

## Minute

### Development and Infrastructure Committee

Tuesday, 30 March 2021, 10:30.

Microsoft Teams.



### Present

Councillors Graham L Sinclair, Andrew Drever, Norman R Craigie, Robin W Crichton, David Dawson, J Harvey Johnston, Rachael A King, W Leslie Manson, Stephen Sankey, James W Stockan, Duncan A Tullock and Heather N Woodbridge.

### Clerk

- Angela Kingston, Committees Officer.

### In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure.
- James Buck, Head of Marine Services and Transportation.
- Roddy Mackay, Head of Planning, Development and Regulatory Services (for Items 1 to 13).
- Colin Kemp, Corporate Finance Senior Manager.
- Karen Bevilacqua, Solicitor.
- Lorna Richardson, Strategic Policy and Projects Manager (for Items 1 to 6).
- Susan Shearer, Planning Manager (Development and Marine Planning) (for Items 1 to 11).
- John Wrigley, Roads and Environmental Services Manager (for Items 1 to 6).
- Stuart Allison, Economic Development Manager (for Items 1 to 13).
- Kenneth Roy, Roads Support Manager (for Items 1 to 4).
- James Green, Senior Policy Planner (Development and Marine Planning) (for Items 7 to 11).
- Andrew Hamilton, Performance and Best Value Officer (for Items 1 and 2).
- Morag Robertson, Economic Development Officer (for Items 10 to 13).
- Shona Turnbull, Marine Planner (Development and Marine Planning) (for Items 1 to 11).

### Observing

- Karen Greaves, Head of Executive Support (for Items 1 to 6).
- Gareth Waterson, Head of Finance (for Items 1 to 6).
- David Hartley, Communications Team Leader (for Items 1 to 6 and 12 to 15).
- Rebecca McAuliffe, Press Officer (for Items 1 to 11).
- Lorraine Stout, Press Officer (for Items 3 to 6).

## **Declarations of Interest**

- Councillor Andrew Drever – Item 13.
- Councillor Rachael A King – Items 12 and 13.

## **Chair**

- Councillor Graham L Sinclair.

## **1. Disclosure of Exempt Information**

The Committee noted the proposal that the public be excluded from the meeting for consideration of Item 14, together with Annex B of Item 13, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

## **2. Local Government Benchmarking Framework**

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, the Committee:

Scrutinised the performance of the Development and Infrastructure Service against the Local Government Benchmarking Framework Indicators for 2019/20, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, and obtained assurance.

## **3. Road Asset Replacement Programme**

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Roads Support Manager, the Committee:

Noted:

**3.1.** That, on 30 June 2020, the Council approved the Road Asset Replacement Programme for 2020/21, together with indicative programmes for 2021/22 and 2022/23.

**3.2.** That a multi-year approach to the replacement of road assets allowed for greater flexibility to vary the timing of individual projects where constraints and/or pressures emerged.

**3.3.** That, in order to improve the governance and accountability surrounding use of the Cycling, Walking and Safer Routes capital grant, all works were reported as part of the Road Asset Replacement Programme for monitoring purposes.

**3.4.** The proposed programme for 2021/22, together with indicative programmes for 2022/23 and 2023/24, in respect of road asset replacement, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, estimated at £1,048,000 for each financial year.

**3.5.** That, although approval was sought for a multi-year programme, the Executive Director of Development and Infrastructure would continue to submit reports, on an annual basis, to provide progress updates of the current year's programme and presenting an updated programme for subsequent years.

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

**3.6.** That the Road Asset Replacement Programme for 2021/22, together with the indicative programmes for 2022/23 and 2023/24, attached as Appendix 1 to this Minute, be approved.

**3.7.** That powers be delegated to the Executive Director of Development and Infrastructure, in consultation with the Head of Finance, to adjust the three year programme, referred to at paragraph 3.6 above, as variations arose in order to maximise use of the annual capital allocation.

#### **4. Road Asset Repairs and Renewal Fund**

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Roads Support Manager, the Committee:

Noted:

**4.1.** That, on 23 February 2021, when reviewing the level of the Council's reserves and balances as part of the budget setting process for 2021/22, the Policy and Resources Committee recommended that a contribution of £2.1 million be made to the Repairs and Renewals Fund, to be utilised specifically for roads and paths repairs and renewals works.

**4.2.** That the additional funding would be used to improve the Council's network asset by addressing repairs to the road network, exacerbated in 2020/21 by COVID-19 restrictions and the recent severe winter weather.

**4.3.** The proposal that, in advance of the detailed assessment of the roads network being completed, the additional funding be utilised over financial years 2021/22 and 2022/23.

**4.4.** The indicative Road Asset Repairs and Renewal Fund Programmes for 2021/22 and 2022/23 in respect of capital and revenue works, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure.

The Committee resolved to **recommend to the Policy and Resources Committee:**

**4.5.** That the contribution of £2.1 million, made to the Repairs and Renewal Fund as part of the budget setting process for 2021/22, in respect of roads and paths repairs and renewals works, be allocated equally over financial years 2021/22 and 2022/23 as follows:

- Roads Revenue Maintenance – £683,400 (65%).
- Road Asset Replacement Programme (capital works) – £366,600 (35%).

**4.6.** That the annual Roads Revenue Maintenance budget and the Road Asset Replacement Programme relating to capital works be enhanced by £683,400 and £366,600 respectively for each of financial years 2021/22 and 2022/23.

## 5. Charges for Replacement Bins

After consideration of a report by the Executive Director of Development and Infrastructure, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Strategic Policy and Projects Manager, the Committee:

Noted:

**5.1.** That, in March 2019, the Council agreed to introduce charges for replacement refuse bins, with the charges being implemented from June 2019.

**5.2.** That, following an increased number of complaints from the public, Elected Members had requested that officers review operation of the charging policy in respect of replacement bins.

**5.3.** That implementation of the charges had led to a significant burden for Customer Services and Development and Infrastructure service teams responding to customer concerns.

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

**5.4.** That charges for replacement refuse bins be suspended from 1 April 2021 to enable the Corporate Charging Consultative Group to undertake a review of the charging policy for replacement bins.

**5.5.** That the Executive Director of Development and Infrastructure should submit a report, to the next available meeting of the Committee, detailing the findings of the review by the Corporate Charging Consultative Group, together with options in respect of the charges for replacement refuse bins.

## 6. Household Waste Recycling Centres

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Strategic Policy and Projects Manager, the Committee:

Noted:

**6.1.** That the Council operated five Household Waste Recycling Centres across the Mainland of Orkney, which allowed householders to deposit a range of recyclable materials, together with household waste.

**6.2.** That the Household Waste Recycling Centres were provided in accordance with the requirements of the Environmental Protection Act 1990 and licensed by the Scottish Environment Protection Agency (SEPA) under the Waste Management Licensing Regulations 1994.

**6.3.** That, although SEPA licence conditions for the Household Waste Recycling Centres stipulated that a member of staff should be on site during the hours of operation, Cursiter Quarry and St Margaret's Hope Household Waste Recycling Centres were unstaffed, resulting in a breach of licence in respect of those two unsupervised sites during normal operations.

**6.4.** That, although ongoing discussion and negotiation with SEPA had enabled the sites at Cursiter Quarry and St Margaret's Hope to remain open, a sustainable, long-term solution to the issue was required.

**6.5.** That there were insufficient resources within the Environmental Services budget to staff the Household Waste Recycling Centres at Cursiter Quarry and St Margaret's Hope.

**6.6.** Options for the future operations at Cursiter Quarry and St Margaret's Hope, as outlined in section 4 of the report by the Executive Director of Development and Infrastructure, with the preferred option being Option 2, namely to close both sites, being the most efficient and only affordable option for the Council.

On the motion of Councillor Stephen Sankey, seconded by Councillor David Dawson, the Committee resolved to **recommend to the Council:**

**6.7.** That consideration of the proposed closure of the Household Waste Recycling Centres at Cursiter Quarry and St Margaret's Hope, in order to address the issues associated with compliance with SEPA licence conditions, be deferred, to enable the Executive Director of Development and Infrastructure to submit a detailed report to the Committee, no later than October 2021, to include alternative, compliant options, such as the continued operation of both sites as recycling points only.

**6.8.** That, in the interim period, the sites at Cursiter Quarry and St Margaret's Hope should continue to operate as recycling points only, thereby enabling compliance with waste licensing regulations.

## **7. Inter-Island Air Services**

### **Proposed Winter 2021/22 Timetable**

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Marine Services and Transportation, the Committee:

Noted:

**7.1.** That the inter-island air services timetable for winter 2021/22 was scheduled to operate from 31 October 2021 to 19 February 2022.

**7.2.** That the draft timetable in respect of air services to be operated by Loganair Limited during winter 2021/22 was presented to the Air Services Consultative Forum on 10 February 2021, with the main comments and representations from transport representatives outlined in section 4 of the report by the Executive Director of Development and Infrastructure.

**7.3.** That the proposed timetable, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, was consistent with that operated during winter 2020/21.

**7.4.** That, in advance of the Council's budget setting process for 2021/22 being concluded, any decision on the proposed level of service provision was subject to an adequate budget being made available.

The Committee resolved, under delegated powers:

**7.5.** That, subject to an adequate service revenue budget being established, the timetable in respect of inter-island air services, to be operated by Loganair Limited during winter 2021/22, attached as Appendix 2 to this Minute, be approved.

## **8. Inter-Island Ferry Services**

### **Proposed Winter 2021/22 Timetables**

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Marine Services and Transportation, the Committee:

Noted:

**8.1.** That the inter-island ferry services timetables for winter 2021/22 were scheduled to operate from 27 September 2021 to 7 May 2022.

**8.2.** That draft timetables in respect of ferry services to be operated by Orkney Ferries Limited during winter 2021/22 were presented to the Ferry Services Consultative Forum on 10 February 2021.

**8.3.** That, on 17 March 2021, the proposed timetables, together with feedback from the Ferry Services Consultative Forum, were considered by the Board of Orkney Ferries Limited and recommended to the Council for implementation.

**8.4.** That the proposed timetables, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, remained consistent with those operated in previous years.

**8.5.** That, in advance of the Council's budget setting process for 2021/22 being concluded, any decision on the proposed level of service provision was subject to an adequate service revenue budget being established.

The Committee resolved, under delegated powers:

**8.6.** That, subject to an adequate service revenue budget being established, the timetables in respect of ferry services to be operated by Orkney Ferries Limited during winter 2021/22, attached as Appendix 3 to this Minute, be approved.

## **9. Harbour Authority Sub-committee**

After consideration of the draft Minute of the Meeting of the Harbour Authority Sub-committee held on 16 March 2021, copies of which had been circulated, the Committee:

Resolved:

**9.1.** On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, to approve the Minute of the Meeting of the Harbour Authority Sub-committee held on 16 March 2021 as a true record.

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

**9.2.** That the recommendations at paragraphs 2.4, 3.5, 3.6, 5.5 and 6.5 of the Minute of the Meeting of the Harbour Authority Sub-committee held on 16 March 2021, attached as Appendix 4 to this Minute, be approved.

## **10. Orkney's Indicative Regional Spatial Strategy**

After consideration of a report by the Executive Director of Development and Infrastructure, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Planning Manager (Development and Marine Planning), the Committee:

Noted:

**10.1.** That, following publication of National Planning Framework 4, the Council was required by statute to prepare a Regional Spatial Strategy, either on its own or with other planning authorities.

**10.2.** That a Regional Spatial Strategy should identify, in relation to the region, the need for strategic development, the outcomes to which that strategic development would contribute, the priorities for delivery of strategic development and the proposed locations of strategic development.

**10.3.** That the Scottish Government had requested planning authorities to produce draft Indicative Regional Spatial Strategies to inform drafting of National Planning Framework 4 and Scottish Government secondary legislation on Regional Spatial Strategies.

**10.4.** That seminars had been held and questionnaires issued to stakeholders in early 2020, which informed an early draft of Orkney's Indicative Regional Spatial Strategy, which was provided to the Scottish Government in October 2020 for comment and feedback.

**10.5.** Orkney's Indicative Regional Spatial Strategy, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, which took consideration of comments and feedback received from the Scottish Government.

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

**10.6.** That Orkney's Indicative Regional Spatial Strategy, attached as Appendix 5 to this Minute, be approved.

## **11. Orkney Islands Regional Marine Plan**

### **Statement of Public Participation**

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Marine Planner (Development and Marine Planning), the Committee:

Noted:

**11.1.** That, on 27 November 2020, the Council received delegated marine planning powers from Scottish Ministers under The Delegation of Functions (Regional Marine Plan for the Scottish Marine Region for the Orkney Islands) Direction 2020 (the Direction).

**11.2.** That the Direction delegated functions to the Council, including preparation of an Orkney Islands Regional Marine Plan, a statutory plan for sustainable marine development, management and use in Orkney waters out to 12 nautical miles.

**11.3.** That a requirement of the Direction was the submission of a draft Statement of Public Participation to Scottish Ministers for approval within six months of the date on which the Direction was given.

**11.4.** That the draft Statement of Public Participation, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, set out the outline methodology and indicative timetable for preparation of the statutory Orkney Islands Regional Marine Plan, in accordance with the Direction, and would require to be submitted to Scottish Ministers by 27 May 2021.

**11.5.** That the draft Statement of Public Participation would be presented to the first meeting of the Orkney Marine Planning Advisory Group to be held in March 2021, to provide the opportunity to submit comments.

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

**11.6.** That the draft Statement of Public Participation, attached as Appendix 6 to this Minute, be endorsed for submission to Scottish Ministers.

**11.7.** That powers be delegated to the Executive Director of Development and Infrastructure, in consultation with Chair and Vice Chair of the Committee, to amend the draft Statement of Public Participation in response to any comments received from the Orkney Marine Planning Advisory Group, and thereafter submit the draft Statement of Public Participation to Scottish Ministers by 27 May 2021, for approval for publication.

## **12. Archaeological Investigations**

Councillor Rachael A King declared a non-financial interest in this item, in that a family member was employed by an organisation requesting grant funding, and was not present during discussion thereof.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Economic Development Officer, the Committee:

Noted:

**12.1.** That eight applications for financial assistance had been received in respect of archaeological investigation projects to be undertaken during the 2021 season, comprising five mainland-based projects and three island-based projects, with total project costs of £402,215.



**12.2.** That the projects, referred to at paragraph 12.1 above, could only proceed as proposed should COVID-19 restrictions be relaxed and/or removed, thereby allowing excavations to take place, however the applicants had proposed alternative projects which could progress regardless of COVID-19 restrictions, at total project costs of £327,464, as detailed in section 5 of the report by the Executive Director of Development and Infrastructure.

