*
- *policy on enabling space for nature (including restoration, recovery and enhancement)*
- *priority habitats and priority marine features (PMFs)*

*Please read **Section 5.2 Nature** in the Planning Position Statement (PPS) [consultation paper](#) before answering the following question(s).*

4. What are your views on the policy ideas proposed under the 'Nature' section of the Planning Position Statement (PPS)?

OIC recognises that biodiversity loss, and the associated impacts on the services and benefits provided by ecosystems to communities, needs to be addressed and reversed in response to the global biodiversity crises. The Council also recognises that nature conservation and enhancement need to work hand in hand with sustainable island communities and economic growth. Therefore, **a balanced and proportionate approach to nature policy is required that does not disadvantage island communities and their right to freedom of economic development.**

The Council has a Policy Position on new national or international environmental, natural heritage or marine related designations. Though not directly relevant to this current consultation, this Policy should be considered by the Scottish Government when taking forward new designations or management measures associated with existing sites or features within or adjoining the Orkney Islands marine region.

Policy Position

The Council recognises the significant contribution environmental, natural heritage and marine designations make to the protection and enhancement of biological diversity of Scotland. In relation to the consideration of any new national or international environmental, natural heritage or marine related designations:

- *The economic and social impact of any proposed designation on local communities must be fully taken into account as a matter of paramount importance.*

- *Where a proposed new designation would have adverse economic and/or social effects on local communities, its introduction will be strongly opposed by the Council, if necessary by judicial means.*
- *The Council would require formal engagement with the relevant designating bodies in advance of any formal public consultation on any potential new or amended designation in Orkney.*
- *All the management measures which affect a proposed designation should be tabled in advance of the designation in an open and transparent manner.*

The proposal to include policy in NMP2 on biodiversity/environmental enhancement, restoration and recovery is supported provided that any policy takes a proportionate approach depending on the scale and impact of a development or activity. It would not be proportionate to require enhancement from small scale developments/activities, particularly within the marine context where enhancement is relatively complex and more costly to deliver.

As marine enhancement is currently at a research and development stage in Scotland, any policy requirements on developers should be deliverable within the current delivery capacity limitations i.e. skills, expertise and commercial services to deliver enhancement projects.

As detailed in the PPS, the key terms will need to be clearly defined in NMP2 e.g. biodiversity enhancement, environmental enhancement, restoration, recovery, nature-inclusive design etc.

NMP2 should be more directional and specific than NMP 2015 Policy GEN9c) which states that enhancement should be delivered by development and use where appropriate. NMP2 should define when it is appropriate for development/activities to deliver enhancement and provide clear guidance on how enhancement, restoration and recovery can be delivered.

NPF4 Policy 3b is an example of a policy that requires enhancement for national or major development (as defined under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009). National developments are identified in NPF4 and major developments are identified/screened under the thresholds in the Major Developments Schedule in the 2009 regulations. These regulations have limited application in the marine environment as they don't apply to all marine developments/activities e.g. they apply to fish farming and Schedule 1 EIA harbour development, but not subsea cables. Apart from for fish farms, these regulations do not extend below MLWS. Therefore, these regulations do not provide a fair and consistent mechanism for the identification of enhancement policy requirements for developments in the marine context.

The Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013, Prescribed classes or descriptions of licensable marine activity, may be a useful starting point for identifying development scale thresholds to which biodiversity/environmental enhancement policy requirements may apply.

It may be beneficial to identify development/activities scale thresholds that are specific to marine biodiversity/environmental enhancement policy requirements. For development/activities that do not exceed identified scale/impact thresholds, NMP2 policy could state that biodiversity/environmental enhancement should be delivered where appropriate and practicable.

It would be helpful if any biodiversity/environmental enhancement/restoration/recovery policy in NMP2 was supported by Scottish Government/NatureScot guidance detailing the various

mechanisms to deliver enhancement/restoration/recovery via a development/activity consent. The guidance could include:

- Clear guidance on which developments and activities are expected to deliver enhancement taking account of development scale and proportionality (see comments above).
- Definition of key terms (see comments above).
- Identify a catalogue of opportunities for enhancement, restoration, nature inclusive design, recovery etc that can be delivered via development and activities consents e.g. oyster restoration, seagrass restoration, adapted rock protection measures, fish hotels/cage-type structures, bird nesting structures, reef-type structures, broodstock structures, living seawalls, etc,
- Recovery could include addressing data gaps (e.g. mapping seabed Priority Marine Features) and assessing pressures on these features to inform management and potential future enhancement.
- When and how off-site enhancement, restoration and recovery etc can be delivered, identifying good practice examples by sector.
- Where off-site enhancement is appropriate, guidance should detail the mechanism to deliver and secure this via a development/activity consent e.g. clarify the use of section 75 agreements below MLWS to secure offsite enhancement for fish farms and harbours, for example. The use of conditions on marine licence, s36 and planning permissions.
- A mechanism for an applicant/developer to contribute towards larger scale and/or strategically identified enhancement projects/initiatives e.g. make appropriate connections to help deliver aspects of the Scottish Government Marine Restoration Plan. There could be a requirement for these strategic measures to be delivered as close to the development sites as possible.
- Prioritise on-site enhancement before off-site delivery; where off site or strategic enhancement is considered appropriate, include a mechanism to incentivise enhancement in a location as close as possible to the development site e.g. the deficit in on-site enhancement should be ‘over-compensated’ for by delivering a greater level of off-site enhancement, the scale of which should increase the further from the development site that off-site measures are delivered. This is an equitable approach, that would seek to ensure that areas of development do not become nature poor.
- Guidance on how restoration can be delivered within designated sites and help contribute towards achieving a site’s conservation objectives.

NMP2 should provide clear guidance on how regional marine plans are expected to help deliver biodiversity/environmental enhancement, restoration, recovery and nature positive design. This could include a role for MPPs/RMPs to identify locations for enhancement, provide region specific guidance, facilitate partnerships and projects.

For areas like Orkney, with relatively intact ecological seascapes/marine habitats, a broader definition to enhancement would be beneficial. For example, it would be helpful to be able to secure developer contributions to address data gaps (e.g. surveys and mapping of PMFs) to inform marine planning and improved management. Arguably, focusing resources to improve knowledge of the distribution, extent and condition of existing features, and the pressures affecting them, is more of a priority than enhancement or restoration in Orkney. Developer

contributions towards data, monitoring and research could be easier to deliver in the short to medium term, whilst methods and capacity for enhancement are developed further.

As detailed above, there should be a mechanism in policy to avoid significant proportions of enhancement associated with development in Orkney being delivered out with the region.

Undertaking opportunity mapping for restoration, enhancement, or nature-based solutions for climate mitigation and adaptation, to support NMP2 would be helpful. This mapping information could help to inform implementation at the local/regional level by MPPs.

NMP2 should include an updated policy on Priority Marine Features that provides greater clarity on how significant adverse impacts should be assessed, avoided, minimised and mitigated. This should include clarity on the assessment of impacts that do not constitute an impact on the national status of Priority Marine Features.

5. Considering the definition of ‘Nature Positive’ below, what are your views on how this could be implemented by different sectors, types of development and use?

Definition of ‘Nature Positive’ in the Scottish Biodiversity Strategy (SBS):

"Reversing the downward curve of biodiversity loss so that levels of biodiversity are once again increasing, bending the curve of biodiversity loss."

The term ‘Nature Positive’ will need to be clearly defined. As it is described in PPS, it appears that the term is an umbrella concept under which a number of policies could sit including enhancement, restoration, nature inclusive design and recovery. See response to Question 4.

Sustainable marine economy

Several policy ideas for National Marine Plan 2 (NMP2) were identified from available feedback and tested with sector representatives.

Please read sections:

- **5.3 Sustainable Marine Economy – Cross-sectoral Policies**
- **5.4 Sustainable Marine Economy – Sector Policies**
- **5.5 Sustainable Marine Economy – Management of Pressures**

in the Planning Position Statement (PPS) [consultation paper](#) before answering the following question(s).

6. What are your views on both the cross-sector, and sector-specific policy ideas proposed under the 'Sustainable Marine Economy' section?

Cross-sector:

Orkney’s geographic location, rich natural resources, and established infrastructure offer a unique position to lead in offshore energy development and the wider Blue Growth. As North Sea oil production declines and alternative energy sources grow in importance, Orkney faces both challenges and new opportunities. Marine development, including but not limited to offshore wind, harbour infrastructure and zero carbon fuels, could have transformative economic benefits for Orkney. They can also have significant effects on local infrastructure, housing markets and services. OIC envisages a future where host communities like Orkney

share in the social and economic benefits of these developments, sustaining island communities, building prosperity and supporting community wellbeing. Our approach emphasises harnessing our local strengths and growing a sustainable workforce to support a resilient Orkney economy. To help realise this vision, and tackle the associated challenges, the **NMP2 should include a high-level objective and supporting policies that seek to maximise socio-economic, infrastructure investment and environmental benefits for host island and coastal communities.** Without this approach, NMP2 will fail to help implement a just transition to a future net zero economy. See response to Question 1.

Policy GEN1 in the existing NMP, which establishes a presumption in favour of sustainable development and use, should be retained within NMP2. This will avoid the need to repeatedly state in each sector policy that each sector's developments and activities are supported; as all sustainable development is supported in principle subject to them being consistent with the plan policies, when read as whole.

Policies GEN2 *Economic benefit* and GEN3 *Social benefit* should be replaced in NMP2 with policies that enable a just transition for island communities and deliver community wealth building outcomes, with a particular focus on investment in infrastructure, prioritising local economic benefits and retaining wealth within local/host communities.