**12.3.** That the eight applications requested assistance totalling £80,981, which exceeded the available budget of £40,000 by approximately 102%, with the alternative projects totalling £82,260, which exceeded the available budget by approximately 106%.

**12.4.** The proposed offers of grant, based on the existing allocated budget of £40,000, as detailed in Annex A to the report by the Executive Director of Development and Infrastructure.

**12.5.** The proposal that, due to the uncertainty surrounding the level of COVID-19 restrictions which might be in place as the 2021 excavation season approached, powers be delegated to the Executive Director of Development and Infrastructure to determine the funding awards, dependent on which projects could be implemented, in line with the existing policy of 50/50 between island and mainland applications, as outlined in Annex A to the report by the Executive Director of Development and Infrastructure.

The Committee resolved, in terms of delegated powers:

**12.6.** That, subject to an adequate service revenue budget being established, a sum of up to £40,000 be allocated within the Economic Development Grants budget in respect of archaeological investigations for the 2021 season.

**12.7.** That, subject to the annual budget for 2021/22 being confirmed, powers be delegated to the Executive Director of Development and Infrastructure to determine the award of grant funding in respect of archaeological investigations for the 2021 season which could proceed in accordance with COVID-19 restrictions and maintaining existing policy of 50/50 island/mainland budget allocation, based on the recommendations detailed in paragraph 12.4 above.

## **13. Economic Development Grants**

### **Budget Monitoring Statement and Delegated Approvals**

Councillors Andrew Drever and Rachael A King declared non-financial interests in this item, in that family members were employed by organisations which had received Economic Development Grant funding, however, as the specific applications were not discussed, they did not leave the meeting.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Economic Development Manager, the Committee:

Noted:

**13.1.** That, for financial year 2020/21, the approved budget in respect of Economic Development Grants amounted to £303,200.

**13.2.** Spending to 28 February 2021, in relation to Economic Development Grants, totalling £180,674, of which £162,929 related to grant commitments made in previous financial years and £17,745 to current year commitments.

**13.3.** That, as at 28 February 2021, the Budget available for approval from the Economic Development Grants budget amounted to £21,125, as detailed in Annex A to the report by the Executive Director of Development and Infrastructure.

**13.4.** Grant approvals made in the period 1 April 2020 to 28 February 2021, totalling £282,075, including grants approved under delegated schemes for the same period, totalling £142,711, as detailed in Annex B to the report by the Executive Director of Development and Infrastructure.

## **14. Community Transport Services**

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, the Committee resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 4 and 6 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

After consideration of a report by the Executive Director of Development and Infrastructure, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Marine Services and Transportation, the Committee:

Noted:

**14.1.** That, in October 2015, following a review of Community Transport, the Council agreed to continue supporting the provision of door-to-door community transport services for leisure and social purposes for at least the next five year period to 2021.

**14.2.** That, following advertisement, three applications were submitted for funding from the Community Transport Grant Scheme for 2021/22 from the Island of Hoy Development Trust, Papa Westray Development Trust and Orkney Disability Forum, as detailed in sections 5 and 6 of the report by the Executive Director of Development and Infrastructure.

**14.3.** That, in advance of the Council's budget setting process for 2021/22 being concluded, any decision on the award of Community Transport Grant Scheme funding was subject to an adequate service revenue budget being established.

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

**14.4.** That, subject to an adequate service revenue budget being established, the following grants, totalling £67,892, be awarded towards the continued operation of Community Transport Services during 2021/22:

- Island of Hoy Development Trust – £6,161 (pro rata award for the period April to August 2021).
- Papa Westray Development Trust – £2,040.
- Orkney Disability Forum – Dial-a-Bus – £59,691.

**14.5.** That powers be delegated to the Executive Director of Development and Infrastructure, in consultation with the Solicitor to the Council, to conclude, where required, grant funding agreements, on the Council's standard terms and conditions, in respect of awards made from the Community Transport Grant Scheme.

## **15. Conclusion of Meeting**

At 15:42 the Chair declared the meeting concluded.

Signed: Graham L Sinclair.

Appendix 1.

## **Road Asset Replacement Programme**

Page 1846 – Programme for 2021/22.

Page 1847 – Indicative Programme for 2022/23.

Page 1848 – Indicative Programme for 2023/24.

Development and Infrastructure Roads and Environmental Services		Roads Asset Replacement Programme				2021-22
Asset type	Allocated Budget	Location	Budget Cost	Cost Code	Description	Notes
Street Furniture (Signs, Bollards and Railings)		Shore Street/Ayre Road, Kirkwall West Mainland East Mainland	£5,000.00 £5,000.00 £5,000.00		Replace existing lit bollards Replace existing signs and railings Replace existing signs and railings	Replace faded/defective lit bollards Faded/defective signs and broken railings replaced Faded/defective signs and broken railings replaced
Footways and kerbing		Weyland Bay, Kirkwall Mill Street, Kirkwall Scapa Crescent, Kirkwall Grassick Court, Kirkwall	£20,000.00 £10,000.00 £45,000.00 £20,000.00		Lay new kerbs and surface Lay new surface Lay new kerbs and surface Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded Defective footway surface to be upgraded. Defective kerbing and footway surface to be upgraded Defective kerbing and footway surface to be upgraded
<b>Associated Infrastructure</b>	<b>£110,000.00</b>		<b>£110,000.00</b>	<b>C25205001</b>		
Drainage		A965, Finstown Hammar Road, Rendall	£20,000.00 £15,000.00		Upgrade existing drainage Upgrade existing drainage	Existing drainage systems upgraded. Existing drainage systems upgraded.
<b>Drainage</b>	<b>£35,000.00</b>		<b>£35,000.00</b>	<b>C25207001</b>		
Street lighting system upgrade		Scapa Crescent, Kirkwall Weyland Bay, Kirkwall Grassick Court, Kirkwall	£118,000.00 £68,000.00 £8,000.00		Replace columns, cabling and control systems Replace columns only Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling Replace columns over 30yrs old Replace columns over 30yrs old and upgrade control/cabling
Column Replacement		Scotts Road, St.Ola Outertown Road, Stromness Whitecrest Park, St.Andrews	£19,000.00 £12,000.00 £5,000.00		Replace columns only Replace columns only Replace columns only	Replace columns over 30yrs old Replace columns over 30yrs old Replace columns over 30yrs old
<b>Street lights</b>	<b>£230,000.00</b>		<b>£230,000.00</b>	<b>C26101001</b>		
Bridges and structures		B9047/Brims, Hoy	£25,000.00		Coastal Defence Improvements	Damaged sections to be reinforced/improved
<b>Bridges and structures</b>	<b>£25,000.00</b>		<b>£25,000.00</b>	<b>C25202001</b>		
Surface Treatments		Bignold Park Road, Kirkwall Junction Road, Kirkwall  Broad Street/Palace Road, Kirkwall Union Street, Kirkwall Ayre Mills Roundabout, Kirkwall Pier Road, South Walls Garson Road, Stromness Berstane Lodge Road, St.Ola Investigation works for 2022 surfacing projects.	£25,000.00 £60,000.00  £60,000.00 £40,000.00 £45,000.00 £40,000.00 £40,000.00 £30,000.00 £10,000.00		Inlay Surfacing Inlay Surfacing  Inlay Surfacing Inlay Surfacing Inlay Surfacing Inlay Surfacing Inlay Surfacing Overlay Surfacing Test holes	Improvement of carriageway surface Improvement of carriageway surface  Improvement of carriageway surface Improvement of carriageway surface Improvement of carriageway surface Improvement of carriageway surface Improvement of carriageway surface Improvement of carriageway surface Investigation Works
<b>Surface treatments</b>	<b>£350,000.00</b>		<b>£350,000.00</b>	<b>C25211001</b>		
Road Reconstruction		A965, Finstown A986, Harray	£50,000.00 £150,000.00		Haunch reconstruction and associated drainage works Haunch reconstruction and associated drainage works	Carriageway edge strengthening and improvement Carriageway edge strengthening and improvement
<b>Reconstruction</b>	<b>£200,000.00</b>		<b>£200,000.00</b>	<b>C25213001</b>		
Cycling Walking and Safer Routes		Deerness Toab, St.Andrews St Marys, Holm  Pickaquoy Loan Cycleway, Kirkwall Accessibility improvements, Kirkwall	£98,000.00		Cycling Walking and Safer Routes Projects Cycling Walking and Safer Routes Projects Cycling Walking and Safer Routes Projects  Cycling Walking and Safer Routes Projects  Cycling Walking and Safer Routes Projects	Introduction of gateway signage including countdown markers Introduction of gateway signage including countdown markers Introduction of gateway signage including countdown markers  New Streetlighting to be provided on existing footpath. Footway accessibility improvements such as drop kerbs and tactile paving.
<b>Cycling Walking and Safer Routes</b>	<b>£98,000.00</b>		<b>£98,000.00</b>	<b>C26235044</b>		
<b>Total</b>	<b>£1,048,000.00</b>		<b>£1,048,000.00</b>			

Development and Infrastructure Roads and Environmental Services		Roads Asset Replacement Programme				2022-23
Asset type	Allocated budget	Location	Budget cost	Cost code	Description	Notes
Street Furniture (Signs, Bollards and Railings)		Grainshore Road, St.Ola	£5,000.00		Replace existing lit bollards	Replace faded/defective lit bollards
		West Mainland	£5,000.00		Replace existing signs and railings	Faded/defective signs and broken railings replaced
		East Mainland	£5,000.00		Replace existing signs and railings	Faded/defective signs and broken railings replaced
Footways and Kerbing		Inganess Road, Kirkwall	£45,000.00		Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded
		Burnside, Kirkwall	£25,000.00		Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded
		Station Square, Holm	£25,000.00		Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded
<b>Associated Infrastructure</b>	<b>£110,000.00</b>		<b>£110,000.00</b>	<b>C25205001</b>		
Drainage		A966, Evie	£25,000.00		Upgrade existing drainage	Existing drainage systems upgraded.
		A964, Orphir	£10,000.00		Upgrade existing drainage	Existing drainage systems upgraded.
<b>Drainage</b>	<b>£35,000.00</b>		<b>£35,000.00</b>	<b>C25207001</b>		
Street lighting system upgrade		Inganess Road, Kirkwall	£97,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling
		West Greaves Road, Holm	£16,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling
		Station Square, Holm	£20,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling
Column Replacement		Garson Way, Stromness	£14,000.00		Replace columns only	Replace columns over 30yrs old
		Leslies Close, Stromness	£5,000.00		Replace columns only	Replace columns over 30yrs old
		Hamnavoe, Stromness	£9,000.00		Replace columns only	Replace columns over 30yrs old
		Burnside, Kirkwall	£12,000.00		Replace columns only	Replace columns over 30yrs old
		Upper Crantit Road, Kirkwall	£15,000.00		Replace columns only	Replace columns over 30yrs old
		Greenfield, St.Andrews	£5,000.00		Replace columns only	Replace columns over 30yrs old
		Old Finstown Road, Finstown	£3,000.00		Replace columns only	Replace columns over 30yrs old
		West Greaves Road, Holm	£11,000.00		Replace columns only	Replace columns over 30yrs old
		Linkshouse Road, Birsay	£11,000.00		Replace columns only	Replace columns over 30yrs old
		B9050, Deerness	£12,000.00		Replace columns only	Replace columns over 30yrs old
<b>Street lights</b>	<b>£230,000.00</b>		<b>£230,000.00</b>	<b>C26101001</b>		
Bridges and structures		Pier Road, Graemsay	£25,000.00		Various repairs	To be identified throughout year
<b>Bridges and structures</b>	<b>£25,000.00</b>		<b>£25,000.00</b>	<b>C25202001</b>		
Surface Treatments		Albert Street Car Park, Kirkwall	£17,000.00		Inlay Surfacing	Improvement of carriageway surface
		Castle Street Car Park, Kirkwall	£30,000.00		Inlay Surfacing	Improvement of carriageway surface
		Bignold Park Road, Kirkwall	£40,000.00		Inlay Surfacing	Improvement of carriageway surface
		Laing Street, Kirkwall	£28,000.00		Inlay Surfacing	Improvement of carriageway surface
		Junction Road, Kirkwall	£50,000.00		Inlay Surfacing	Improvement of carriageway surface
		Sparrowhawk Road, St.Ola	£65,000.00		Inlay Surfacing	Improvement of carriageway surface
		Ferry Road Roundabout, Stromness	£35,000.00		Inlay Surfacing	Improvement of carriageway surface
		B9047, Hoy	£75,000.00		Inlay surface	Improvement of carriageway surface
		Investigation works for 2023 surfacing projects.	£10,000.00		Test Holes	Investigation
		<b>Surface treatments</b>	<b>£350,000.00</b>			<b>£350,000.00</b>
Road Reconstruction		A961, Burray	£75,000.00		Haunch reconstruction and associated drainage works	Carriageway edge strengthening and improvement
		A965, St.Ola	£75,000.00		Haunch reconstruction and associated drainage works	Carriageway edge strengthening and improvement
		Grainshore Road, St.Ola	£50,000.00		Haunch reconstruction and associated drainage works	Carriageway edge strengthening and improvement
<b>Reconstruction</b>	<b>£200,000.00</b>		<b>£200,000.00</b>	<b>C25213001</b>		
Cycling Walking and Safer Routes		Burray Village, Burray	<b>£98,000.00</b>		Cycling Walking and Safer Routes Projects	Introduction of gateway signage including countdown markers
		Dounby Village, Dounby Accessibility Improvements, Kirkwall			Cycling Walking and Safer Routes Projects	Introduction of gateway signage including countdown markers
<b>Cycling Walking and Safer Routes</b>	<b>£98,000.00</b>		<b>£98,000.00</b>	<b>C26235044</b>		
<b>Total</b>	<b>£1,048,000.00</b>		<b>£1,048,000.00</b>			