NPF4 Policy 25 Community Wealth Building sets out outcomes that should be supported within NMP2:

- *local economic development that focuses on community and place benefits as a central and primary consideration – to support local employment and supply chains.*
- *support community ownership and management.*

The socio-economic policies in NMP2 should align with NPF4 Policy 25 a):

Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.

OIRMP General Policy 4: *Supporting sustainable social and economic benefits* provides policy wording that could help to inform the approach in NMP2 to help:

- *maximise sustainable employment benefits and create skilled employment in local communities.*
- *support local businesses, supply chains and research and development.*
- *enable invest in and manage impacts on local infrastructure, services and existing marine/coastal users.*

NMP2 should include policy on the implementation the Energy Act 2023 including strategic compensation and the Marine Recovery Fund.

Sector specific:

It would be beneficial for NMP2 to include sector specific policies. It is agreed that sector specific objectives are not required over and above the HLOs.

Aggregates

Para. 5.4.2 (Aggregates) states that *NMP2 could introduce a new policy to encourage or require re-use of uncontaminated dredged material from marine dredging activities. This could be captured under the potential nature restoration or nature positive policy (section 5.2.2) or as a standalone policy in NMP2.* This policy idea is supported by OIC. Refer to OIRMP Sector Policy 3dii for relevant policy wording.

Aquaculture

NMP 2015 Aquaculture 4 should be updated to recognise sustainable opportunities for shellfish farming development out with designated Shellfish Water Protected Areas.

NMP 2015 Aquaculture 1 should retain the requirement for planning authorities, and where they exist, MPPs/RMPs, to identify opportunities for sustainable aquaculture development.

Refer to [Orkney Islands Marine Region: Finfish Farming Spatial Guidance - Consultation Draft](#) to see an example of this in practice.

Energy

Para 5.4.2 (Energy) states that *consideration of principles for co-location and future co-location opportunities for different types of compatible development, such as between Carbon Capture and Storage, hydrogen and offshore wind. This would require identification of co-location opportunities.*

NMP2 should provide clarity on the identification of co-location opportunities and the potential role of regional marine plans to support the identification of co-location opportunities.

Ports and Harbours

Para. 5.4.2 states that *NMP2 will align with NPF4 and the national developments set out in NPF4 including ports and harbours and support access for the safe operation of ports and harbours.*

This approach is supported. **NMP2 should highlight the opportunity for regional marine plans to prepare regional policy, working with harbour authorities and other stakeholders, to identify opportunities for harbour development and areas to safeguard harbour operations.** Refer to OIRMP Sector Policy 3 and supporting spatial data in Map 14 and 15.

Reuse of Infrastructure and / or Sharing of Infrastructure

The reuse of existing infrastructure should be supported in NMP2 policy e.g. infrastructure connected to the Flotta Oil Terminal. It would be beneficial for the NMP2 to provide policy support to the reuse of existing infrastructure for sectors including low carbon fuels. Refer to OIRMP General Policy 1biv.

Shipping and Transport

PPS Para 5.4.2 (Shipping and Navigation) states that “the current Transport 3 policy in the NMP will be transferred into NMP2. This states ‘Ferry routes and maritime transport to island and remote mainland areas provide essential connections and should be safeguarded from inappropriate marine development and use that would significantly interfere with their operation. Developments will not be consented where they will

unacceptably interfere with lifeline ferry services.” This approach is strongly supported. It would be significantly detrimental to islands communities if the current Transport policy 3 was not retained in NMP2.

7. What are your views on the definitions being proposed for ‘co-existence’ and ‘co-location’ as set out below?

Co-existence: “co-existence is where multiple developments, activities or uses can exist alongside or close to each other in the same place and/or at the same time.

Co-location: “Co-location is a subset of co-existence and is where multiple developments, activities or uses coexist in the same place by sharing the same footprint or area or infrastructure.”

Please provide any alternative suggestions.

The definitions have been adapted from the Marine Management Organisation definitions in the 2013 report (Evaluation of the potential for co-location of activities in marine plan areas). It is suggested that they are modified to include further detail.

OIC supports the proposed definition of co-existence.

For co-location, we recommend that the definition be updated with additional wording to include a level of integration between developments, activities or uses ([European MSP Platform](#)) that would directly interact with one another. This includes communication between, and consideration for each industry. This need for additional detail in the definition arises from the advancement of co-location practices since 2013.

It is recommended that the definition for co-location is updated to “Co-location is a subset of co-existence that details where multiple developments, activities or uses coexist in the same place by sharing the same footprint or area or infrastructure. This encompasses a higher level of consideration for, and communication between, relevant developers and/or industries.

8. Do you think the policies relating to the 'Management of Pressures' should be updated, retained or accompanied by clearer implementation guidance?

Please include any suggestions and/or changes, stating which policy you are referring to.

Multiple choice selection: **Updated**

It is unclear how the list of policies relating to the management of pressures included in the PPS, section 5.5, have been selected. There are many more policies within the NMP (2015) that aim to manage pressures that have not been identified.

The policy topics listed should be included in NMP2, however they need to be significantly updated to assist decision makers in applying them to development and activities in decision making. The General Policies need to go further than ‘sweeping high level statements’ and include specific, criteria-based policies with sufficient detail to allow effective application/implementation of the policy.

To provide context and potentially useful policy wording, text from the relevant policies in the OIRMP are set out below.

Invasive non-native species (INNS): NMP GEN 10 – Potential wording to allow effective implementation:

- i. *Proposals for development and/or activities should demonstrate that the potential risks of introducing or spreading non-native species (NNS)/invasive non-native species (INNS) have been adequately considered, having regard to the Scottish Government Non-native Species: Code of Practice*. A site-specific biosecurity plan may be required.*
- ii. *Appropriate prevention measures should be put in place when:*
 - a. *moving, maintaining and cleaning equipment or boats.*
 - b. *moving and/or introducing fish and shellfish and other farmed species such as seaweed.*
 - c. *introducing structures suitable for settlement of aquatic NNS/INNS or which facilitate the movement of terrestrial NNS/INNS, including to islands.*
 - d. *undertaking habitat enhancement or restoration activities.*
- iii. *Proposals for development and/or activities in areas where NNS/INNS are known to exist should include necessary measures or a biosecurity plan approved by the consenting authority or regulator that seeks to minimise the risk of spreading the NNS/INNS or identifies ways to eradicate the organisms and prevent their reintroduction. Where appropriate, measures within a biosecurity plan should include surveying and ongoing monitoring in areas where NNS/INNS are known to exist, and any subsequent spread of NNS/INNS should be notified to the Marine Directorate.*

Marine litter: NMP GEN 11- Potential wording to allow effective implementation:

- i. *Proposals for development and/or activities that are likely to create a significant risk of contributing to marine litter should include measures to avoid, minimise and/or appropriately mitigate these risks.*
- ii. *Where appropriate, proposals for development and/or activities should include a waste minimisation and management plan that sets out appropriate waste management measures for construction, operation and decommissioning phases, in accordance with the principles of the waste reduction hierarchy.*
- iii. *Where appropriate, waste generated by development and/or activities should be disposed of through licensed facilities.*

Noise: NMP GEN 13. There are two elements to impacts of noise – impacts upon local communities and the quality of life in an area as well as on noise sensitive species.

Example policy on local communities:

- i. *Proposals for development and/or activities should include sufficient measures to avoid, minimise and/or appropriately mitigate significant adverse noise and/or vibration impacts on the local communities.*
- ii. *A Noise Impact Assessment* may be required where the nature of the proposal or its location suggests that significant effects are likely.*

*Assessment of noise: technical advice note: Scottish Government

Example policy on noise sensitive species:

- i. *Proposals for development and/or activities that could cause noise, vibration and/or pressure wave impacts should include an assessment of the likely noise, vibration and/or pressure wave effects at an early stage of a proposal, to determine whether a noise, vibration and/or pressure wave management plan is required.*
- ii. *Development and/or activities should avoid, minimise and/or appropriately mitigate significant adverse noise, vibration and/or pressure wave impacts on Priority Marine Features.*

Water quality and resource: NMP GEN 12 – An example of criteria-based policy that would allow more effective implementation.

Proposals for development and/or activities should:

- i. *be accompanied by sufficient information to enable an assessment of the likely effects, including cumulative effects, on water quality and the benthic environment.*
- ii. *take existing activities in the proposed location into account and demonstrate early engagement with relevant stakeholders to ensure that suitable mitigation is provided for potentially incompatible activities, and where that is not possible, that they are not co-located.*
- iii. *not cause any waterbody to deteriorate in status nor prevent the achievement of objectives in the River Basin Management Plan for the Scotland river-basin district.*
- iv. *contribute, where possible, towards objectives to improve the ecological status* of coastal waterbodies and the environmental standard** of marine waters.*

Wild salmon and diadromous fish: NMP Policy Wild Fish 1. This policy is supported. Emphasis should be placed on the collection of data and research on diadromous fish, particularly sea trout, to address data gaps and the lack of evidence regarding pressures e.g. fish farming interactions/impacts.

Air quality: NMP GEN 14 – Further detail required to apply this policy, however it is noted that much of this is regulated via other means e.g. thresholds within Air Quality Standards Regulations. Unclear why this is considered a management of pressure, but others such as Historic Environment, Climate Change etc are not within section 5.5 of the PPS.

In conclusion, all of the NMP (2015) general policy topics are still relevant and should be retained in NMP2 but with more specific criteria-based policy wording to aid decision making.