Development and Infrastructure Roads and Environmental Services		Roads Asset Replacement Programme				2023-24
Asset type	Allocated budget	Location	Budget cost	Cost code	Description	Notes
Street Furniture (Signs, Bollards and Railings)		Various	£15,000.00		Replace existing signs, bollards and railings	Faded/defective signs/bollards replaced. Broken railings replaced
Footways and Kerbing		Pumpwell Park, Stromness	£15,000.00		Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded
		Faravel, Stromness	£25,000.00		Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded
		King Street, Kirkwall	£30,000.00		Lay new kerbs and surface	Defective kerbing and footway surface to be upgraded
		Slater Street, Kirkwall	£25,000.00			
<b>Associated Infrastructure</b>	<b>£110,000.00</b>		<b>£110,000.00</b>	<b>C25205001</b>		
Drainage		Mainland Various	£35,000.00		Upgrade existing drainage	Existing drainage systems upgraded. To be identified.
<b>Drainage</b>	<b>£35,000.00</b>		<b>£35,000.00</b>	<b>C25207001</b>		
Street lighting system upgrade		Bellevue Park, Kirkwall	£28,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling
		Garson Drive, Stromness	£33,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling
		Glaitness Park, Kirkwall	£45,000.00		Replace columns, cabling and control systems	Replace columns over 30yrs old and upgrade control/cabling
Column Replacement		Viewfield Drive, Kirkwall	£8,000.00		Replace columns only	Replace columns over 30yrs old
		Glaitness Road, Kirkwall	£19,000.00		Replace columns only	Replace columns over 30yrs old
		Frasers Close, Kirkwall	£5,000.00		Replace columns only	Replace columns over 30yrs old
		Faravel, Stromness	£14,000.00		Replace columns only	Replace columns over 30yrs old
		Hillside Terrace, Stromness	£5,000.00		Replace columns only	Replace columns over 30yrs old
		Ashey Lane, Stromness	£5,000.00		Replace columns only	Replace columns over 30yrs old
		Free Kirk Lane, Stromness	£3,000.00		Replace columns only	Replace columns over 30yrs old
		Pigeon Creek, Stromness	£3,000.00		Replace columns only	Replace columns over 30yrs old
		Manse Lane, Stromness	£2,500.00		Replace columns only	Replace columns over 30yrs old
		Donkey's Lane, Stromness	£5,000.00		Replace columns only	Replace columns over 30yrs old
		Helliar View, Shapinsay	£5,000.00		Replace columns only	Replace columns over 30yrs old
		A961, South Ronaldsay	£12,000.00		Replace columns only	Replace columns over 30yrs old
		Grainshore Road, St.Ola	£14,500.00		Replace columns only	Replace columns over 30yrs old
		A965 Finstown	£10,000.00		Replace columns only	Replace columns over 30yrs old
		St Peters Park, Stromness	£5,000.00		Replace columns only	Replace columns over 30yrs old
		Downies Lane, Stromness	£8,000.00		Replace columns only	Replace columns over 30yrs old
<b>Street lights</b>	<b>£230,000.00</b>		<b>£230,000.00</b>	<b>C26101001</b>		
Bridges and structures		Retaining Walls, Sea Walls, Coastal Defences	£25,000.00		Various repairs	To be identified
<b>Bridges and structures</b>	<b>£25,000.00</b>		<b>£25,000.00</b>	<b>C25202001</b>		
Surface Treatments		Sparrowhawk Road, St.Ola	£180,000.00		Inlay Surfacing	Improvement of carriageway surface
		Crowness Crescent, St.Ola	£35,000.00		Inlay Surfacing	Improvement of carriageway surface
		Moss Road, Holm	£55,000.00		Overlay Surfacing	Improvement of carriageway surface
		Rosemount Road, Sandwick	£35,000.00		Overlay Surfacing	Improvement of carriageway surface
		Ballarat Road, Harray	£35,000.00		Overlay Surfacing	Improvement of carriageway surface
		Investigation works for 2024 Surfacing projects.	£10,000.00		Test Holes	Investigation Works
<b>Surface treatments</b>	<b>£350,000.00</b>		<b>£350,000.00</b>	<b>C25211001</b>		
Road Reconstruction		Various locations	£200,000.00		Haunch reconstruction and associated drainage works	Carriageway edge strengthening and improvement
<b>Reconstruction</b>	<b>£200,000.00</b>		<b>£200,000.00</b>	<b>C25213001</b>		
Cycling Walking and Safer Routes		Orkney Various	£98,000.00		Cycling Walking and Safer Routes Projects	Measures to encourage cycling, walking and safer routes. To be identified.
<b>Cycling Walking and Safer Routes</b>	<b>£98,000.00</b>		<b>£98,000.00</b>	<b>C26235044</b>		
<b>Total</b>	<b>£1,048,000.00</b>		<b>£1,048,000.00</b>			

Winter Inter-Island Air Services Timetable 31 October 2021- 19 February 2022

FLIGHT NUMBER	LM	Monday									Tuesday					Wednesday									
		700	700	702	703	704	705	706	707	701	708	709	705	710	707	701	711	709	712	714	705	706	715	707	
		D	E		D	E													A			B			
Kirkwall	dep	07:35	08:00	08:25	08:45	09:10	10:30	15:00	15:10	16:10	07:35	08:25	08:35	15:00	15:10	16:10	07:35	08:25	08:35	09:20	14:25	15:00	15:10	16:00	16:10
Stromsøy	arr				08:54	09:19								15:19				08:34							
Stromsøy	dep				09:01	09:26								15:26				08:41							
Sanday	arr				09:06	09:31		15:23			08:38			15:31				08:46				15:23			
Sanday	dep				09:13	09:38		15:30			08:45			15:38				08:53				15:30			
North Ronaldsay	arr	07:52	08:17				10:47			16:27	07:52				16:27	07:52								16:27	
North Ronaldsay	dep	07:59	08:24				10:54			16:34	07:59				16:34	07:59								16:34	
Westray	arr			08:40								08:50						08:50							
Westray	dep			08:47								08:57						08:57							
Papa Westray	arr			08:49			11:04	15:15				08:59	15:15				08:59				15:15				
Papa Westray	dep			08:56			11:11	15:22				09:06	15:22				09:06				15:22				
Westray	arr							15:24					15:24								15:24				
Westray	dep							15:31					15:31								15:31				
Eday	arr	08:09	08:34															09:30	14:35				16:10		
Eday	dep	08:16	08:41															09:37	14:42				16:17		
Stromsøy	arr							15:35			08:50											15:35			
Stromsøy	dep							15:42			08:57											15:42			
Kirkwall	arr	08:26	08:51	09:11	09:26	09:51	11:26	15:46	15:51	16:51	08:16	09:06	09:21	15:46	15:51	16:51	08:16	09:06	09:21	09:47	14:52	15:46	15:51	16:27	16:51

FLIGHT NUMBER	LM	Thursday						Friday						Saturday				Saturday Refit (8 Jan - 5 March 2022)						Sunday			
		701	708	709	716	705	710	707	701	711	709	730	705	706	707	702	719	720	721	722	723	724	725	726	727	728	729
Kirkwall	dep	07:35	08:25	08:35	12:15	15:00	15:10	16:10	07:35	08:25	08:35	14:00	15:00	15:10	16:10	08:25	09:30	10:30	15:10	08:00	09:10	10:20	14:00C	15:00C	16:10C	13:45	15:05
Stromsøy	arr						15:19			08:34														15:09			
Stromsøy	dep						15:26			08:41														15:16C			
Eday	arr																									16:20	
Eday	dep																									16:27C	
Westray	arr			08:50						08:50					08:40						09:25						
Westray	dep			08:57						08:57					08:47						09:32						
Papa Westray	arr			08:59		15:15				08:59	14:15	15:15			08:49			15:25			09:34		14:15				15:20
Papa Westray	dep			09:06		15:22				09:06	14:22	15:22			08:56			15:32			09:41		14:22C				15:27
Westray	arr					15:24						15:24										14:24					15:29
Westray	dep					15:31						15:31										14:31C					15:36
North Ronaldsay	arr	07:52			12:32		16:27	07:52			14:32		16:27		09:47		15:42	08:17							16:37	14:02	
North Ronaldsay	dep	07:59			12:39		16:34	07:59			14:39		16:34		09:54		15:49	08:24							16:44C	14:09	
Eday	arr																			08:34							
Eday	dep																			08:41							
Sanday	arr		08:38			15:31				08:46							10:43						10:33		15:21	14:15	
Sanday	dep		08:45			15:38				08:53							10:50						10:40		15:28C	14:22	
Stromsøy	arr		08:50									15:35					10:55						10:45			14:27	
Stromsøy	dep		08:57									15:42					11:02						10:52			14:34	
Kirkwall	arr	08:16	09:06	09:21	12:56	15:46	15:51	16:51	08:16	09:06	09:21	14:56	15:46	15:51	16:51	09:11	10:11	11:11	16:06	08:51	09:56	11:01	14:46	15:41	17:01	14:43	15:51

A - Operates 17 November 2021 - 12 January 2022 (Eday Wednesday departure time subject to change due to operation of service during daylight hours)

B - Operates 27 October - 10 November 2021 and from 19 January - 23 February 2022

C - Please note - these flights will operate 30 minutes earlier on the 8 and 15 Jan 2022

D - 25 October - 29 November 2021 and 24 January - 14 February 2022

E - 6 December 2021 - 17 January 2022

Monday am drop to Eday during school term only - Bookings can be made on the Eday Monday morning flight, shared with North Ronaldsay, however this is subject to availability from 12:00 - 18:00 the day before departure.

Sunday - Flight drop-off/pick up on request Bookings from Sanday and Stromsøy may only be made after 12:00 on Fridays until 12:00 on Sunday.

North Ronaldsay 07:35/08:00 and 16:10 departures - these flights operate during the hours of darkness and due to associated legislation, times may change to operate during daylight hours. Loganair will inform all booked passengers of the flight time change in advance. In the event that the flights are changed, the departure times from Kirkwall are as follows:

Evening Flight	Mon-Fri
8 November 2021 - 21 January 2022	14:00

Morning Flight	Mon	Tue-Fri
6 December 2021 - 24 January 2022	10:10	
16 November 2021 - 28 January 2022		09:40



Appendix 3.

## **Inter-Island Ferry Services**

### **Winter 2021/22 Timetables**

Page 1850 – Graemsay and Hoy (Moaness).

Page 1851 – North Ronaldsay.

Page 1852 – Outer North Isles.

Page 1853 – Outer North Isles Refit Period.

Page 1854 – Rousay, Egilsay and Wyre.

Page 1855 – Shapinsay.

Page 1856 – South Isles.

## Graemsay and Hoy (Moaness)

### Effective From 27 September 2021 until 7 May 2022

Our service from Stromness to Hoy/Graemsay is a **PASSENGER ONLY** service. Vehicles can be carried by prior arrangement to Graemsay on the advertised cargo sailings. All passengers are required to book in advance of travel.

		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>Stromness</b>	<b>dep</b>	0730◆◆	0730◆	0730◆	0730◆	0730◆	0815E	
<b>Hoy (Moaness)</b>	<b>dep</b>	0755◆◆	0755◆	0755◆	0755◆	0755◆		
<b>Graemsay</b>	<b>dep</b>	0810◆◆	0810◆	0810◆	0810◆	0810◆	0845E	
<hr/>								
<b>Stromness</b>	<b>dep</b>	1000	1000	1000	1000	1000	0930	0930◆◆
<b>Hoy (Moaness)</b>	<b>dep</b>	1030	1030	1030	1030	1030	1000	1000◆◆
<b>Graemsay</b>	<b>dep</b>	1045	1045	1045	1045	1045	1015	1015◆◆
<hr/>								
<b>Stromness</b>	<b>dep</b>	1200A		1200A	1200A			
<b>Graemsay</b>	<b>dep</b>	1230A		1230A	1230A			
<b>Hoy (Moaness)</b>	<b>dep</b>	1240A		1240A	1240A			
<hr/>								
<b>Stromness</b>	<b>dep</b>	1600	1600	1600	1600	1600		
<b>Graemsay</b>	<b>dep</b>	1615	1615	1615	1615	1615		
<b>Hoy (Moaness)</b>	<b>dep</b>	1630	1630	1630	1630	1630		
<hr/>								
<b>Stromness</b>	<b>dep</b>	1800B	1800B	1800B	1800B	1800B	1800◆◆	1800◆◆
<b>Graemsay</b>	<b>dep</b>	1815	1815	1815	1815	1815	1815◆◆	1815◆◆
<b>Hoy (Moaness)</b>	<b>dep</b>	1830C	1830C	1830C	1830C	1830C	1830◆◆	1830◆◆
<hr/>								
<b>Stromness</b>	<b>dep</b>					2130D		
<b>Graemsay</b>	<b>dep</b>					2145D		
<b>Hoy (Moaness)</b>	<b>dep</b>					2200D		

◆ Must be booked through the Kirkwall Office by 1600hrs on the day before sailing.

◆◆ Must be booked through the Kirkwall Office by 1400hrs on Saturday.

All other bookings must be made at least one hour before departure except for those marked A, B, C, D & E.

**A** Cargo Sailings will have limitations on passenger numbers therefore booking is advisable. These sailings may be delayed due to cargo operations.

**B** ON REQUEST to Hoy (Moaness) must be booked through the Kirkwall Office by 1600hrs on the day of sailing.

**C** ON REQUEST from Hoy (Moaness) must be booked through the Kirkwall Office by 1600hrs on the day of sailing.

**D** ON REQUEST must be booked through the Kirkwall Office by 1600hrs on the day of sailing.

**E** On REQUEST must be booked through the Kirkwall Office by 1600hrs on Friday.

**Notes:**

- All bookings (including passengers) must be made through the Kirkwall Office.  
Telephone: 01856 872044.
- Passengers are requested to be available for boarding **5 minutes** before departure.
- Monday cargo to be booked by **1600hrs** on previous Friday otherwise all cargo must be booked before **1600hrs** the day before sailing. Cargo must be delivered to Stromness Pier no later than **1100hrs** on the day of sailing.
- For Conditions of Carriage of Passengers and Cargo see notices exhibited in the vessels, company premises and website.
- No show charges** - All cancellations must be made by **1600hrs** Monday to Friday and **1400hrs** Saturday for the Sunday and Monday Sailings or full charges may apply.

**For information on this service contact Ferry Services, Shore Street, Kirkwall.  
Telephone: 01856 872044, Fax: 01856 872921, E-Mail: info@orkneyferries.co.uk**

## North Ronaldsay Sailings – 2021 / 22

Proposed sailing times from Kirkwall to North Ronaldsay are noted below. All are weather permitting and subject to confirmation the day before sailing.

Return sailings will depart North Ronaldsay on completion of cargo operations.

Passengers from North Ronaldsay to Kirkwall should be ready to board as soon as the vessel arrives in North Ronaldsay.

As sailing times will vary from week to week, prospective passengers and shippers are advised to check with the Company to confirm timings of each sailing.