Accessibility and Wellbeing

From the available feedback we identified potential policy ideas for exploring with sector representatives, including:

- *preserving cultural heritage*
- *supporting coastal communities*
- *facilitating appropriate access to the sea (e.g. responsible access codes)*
- *minimising impacts on seascape character*
- *visual amenity*

Please read **Section 5.6 Accessibility and Wellbeing** in the Planning Position Statement (PPS) [consultation paper](#) before answering the following question(s).

9. What are your views on the policy ideas proposed under the 'Accessibility and Wellbeing' section?

The proposal to include policies in NMP2 on preserving cultural heritage, supporting coastal communities and facilitating appropriate access to the sea is supported by OIC.

Landscape, seascape and visual amenity should be addressed in NMP2 as a standalone policy.

As identified at 5.5.2, *communities play an important role in informing decision-making and provide a valuable source of local data.* **NMP2 should include policy that requires developers to engage effectively with local communities.** Refer to OIRMP GP14a.

NMP2 should recognise the role of MPPs/RMPs to identify areas of importance for recreation and tourism and opportunities for coastal access.

NMP2 should include policies to safeguard and enhance island and coastal communities incorporating community wealth building and wellbeing economy principles, as NPF4 has done in Policy 25.

It is important to assess and mitigate impacts on local infrastructure or services associated with marine development and activities e.g. offshore wind development impacts on local housing provision or fish farming development impacts on piers in small islands. NMP2 should identify the need for socio-economic impacts and impacts on local infrastructure to be assessed and appropriately mitigated via the consenting process. This should include provision for this mitigation to be secured via consents for marine developments/activities.

Para 5.6.2 states *NMP2 could include an updated version of the existing cultural heritage policy from the existing NMP. Updates would seek to incorporate suggested wider intangible heritage and would be supported by guidance on what is considered under this policy.* NMP 2015 does not have a cultural heritage policy. It does include GEN 6 Historic Environment which should be retained and updated to include more specific policy requirements for historic environment assets. It would be confusing to introduce wider intangible cultural heritage considerations, e.g. local customs, languages or livelihoods, alongside the historic environment. The MS Act defines historic environment assets s73(5). It may be appropriate to include separate 'Historic Environment' and 'Wider Cultural Heritage' policies in NMP2. See response to Question 2.

The following intention detailed at para. 5.6.2 in the PPS is strongly supported:

- **NMP2 will consider how best to support the outcomes of the updated National Islands Plan, recognising the need to consider local priorities in decision-making and integrating Just Transition approaches.**

In addition to socio-economic and wellbeing impacts that should be assessed and mitigated, and maximising benefits, NMP2 should signpost to appropriate guidance on community benefit. NMP2 should clarify that community benefit is negotiated out with the consenting process between a developer and communities.

NMP2 should recognise the important role of MPPs/RMPs to prepare amenity, wellbeing and quality of life policies. Refer to OIRMP General Policy 14: *Amenity, wellbeing and quality of local communities*.

It would be helpful if the Scottish Government developed national wellbeing indicators, and for the Marine Directorate to identify indicators that are relevant to the coastal and marine context.

NMP2 should include a landscape, seascape and visual amenity policy. NMP 2015 GEN7 is not very useful in a decision-making context and should be updated to provide further detail on how landscape, seascape and visual amenity should be considered in decision-making.

NMP2 needs to support the outcomes of the National Islands Plan and include a specific policy to assist developers and decision makers to assess impacts on and maximise benefits for island communities.

Implementation

The Marine Acts require that public authorities must take authorisation or enforcement decisions in accordance with the appropriate marine plans unless relevant considerations indicate otherwise.

National Marine Plan 2 (NMP2) will support decision-makers to take decisions in accordance with the plan. In line with feedback, and the outcomes of the statutory reviews, the implementation of NMP2 is being considered alongside the policy development. This includes considering and identifying the relationships and interdependencies across each of the policies in the plan.

*Please read **5.7 Implementation** in the Planning Position Statement (PPS) [consultation paper](#) before answering the following question(s).*

10. What are your views on the proposed policy ideas under the 'Implementation' section?

Please consider the role of the decision-maker and the potential introduction of prioritisation when responding.

OIC suggests that implementation guidance for NMP2 would be helpful to support decision makers and plan users to implement the plan in a proportionate and consistent manner. Policies should only be applied when their implementation can make a meaningful contribution towards the plan objectives. Plan policy may not need to be applied to developments or activities that are very small scale or have limited impacts i.e. they are de minimis. The Welsh National Marine Plan provides useful context particularly around the proportionate application of the marine plan and its policies, refer to paragraph 30 to 39 in that plan.

The mitigation hierarchy, to avoid, minimise and mitigate impacts on the marine environment or other uses or communities, should be applied consistently in NMP2 policy.

NMP2 should be supported by a monitoring and evaluation framework that includes indicators to help monitor the implementation and achievement of the HLOs.

Adaptive management cannot be achieved without a robust monitoring and evaluation framework. If the plan objectives are not being met, this should instigate an adaptive approach e.g. update to the marine plan/policy.

See response to Question 11, Priority Outcome, for further feedback on NMP2 implementation in decision-making.

11. If you agree that National Marine Plan 2 (NMP2) should include prioritisation: which outcome do you prefer i.e. space for a specific use given priority, space for nature given priority?

Option (Priority Outcome):

The NMP2 should align with National Planning Framework 4 (NPF4) Policy 1 by giving 'significant weight' to the global climate and nature crises in marine decision making.

This will enable a consistent approach with land use and marine planning decision making and respond to the climate crisis and biodiversity loss.

It is important that decision makers are able to assess applications objectively, in light of their merits and impacts, and be able to exercise judgment. Marine plans are there to support decision makers, not dictate outcomes. Therefore, the approach of giving significant weight to identified policy issues is helpful, as it indicates priority, but retains the flexibility to balance these issues against other material/relevant considerations.

The PPS states at 5.7.4.1 that *the relative weighting could be as a matter of judgment for individual decision-makers AND the NMP2 could set out the need to consider applications against the climate and nature policies first and then progress to consideration against the sustainable marine economies and wellbeing policies in NMP2*. The order in which the NMP2 policies are applied should make no difference in practice, as all material/relevant factors should be weighed up and considered together. Planning case law establishes that development plans should be read as a whole. So, when determining whether a proposal is in accordance with the development plan as a whole is “classically a matter of planning judgment for the council as planning decision-maker” (Court of Appeal judgment in *Cornwall Council v Corbett*). This requires the assessment of residual impacts (positive and adverse), following the application of appropriate mitigation, and balancing the material/relevant considerations to come to a decision on a case-by-case basis. This ability to balance all the considerations together is important, as all development, locations and associated impacts are different and should be treated as such in decision making.

It can be helpful if a plan guides a decision maker to give significant or greater weight to a specific policy/material matter that is considered a priority (e.g. a development's contribution to emissions reduction targets). That said, the decision maker still needs to be able to determine which policies should be applied, the magnitude/significance of any relevant impacts (positive and adverse) and come to a balanced decision. If for example, the adverse socio-economic impacts of a development are major/very significant and the development makes a very minor contribution to emissions reduction targets, even when giving significant weight to the climate crisis, the magnitude/significance of the adverse socio-economic impacts could outweigh the climate benefits. This approach allows priority to be indicated by policy but retains the ability to make reasoned and well-balanced decisions.

Plan policies should include provisions to guide public authority decision makers to contribute towards the delivery of the Plan objectives. It is for the relevant public authority decision maker to determine which policy, policies, or component of a policy, are relevant to a specific decision and what weight to attach to policies on a case-by-case basis.

Plan policies should be applied proportionately by public authority decision makers. Decision makers need to consider whether the type, location and/or scale of a development or activity, and its associated impacts or effects, justify the application of a specific policy or a provision within a policy.

Option (Prioritisation of Space):

The Welsh National Marine Plan Resource Areas (RAs) provide a useful comparator. The Welsh RAs are broad areas that describe the distribution of a particular resource that is or has the potential to be used by specific sectors (in terms of technical feasibility). As technical feasibility is rapidly changing, e.g. in the aquaculture sector, RAs will need to be flexible and regularly updated to keep pace with innovation. The Welsh approach makes provision for more detailed sector specific spatial planning within these RAs via a mechanism to identify Strategic Resource Areas, which are taken forward as supporting guidance, adopted via the Marine Planning Notice mechanism. There is no equivalent mechanism in Scotland, but guidance can be adopted to support marine plan policies and adopted as a material/relevant consideration in decision making. Supporting guidance should be suggest to their own public consultation.

It is of limited value to identify areas of resource without identifying areas of development opportunity through a process of considering environmental constraints/sensitivities, use by other marine users and interactions with existing infrastructure etc. **It is important that spatial planning for each sector is taken forward at the appropriate national, regional or local level, and by the appropriate body.** The following spatial planning approaches are considered appropriate:

- Offshore wind, wave and tidal energy: Continue to be taken forward by the Marine Directorate (MD) through relevant sectoral planning processes with a requirement in NMP2 for MD to closely engage with local authorities, MPPs, local communities, relevant sectoral interests, interest groups and statutory bodies. It may be appropriate for MPPs to take forward more detailed approaches to spatial planning for the wave and tidal energy developments at the local level e.g. to optimise energy utilisation at specific tidal sites.
- Fish farming: As fish farming development is consented by planning authorities and impacts coastal communities, spatial planning for this sector should be taken forward at the local/regional level by aquaculture planning authorities and/or MPPs. Refer to Sector Policy 2A: Finfish and shellfish farming in the Orkney Islands Regional Marine Plan - Consultation Draft; Orkney Islands Council has prepared the [Orkney Islands Marine Region: Finfish Farming Spatial Guidance - Consultation Draft](#). This has been taken forward through close engagement with the fish farm farming sector in Orkney and wider stakeholders.
- Ports and harbours: NPF4 identifies spatial priorities and national developments for harbours. Within this national planning framework, harbour authorities should retain the function for master planning future market, infrastructure and development opportunities. See: [Orkney Harbours Master Plan – Phase 1 \(2020\)](#)

- Coastal and marine recreation and tourism: The identification of areas for coastal and marine recreational use, and associated development opportunities, should be taken forward at the local level by planning authorities and/or MPPs via local development plans and regional marine plans. [The Orkney Islands Marine and Coastal Recreation Survey](#), carried out in 2022, is an example of this approach, which utilised innovative digital mapping techniques for island residents to record important areas for recreation.
- Seaweed cultivation: Where they exist, MPPs/ RMPs should be able to take forward spatial planning for seaweed cultivation.

NMP2 should establish the overarching framework under which these various sector specific spatial planning process sit. NMP2 could establish spatial planning principles to inform these processes and ensure best practice.

The proposal to establish a presumption in favour of sectoral development identified via Sectoral Marine Plans/Plan Option Areas, is considered a sensible approach e.g. for offshore wind, wave and tidal energy. The wording of such a policy should not exclude opportunities for co-existence or co-location. Policy NW-REN-2 in the North West Inshore and North West Offshore Marine Plan is helpful in this regard. Any approach should be supported by NMP2 policy that ensures early engagement with affected marine users is required, opportunities for co-existence with other users are maximised and effective mitigation to minimise adverse impacts on other users and maximise benefits for coastal/island communities is delivered.

The identification of areas of resource out with the sectoral planning processes could be beneficial to safeguard the fishing sector from the effects of special squeeze. This would need to be done using live data sets, that take account of the changing distribution of fisheries under a changing climate, as opposed to fixed areas mapped within the NMP2. These identified areas would need to be supported by policies that detail how fishery resource areas (including nursery and spawning grounds) would be safeguarded, and how impacts on these areas would be assessed/considered in decision making on development/activities consents.

5.7.5 Linkages to Regional Marine Planning

As identified in the Environment, Climate Change and Land Reform Committee inquiry, [Development and implementation of Regional Marine Plans in Scotland: final report \(December 2020\)](#), ‘Scotland is in a strong position to be at the forefront of developments in marine planning’. In the international context, **Scottish regional marine planning is a best practice example of how coastal and island communities can be empowered to engage in marine planning, policy and management, at a scale that is meaningful to those communities.** The ECCLRC inquiry report identified that national leadership was important in places such as Norway and New Zealand in delivering successful outcomes from marine planning, particularly as the regional level.

The Committee:

- *was concerned that leadership and guidance from central government and Marine Scotland was lacking, leading to the perception among stakeholders that regional marine planning is losing momentum.*
- *was not clear on the priorities of the Scottish Government and its desired outcomes for future implementation of regional marine planning.*

- *considered that political leadership is key to delivering effective outcomes from marine planning.*

The Committee also recommends that the Scottish Government should do more to communicate the benefits of regional marine planning to coastal communities and other stakeholders across the nation.

OIC recognises that **NMP2 provides an important opportunity for the Scottish Government to take stock of the inquiry report and set out a renewed commitment to regional marine planning, working with the regions to establish a clear vision, priorities and resources to support delivery at the local level.** This vision and priorities should identify the major contribution that regional planning can make to key government priorities including:

- sustainable development;
- blue growth;
- climate change mitigation and adaptation;
- Island sustainability;
- a just transition;
- community wealth building;
- bottom-up environmental stewardship;
- wellbeing and quality of life;
- ocean literacy;
- community empowerment; and
- land use and marine planning integration.

The NMP2 should identify and promote the key benefits of regional marine planning including:

- MMPs/RMPs help to harness local knowledge in the development of policy and spatial planning, and this local stakeholder engagement can greatly improve the quality of these outcomes.
- RMPs improve certainty at the consenting stage by establishing a clear locally developed strategy and plan, and by improving the quality and availability of data on marine use and sensitivities.
- RMPs help to empower coastal communities, enhance environmental stewardship and enable local responsiveness to socio-economic change, including a just transition to net-zero.
- MPPs can help to improve ocean literacy, upskill local communities and build a better understanding of the issues affecting the marine environment, development and activities.

Regional marine plans need to be in conformity with the National Marine Plan. Therefore, **NMP2 needs to provide a clear vision and guidance for regional marine planning.** The PPS provides no detail on how NMP2 will set the appropriate strategic context for MPPs/RMPs. To demonstrate its continued commitment to regional marine planning, the ECCLR Committee recommended that the Scottish Government publishes a renewed vision statement.

NMP2 should communicate that regional marine plans:

- are location specific plans prepared by organisations within local communities;
- include policies tailored to local priorities and needs;

- provide an opportunity for spatial planning for identified priority sectors and the protection/enhancement of the environment; and
- are prepared through a process of engagement at a spatial scale that is relevant, effective and meaningful to coastal and island communities.

It is disappointing that the PPS provides no clarity on how NMP2 will support and provide context for regional marine plans. **It is important that:**

- **NMP2 sets out a clear vision for regional marine planning and identifies the significant benefits that can be delivered by island and coastal communities via MPPs.**
- **NMP2 does not replace the function of regional marine plans and the opportunity for MPPs to take forward regional marine planning in areas where they do not currently exist.**
- **NMP2 does not constrain the ability for MPPs and regional marine plans to establish locally appropriate objectives, policies and guidance.**
- **The ‘regional policy’ within NMP 2015 is reviewed to ensure that it is appropriate and deliverable within available resources.**

The regional marine planning content within the NMP needs to be prepared through a process of close engagement with the MPPs/Local Coastal Partnerships.

Should additional outcomes also be considered?

The PPS does not have specific objective/policy ideas in relation to prioritising and enabling beneficial outcomes for coastal and islands communities. Refer to OIC response to Question 1, 6 and 9.

Please include any supporting information in your response.

Links provided in text above. Include [Orkney Harbours Master Plan – Phase 1 \(2020\)](#), [The Orkney Islands Marine and Coastal Recreation Survey](#), [Orkney Islands Marine Region: Finfish Farming Spatial Guidance - Consultation Draft](#).

[Orkney Islands Regional Marine Plan – Consultation](#).

12. What are your views on policy ideas suggested in relation to 'Community Informed Decision-Making'?

Section 5.7.2 states:

- *We have begun exploring policy ideas around community involvement in decision-making once NMP2 is adopted;*
- *Not all communities speak as one, so acknowledging the different groups within communities is vital and there are different interpretations of the term “community”. Proposals for community engagement should set reasonable expectations with and provide clarity on what is proportionate and reasonable. Engagement needs to be participatory and accessible and should cover the implementation of the plan as well;*
- *Consideration of socio-economic impacts on existing users and island communities in marine decisions is welcome;*
- *There is a need for meaningful pre-application engagement with communities and marine users;*

- *Communities should be involved in identification of opportunity areas and there needs to be flexibility for regional marine plans to undertake spatial mapping.*

OIC supports all of the bullet point statements above.

Section 5.7.4 states:

- *Community informed decision-making at plan level – decision-makers are to consult with communities at an early stage on plans which support application decisions, community knowledge and experience to be used to support plan development. Approaches to engagement to be participatory and inclusive.*
- *Community supported implementation – marine planning is used to improve ocean literacy and understanding of marine planning processes to empower communities to take part in engagement and have a say in the decisions relating to their local area.*

OIC supports all of the bullet point statements above.

NMP2 needs to include clear expectations for coastal and marine developers to undertake best practice engagement with local communities. Regional Marine Planning is a key mechanism to engage with communities to prepare policy and spatial planning at the local level. **NMP2 should identify and support the MPPs role in policy preparation and marine spatial planning implementation.**

Impacts of proposed policies

13. Do you think the policy ideas in the National Marine Plan 2 (NMP2) will impact, either positively or negatively on any of the following: Marine sectors/businesses, consenting authorities, local authorities or any other planning decision makers?

In responding to the questions below it may be helpful to consider the potential implications on international or national competitiveness and Scotland as a destination for global investment.

Please provide details.

Due to lack of detail policy at this stage, its challenging to provide an analysis of positive or negative impacts related to the policy ideas.

It is not absolutely clear, but it seems that this question relates to a Business Regulatory Impact Assessment (BRIA). When a BRIA is published, OIC will provide a response to the assessment of costs and opportunities for local authorities, and where appropriate local businesses, related to the draft National Marine Plan 2.

About you

Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will still take account of your views in our analysis, but we will not publish your response, quote anything that you have said or list your name. We will regard your response as confidential, and we will treat it accordingly.

To find out how we handle your personal data, please see our [privacy policy](#). By clicking submit you agree to our privacy policy.

What is your name?

James Green

Are you responding as an individual or an organisation?

Organisation

What organisation are you from?

Orkney Islands Council

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name.

Do you consent to Scottish Government contacting you again in relation to this consultation exercise?

Yes

What is your email address?

If you would like to be contacted again in future about this consultation, please enter your email address here. You will also need to give permission to be contacted in the question above.

Your email address will never be published.

James.green@orkney.gov.uk

Appendix 4.