### October 2021

Saturday	02 <sup>nd</sup>	Dept Kirkwall
Saturday	09 <sup>th</sup>	Dept Kirkwall
Saturday	16 <sup>th</sup>	Dept Kirkwall
Saturday	23 <sup>rd</sup>	Dept Kirkwall
Saturday	30 <sup>th</sup>	Dept Kirkwall

### November 2021

Saturday	06 <sup>th</sup>	Dept Kirkwall
Saturday	13 <sup>th</sup>	Dept Kirkwall
Saturday	20 <sup>th</sup>	Dept Kirkwall
Saturday	27 <sup>th</sup>	Dept Kirkwall

### December 2021

Saturday	04 <sup>th</sup>	Dept Kirkwall
Saturday	11 <sup>th</sup>	Dept Kirkwall
Saturday	18 <sup>th</sup>	Dept Kirkwall
Friday	24 <sup>th</sup>	Dept Kirkwall
Friday	31 <sup>st</sup>	Dept Kirkwall

### January 2022

Saturday	08 <sup>th</sup>	Dept Kirkwall
Saturday	15 <sup>th</sup>	Dept Kirkwall
Saturday	22 <sup>nd</sup>	Dept Kirkwall
Saturday	29 <sup>th</sup>	Dept Kirkwall

### February 2022

Saturday	05 <sup>th</sup>	Dept Kirkwall
Saturday	12 <sup>th</sup>	Dept Kirkwall
Saturday	19 <sup>th</sup>	Dept Kirkwall
Saturday	26 <sup>th</sup>	Dept Kirkwall

### March 2022

Saturday	05 <sup>th</sup>	Dept Kirkwall
Saturday	12 <sup>th</sup>	Dept Kirkwall
Saturday	19 <sup>th</sup>	Dept Kirkwall
Saturday	26 <sup>th</sup>	Dept Kirkwall

### April 2022

Saturday	02 <sup>nd</sup>	Dept Kirkwall
Saturday	09 <sup>th</sup>	Dept Kirkwall
Saturday	16 <sup>th</sup>	Dept Kirkwall
Saturday	23 <sup>rd</sup>	Dept Kirkwall
Saturday	30 <sup>th</sup>	Dept Kirkwall

### May 2022

Saturday	07 <sup>th</sup>	Dept Kirkwall
----------	------------------	---------------

**North Isles Ro-Ro Service**  
**Effective from 27 September 2021 – 7 May 2022**

(Sailings subject to alteration during the Christmas and New Year period)

(This timetable will not operate during the refit periods of 'Earl Thorfinn', 'Earl Sigurd' and 'Varagen' which will commence on 9 January 2022 until 12 March 2022)

	Sunday			Monday			Tuesday			Wednesday			Thursday			Friday			Saturday		
Kirkwall dep				0700A	0720A	0740A	0700B	0720B	0740B		0720B	0740B	0700B	0720B	0740B		0720B		0700B	0720B	
Eday arr									0855						0855						
Eday dep									0905B						0905B						
Stronsay arr																					
Stronsay dep																					
Sanday arr						0905			0925			0905			0925						0840
Sanday dep						0915A			0935B			0915B			0940B						0850B
Stronsay arr				0840			0835						0840								0925
Stronsay dep				0855A			0900B			0730B			0855B			0730B					0935B
Eday arr				0930						0805			0930			0805					0955
Eday dep				0945A						0820B			0945B			0820B					1005B
Westray arr					0845			0845			0845			0845			0845				0845
Westray dep					0900A			0900B			0900B			0900B			0900B				0900B
Kirkwall arr				1100	1025	1040	1040	1025	1100	0935	1025	1040	1100	1025	1105	0935	1025		1120	1025	
Kirkwall dep								1330		0950♦	1035♦	1055♦		1300			1045	0950			
Eday arr												1210									
Eday dep												1220♦									
Sanday arr												1240						1115			
Sanday dep												1250♦						1130			
Stronsay arr										1125											
Stronsay dep										1135♦											
Westray arr								1455			1200			1425							
Westray dep								1505			1210♦			1435							
P.Westray arr								1545									1235				
P.Westray dep								1600									1300				
Kirkwall arr										1315	1335	1415		1605			1450	1255			
Kirkwall dep	1600A	1700A	1620A	1500	1620	1520	1600		1520	1500	1620	1520	1600	1620♦	1500	1600	1620	1640	1520A	1620A	
Eday arr				1615						1615			1715			1715					
Eday dep				1630						1630			1730			1730					
Stronsay arr	1735			1705			1740			1705			1805			1805					1700
Stronsay dep	1745A			1715						1715						1815					1710A
Sanday arr			1745			1645			1645			1645			1625			1805			1745
Sanday dep			1755A			1655			1655			1655			1635			1815			1755A
Eday arr			1815						1715						1655						1815
Eday dep			1825A						1730						1700						1825A
Westray arr		1825			1745			1745			1745			1745			1745				1745
Westray dep		1835A			1755			1755			1755			1755♦			1755				1755A
Kirkwall arr	1925	2000	1940	1855	1920	1820	1920	1845		1855	1920	1820		1920	1815	1955	1920	1940	1940	1920	

**A - Vehicles must be booked before 1400hrs on Saturday B - Vehicles must be booked before 1600hrs the day before sailing Sailings marked ♦ will only operate until 21<sup>st</sup> October 2021.**

**All other vehicle bookings must be made at least one hour before the departure from Kirkwall. Vehicles must be available for boarding 20 minutes before departure, passengers 10 minutes before departure.**

- A weekly service will be carried out to North Ronaldsay, weather permitting. As departure times vary from week to week, see reverse for proposed sailings.**
- For Conditions of Carriage of Passengers and Cargo see notices exhibited in vessels, company premises and website.
- No Show Charges** – All cancellations must be made **at least than 24 hours before the intended time of travel** or full charges may apply.
- For information on these services contact Ferry Services, Shore Street, Kirkwall. Telephone: 01856 872044, Fax: 01856 872921, E-Mail: info@orkneyferries.co.uk**

**Ro-Ro timetable covering the refit period Outer North Isles service  
From Sunday 10 January 2022 until 13 March 2022.**

but it may extend beyond this date, following which sailings will revert to normal published timetable.

**\*\* Sailings could be subject to delays due to cargo operations \*\***

	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday	
Kirkwall dep			0740A	0720A	0740B	0720B	0740B	0720B	0740B	0720B		0720B	0800B	N
Eday arr					0855				0855					
Eday dep					0905B				0905B					R
Sanday arr					0925				0925					O
Sanday dep					0935B				0935B					N
Stronsay arr			0920		1010		0920		1010				0940	A
Stronsay dep			0930A		1020B		0930B		1020B		0730B		0955B	L
Sanday arr			1005				1005						1030	D
Sanday dep			1015A				1015B						1040B	S
Eday arr			1035				1035				0805		1100	A
Eday dep			1045A				1045B				0820B		1110B	Y
Westray arr				0845		0845		0845		0845		0845		
Westray dep				0900A		0900B		0900B		0900B		0900B		
Kirkwall arr			1200	1025	1200	1025	1200	1025	1200	1025	0935	1025	1225	
Kirkwall dep				1040	1040	1330		1035		1300	1010	1045		
Sanday arr				1205				1200						
Sanday dep				1215				1210						
Stronsay arr					1220			1245						
Stronsay dep					1230			1255						
Eday arr				1235							1125			
Eday dep				1245							1135			
Sanday arr					1305						1155			
Sanday dep					1315						1205			
Westray arr						1455				1425				
Westray dep						1505				1435				
P. Westray arr						1545						1235		
P. Westray dep						1600						1250		
Kirkwall arr				1400	1440			1435		1600	1330	1440		
Kirkwall dep	1520A	1620A	1600	1620	1540		1540	1620	1640	1620	1600	1620		1620A
Westray arr		1745		1745		1745		1745				1745		1745
Westray dep		1800A		1755		1755		1755				1755		1755A
Eday arr	1635		1715				1655				1715			
Eday dep	1650A		1730				1710				1730			
Stronsay arr					1720									
Stronsay dep					1730									
Sanday arr	1710		1750		1805		1730			1745	1750			
Sanday dep	1720A		1800		1815		1740			1755	1800			
Stronsay arr	1755		1835				1815		1820		1835			
Stronsay dep	1805A		1845				1825				1845			
Eday arr					1835					1815				
Eday dep					1845					1825				
Kirkwall arr	1945	1925	2025	1920	2000	1920	2005	1920		1940	2025	1920		1920

**A Vehicles must be booked before 1400hrs on Saturday**

**B Vehicles must be booked before 1600hrs the day before sailing.**

**All other vehicle bookings must be made at least one hour before the departure from Kirkwall.**

**Notes:**

- All enquiries must be made through the Kirkwall Office. Telephone 01856 872044.
- Vehicles **must** be available for boarding **20 minutes** before departure, passengers **10 minutes** before departure.
- A weekly service will be carried out to North Ronaldsay, weather permitting. As departure times vary from week to week, see reverse for proposed sailings.**
- For Conditions of Carriage of Passengers and Cargo see notices exhibited in the vessels, company premises and website.
- No Show Charges** - All cancellations must be made at least **24 hours** before the intended time of travel or full charges may apply.

**For information on these services contact Ferry Service, Shore Street, Kirkwall.  
Telephone: 01856 872044, Fax: 01856 872921, E-Mail: info@orkneyferries.co.uk**

## Rousay, Egilsay and Wyre Ro-Ro Service

Ferry Services Winter Timetable Effective from 27 September 2021 until 7 May 2022

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Rousay dep	0650	0650	0650	0650	0650	0650
Egilsay dep	0710	0710A	0710A	0710A	0710A	0710B
Wyre dep	0730	0730A	0730A	0730A	0730A	0730B
Rousay dep	0745	0745	0745	0745	0745	0745
Tingwall dep	0820	0820	0820	0820	0820	0840
Rousay dep	0850	0850	0850	0850	0850	
Wyre dep	0900	0900	0900	0900	0900	
Rousay dep	0910	0910	0910	0910	0910	0910
Egilsay dep	0930	0930	0930	0930	0930	0930B
Wyre dep	0950	0950	0950	0950	0950	0950
Rousay dep	1005	1005	1005	1005	1005	1005
Tingwall dep	1040	1040	1040	1040	1040	1040
Rousay dep	1115	1115	1115	1115	1115	1115
Tingwall dep	1150	1150	1240	1150	1150	1150
Rousay arr	1215	1215	1305	1215	1215	1215
Rousay dep	1315C	1315A		1315A	1315A	1315B
Egilsay dep	1335C	1335A		1335A	1335A	1335B
Wyre dep	1355C	1355A		1355A	1355A	1355B
Rousay dep	1410	1410	1410	1410	1410	1410
Tingwall dep	1445	1445	1445	1445	1445	1445
Rousay dep	1520	1520	1520	1520	1520	1520
Wyre dep	1530	1530	1530	1530	1530	1530
Tingwall dep	1605	1605	1605	1605	1605	1605
Rousay dep	1635	1635	1635	1635	1635	1705B
Egilsay dep	1655	1655	1655	1655	1655	
Wyre dep	1715	1715	1715	1715	1715	1715B
Rousay dep	1730	1730	1730	1730	1730	1730
Tingwall dep	1800	1800	1800	1800	1800	1800
Rousay arr	1825	1825	1825	1825	1825	1825
Rousay dep	1830A	1830A	1830A	1830A	1830A	1830B
Wyre dep	1840A	1840A	1840A	1840A	1840A	1840B
Egilsay dep	1900A	1900A	1900A	1900A	1900A	1900B
Rousay arr	1915A	1915A	1915A	1915A	1915A	1915B

On request **TO and FROM** Egilsay and Wyre (Sailings marked A, B & C). Customers are requested to make advanced bookings as follows -

- A Requested **morning** and **afternoon** sailings marked A **must** be booked by 1700 on the day before travel. Requested **evening** sailings marked A **must** be booked by 1400 on the day of travel.
- B Requested sailings marked B **must** be booked by 1700 on Friday. In the event of urgent bookings being required after this time please contact the Kirkwall office on 01856 872044 before 1200 on Saturday.
- C Requested sailings marked C **must** be booked by 0900 on Monday.

**ALL BOOKINGS MUST BE MADE AT LEAST ONE HOUR BEFORE EXCEPT THOSE MARKED A, B & C**

### NOTES

1. All bookings (including passengers) **must** be made through the Tingwall Office, (except as in **B** above). Telephone 01856 751360.
2. Vehicles **must** be available for boarding **15 minutes** before departure and passengers **5 minutes before** departure times.
3. For Conditions of Carriage of Passengers and Cargo see notices exhibited in the vessels, company premises and website.
4. **No Show Charges** - All cancellations must be made by **1600hrs** on the day before the intended date of travel or charges may be incurred.

For information on these services contact Ferry Services, Tingwall, Evie. KW17 2HB

Telephone 01856 751360, E-Mail: [info@orkneyferries.co.uk](mailto:info@orkneyferries.co.uk)

## Shapinsay Ro-Ro Service

Winter Timetable Effective From 27 September 2021 until 7 May 2022

	Monday	Tuesday	Wednesday	Thursda	Friday	Saturday	Sunday
Shapinsay dep	0730A	0730B	0730B	0730B	0730B		
Kirkwall dep	0815A	0815B	0815B	0815B	0815B		
Shapinsay dep	0900A	0900B	0900B	0900B	0900B	0900B	
Kirkwall dep	0945	0945	0945	0945	0945	0945	
Shapinsay dep	1030	1030	1030	1030	1030	1030	1030A
Kirkwall dep	1130	1130	1130	1130	1130	1130	1130A
Shapinsay dep	1330	1330	1330	1330	1330	1330	1330A
Kirkwall dep	1415	1415	1415	1415	1415	1415	1415A
Shapinsay dep	1515	1515	1515	1515	1515	1515A	
Kirkwall dep	1600	1600	1600	1600	1600	1600A	
Shapinsay dep	1645	1645	1645	1645	1645	1645A	
Kirkwall dep	1730	1730	1730	1730	1730	1730A	

**A** Must be booked or cancelled before 1400hrs on Saturday.

**B** Must be booked or cancelled before 1600hrs the day before sailing.

All other bookings must be made at least one hour before departure except for those marked A & B.

### Notes:

- All bookings (including foot passengers) must be made through the Kirkwall Office. Telephone 01856 872044.
- Vehicles **must** be available for boarding **15 minutes** before departure and passengers **5 minutes** before departure.
- For Conditions of Carriage of Passengers and Cargo see notices exhibited in the vessels, company premises and website.
- No show charges** - All cancellations must be made by **1600hrs** on the day before the intended date of travel, or by 1400 on Saturday for sailings marked A, or full charges may apply.