Archaeology Fund – 2025 Season

Applications approved under delegated powers

Name.	Project.	Assistance Approved.
Professor Vicki Cummings, School of History, Archaeology and Religion, Cardiff University.	Excavations at Blomuir, Holm.	16.2% = £6,600.
Nick Card, Orkney Research Centre for Archaeology, UHI Archaeology Institute.	Ness of Brodgar Specialist Meeting and Outreach Event.	12.3% = £6,600.
Martin Carruthers, UHI Archaeology Institute.	The Cairns/Windwick Bay Archaeological Field Project.	13.3% = £6,800.
Stephen James Dockrill, Swandro Orkney Coastal Archaeology Trust.	Orkney Gateway to the Atlantic: Rousay, Egilsay and Wyre: An Archaeological Study of Settlement, Resource Exploitation, Sustainability and Resilience from the Neolithic to the Late Norse.	11.7% = £4,800.
Professor Ingrid Mainland, UHI Archaeology Institute.	Landscapes of Change: Archaeologies of the Rousay Clearances and the Westness Estate.	10.2% = £4,800.
Colin Richards, UHI Archaeology Institute.	Northern Exposure Project: Spurness (Site 73), Loth Road, Sanday.	21.8% = £4,800.
Hazel Moore, Go Westray Community Interest Company.	Discover Pierowall.	31.4% = £5,600.

Sustainable and Green Transport Fund - Proposed Spend During 2025/26**Estimated Income**

Estimated income through bus passenger fares during 2025/26	£180,000
<i>(remaining balance/underspend will roll over to the following financial year)</i>	

Proposed Expenditure (2025/26)

Uplift to Contract Rate (Public Bus Contract Uplift)	£40,000
Evening Bus Services (Continuation of existing services) - 50 % match funded with LADA Grant	£23,500
Community Transport - Trial (South Ronaldsay)	£10,000
Community Transport (Small Grant Scheme) - match funding of various projects	£40,000
Bus Shelter, Timetable Displays, Leaflets and Promotion	£18,000
Match funding of Active Travel Officer Post - match funded with LADA Grant	£25,000
TOTAL (estimated)	£156,500
Contingency (required if evening bus services are not match funded)	£23,500

Minute

Harbour Authority Sub-committee

Tuesday, 21 January 2025, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Kristopher D Leask, Graham A Bevan, P Lindsay Hall, Ivan A Taylor, Duncan A Tullock and Heather N Woodbridge.

Present via remote link (Microsoft Teams)

Councillor Mellissa-Louise Thomson.

Clerk

- Hazel Flett, Service Manager (Governance)

In Attendance

- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- James Buck, Head of Marine Services, Transportation and Harbour Master.
- Karen Bevilacqua, Service Manager (Legal Services).
- Shonagh Merriman, Service Manager (Corporate Finance).
- Paul Olvhoj, Business Development Manager.

In Attendance via remote link (Microsoft Teams)

- Katy Russell-Duff, Committees Officer.

Observing

- Bradley Drummond, Deputy Harbour Master (Mainland and Scapa Flow).
- Deborah Langan, Team Manager (Accounting) (for Items 1 to 3).
- Rachel Shargool, Finance Officer (for Items 1 to 3).

Declaration of Interest

- Councillor Mellissa-Louise Thomson – Item 8.

Chair

- Councillor Kristopher D Leask.

1. 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 Sub-committee:

Noted:

1.1. The revenue financial summary statement in respect of the Scapa Flow Oil Port and Miscellaneous Piers and Harbours for the period 1 April to 31 December 2024, attached as Annex 1 to the report by the Head of Finance, indicating a budget surplus position of £1,776,900.

1.2. The revenue financial detail by Service Area statement in respect of the Scapa Flow Oil Port and Miscellaneous Piers and Harbours for the period 1 April to 31 December 2024, attached as Annex 2 to the report by the Head of Finance.

The Sub-committee scrutinised:

1.3. 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 appropriate action was being taken with regard to significant budget variances.

2. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

Minor Capital Improvement Programmes – 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 Sub-committee:

Noted:

2.1. The summary position of expenditure incurred as at 31 December 2024, against the approved Miscellaneous Piers and Harbours and Scapa Flow Oil Port minor capital improvement programmes for 2024/25, as detailed in section 1.4 of the report by the Head of Finance.

The Sub-committee scrutinised:

2.2. The detailed analysis of expenditure figures and programme updates, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance regarding significant budget variances and progress being made with delivery of the approved Miscellaneous Piers and Harbours and Scapa Flow Oil Port minor capital improvement programmes.

3. Miscellaneous Piers and Harbours

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 Sub-committee:

Noted:

3.1. The summary position of expenditure incurred as at 31 December 2024, against the approved Miscellaneous Piers and Harbours revenue maintenance programme for 2024/25, as detailed in section 1.4 of the report by the Head of Finance.

The Sub-committee scrutinised:

3.2. The detailed analysis of expenditure figures and programme updates, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance regarding significant budget variances and progress being made with the delivery of the approved Miscellaneous Piers and Harbours revenue maintenance programme.

4. Harbour Authority – Annual Performance Report

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 Business Development Manager, the Sub-committee:

Scrutinised:

4.1. The Annual Performance Report in respect of the Harbour Authority for the operating period 1 April 2023 to 31 March 2024, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance.

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

4.2. That the Corporate Director for Enterprise and Sustainable Regeneration should undertake a review of costs incurred across all operational activities within the Harbour Authority.

4.3. That the Corporate Director for Enterprise and Sustainable Regeneration should develop a business plan across all market sectors the Harbour Authority operated within, in order to provide detailed trends in market growth and decline, to be completed in time to feed into the Strategic Offshore Energy Development Strategy.

5. Port Marine Safety Code – Annual Compliance Audit Report

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 Head of Marine Services, Transportation and Harbour Master, the Sub-committee:

Scrutinised:

5.1. The Port Marine Safety Code annual audit of compliance, which took place between 22 and 24 October 2024, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance.

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

5.2. That the Chair of the Harbour Authority Sub-committee be authorised to write to the Maritime and Coastguard Agency detailing Orkney Islands Council Harbour Authority's compliance with the Port Marine Safety Code.

6. Orkney Harbours Environmental Policy

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 Head of Marine Services, Transportation and Harbour Master, the Sub-committee:

Resolved to **recommend to the Council** that the Environmental Policy, attached as Appendix 1 to this Minute, be adopted for use by the Harbour Authority.

7. Exclusion of Public

On the motion of Councillor Kristopher D Leask, seconded by Councillor Duncan A Tullock, 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 the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

8. Proposed Harbour Charges

Councillor Mellissa-Louise Thomson declared an interest in this item, her connection being that her spouse was the owner of a creel fishing boat, and therefore liable to incur harbour charges. However, after taking advice, she advised that she would only leave the meeting should charges specifically relating to fishing vessels be discussed.

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 9 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 Business Development Manager, the Sub-committee:

Resolved to **recommend to the Council** that the Orkney Islands Council Harbour Authority Schedule of Charges, attached as Appendix 2 to this Minute, be approved to take effect from 1 April 2025.

9. Conclusion of Meeting

At 10:40 the Chair declared the meeting concluded.

Signed: Kristopher D Leask.



Harbour Authority Building • Scapa • Orkney • KW15 1SD

Email: harbours@orkney.gov.uk • Tel: 01856 873636 • Website: www.orkneyharbours.com

Environmental Policy for Orkney Harbours

1. Introduction

1.1 Orkney Harbours is committed to protecting the environment and promoting sustainability in all aspects of its operations. As a key part of the UK's maritime industry, we recognise the importance of preserving our natural resources, reducing our environmental impact, and ensuring the long-term health of the local and global environment.

1.2 This Policy outlines the principles, strategies, and actions that guide our environmental management efforts, ensuring compliance with relevant UK environmental legislation and contributing to broader sustainability goals.

2. Commitment to Sustainability and Environmental Protection

2.1 We will integrate environmental considerations into all aspects of our activities, from planning and development to operations and maintenance. Our primary environmental goals include:

- Minimising the environmental impact of port operations.
- Reducing pollution in all forms, including air, water, and land.
- Promoting the sustainable use of natural resources.
- Reducing the carbon footprint of the harbour operations.
- Supporting marine biodiversity and protecting local marine ecosystems.

3. Compliance with Legal and Regulatory Requirements

3.1 We are committed to full compliance with national and international environmental laws and regulations, including:

- The **Environmental Protection Act 1990**
- The **Marine and Coastal Access Act 2009**
- The **Marine Strategy Framework Directive (MSFD)**
- The **Waste and Emissions Trading Act**
- The **UK Climate Change Act 2008**
- The **Habitats Directive** and **Wildlife and Countryside Act 1981** (for biodiversity and habitats)

3.2 We will monitor changes in legislation and regulatory requirements, ensuring that our practices remain up-to-date and compliant.

4. Pollution Prevention and Control

4.1 To prevent and control pollution, we will:

- Implement effective waste management systems to reduce, reuse, and recycle materials.
- Promote the use of environmentally friendly fuels and technologies.
- Monitor and control air and water emissions from port operations and vessels.
- Maintain spill response plans and regularly train staff in emergency preparedness.
- Work with shipping companies, cargo operators, and contractors to reduce their environmental impacts.

5. Energy Efficiency and Carbon Reduction

5.1 We are committed to improving energy efficiency and reducing the carbon footprint of the harbour:

- Conduct regular energy audits of port facilities and infrastructure.
- Invest in renewable energy sources such as solar and wind power where feasible.
- Support the transition to cleaner, low-carbon technologies for vessels, equipment, and port machinery.
- Promote the use of shore power to reduce emissions from ships at berth.
- Implement a strategy to reduce greenhouse gas emissions from all harbour operations in line with UK climate change goals.

6. Biodiversity and Ecosystem Management

6.1 We are committed to preserving and enhancing biodiversity in and around the harbour:

- Monitor the condition of marine ecosystems and work to protect sensitive habitats.
- Support the conservation of local wildlife and their habitats, including protected species and areas.
- Promote sustainable fisheries and marine activities in the harbour area.
- Collaborate with local environmental groups and stakeholders to improve ecosystem health.
- Carry out environmental impact assessments for any major development projects and implement measures to mitigate adverse effects on biodiversity.

7. Sustainable Development and Planning

7.1 The Harbour Authority will ensure that development and expansion are carried out in a sustainable manner:

- Adopt a precautionary approach to the development of new infrastructure or expansion of existing facilities.
- Ensure that new developments are designed with environmental impact minimisation in mind.
- Foster the use of green infrastructure and sustainable construction methods.
- Promote sustainable transport links and reduce reliance on road transport where possible.

8. Waste Management and Circular Economy

8.1 We aim to minimise the production of waste and support the transition to a circular economy:

- Reduce, reuse, and recycle materials wherever possible.
- Work with stakeholders to improve waste management and disposal practices.
- Promote the use of sustainable packaging and the reduction of single-use plastics.
- Implement initiatives to manage stormwater runoff and prevent litter in the marine environment.

9. Stakeholder Engagement and Awareness

9.1 We recognise the importance of engaging stakeholders in our environmental activities

- Regularly consult with local communities, businesses, environmental organisations, and government agencies.
- Keep the public informed about the harbour's environmental efforts through regular reports and outreach programs.
- Provide training and awareness programs for all employees to promote environmental responsibility.

10. Monitoring, Reporting, and Continuous Improvement

10.1 We will establish systems to monitor and report on our environmental performance:

- Regularly assess environmental risks and opportunities.
- Collect and analyse data to track progress against environmental targets.
- Publish annual sustainability reports to communicate our environmental performance to stakeholders.
- Set measurable environmental objectives and review them annually to ensure continuous improvement.

11. Responsibility and Accountability

11.1 Environmental management is the responsibility of everyone at Orkney Harbours. Senior management will ensure that adequate resources are allocated to environmental initiatives, and that progress is monitored. Each employee, contractor, and stakeholder will be encouraged to take personal responsibility for environmental protection.

12. Conclusion

Orkney Harbours is dedicated to making a positive impact on the environment through responsible management and continuous improvement. By adopting sustainable practices, reducing pollution, and enhancing biodiversity, we aim to create a harbour that benefits not only current stakeholders but also future generations.

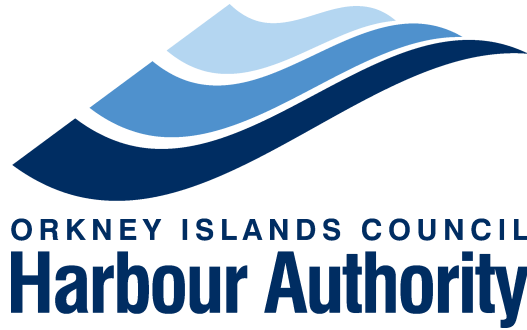


SCHEDULE OF CHARGES

As of
01 April 2025

Orkney Harbour Authority Area





Schedule of Charges as from 1 April 2025

Contents

Notes:	1
1. Vessels and Goods	2
Ship Dues.....	2
Environmental Levy	4
Compound Charges	4
Good Dues	5
Offshore Wind Operations.....	8
Cruise	8
Port Administration.....	8
Harbour Craft Charges.....	9
2. Pilotage	10
Pilotage Services.....	10
Pilotage Charges	11
Over Carriage.....	11
Pilotage Exemption Certificates.....	11
North Sea Pilots.....	12
Terms & Conditions for Pilotage.....	12
3. Towing	13
Towing Charges.....	13
Charter Rates.....	13
Towing Approval	13
Terms & Conditions for Towing	14
4. Quay, Slipway and Laydown Charges	15

Laydown Charges.....	15
Slipway Charges.....	15
Laydown Area, Parking Permit and Penalties Charges	15
Penalties.....	15
5. Sundry Charges	16
Waste Charges	16
Port Security Charges.....	16
Harbour Infrastructure Hire Charges	17
Utility Charges	17
Port Data Services.....	17
Hire of Loadall/Forklift	17

Notes:

Ship tonnage measurements must comply with the International Tonnage Convention 1969 (ITC69). Where a vessel cannot supply a Tonnage Certificate then a provisional Gross Tonnage (GT) will be calculated in line with the DIT formula.

In this Schedule of Charges a “day” means any 24 hour period and includes any part thereof.

Any goods deposited on Harbour Authority property are stored entirely at owner’s risk.

His Majesty’s Ships and other UK/Scottish Government vessels and charitable sail training vessels will be exempt from berthing and anchorage fees. All other charges for services including pilotage will apply.

UK Border Force or HMRC Inspection and Detention

Any Vessel subject to UK Border Force or HMRC Inspection or Detention, or any by any similar Government agency may be subject to additional charges, at the discretion of the Harbour Authority, for the use of any port facilities.

1. Vessels and Goods

Ship Dues

These rates are chargeable upon entry to our jurisdiction and cover the vessel for a 24 hour period in port or time of stay in port to cover operations (Subject to Confirmation of Classification).

All vessels below are subject to a Minimum Charge of £75.00 per vessel.

VESSELS, BARGES AND DEVICES UTILISING AN OIC PIER

The following will be charged for any vessel using Orkney Islands Council Piers per arrival (£ per GT):

Vessels using port for purposes other than those below	£0.70
All vessels engaged operating a regular daily or weekly service between the Orkney Islands*	£0.47
Cruise liners and vessels engaged in commercial tourism, including commercial dive vessels*	£0.41
Vessels engaged in the provisions of service and supply of materials for and to vessels at anchor or within the harbour limits	£0.55
Passenger Launches/Workboats servicing the Flotta Oil Terminal	£0.46
Tankers proceeding to Flotta Oil Terminal	£7.38
All vessels engaged operating a regular daily or weekly service between the Scottish Mainland and Orkney per scheduled trip	£0.155

Charges For Fishing Vessels

Up to 50 GT	£39.04
Over 50 GT up to 100 GT	£53.69
Over 100 GT up to 200 GT	£67.10
Over 200 GT up to 300 GT	£79.30
Over 300 GT With £1.11 every GT or part thereof over 300 GT	£91.50 minimum
Vessels, devices and barges not in possession of ITC69 certificate:	
Under 40m in length	£2.55 per m
40m and over in length	£4.63 per m

Charges for Pleasure Craft

A seasonal compound fee, payable in advance, will be charged for each locally owned and based pleasure craft, regularly moored or berthed with the defined harbour limits for the season 1 May to 31 October

Up to 10m in length	£100.00
Exceeding 10m up to 12m overall length	£150.00
Exceeding 12m up to 15m overall length	£200.00
Exceeding 15m length overall	£300.00
All visiting pleasure craft up to 10m in length (per 24 hour period or part)	£10.00
All visiting pleasure yachts over 10m in length (per 24 hour period or part)	£10.00 Plus £1.00 per m

VESSELS ENTERING THE HARBOUR AREA BUT NOT UTILISING AT AN OIC PIER

Vessels of all types, whether with cargoes or passengers or in ballast entering the harbour area for any purpose but who do not enter any dock, or utilise any pier shall be charged as follows (£ per GT):

All vessels except for pleasure craft	£0.29
--	--------------

Vessels Entering the Harbour Area and Utilising an Anchorage or Mooring Point

The following charge is for vessels utilising an agreed anchorage or mooring point within an Orkney Islands Council harbour area for the purposes outside of the above charge.

Short Term (£ per GT)

First 6 hours	£0.08
Every additional 24 hours or part thereof	£0.07

Long Term (£ per GT per vessel per 24 hour period or part thereof)

Vessel up to 10,000 GT	£0.01
Vessels over 10,000 up to 50,000 GT	£0.008
Vessels over 50,000 up to 100,000 GT	£0.007
Vessels over 100,000 GT	£0.006

Vessels, devices and barges not in possession of ITC69 certificate.

Short Term (price per m per 24 hour period or part thereof):	
Under 40m in length	£1.53
40m and over in length	£3.06
Long Term (price per m per 24 hour period or part thereof)	

Under 40m in length	£1.21
40m and over in length	£1.95

Anchorage occupied in excess of 14 days (336 hours) will be considered a Long Term anchorage and subject to the appropriate charge after this time.

OTHER VESSEL CHARGES

Environmental Levy

Every vessel entering or leaving Harbour Authority areas are liable for the Environmental Levy as set out below:

Per GT of the vessel per Voyage per entry into the harbour area:

Vessels carrying Hydrocarbons Cargo as cargo (minimum charge)	£888.37
Vessels carrying Hydrocarbons Cargo as cargo	£0.03
All Other Vessels	£0.015
Vessels powered by LNG and classified as such	£0.005
Vessels certified carbon free	No charge
Vessels not in possession of an ITC 69 Certificate	£50.00

Compound Charges

By agreement with Harbour Master's office locally owned commercial vessels based at any Orkney Islands Council pier and engaged in trading operations within harbour areas may be allowed compounded arrangements as per below table. Vessels up to 50 GT and those not in possession of an ITC 69 Certificate:

Under 10m	£201.31
10m and over but under 12m	£317.21
12m and over but under 15m	£451.41
15m and over but under 18m	£719.82
18m and over but under 21m	£902.82
21m and over but under 24m	£1354.22
24m and over but under 27m	£1708.04
27m and over but under 30m	£2055.74
Over 30m minimum £2,055.74 plus £59.82 per metre or part thereof over 30m.	