For information on this service contact Ferry Services, Shore Street, Kirkwall.

Telephone: 01856 872044, Fax: 01856 872921, E-Mail: info@orkneyferries.co.uk

## South Isles Ro-Ro Service

Winter Timetable Effective from 27 September 2021 until 7 May 2022

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Longhope dep	0625	0625	0625	0625	0625	0800
Lyness dep		0650	0650	0650		
Flotta dep	0650	0710	0710	0710	0650	0830
Lyness dep	0710				0710	0900
Houton arr	0745	0745	0745	0745	0745	0935
Houton dep	0800	0800	0800	0800	0800	0950
Lyness dep	0845				0845	1030
Flotta dep	0910	0845	0845	0845	0910	1055
Lyness dep		0910	0910	0910		
Houton arr	0945	0945	0945	0945	0945	
Houton dep	1015	1015	1015	1015	1015	
Lyness arr	1050	1050	1050	1050	1050	
Lyness dep	1100	1100		1100	1100	
Flotta dep		1200		1200		
Houton arr	1135				1135	1130
Houton dep	1145				1145	
Lyness dep	1230	1230	1230	1230	1230	
Houton arr	1305	1305	1305	1305	1305	
Houton dep	1315	1315	1315	1315	1315	1415
Flotta dep					1400	
Lyness dep	1400	1400	1400	1400		
Flotta arr	1415	1415	1415	1415		
Flotta dep	1425	1425	1425	1425		1500
Lyness dep					1425	
Houton arr	1500	1500	1500	1500	1500	
Houton dep	1515	1515	1515	1515	1515	
Flotta dep	1600	1600	1600	1600	1600	
Lyness dep	1640	1640	1640	1640	1640	1530
Houton arr	1715	1715	1715	1715	1715	1605
Houton dep	1730	1730	1730	1730	1730	1615
Lyness dep	1810	1810	1810	1810	1810	1700
Flotta dep	1830A	1830A	1830A	1830A	1830A	1720A
Longhope arr	1850	1850	1850	1850	1850	1740

**A** At the very latest (except in an emergency) bookings for these services must be made by 12 noon on the day of travel.

**ALL BOOKINGS MUST BE MADE AT LEAST 1 HOUR BEFORE DEPARTURE EXCEPT THOSE MARKED A**

### NOTES

- All bookings (including passengers) must be made through the Houton Office. **Telephone: 01856 811397, Fax: 01856 811701**
- Vehicles **must** be available for boarding **15 minutes** before departure and passengers **5 minutes** before departure.
- For Conditions of Carriage of Passengers and Cargo see notices exhibited in the vessels, company premises and website.
- No Show Charges** - All cancellations must be made by **1700 on the day before the intended date of travel (or by 1700 on Friday for Monday travel)** or charges may be applied.

For information on these services contact Ferry Services, Houton, Orphir. **Telephone: 01856 811397, Fax: 01856 811701, E-Mail: info@orkneyferries.co.uk**



## Minute

### Harbour Authority Sub-committee

Tuesday, 16 March 2021, 10:30.

Microsoft Teams.



### Present

Councillors Graham L Sinclair, Andrew Drever, Robin W Crichton, David Dawson, Magnus O Thomson, Owen Tierney and Heather N Woodbridge.

### Clerk

- Angela Kingston, Committees Officer.

### In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure.
- James Buck, Harbour Master.
- David Sawkins, Deputy Harbour Master: Strategy and Support.
- Colin Kemp, Corporate Finance Senior Manager.
- Karen Bevilacqua, Solicitor.

### Observing

- Lorraine Stout, Press Officer.

### Declarations of Interest

- No declarations of interest were intimated.

### Chair

- Councillor Graham L Sinclair.

## 1. Form of Voting

The Sub-committee resolved that, should a vote be required in respect of the business to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll or recorded vote.

## 2. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

### Draft Budgets

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

Noted:

**2.1.** That the respective budgets for Miscellaneous Piers and Harbours and Scapa Flow Oil Port, as trading activities, should normally be based on an assumption that a surplus could be generated from their activities.

**2.2.** That, after applying inflationary and budgetary assumptions, the draft revenue budget in respect of the Miscellaneous Piers and Harbours for 2021/22 was indicating a net deficit of £404,800.

**2.3.** That provision of £1,795,000 had been made within the revenue budget for Miscellaneous Piers and Harbours in respect of maintenance and repair works, to be partially funded in 2021/22 by a contribution of £413,000 from the Miscellaneous Piers Property Maintenance Fund.

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

**2.4.** That the draft revenue budgets for financial year 2021/22, in respect of Miscellaneous Piers and Harbours and Scapa Flow Oil Port, attached as Appendix 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, be submitted to the Policy and Resources Committee for consideration through the budget setting process.

### **3. Miscellaneous Piers and Harbours and Scapa Flow Oil Port**

#### **Minor Capital Improvement Programmes – Proposed Programmes for 2021/22**

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

Noted:

**3.1.** That the Non-General Fund capital programme included annual budget allocations for financial year 2021/22 as follows:

- Miscellaneous Piers and Harbours - £300,000.
- Scapa Flow Oil Port - £150,000.

**3.2.** That the draft programmes in respect of minor capital improvements for 2021/22 were costed as follows:

- Miscellaneous Piers and Harbours - £620,000.
- Scapa Flow Oil Port - £85,000.

**3.3.** That, although revenue budgets in respect of the Miscellaneous Piers and Harbours and Scapa Flow Oil Port Accounts for 2021/22 had not yet been set, the draft revenue budgets reflected the associated loan charges in respect of the proposed minor capital improvement programmes.

The Sub-committee resolved, in terms of delegated powers:

**3.4.** That, subject to an adequate budget being established, the programmes of Minor Capital Improvements for Miscellaneous Piers and Harbours and Scapa Flow Oil Port for 2021/22, attached as Appendices 1 and 2 respectively to this Minute, be approved.

The Sub-committee resolved to **recommend to the Policy and Resources Committee:**

**3.5.** That the capital allocation within the Non-General Fund capital programme for financial year 2021/22 be increased from £300,000 to £620,000 in respect of minor capital improvement works for Miscellaneous Piers and Harbours.

**3.6.** That the capital allocation within the Non-General Fund capital programme for financial year 2021/22 be reduced from £150,000 to £85,000 in respect of minor capital improvement works within Scapa Flow Oil Port.

## **4. Miscellaneous Piers and Harbours**

### **Revenue Maintenance Programme – Proposed Programme for 2021/22**

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

Noted:

**4.1.** That provision had been made within the draft budget for 2021/22 in respect of revenue maintenance works for Miscellaneous Piers and Harbours, amounting to £1,795,000, to be part funded from the Miscellaneous Piers and Harbours Property Maintenance Fund.

The Sub-committee resolved, in terms of delegated powers:

**4.2.** That, subject to an adequate budget being established, the programme of revenue maintenance for Miscellaneous Piers and Harbours for 2021/22, attached as Appendix 3 to this Minute, be approved.

## **5. Harbour Charges**

### **Proposed Terms and Conditions**

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

Noted:

**5.1.** That the current Schedule of Charges for the use of facilities and provision of services within the Harbour Area did not contain terms and conditions regarding the provision or otherwise of services.

**5.2.** That, for commercial reasons and to provide clarity for users regarding their responsibilities as customers of the Harbour Authority, it was considered preferable to set and publish trading Terms and Conditions regarding the provision of Harbour Services.

**5.3.** That, in December 2020, the Council agreed that the Executive Director of Development and Infrastructure, in consultation with the Solicitor to the Council, should draft a set of comprehensive Terms and Conditions of Trading, and thereafter undertake consultation with stakeholders on the proposed Terms and Conditions of Trading.

**5.4.** That consultation with stakeholders had been undertaken in respect of the draft Terms and Conditions of Trading, with no objections or comments raised.

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

**5.5.** That the Harbour Authority Terms and Conditions, attached as Appendix 4 to this Minute, be approved, to take effect from 5 May 2021.

## **6. Port Marine Safety Code**

### **Compliance Declaration**

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

Noted:

**6.1.** That the Maritime and Coastguard Agency required Harbour Authorities, Terminal Operators and Marinas to declare compliance with the Port Marine Safety Code every three years, with the next declaration due by 31 March 2021.

**6.2.** That Marico Marine Limited, as the Designated Person, had conducted independent audits of Marine Services for the past three years, with those audits showing continued compliance with the Port Marine Safety Code and a continuing trend of improvement.

**6.3.** That, on 7 and 8 December 2020, the Designated Person undertook the annual audit of compliance, remotely, with the audit report attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure.

**6.4.** That, in order to declare compliance with the Port Marine Safety Code, a letter of assurance required to be provided to the Maritime and Coastguard Agency prior to 31 March 2021, a draft of which was attached as Appendix 2 to the report by the Executive Director of Development and Infrastructure.

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

**6.5.** That the letter of assurance, referred to at paragraph 6.4 above, be dated and submitted prior to 31 March 2021, to the Maritime and Coastguard Agency confirming continuing compliance by Marine Services with the Port Marine Safety Code.

## **7. Conclusion of Meeting**

At 11:51 the Chair declared the meeting concluded.

Signed: Graham L Sinclair.

Miscellaneous Piers and Harbours - Minor Capital Works for 2021/22

<u>Detail</u>	<u>Budget 2021.22</u>	<u>Details</u>
<b>Miscellaneous Piers &amp; Harbours</b>	£	
New Flotta Waiting Room	75,000	Partial carry forward from 20/21 - delay due to unforeseen planning issue
Vessel Water Supply Points	40,000	Additional Water Supply Storage Tanks Needed on Piers
Coplands Dock Wall	55,000	Carry forward from 20/21 - delay due to agreeing specification
Kettletoft Pier Lighting - LED lighting and new columns	160,000	Carry forward from 20/21
Stronsay Pier Lighting & Mains Supply / Earthing upgrade	110,000	Carry forward from 20/21
New Counter Pollution / Waste Pick up as per Council's replacement programme	40,000	Larger size pick up with high towing capacity and small crane fitted
Workshop Operative Van Replacement as per Council's replacement programme	20,000	Replacement
P&H Electrician Van	20,000	New van for new post.
Egilsay & Wyre Ferry Terminal Lighting Upgrade	100,000	Partial Carry forward from 20/21 due to delay in final specification
MP&H Total	620,000	

Scapa Flow Oil Port - Minor Capital Works for 2021/22

<u>Detail</u>	<u>Budget 2021.22</u>	<u>Details</u>
<b>Scapa Flow Oil Port</b>	£	
Oil Pollution Equipment - Booms	55,000	New Quick Deployment Boom
Oil Pollution Equipment - Skimmer	5,000	New multi-purpose skimmer
Oil Polluiothn Equipment - Industrial Steam Pressure Washer	25,000	Carry forward from 20/21
SFOP Total	85,000	

Miscellaneous Piers and Harbours Works for 2021/22

Detail	Budget 2021.22	Details
	£	
Nevi skerry beacon re-bolt.	55,000	Carried forward from 2020/21
North Isles carparks and marshalling areas, including white lining/pedestrian markings.	50,000	Carried forward from 2020/21 - Rapness , Loth , Eday and Stronsay.
North Isles fender chains and hydac rubber replacement to Eday, Stronsay and Rapness.	145,000	Carried forward from 2020/21 - 50k per pier
North Isles Surface Dressing to Loth & Rapness	75,000	Ferry Terminal waiting / marshalling areas need surface dressing
Electrical supply / earthing works at inter-island ferry terminals	75,000	Carried forward from 2020/21
Eday Pier Approach Road	15,000	Carried forward from 20/21 although tender documents now ready to issue
Planned Maintenance Hatston Passenger Walkway - swap out hydraulic rams	30,000	Partial carry forward from 20/21, one of three completed.
Repairs to main Hydraulic Ram fixing point - Hatston Ro-Ro Linkspan	100,000	Repairs needed in order that main hydraulic rams can be refurbished
Pier Ladders	30,000	Regular programme of pier ladder replacement on all piers.
Kirkwall Pier capsil rail replacement	110,000	Carry forward form 20/21, plus revised budget
Kettletoft stone deck slab 60m2 and bitmac 150m2	20,000	Carry forward form 20/21, plus revised budget, plus NILP input
Stronsay West Pier bollards and stone deck slabs repair	35,000	Partial Carry forward from 20/21, plus revised work package
Various Car Markings - Ferry Terminals	12,000	Partial carry forward from 20/21, plus revised work package
Kirkwall Linkspan paint	200,000	Revised costs for ongoing linkspan painting throughout Orkney
North Ronaldsay Ferry Terminal / Pier Repairs	25,000	Carried forward from 20/21 although tender documents now ready to issue
Papa Westray Ferry Terminal / Pier repairs	115,000	Railings, fenders and 84m of capsil
Scapa Pier - Electrical Supply & Building	150,000	Main electrical supply to pier - renew equipment and install in building.
Electrical Supply System Repairs to Kirkwall Pier	80,000	Carried forward from 20/21.
Tingwall Ferry Terminal re-lining	6,000	In order to repaint existing lanes and spaces in ferry marshalling area
Rousay Ferry Terminal Car Park drainage flooding to be repaired	9,000	Carried forward from 20/21 - delay due to access problems.
Total	<b>1,337,000</b>	



# TERMS AND CONDITIONS OF TRADING

As of  
05 May 2021



# Orkney Harbour Authority Area





# Contents

<b>Part 1 – General .....</b>	<b>1</b>
1. Definitions .....	1
2. General Conditions .....	2
3. Vessel Approval .....	3
4. Charges .....	3
5. Payment Terms.....	4
6. Cancellation .....	4
7. Lien on Goods and Vessels .....	4
8. Landing and Embarkation of Passengers .....	5
9. Warranties.....	5
10. Indemnities.....	6
11. Force Majeure.....	6
12. Reservation of Rights.....	6
13. Legal .....	6
14. Risk and Insurance .....	6
15. Bye Laws & Regulations .....	6
16. Bill of Lading .....	7
17. Limitation of Liability.....	7
18. Confidentiality .....	9
19. Documents to be Furnished by the Customer, Master or Owner .....	9
20. Audit.....	9
21. Notice.....	10
22. Termination.....	10
<b>Part 2 – Cargo Handling and Harbour Operations .....</b>	<b>10</b>
23. Customer’s Obligations.....	10
24. Release of Goods .....	11

25. Documentation.....	11
26. Shipowner's Obligations.....	12
27. Removal of Goods from Marine Services Premises.....	12
28. Hazardous Goods and Live Animals.....	12
29. Security.....	13
<b>Part 3 – Pilotage Services.....</b>	<b>13</b>
30. Pilotage Direction.....	13
31. Provision of Service .....	13
32. Charges .....	13
33. Pilotage Exemption Certificates .....	13
34. Liability.....	13
35. Performance of Services.....	14

## Part 1 – General

### 1. Definitions

1.1. In these terms and conditions (“Terms and Conditions”):-

“Agreement” means any agreement entered into by or on behalf of Marine Services, with a Customer, charterer, cargo owner or Shipowner.