Vessels over 50 GT and in possession of and ITC 69 Certificate (£ per GT):

Over 50 GT up to 100 GT	£14.27
Over 100 GT up to 200 GT	£15.68
Over 200 GT up to 300 GT	£17.08
Over 300 GT up to 400 GT	£24.23
Over 400 GT up to 500 GT	£34.16
Over 500 GT up to 600 GT	£47.00
Over 600 GT	£64.07

Good Dues**General Cargoes (£ per unit)**

Aggregates (per tonne)	£1.73
Unprocessed Timber	£0.91
Animal Feed, Barley, Pulses, Wheat & Grain (per tonne)	£1.15
Tubulars (pipe work) & Grout (per tonne)	£1.37
Cement	£1.73
Fertiliser (including Basic Slag)	£1.73
Sawn Timber (per cubic metre)	£1.73
Profiles	£2.57
Scrap Metal	£2.62
Steel Sections (max 8 tonne per section)	£2.62
General Cargo	£3.41
Concrete Mats & Structures (per tonne)	£3.43
Crane Parts/Components (per tonne)	£4.08
All other Metal Fabrications (per tonne)	£5.51
Decommissioning related cargo (per tonne)	£8.42
Turbines, Compressors, Boilers & Pipework (per tonne)	£12.43
Automotive (New/Unregistered) per vehicle	£12.43
Wind Farm Components (per tonne)	£12.00
Anchors, Moorings, Chains (per tonne)	£3.00

Aquaculture, Fish, Shellfish

Charges made whether over an Orkney Islands Council pier or transshipped in Harbour Authority limits.

Aquaculture (per tonne)

Fish/Salmon Food	£2.19
------------------	-------

Farmed fish	£15.00
-------------	--------

Fish, Shellfish and Crustacean (per tonne)

Fish, Shellfish or Crustacean direct from Sea	£3.53
---	-------

Fish, Shellfish or Crustacean harvested	£3.53
---	-------

Smolts	£2.19
--------	-------

Processed Fish, Shellfish or Crustacean	£2.19
---	-------

Fuels (£ per unit)

Solid Fuels, Coal, coke, logs etc (per tonne)	£1.68
---	-------

Petroleum Products (Fuel Oil, Diesel, Kersoine etc) (per tonne)	£2.68
---	-------

Gas (per tonne)	£2.68
-----------------	-------

Passenger Dues

For all ferries utilising an Orkney Islands Council pier

Adult	£2.13
-------	-------

Child (under the age of 12)	£1.08
-----------------------------	-------

Vehicles For all ferries utilising an Orkney Islands Council Pier

Private owned vehicles, motor homes, caravans, trailers, boats etc not in commercial use:

Motor Vehicles under 5.5m	£11.07
---------------------------	--------

Motor Vehicles 5.5m up to 7.5m	£12.82
--------------------------------	--------

Motor Vehicles 7.5m up to 10m	£22.57
-------------------------------	--------

Motor Vehicles over 10m plus £0.89 for each additional half metre	£39.66minimum
--	---------------

Motor Cycle	£4.49
-------------	-------

Motor Cycle with sidecar	£9.06
--------------------------	-------

Pedal Cycle	£1.68
-------------	-------

Commercially owned and operated vehicles, motor homes, trailers etc:

Motor Vehicles under 7.5m	£14.24
---------------------------	--------

Motor Vehicles 7.5m up to 10m	£28.41
Motor Vehicles 10m up to 12.5m	£45.14
Motor Vehicles over 12.5m plus £0.89 for each additional half metre	£61.66 minimum

Livestock

Cattle	£1.07
Horses	£1.07
Sheep	£0.62
Other livestock / animals	£0.62

Ship to Ship Cargo Transfers within Harbour Limits

Payable on the transshipment of all goods over 10 tonnes in weight or 10 cubic metres in volume between vessels, devices barges and all other craft within harbour limits (Price per Cargo Tonne or Cubic Metre or part thereof):

Oil (All grades) and LPG	£0.52
LNG (per cubic metre)	£0.52
Fish/Salmon	£1.32
Other goods	£2.63
Hazardous cargos such as Oil and Gas will be subject to a minimum charge of (inclusive of all fees and levies except Environmental Levy).	£47,953

This composite charge does not include the mobilisation / demobilisation of fenders from shore.

Bunkering Operations or Similar

Vessels involved in bunkering operations will be charged at full charges except for bunker barge which will not be liable for any charges except for statutory charges.

Cargo transferred	
Oil – All grades (per tonne)	£2.68
LNG (per cubic metre)	£2.49

Offshore Wind Operations

Levies for Offshore Wind Operations (in addition to charges in other sections):

Berth Fees		
Chargeable at selected piers for handling of Offshore Wind components	£/GT per day	£0.20
Wet Storage Fees		
Any vessels, devices and barges not in possession of an ITC69 at Anchor	POA	
Land Fees		
Lease of Land	£/m2 per week	£2.00
Lease of Land	£/m2 per week	£1.50

Cruise Sundry Charges

Levies for Cruise Vessel Operations (in addition to charges in other sections):

Outer Isles Cruise Calls (Vessels calling at locations outwith Orkney Mainland and Lyness)		
Cruise call charge: Vessel < 5,000GT		£1,250
Cruise call charge: Vessel > 5,000GT		£2,000
Security		
Cruise vessels extending visit outside normal cruise working hours (First 12 hours)		£500.00
Per hour thereafter		£50.00
Cruise Passenger Dues		
Per passenger		£5.00

Port Administration

All vessel arrivals (except pleasure craft)	£25.87
---	--------

Charges for administration of assessing and completing the following Harbour Authority approvals:

Bunkering Vessel Approval (min 4 weeks prior notice)	£219.61
Bunkering Vessel Annual Renewal	£93.94
Diving approvals, renewals for both commercial and recreational	POA
Harbour Works Approval (min 4 weeks prior notice)	POA
Compound Charge Late Application Fee	£50.00
Short Notice Charge for Late Approval requests (in addition to the relevant charge)	£65.00

Harbour Craft Charges

The following rates will be applicable when the launches are not engaged in pilotage duties

The below charges are based on fuel prices as of October 2024, any fuel costs over this price will be subject to a fuel surcharge.

Hire of Pilot Launches (per hour or part thereof) (Minimum hire of 4 hours)	£530.62
Bareboat Charter (subject to terms and conditions):	
Vessel Hire (per 24 hours or part thereof)	£1,083.34
Fuel and Lubricants	Cost + 15%

2. Pilotage

Pilotage Services

Pilotage Direction

In accordance with Section 7 of the Pilotage Act 1987 and The Orkney Pilotage Direction 1988 (as amended 2007, 2010 and 2016), the Orkney Harbour Authority, the Competent Harbour Authority, has directed that pilotage be compulsory throughout the Pilotage Area for:

1. All passenger vessels of 65m or greater length overall.
2. All other vessels of 80 metres or greater length overall.
3. All vessels under tow where the combined overall length of the towing vessel and the tow is over 65m length overall or the combined length of the tug and tow is over 65m.
4. All vessels using Orkney Islands Council tugs for berthing, unberthing or any other reason where tugs need to be operated under control of the vessel.
5. All vessels over 300 GT carrying persistent oils or pollutants in bulk.

Provision of Service

The Provision of the Pilotage Service is subject to Pilotage Directions published by The Harbour Authority (or any notice that supersedes it).

Charges

Pilotage and associated charges are made pursuant to Section 10 of the Pilotage Act 1987 and are based on Gross Tonnage (GT) as shown on an ITC69 certificate in accordance with the attached Schedule of Charges.

Pilotage Exemption Certificates

Pilotage Exemption Certificates may be granted to appropriately qualified mariners by application, pursuant to Section 8 of the Pilotage Act 1987, as amended by the Marine Navigation Act 2013 and subsequent Pilotage Directions promulgated by Harbour Authority.

Liability

The provision of pilotage services is subject to availability and Marine Services accepts no liability for any delay, loss or damage, directly or indirectly arising out of, or caused or contributed to by an inability to supply or continue to supply such services or for any charges or expenses incurred in such circumstances.

Limitation of Liability in respect of Pilots is covered under Section 22 of the Pilotage Act 1987

Pilotage Charges

Charges are the sole charges for the use of an Authorised Pilot for a vessel movement, inclusive of attendance. The below charges are based on fuel prices as of December 2024, any fuel costs over this price will be subject to a fuel surcharge.

Pilotage per single vessel movement:

Vessels up to 4,000 GT	£629.68
For each 100 GT or part thereof in excess of 4,000 GT	£4.32
Pilotage per single tow movement:	
Length of tow up to 65m	£629.68
Length of tow 65m and over	£775.04
Pilotage Exemption Certificate Surcharge Charged as single vessel movement	
Cancellation Fee (less than 2 hours notice received)	
	£214.29
Detention Fees:	
First 30 minute period	£214.29
Each successive 30 minute period or part thereof	£285.45

Over Carriage

Pilots should embark and disembark at the nominated Pilot Boarding Area. If due to unavoidable circumstances the Pilot is over carried, then the following will apply:

1. The Pilot must embark or disembark at the earliest opportunity. In addition a charge of £130 per hour or part thereof for the first 12 hours will be levied. Other hours in the 24 hour period will be charged at a standby rate of £75 per hour or part thereof, commencing from the time of the departure from the Pilotage District until repatriation to Orkney.
2. The vessel will also be required to reimburse all travel and subsistence expenses involved in repatriating the Pilot to Orkney.