“Bulk Commodity” means any homogenous liquid or solid carried in a vessel without any intermediate form of containment (such as oil, ores, or sand).

“Cargo Handling Services” means the Services of discharging, loading, receiving and delivering of Services performed or provided by Marine Services at the port estate, and operations ancillary thereto.

“Containerised Cargo” means any cargo shipped in either 8’ 10’ 20’ 30’ 40’ or 45’ containers which complies with International Shipping Order standards (and for the purposes of this Agreement includes empty containers).

“Customer” means any person for whom Services are performed or provided by Marine Services, including:-

1. where used in relation to any Goods; the owner, consignor, shipper, consignee, receiver or other person in charge of the Goods or other respective agents (other than Marine Services) in relation thereto.
2. where used in relation to any road or rail vehicles; the owner, agent, operator, driver or other person in charge of the vehicle.

“Dangerous Substances” means any substance as defined in Section 3 of the Dangerous Substances in Harbour Areas Regulations 2016.

“Data Protection Legislation” means all applicable data protection legislation, regulations and guidance including, without limitation the Data Protection Act 2018, the GDPR (Regulation (EU) 2016/679) (as amended or re-enacted from time to time and including any replacement or subordinate legislation). Terms in these Terms and Conditions shall, so far as the context permits and unless otherwise stated, have the meanings given to them in the Data Protection Legislation.

“Goods” means any goods, cargo, commodities, livestock, articles and things of every description (including any containers, crates or packaging within which such Goods may be contained) but excluding stores and bunkers.

“Harbour” means the ports in the harbour area of Orkney as defined in the Orkney County Council Act 1974 (including the approaches thereto), bridges, wharves, quays, berths, roads, and other property and works of every description and nature, and the buildings, structures and erections thereon, at the ports in the harbour area of Orkney for the time being owned, occupied or managed by Marine Services and Orkney Island Council.

“Harbour Authority” means Orkney Islands Council as the statutory harbour authority and competent harbour authority for the Orkney Islands.

“Harbour Master” means the harbour master appointed by the Orkney Islands Council and includes his authorised deputies and assistants and any person authorised by Marine Services to act in that capacity.

“Length Overall” (LOA) means the extreme length of the Vessel as declared on the Vessel’s international tonnage certificate 1969 or in Lloyds Register.

“Marine Services” means the marine services department of Orkney Island Council having its main place of business at:

The Harbour Authority Building, Scapa, Orkney, KW15 1SD.

“Master” means in relation to any Vessel, any person, (whether or not the Shipowner and whether or not acting lawfully), having or taking command, charge, management or conduct of the Vessel for the time being

“Package” means a bag, bale, bundle, carton, cage, case, cask, carboy, crate, cylinder, drum, net, tank, pallet or other receptacle. It also includes an empty package.

“Passenger” means any person using the Harbour as the point of embarkation or disembarkation in connection with travelling on a Vessel.

“Pilotage Area” means the harbour area as defined in the Orkney County Council Act 1974.

“Schedule of Published Charges” means ‘the Orkney Islands Council Marine Services Schedule of Charges’ booklet, or any booklet(s) in substitution or replacement therefor, published by Marine Services in relation to statutory charges (including conservancy and berth charges) on Vessels calling at the port, and goods loaded, discharged and stored at the port.

“Services” means any service or operation of whatsoever nature performed or provided by Marine Services.

“Shipowner” means the owner of any Vessel to which these Terms and Conditions relate and any part owner charterer Master or other person in charge of the Vessel disponent owner consignee or mortgagee in possession is to be construed accordingly.

“Timber Cargo” means packaged timber, logs, forest products, kiln dried timber and panel products (including all by-products thereof), together with any packages or containers within or by which the said Timber Cargo may be contained or carried.

“Vehicle” means any vehicle, including any motor car, motorcycle, lorry, trailer, tractor, steam roller, excavator, agricultural machine or other machine on wheels or tracks.

“Vessel” means any vessel, including any hovercraft, hydrofoil vessel and anything constructed or used to carry persons, goods or cargo by water.

1.2. The headings to clauses are for ease of reference only and shall not affect the construction thereof.

1.3. Unless the context otherwise requires, the singular shall include the plural and vice versa and words importing gender shall include any other gender.

1.4. Reference herein to any statutory provision includes reference to any consolidation, re-enactment or modification thereof.

1.5. Reference to clauses or schedules are references to the clauses and schedules of these Terms and Conditions unless otherwise stated.

## 2. General Conditions

2.1. All quotations, orders and Agreements of Marine Services are subject to these Terms and Conditions. Any variations to these Terms and Conditions are of no effect unless agreed in writing by Marine Services.

2.2. Part 1 of these Terms and Conditions shall apply to every Agreement entered into and to the provision of all Services by Marine Services to a Customer or Shipowner. Part 1 of these Terms and Conditions shall be read in conjunction with such other Parts of these Terms and Conditions as are applicable to the particular Agreement. Where there is any conflict between Part 1 of these Terms and Conditions and any other Part of these Terms and Conditions, then the Terms and Conditions in the other Part shall take precedence over those contained in Part 1 hereof.

2.3. Any Agreement shall be between the Customer and/or the Shipowner as the case may be and Marine Services.

2.4. Marine Services may amend or vary these Terms and Conditions from time to time in such manner and in such respects as Marine Services may see fit.

2.5. These Terms and Conditions prevail over any terms and conditions proposed by the Customer (whether in writing or otherwise) and any terms implied by trade, custom or practice unless specifically agreed to in writing by Marine Services.

2.6. Special conditions may be made by Marine Services from time to time relating to specific Goods, Vessels, Services or events. Any such special conditions are supplemental to, and apply in conjunction with, these Terms and Conditions.

2.7. Use of the Harbours and/or Services by the Customer and/or Shipowner shall be deemed to constitute notice of and agreement to these Terms and Conditions provided that prior to such use Marine Services shall take all reasonable steps to ensure that the Customer and/or Shipowner, as appropriate, is aware of these Terms and Conditions and that copies of the same are available on request.

2.8. Marine Services may collect and process information relating to the Customer or Shipowner in accordance with the privacy notice which is available on the Orkney Islands Council Marine Services website. Each Party agrees to comply with their respective obligations under the Data Protection Legislation.

### 3. Vessel Approval

3.1. It shall be the responsibility of the Master of the Vessel or his authorised agent to obtain approval from Marine Services for the arrival, departure or movement of that Vessel in any part of the Harbour.

### 4. Charges

4.1. Charges and dues for Services performed or provided by Marine Services shall be payable by the Customer and/or the Shipowner, as appropriate, in accordance with Marine Services Schedule of Published Charges, as published and revised from time to time, or at such other rates as shall be agreed from time to time between Marine Services and the Customer and/or Shipowner, as appropriate.

4.2. Marine Services Schedule of Charges refer to Services performed or provided during Marine Services normal working hours and in Marine Services normal manner. If Marine Services performs or provides Services outside its normal working hours, or if by reason of an emergency or the nature and condition of any Goods, the construction, condition and readiness of any Vessel or Vehicle, the availability of crew, or for any other reason Marine Services performs or provides Services that, in its opinion, are beyond or in a different manner to those for which the standard charges and dues refer, the Customer or the Shipowner as appropriate shall pay an additional charge to cover the increased or additional costs thereby incurred by Marine Services.

4.3. The Shipowner shall pay to Marine Services such charges as are applicable from time to time in connection with the provision and operation of a ship's waste reception facility managed by Marine Services, as required pursuant to the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003.

4.4. Charges and dues published in the Schedule of Published Charges or otherwise quoted by Marine Services are exclusive of Value Added Tax. Where such tax or any other tax substituted for it is payable, the same shall be paid by the Customer or Shipowner, as appropriate, to Marine Services.

4.5. The Schedule of Published Charges is subject to revision by Marine Services without formal notice at any time.

## 5. Payment Terms

5.1. Payment is due on the date of invoice for all charges and dues as set out in the Schedule of Published Charges unless credit facilities have been granted in which case payment is due 30 calendar days from date of invoice.

5.2. Marine Services reserves the right:-

5.2.1. to charge interest on overdue accounts at 5% above the then prevailing Bank of England Base Rate calculated on a day to day basis;

5.2.2. to recover such legal and other costs incurred in the recovery of monies outstanding to Marine Services;

5.2.3. to suspend Services where there is a breach of credit facilities;

5.2.4. to exclude the payment of harbour dues, pilotage, boarding and landing from the 30 day credit facility payment period at the Harbour Master's discretion;

5.2.5. to refuse entry into any of the Harbours where there remains a debt which has not prescribed.

5.3. All charges shall be paid in full without reduction or deferment on account of any claim, counter claim or set off.

5.4. The said charges shall be payable by the Customer or the Shipowner as appropriate on demand unless otherwise agreed by Marine Service.

5.5. Notwithstanding the aforementioned provisions of this Clause, Marine Services may if it thinks fit, require any Customer or Shipowner liable or likely to become liable to pay any charges or dues to provide Marine Services with security for any such charges or dues or the estimated amount thereof in a form satisfactory to Marine Services before the commencement of such Services and failing receipt of which such Services will not be commenced.

## 6. Cancellation

6.1. Should the Customer and/or Shipowner cancel the Agreement at any time, Marine Services at its sole discretion shall be entitled to invoice the Customer and/or Shipowner with the full agreed charge or any lesser amount, which charge or amount shall be due and payable on the date of invoice.

## 7. Lien on Goods and Vessels

7.1. Marine Services shall be entitled to refuse to allow cargo discharged from a Vessel to leave the Harbour until:-

7.1.1. all charges claimed by Marine Services for Cargo Handling Services whether in relation to that cargo (wherever performed) or to other cargo of the Customer have been paid or secured to the satisfaction of Marine Services, and

7.1.2. security to the satisfaction of Marine Services has been given in relation to claims for indemnity pursuant to these Terms and Conditions against the Customer in relation to that cargo (whether or not such claims arise in relation to that cargo and any other cargo of the Customer).

7.2. Marine Services shall be entitled to refuse to allow a Vessel to leave the Harbour until:-

7.2.1. all charges claimed by Marine Services for Cargo Handling services and payable by the Shipowner whether in relation to that Vessel (whenever performed) or to other Vessels of the Shipowner have been paid or secured to the satisfaction of Marine Services, and

7.2.2. security to the satisfaction of Marine Services has been given in relation to claims for indemnity pursuant to these Terms and Conditions against the Shipowner (whether or not such claims arise in relation to that or another Vessel).

7.3. Marine Services shall have the absolute right to suspend the provision of any Services for the Customer or Shipowner until all amounts payable to Marine Services by such Customer or Shipowner, as appropriate, have been paid in full. Where such a right is exercised, charges (including interest) shall continue to accrue until payment in full is made.

## 8. Landing and Embarkation of Passengers

8.1. Marine Services shall be entitled to refuse to allow Passengers discharged from a vessel to leave the Harbour until:-

8.1.1. all charges claimed by Marine Services in respect of Services for Passengers (wherever performed) or Passengers of the Customer have been paid or secured to the satisfaction of Marine Services, and

8.1.2. security to the satisfaction of Marine Services has been given in relation to claims for indemnity pursuant to these Terms and Conditions against the Customer in relation to those Passengers (whether or not such claims arise in relation to those Passengers or any Passengers of the Customer).

8.2. Marine Services shall be entitled to refuse to allow a Vessel to leave the Harbour until:-

8.2.1. all charges claimed by Marine Services in respect of Services for Passengers and payable by the Shipowner whether in relation to that Vessel (whenever performed) or to other Vessels of the Shipowner have been paid or secured to the satisfaction of Marine Services, and

8.2.2. security to the satisfaction of Marine Services has been given in relation to claims for indemnity pursuant to these Terms and Conditions against the Shipowner (whether or not such claims arise in relation to that or another Vessel).

8.3. Marine Services shall have the absolute right to suspend the provision of any Services for the Customer or Shipowner until all amounts payable to Marine Services by such Customer or Shipowner, as appropriate, have been paid in full. Where such a right is exercised, charges (including interest) shall continue to accrue until payment in full is made.

## 9. Warranties

9.1. The Customer or Shipowner as applicable warrants that it has capacity to enter into the Agreement and that it has obtained all necessary approvals to do so either as principal or as agent in which event the Customer or Shipowner is fully authorised to legally bind both the Customer or Shipowner or its principal as the case may be and to accept these Terms and Conditions on behalf of itself and of its principal. Unless otherwise expressly agreed in writing with Marine Services, any Customer acting as agent for or on behalf of any other person shall accept joint and several liability with his principal for all charges dues and other sums payable to Marine Services.

9.2. The Customer shall ensure that any Agreement, contract or other arrangement made between the Customer and (i) the Shipowner, (ii) the owner or operator of any Vehicle, (iii) the supplier of any transportation services, (iv) the owner of (or person or persons interested in) any Goods, or (v) any other sub-contractor or agent of the Customer in connection with which or to whom Services are performed or provided by Marine Services contains similar terms, conditions and limitations of liability as are expressed herein, for the benefit of the Customer both on its own behalf and as agent for Marine Services. Where any Customer fails to comply with this provision, the Customer shall indemnify Marine Services against all proceedings claims and expenses (including legal costs on a full indemnity basis) arising out of or pursuant to such failure to comply.



## 10. Indemnities

10.1. The Shipowner or the Customer in respect of the Goods and Passengers as the case may be shall be responsible for and provide against all risks and contingencies including death or personal injury of any person or damage to any property whatsoever howsoever arising from the use of or presence of his Vessel or Goods and Passengers at the Harbour and will indemnify Marine Services against all proceedings and claims by third parties and expenses incidental thereto (including legal costs on a full indemnity basis) arising out of such use or presence or of any act neglect or default of the Master of the Vessel or the Shipowner or the Customer as the case may be, their respective contractors agents or servants (other than Marine Services) or of any inherent quality or defect of any Vessel, or of any Goods and Passengers at the Harbour or on the Vessel. Such indemnity shall not apply if the death, personal injury or damage is caused by the negligence of Marine Services.

10.2. The Shipowner or the Customer shall pay to Marine Services full compensation for all damage done to or suffered by the Harbour and other property of Marine Services and arising as aforesaid.

## 11. Force Majeure

11.1. Marine Services shall not be liable for any failure to commence or continue to perform or complete the Services nor for any delay, deficiency, loss, mis-delivery and or damage arising or resulting from Act of God; casualty (including fire or explosion) unless caused by the negligence of Marine Services, its servants or agents; damage; breakdown; any consequence of war or hostilities (whether war be declared or not); riots; civil commotions or invasions; strikes, lockouts, industrial disputes or actions of any nature, storm, flood, earthquake, subsidence, epidemic, pandemic or other natural physical disaster; act of any government or other regulatory restrictions; difficulty or increased expense in obtaining workmen, equipment or transport or other circumstances affecting the supply or performance of the Services by Marine Services normal methods or means; or any other cause or event which could not be avoided and the consequence whereof could not be prevented by the exercise of reasonable care by Marine Services.

## 12. Reservation of Rights

12.1. Marine Services reserves the right to refuse to accept Goods and Passengers for any reason and/or to provide Services subject to any agreement between the parties.

## 13. Legal

13.1. These Terms and Conditions are governed by Scots Law and the Customer or Shipowner submits to the exclusive jurisdiction of the Scottish courts, and where applicable Admiralty Law as governed by the Administration of Justice Act 1956 ( as amended) and any other amendment or re-enactment thereof..

13.2. Nothing in these Terms and Conditions shall affect the provisions of the Orkney County Council Act 1974 (and amendments) and/or any byelaws made thereunder, or any other relevant statute or statutory regulations in force from time to time.

## 14. Risk and Insurance

14.1. All Goods at or on the Harbour are the sole responsibility of the Customer in every respect and shall at all times remain at the entire risk of the Customer. The Customer is advised to make appropriate comprehensive insurance arrangements in respect thereof.

## 15. Bye Laws & Regulations

15.1. All Customers and/or Shipowners, as appropriate shall at all times comply with and ensure that all Goods, Vessels, Vehicles and persons under their control and using the Harbour comply with:-

15.2. All bye-laws, regulations and directions made by Marine Services as are from time to time in force in respect of the Harbour.

15.3. All instructions and directions given by Marine Services from time to time in connection with the proper, efficient and safe operation and management of the Harbour.

## 16. Bill of Lading

16.1. The Shipowner for a Vessel which it is intended to sail to or from the Harbour shall be the agent of Marine Services for the purposes of agreeing with the Customers in his usual contract of carriage to exempt or limit the liability inter alia of Marine Services whether as agent sub-bailee stevedore or independent contractor or otherwise howsoever.

16.2. The Shipowner shall, in his bills of lading, shipping notes and notices to shippers regarding conditions for carriage or receiving, use his best endeavours to provide that whether or not Marine Services is acting solely for the Shipowner:-

16.2.1. Marine Services shall have the benefit of all provisions therein exempting or limiting the liability of the Shipowner,

16.2.2. such provisions so far as relating to Marine Services shall be applicable to the period that Goods are at the Harbour or on a Vessel thereat.

16.3. Provided that nothing herein shall prevent Marine Services, at its discretion, from being the principal of the Shipowner in relation to provisions exempting or limiting liability.

16.4. Marine Services hereby accepts the benefit of such provisions and appoints the Shipowner as Marine Services agent for the purpose of entering into contracts of carriage evidenced by the bill of lading and the shipping note.

16.5. If such bills of lading, shipping notes or notices to shippers do not so provide then the Shipowner shall, without prejudice to any other rights of Marine Services herein, indemnify Marine Services against all proceedings claims and expenses (including legal costs on a full indemnity basis) arising out of or in consequence of the failure of such bills of lading, shipping notes or notices to shippers so to provide.

## 17. Limitation of Liability

17.1. Marine Services shall only be liable under these Terms and Conditions for physical loss of or damage to any Vessel or other property of the Shipowner or to any Goods or other property of the Customer and such liability will only apply to physical loss or damage to the extent that such loss or damage exceeds £150 per occurrence or incident. Furthermore, liability is limited to occurrences proved to be caused solely by the acts or omission of Marine Services or its employees acting in the course of their employment during the performance or provision of the Services, including any Cargo Handling Services and dock services provided that:-

17.1.1. Marine Services liability in respect of physical loss or damage to any Vessel or other property of the Shipowner shall not exceed £3,000,000 per occurrence.

17.1.2. In relation to Goods received for shipment by or otherwise handled by Marine Services, Marine Services shall not be liable to the Customer nor to the Shipowner as bailee of the Goods for (i) any mis-delivery due to misleading or faint markings or absence of markings, or (ii) any loss or damage arising from defects in the Goods or the packaging thereof.

17.1.3. Marine Services shall be freed and discharged from all liability in respect of any physical loss or damage to any Vessel or Goods or equipment or any other matter or thing unless notification of a claim in respect of such loss or damage be made in writing (otherwise than upon any of Marine Services documents) to Marine Services within 30 days of the date when the Customer has or ought reasonably to

have learned of the occurrence causing such loss or damage or from which such loss or damage arose (so as to enable Marine Services to forthwith commence investigations into the alleged loss or damage) and the amount of the said loss or damage be submitted in writing to Marine Services within twelve months after the said occurrence.

17.1.4. In the case of latent physical loss or damage to Goods Marine Services shall be discharged from all liability unless notice of such loss or damage and the particular nature thereof has been given to Marine Services immediately after the Customer has been notified of or becomes aware of or should reasonably have become aware of such loss or damage but in any event not later than 40 days after the loading or discharging of the Goods by Marine Services or 14 days after delivery of the Goods to final consignee whichever shall be the earlier.

17.1.5. Marine Services shall in any event be freed and discharged from all liability for any loss or damage to any Vessel, Goods or equipment or any other matter or thing unless suit is brought within twelve months of the said occurrence. In the case of loss of or damage to any Vessel or any other property of the Shipowner, the Shipowner shall grant full and reasonable facilities to Marine Services to survey all such loss or damage.

17.1.6. For the avoidance of doubt it is hereby declared that Marine Services' liability in respect of any physical loss or damage whether in contract or delict shall not extend outside the minimum and maximum limits specified in clause 17.1 and that the Shipowner or the Customer at the discretion of Marine Services will indemnify Marine Services against all proceedings and claims howsoever arising and by whomsoever brought in respect of the liabilities as mentioned under this Clause so far as the amounts so claimed are outside the exclusions or limits prescribed in Clause 17.1.

17.2. Whilst Marine Services will use its reasonable endeavours to collect and bind any loose pieces of Timber Cargo, and other Goods as appropriate, according to mark and will deliver the same to consignee, Marine Services shall not be liable for any loss or damage whatsoever arising out of or consequent on such collection and binding.

17.3. Marine Services shall be under no obligation to rebind such loose Goods to a greater standard than is deemed by Marine Services to be reasonable for the safe onward transportation of such Goods and in particular Marine Services shall not be required to rebind to the same standard as the Goods were in when originally bound.

17.4. Subject to the limits provided in clause 17.1, Marine Services shall not be responsible for any loss or damage whatsoever of or to any Vessel or any other property of a Shipowner or to Goods or any other property of a Customer howsoever caused or arising whether in contract, delict, (including negligence) or otherwise at law, and in particular Marine Services shall not be liable for (a) any claims for loss of use or profits or the loss of a particular market and whether direct or indirect and whether or not foreseeable at the date of coming into force of the Agreement; or (b) indirect or consequential damage.

17.5. Marine Services' charges are determined on the basis of the limits of liability set out in these Terms and Conditions. If any Customer requires a higher limit of liability, Marine Services will endeavour to arrange additional insurance cover, in which event the costs of such additional insurance shall be paid by the Customer.

17.6. Marine Services shall not be responsible to any user of Vehicles for any loss or damage of whatsoever nature of or to, or any demurrage charges in respect of, Vehicles wagons and sheets ropes chains or other similar fittings therefor whatsoever howsoever caused, and the Customer shall be responsible for and indemnify Marine Services against any such loss, damage or charges.

17.7. For the purposes of this clause, the value of the Goods shall be taken to be the market price of Goods of the same kind and quality immediately before the deficiency, loss, damage, mis-delivery or delay arose or took place.

17.8. For the purpose of this clause the limit of liability with regards to Pilotage is as defined within the Pilotage Act 1987.

## 18. Confidentiality

18.1. Both Marine Services and the Customer undertake that they shall not at any time during or after termination of the Agreement, disclose to any person the details of the Agreement or any confidential information concerning the business affairs, customers, clients or suppliers of the other party, except as provided by Clause 18.2.

18.2. Either Marine Services or the Customer may disclose the other party's confidential information:

18.3. to those of its employees, officers, representatives or advisers who need to know such information for the purposes of carrying out that party's obligations under the Agreement. Marine Services and the Customer shall ensure that its employees, officers, representatives or advisers to whom it discloses another Party's confidential information comply with this clause 18; and as may be required by law, court order or any governmental or regulatory authority.

18.4. Neither Marine Services or the Customer shall use any of the other party's confidential information for any purpose other than to perform its obligations under the Agreement.

## 19. Documents to be Furnished by the Customer, Master or Owner

19.1. Where requested to do so by Marine Services, the Customer, Master or Shipowner of every Vessel discharging or loading cargo must supply to Marine Services the following documents confirming the quantity of cargo discharged or loaded in the Harbour and the days upon which discharging or loading took place:

19.1.1. bills of lading or cargo manifest (indicating the weight of cargo and details of the shippers, consignees and freight payers); and

19.1.2. statement of facts

19.2. Where the quantity of cargo discharged does not match that shown on the relevant bill of lading, then a certified discrepancy report (including details of supporting surveys etc.) must be provided.

19.3. These documents must be supplied by the Customer, Master or Shipowner, or the appointed agent, to Marine Services within two working days of the day upon which the vessel completes discharging or loading as appropriate. The documents must be submitted (as PDF-format attachments) via e-mail to [marine.ops@orkney.gov.uk](mailto:marine.ops@orkney.gov.uk)

## 20. Audit

20.1. Marine Services reserve the right, upon the giving of reasonable notice to the Customer, Master, Shipowner, Vessel agent, operator, cargo receiver or cargo shipper, to require the production of, and to receive, view and / or copy, any relevant document or material within that party's reasonable control that demonstrates and evidences the quantum or movement of any cargo or other throughput that may be received, loaded, discharged, stored or otherwise handled within the Harbour. Such documentation and materials shall be provided to Marine Services upon request, without charge and during Marine Service normal working hours.

20.2. For the purposes of undertaking periodic audits, Marine Services also reserve the right to review any recordings, data, reports, measurements produced from equipment under the control of any party and used to load, discharge or store and monitor cargo e.g. including but not limited to CCTV / ANPR etc.

## 21. Notice

21.1. Any notice to be given under the Agreement shall be in writing and shall be deemed to be duly given if left or sent by first class registered or recorded delivery post or express or other fast postal service to the address set out at the head of the Agreement.

21.2. Any such notice shall be deemed to be served at the time when the same is left at the office of the Party to be served on the third business day following the day of posting.

## 22. Termination

22.1. The Agreement may without prejudice to any other rights be terminated at any time by Marine Services if:

22.1.1. The Customer fails to comply with any part of the Agreement or the terms and conditions referred to herein or commits a material breach of the Agreement and fails to remedy such breach (where the breach is capable of remedy) within 30 days after receipt of a written notice giving full particulars of the breach and requiring it to be remedied. Any material breach of the Agreement shall be notified in writing in accordance with the provisions of clause 20; or

22.1.2. The Customer enters into liquidation whether compulsory or voluntary or has a receiver or administrator appointed; or

22.1.3. The Customer ceases or threatens to cease to carry on its business or to dispose of the whole or any part of its undertaking to a third party; or

22.1.4. There is a change in control of the Customer. For the purposes of this subclause, "control" means the ability of a person to secure that the affairs of the body corporate are conducted in accordance with the wishes of that person (or persons).

22.2. Termination of the Agreement shall not affect or relieve any Party of any liability or obligation that may have accrued prior thereto.

## Part 2 – Cargo Handling and Harbour Operations

### 23. Customer's Obligations

23.1. Without derogation from any other obligations and duties the Customer may have under the terms of the Agreement, the Customer shall have the following obligations:

23.1.1. The Customer shall ensure that all Goods sent to Marine Services for export are accompanied by the governments standard shipping note stating the gross weight of each consignment. Weights must be verified before despatching Goods to Marine Services and, if the gross weight is omitted on the standard shipping note it will be taken as instruction to Marine Services for the Goods to be weighed at Marine Services premises at the expense of the Customer.

23.1.2. Marine Services will not be responsible for the accuracy of the weighbridge or for any error in entering on the ticket the weight of any Goods weighed. The Customer's representative in charge of the Goods shall examine the ticket and ascertain that it gives the correct weight as shown by the scale of the weighbridge.

23.1.3. Marine Services may check the validity of any declarations and if the weight or bulk proves to be in excess of that declared, all charges will be based on actual gross weight. The Customer will also be liable for the costs of weighing or checking the measurement of the Goods in question.

23.1.4. Except by special arrangement with Marine Services, articles weighing in excess of 3,000 kilos will not be accepted.

23.1.5. The Customer warrants the accuracy of all descriptions values weights and other particulars of any Goods supplied to Marine Services for any purpose whatsoever or marked thereon and shall indemnify Marine Services against all proceedings claims expenses and pecuniary penalties that Marine Services may suffer or incur as a result of any inaccuracy or omission therein.

23.1.6. Customers should take reasonable measures to protect their Goods from loss or damage and shall ensure that at all times their Goods are packed in a proper manner with particular care being taken to protect fragile goods.

23.1.7. The Customer shall ensure that each package has stencilled on it all identifying marks and numbers in characters of not less than 10cms in height together with a final destination and port of discharge which shall be stencilled immediately below the shipping mark.

23.1.8. It shall be the Customer's responsibility to prepare the necessary documentation for the clearance of Goods through Border Force & HM Revenue & Customs, to obtain such clearance and to comply with all Customs' formalities.

## 24. Release of Goods

24.1. No Goods shall be available for delivery by Marine Services until such time as Border Force and HM Revenue & Customs clearance has been obtained in respect thereof.