Pilotage Exemption Certificates

The following charges are applicable with regards to Pilotage Exemption Certificates for Orkney Pilotage Area

Oral Examination	£332.60
Issue of New Certificate (including one main and one sub area)	£332.60
Issue of Replacement Certificate, Part 1 - areas	£209.42
Issue of Replace Certificate Part 2 - vessels	£209.42
Annual Renewal of Certificate	£332.60
Addition of Vessel Name to Part 2 (per submission)	£ 94.85
Change of Vessel Name	£ 51.74

Addition of Main Operating Area or Harbour Sub Area	£ 94.85
---	---------

North Sea Pilots

Boarding and landing of North Sea Pilots	
Per embarkation/disembarkation per pilot	£1,850.00

Terms & Conditions for Pilotage

A “vessel movement” means any of the following single acts of navigation:

- outside the compulsory area (i.e. to or from sea)
- within the compulsory area (i.e. to or from a berth, jetty, mooring or anchorage)

Charges for use of Orkney Islands Council Marine Service Pilots includes the boarding and landing fee.

The Authority reserves the right to make a charge for any vessel movement by the holder of a valid Pilotage Exemption Certificate. This charge is currently set at 5.00% of the single vessel movement. Charge capped at 1000 acts per vessel into a single port.

A full Pilotage charge will be levied when a vessel subject to compulsory pilotage is moved without the use of an authorised Pilot or Pilotage Exemption Certificate holder.

Where a vessel movement is a tow involving two or more vessels, the charge for pilotage for a single vessel movement will be regulated by the overall distance between the extreme ends of the vessels concerned and by the draught of the deepest vessel.

At least two hours’ notice is required for orders for Pilotage.

Detention Fees will apply to any occasion that a Pilot is kept on board a vessel over and above the period of time for a normal act of pilotage, currently assessed as 4 hours, whether or not actively engaged in pilotage duties during that extended period, unless otherwise agreed by the Harbour Master.

A Deck Officer (As defined in the Marine Navigation Act 2013) may obtain Pilotage Exemption Certificates from the Authority, as the Competent Harbour Authority, subject to certain conditions and requirements. All applicants must complete an oral examination. Pilotage Exemption Certificates are valid for a maximum of one year at a time and, subject to conditions, may also be renewed. Full details of the conditions, requirements and examination process for the grant of a Pilotage Exemption Certificate are obtainable from the Harbour Office.

Pilotage Exemption Certificates are split into 2 parts, Part One being the areas of validity and Part Two the vessels for which the certificate is valid. Part One is further subdivided into the main operating Area e.g. Scapa Flow, Kirkwall and the Sub Area detailing the individual port or quay e.g. Lyness, Stromness, Hatston Pier.

3. Towage

Towage Charges

These rates are chargeable per vessel and per Tug requested irrespective of Tug power and bollard pull. The below charges are based on fuel prices as of October 2024, any fuel costs over this price will be subject to a fuel surcharge.

Scapa Flow, Stromness and South Isles:	
Assisting a vessel on or off a berth, pier, mooring or anchorage or Towage Escort Services (initial 2 hours rate).	£3,000.00
thereafter per hour or any part thereof.	£1,500.00
Kirkwall and North Isles	
Assisting a vessel on or off a berth, pier, mooring or anchorage or Towage Escort Services (initial 2 hours rate).	£3,000.00
thereafter per hour or any part thereof	£1,500.00
Transfer costs per Tug between Scapa to Kirkwall (one act)	£2,500.00

Charter Rates

The following rates apply to Tugs taken on charter, where the charter is within 10 miles of Orkney Harbour area limits. Rates are chargeable per vessel and per Tug requested irrespective of Tug power and bollard pull (per hour or any part thereof) at discretion of the Harbour Master:

Operating Base to Base (as defined)	POA
-------------------------------------	-----

The following rates apply to Tugs taken on charter, where the charter is out with Orkney. Rates are chargeable requested irrespective of Tug power and bollard pull (per 24 hour period or any part thereof):

First 24 hours	£16,000.00
Subsequent 24 hours or part thereof	£8,000.00
Fuel and Lubricants	Cost + 15%

Towage Approval

The following charges will be applied to all towage conducted with the Harbour Area, irrespective of Towage company utilised or by the discretion of the Harbour Master:

Towage Assessment Approval (min 2 weeks prior notice):	£219.35
--	---------

Terms & Conditions for Towage

Provision of the towage service is dependent on weather conditions and vessel availability.

Mobilisation and demobilisation charges are included in the fees unless otherwise specified.

Short notice will incur additional charges, refer to towage assessment approval.

4. Quay, Slipway and Laydown Charges

Laydown Charges

Payable for any goods stored on Orkney Islands Council piers with permission of Harbour Master's office.

Laydown – Within 25m of quay edge (Per Sq M per 24-hour period)	£0.30
Shortterm laydown on undeveloped sites (Per Sq M per 24-hour period)	£0.15

Quay Sterilisation - When vehicles or equipment such as cranes are mobilised on the port's quays or where the quay is sterilised or access is restricted for use by others, then a charge of £500 per 24-hour period or part thereof will be made.

Slipway Charges

Hatston Slipway	
First 24 Hours	FOC
Subsequent 24 hours or part thereof	£0.29
Drying Out Area First 24 Hours	FOC
Subsequent 24 hours or part thereof	£100.00

Marshalling Areas and Parking Permits

Marshalling Areas:	
Vehicles/Trailers for immediate embarkation (within 6 hours)	No Charge
Vehicles/Trailers not for immediate embarkation (per day or part thereof)	£125.42

Parking Permit for Pier Areas (per vehicle, per year):	
Private Vehicle	£75.65
Commercial Vehicle under 7m in length	£100.00
Commercial Vehicle over 7m in length	£183.00

Penalties

Where quay, pier, slipway, laydown and parking agreements are exceeded by individuals and companies the following penalty charges will apply:

Storage in excess of agreed areas (per Sq M per 24-hour period)	£23.81
Removal of vehicle, equipment, goods, chattles in breach of agreement or on abandonment.	Cost + 15%

5. Sundry Charges

Waste Charges

Waste Charges, in accordance with Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 and Animal By-Products Regulation (EC) 1774/2002. These rates apply regardless of waste contractor appointed by the ship or agent.

Domestic Waste (excluding Category 1 Waste)

First 2 tonnes in weight	FOC
Over 2 Tonnes in weight (per tonne or part thereof)	£732.01
Waste Charge when no harbour dues payable	Cost + 15%
Supply of tonne bag	£10.00

Oil - The following charges apply in relation to the disposal of oils in the harbour.

Hire of 1,000 litre portable tank (per fill)	£23.22
Hire of 2,000 litre bowser (per fill)	£37.82
With Operator (per hour)	£56.55
Testing and disposal	
Quantities below 2000L	£251.32
Quantities above 2000L	Cost + 15%
SEPA Form	£67.10
Oil Disposal and Transfer Charge	£366.00

Category 1 Waste, Hazardous Waste & Other Waste

For details contact Marine Services.	Cost +15%
--------------------------------------	-----------

Port Security Charges

Security Charges in accordance with the International Ship and Port Facility Security Code (ISPS)

Security Level 1:	
First 6 hours	£187.88
Each subsequent 12 hour period or part thereof	£375.77
Security Level 2: Access Control/Security Guards	Cost +15%
Security Level 3: As directed by the security services	Cost +15%
Off Mainland security charges (where applicable): First 12 hours	£929.88
Each subsequent 6 hour period or part thereof	£177.67

Harbour Infrastructure Hire Charges

The use of port infrastructure is chargeable at the following rates:

Linkspans (per hour or part thereof)	£115.91
Hard Ramps (per hour or part thereof)	£52.46
Drying out areas:	
First 24 hours	£48.81
Per additional 24 period or part thereof	£96.38
Weigh bridges and machines:	
For goods (per tonne or part thereof)	£0.85
Vehicles for shipment or taxation (per tonne or part thereof)	£3.85
Marine Headquarters Conference Room (per 4 hours or part thereof):	
without conference/presentation facilities	£97.60
with conference/presentation facilities	£146.40

Utility Charges

The following utility service charges are applicable within the harbour:

Water (per tonne or part thereof)	£3.59
Electricity (per unit)	£0.49
Shore to Ship Power connections	POA

Port Data Services

The following data is available:

Meteorological Data (per calendar month per site)	£48.81
Tide Tables (Per Copy)	£5.00

Hire of Loadall/Forklift

Hire of Loadall/Forklift with Operator (per hour)	£135.00
---	---------

1850



ORKNEY ISLANDS COUNCIL
Harbour Authority

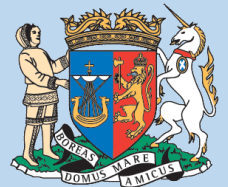
Enquiries to:

Marine Services and Transportation
Orkney Islands Council
Harbour Authority Building
Scapa
Orkney, KW15 1SD

Tel: +44 (0) 1856 873636

Email: harbours@orkney.gov.uk

Web: www.orkneyharbours.com



ORKNEY
ISLANDS COUNCIL