24.2. On no account will Goods be delivered by Marine Services without production of a delivery order issued by or on behalf of the Shipowner in his usual form authorising such delivery and in the case of sub- orders issued by or on behalf of the Customer named in the original delivery order and being in a form satisfactory to Marine Services and authorising such delivery.

24.3. If the document of title is lost, or there is an irregularity, Marine Services will not deliver the Goods until it is satisfied that the person claiming delivery is entitled to delivery and against an indemnity by a bond or otherwise as Marine Services may require by or on behalf of the person taking delivery of the Goods.

## 25. Documentation

25.1. Every order for the delivery or sampling of Goods shall be lodged by or on behalf of the Customer at Marine Services offices at Harbour Authority Building, Scapa, Orkney and must detail:

25.1.1. Vessel's name;

25.1.2 The port of loading and bill of lading number;

25.1.3 Marks, quantity and description of Goods; The person to whom charges are to be rendered; and must be signed by or on behalf of every person in whose name the Goods stand in the books of Marine Services.

25.2. All manifests, shipping notes/advices, consignment notes, packing lists documents of title and instructions and orders concerning Cargo Handling Services must be lodged in writing with Marine Services not less than 72 hours (excluding bank or other national holidays) before the relevant Service is required to be or is to be performed or provided.

25.3. Any tally of Goods prepared by Marine Services in connection with the loading or discharging of any Vessel or Vehicle shall be the property of Marine Services which shall not be under any obligation to disclose such document to any other party. The accuracy of any document based whether wholly or partially upon such tallies shall not be presumed by any other party unless and until such accuracy is confirmed in writing by Marine Services in respect of the document in question.

## 26. Shipowner's Obligations

26.1. The Customer shall ensure that the vessel receiving Goods for shipment shall accept same if tendered for loading from the quay.

26.2. The receiving by Marine Services for and on behalf of the Shipowner of Goods for shipment does not imply that such Goods will be shipped. The acceptance or refusal of Goods for shipment is the responsibility of the Shipowner concerned, for whom Marine Services accepts as agent.

26.3. The Shipowner shall permit Marine Services the full use of all lighting, cranes, gantries, winches, derricks, runners and tackle on the Vessel and shall supply full power therefor and for lighting at all times without charge. The Shipowner shall provide all necessary standing and running gear, hatch and winch tents, gear and dunnage.

26.4. All the equipment and gear referred to in clause 26.3 shall be maintained in good working order by the Shipowner and before work commences the Shipowner shall produce to Marine Services a current certificate of test for such equipment and gear showing the same meets the requirements of any statute, order or regulation then in force within the United Kingdom.

26.5. to the extent that the equipment and gear referred to in clause 26.3 is not available to Marine Services or is not maintained or certified in the manner specified in clause 26.4, Marine Services shall be at liberty at its discretion and subject to availability to supply the same at the expense of the Shipowner in accordance with Marine Services standard rates current from time to time.

26.6. The Shipowner shall indemnify Marine Services against any claim in relation to any accident howsoever arising out of or caused or contributed to by any defect in the equipment or gear referred to in clause 26.3.

## 27. Removal of Goods from Marine Services Premises

27.1. The Customer shall ensure that all Goods delivered to Marine Services by the Customer for export shall be received by the Shipowner within a period of twenty-one days from such date of delivery. If for any reason whatsoever the Goods are not so received by the Shipowner within the said period, then on the expiration of the said period Marine Services may remove the Goods into warehouse at the Customer's expense.

27.2. All imported Goods shall be removed by the appropriate Customer from Marine Services premises within a period of twenty-one days from the date on which the Goods were received from a Vessel or as agreed by Marine Services. If for any reason whatsoever the Goods are not so removed by the Customer, Marine Services may remove the Goods into warehouse at the Customer's expense.

## 28. Hazardous Goods and Live Animals

28.1. No Goods of a dangerous, hazardous, poisonous, tainted, infested or contaminated nature or other Dangerous Substances will be handled by Marine Services except with the consent of Marine Services and in accordance with statutory and Marine Services directions, regulations and byelaws governing the handling of such Goods.

28.2. All extra costs charges and expenses incurred by Marine Services in handling Goods of a dangerous, hazardous, poisonous, tainted, infested or contaminated nature or other Dangerous Substances shall be repaid by the Shipowner of the Vessel on which they were or were to be consigned.

28.3. The Customer shall be responsible for and shall indemnify Marine Services against all injury, loss or damage however and whenever caused and against all claims whatsoever made against Marine Services for which they may be or become liable in respect of death or injury to persons or loss of or damage to property or delay arising out of, caused or contributed to by:-

28.3.1. a failure to comply with the conditions, directions and regulations referred to in clause 28.1; or

28.3.2. live animals exported, or intended to be exported, or imported by the Customer.

## 29. Security

29.1. The provision of any security services or anti-terrorist measures in respect of a Vessel shall be the responsibility of the relevant Shipowner.

29.2. The Shipowner and the Customer shall comply in every respect with the International Ship and Port Facility Security Code (ISPS Code) together with all relevant UK and EU Regulations including in particular Regulation 11 of the Ship & Port Facility (Security) Regulations 2004 (S1 2004/1495) as amended. This also includes compliance with / to any instructions or directions issued by the UK Department for Transport, Maritime Security Division (“MSD”) relating to any of the said regulations, and in particular the Shipowner shall at all times comply fully with the instructions of the Port Facility Security Officer (as defined in the ISPS Code) or deputies in accordance with the Port Facility Security Plan (as defined in the ISPS Code) and any other such plan or direction approved from time to time by MSD relating to the Harbour and/or any other property of Marine Services adjacent thereto.

## Part 3 – Pilotage Services

### 30. Pilotage Direction

30.1. In accordance with Section 7 of the Pilotage Act 1987, the Harbour Authority has directed that pilotage be compulsory throughout the Pilotage Area for:

- 30.1.1 All passenger vessels of 65m or great Length Overall.
- 30.1.2. All vessels under tow where the combined overall length of the towing vessel and the tow is over 65m length overall.
- 30.1.3. All vessels using Harbour Authority tugs for berthing, unberthing or any other reason where tugs need to be operated under control of the vessel.
- 30.1.4. All vessels over 300 GT carrying persistent oils.

### 31. Provision of Service

31.1. The provision of the pilotage service is subject to pilotage directions published by the Harbour Authority (or any notice that supersedes it).

### 32. Charges

32.1. Pilotage and associated charges are made pursuant to Section 10 of the Pilotage Act 1987 and are based on a combination of Length Overall and actual draught, in accordance with the attached Schedule of Published Charges.

### 33. Pilotage Exemption Certificates

33.1. Pilotage exemption certificates may be granted to the Master or a certified deck officer, of a compulsory pilotage vessel, trading to and from the Harbour Authority by application, pursuant to section 3(5) of the Pilotage Act 1987, as amended by the Marine Navigation Act 2013 & subsequent pilotage directions promulgated by the Harbour Authority.

### 34. Liability

34.1. 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.



34.2. Limitation of Liability in respect of pilots is covered under Section 22 of the Pilotage Act 1987.

### **35. Performance of Services**

35.1. The charges and tariffs contained in the Schedule of Published Charges hereof shall apply to all quotations, orders, Agreements and contracts entered into by Marine Services for the performance or provision of Services at the Harbour unless otherwise expressly agreed in writing by Marine Services.



**Enquiries to:**

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

Tel: +44 (0) 1856 873636

Email: [harbours@orkney.gov.uk](mailto:harbours@orkney.gov.uk)

Web: [www.orkneyharbours.com](http://www.orkneyharbours.com)



**ORKNEY**  
ISLANDS COUNCIL



March 2021  
INDICATIVE DRAFT



# Orkney's Regional Spatial Strategy



## 1 - Introduction

This indicative Regional Spatial Strategy (iRSS) identifies the strategic priorities for development planning in Orkney over the next 25 years and looks beyond to 2050. The key strategic developments necessary to deliver these priorities are presented alongside the outcomes to which they will contribute.

Following on from the national review of the planning system, the Planning (Scotland) Act 2019 was introduced. The Act aims to deliver a streamlined planning system that is more accessible and efficient; and works for all. One of the new requirements of the Act is that a planning authority, or planning authorities acting jointly, should prepare and adopt a Regional Spatial Strategy (RSS).

The National Planning Framework is a long-term spatial plan for Scotland that sets out where development and infrastructure is needed to support sustainable and inclusive growth. Before the publication of National Planning Framework 4 (NPF4) in 2022, the Scottish Government has requested that planning authorities draft an iRSS. These indicative strategies are intended to be high level and broadly reflect the statutory requirements set out in legislation, identifying strategic development which includes regionally significant developments and potential national development for inclusion in NPF4. One of the key aspects of the iRSS is to present the region's strategic developments within an indicative strategic spatial diagram.

After the publication of NPF4, the Planning (Scotland) Act 2019 requires that planning authorities adopt an RSS in line with the requirements of the Act. This will include stakeholder engagement and public consultation.

Given the magnitude of recent events, it is important to set this indicative strategy within the context of the COVID-19 pandemic. The pandemic has had a major impact upon the immediate outlook for the economy. We will enter a sharp economic downturn, though the long-term economic impacts and the effect across many aspects of life, are currently unclear.

It is likely that the pandemic will affect the way we work for the long-term, for example, with technology enabling more flexible and home working. There is also growing recognition that traditional models of economic growth may need to be replaced with a greater focus upon wellbeing, inclusive growth and sustainability. It is envisaged that global drivers including the pandemic and transition to zero carbon will make Orkney a more attractive place to live and do business in the future.

The Council is working with members of Orkney's business community through an Economic Recovery Steering Group to look at recovery. Through ASPIRE Orkney, the premise is that recovery from the pandemic will build a better future for Orkney through a Team Orkney approach as no single agency and business can make this happen. As Orkney's Regional Spatial Strategy moves forward our strategic priorities and developments will align and support ASPIRE Orkney.

The uncertainties of Brexit present a number of challenges to the economy, to trade and to the legal context within which we plan for the future. Agriculture and the fishing industry face significant change whether that be to markets, subsidy or regulation. It is critically important that the planning system supports these sectors and communities to secure a sustainable future.

## 1.1 - Orkney's Approach - The Regional Context

Orkney is an exceptional place. Our natural environment, economy and community provide an outstanding quality of life that has been enjoyed for generations. Orkney as a community embraces new economic opportunities that can enable us to sustainably benefit from our assets and resources. There is a longstanding tradition of innovation and ingenuity spanning thousands of years. From the Neolithic to the present day, our communities have been resilient; embracing new opportunities and adapting to change.

Innovation, research and development in renewable energy, zero-carbon fuels and local energy networks have established Orkney as a global centre of excellence. These emerging sectors thrive alongside a buoyant agricultural, marine and tourism economy.

We are an outward looking community, globally connected via our visitor economy and knowledge networks. And whilst Orkney may be considered on the geographic periphery, our islands are located at the heart of Scotland's renewable energy, oil and gas and marine resources. In a globally changing world, Orkney is ideally placed to support the forecasted rapid growth in shipping around the North West and North East Passages as arctic ice cover recedes. Due to many contributing factors, the future places Orkney at the centre not on the periphery, and as such, future investment will need to support sustainable economic growth to unlock the potential of our islands.

Orkney is geographically, culturally and economically distinct from the Scottish mainland. These unique characteristics present specific opportunities and challenges for strategic planning and development. Such special circumstances necessitate a bespoke approach that will help bring forward sustainable economic development, continued innovation and respect for our environment, communities and way of life.

Year on year, Orkney is considered to be one of the best places to live in the UK, with low crime rates, good schools, high employment and internationally acclaimed historic and natural environments.

In Orkney, land and sea are inextricably linked and are integral to our everyday life. It is critical that land and marine development is planned in a joined up and integrated way; ensuring nationally and regionally important infrastructure can effectively support our communities and the economy. Strategic planning across land and sea presents an opportunity to deliver a seamless framework for development working to deliver a common set of outcomes. Orkney's RSS therefore sets a high-level framework for development across the terrestrial and marine areas of Orkney. The strategy will inform the preparation of the future Orkney Local Development Plan and Orkney Regional Marine Plan to help deliver the identified outcomes.



*Kirkwall Harbour*

## 1.2 - Orkney's Approach - Strategic Initiatives

As a Council, we draft and develop policies and strategies that are required by statute; as well as other documents that support the Council's aspirations, ambitions and priorities as detailed in the Council Plan 2018 – 2023. The ORSS has also taken into full consideration the 13 Strategic Objectives of the National Islands Plan 2019.

Of strategic importance and relevant to the ORSS is the Council's current work with Shetland Islands Council and the Western Isles through the Islands Growth Deal that will be attracting major funding from both the UK and the Scottish Governments. This funding will be targeted at the development of world class visitor attractions, infrastructure to support our low carbon future, low carbon and green energy and innovation to ensure growth in existing and emerging sectors continues to provide employment and economic benefits for our communities.

The Council as the Harbour Authority has developed and launched an ambitious Infrastructure Plan known as the Orkney Harbours Masterplan that aims to develop the Council's marine infrastructure and make the most of the unique geographical advantage of Scapa Flow as the largest natural harbour in the northern hemisphere to create opportunities for innovation, decarbonization, employment and economic growth.



Kirkwall Harbour

The Council is one of the partners in the development of a multi partner project that looks to maximise the potential for renewable energy in Orkney and eliminate the need for fossil fuels. ReFLEX Orkney (Responsive Flexibility) aims to improve the supply demand balance of renewable energy with the use of electric vehicles, battery storage, hydrogen cells and smart heating systems.

These key strategic projects are embodied within the ORSS.



Kirkwall Bay

## 1.3 Orkney's Approach - Early Engagement 1887

To inform the development of the ORSS, early stakeholder engagement has been completed. This included a stakeholder questionnaire and workshops that sorted the views on the future priorities for development and planning in Orkney. Participants included Elected Members, Council Officers, Community Stakeholders and Business Representatives.

This engagement captured key themes that have helped to shape the ORSS.



### KEY THEMES FROM STAKEHOLDER ENGAGEMENT:

**ASPIRATIONS** – environmental and economic sustainability; and maintenance of our high quality of life. A broad range of infrastructure is required from digital connectivity for all to flood defences; but not one is a single fix.

**CLIMATE EMERGENCY** – A move towards carbon neutral, circular economy which is an exemplar for island life.

**HOUSING** – there is a desire to see existing stock brought up to standard and for new homes to be flexible and energy efficient. Living in settlements to be close to facilities and work is a theme that would reduce carbon emissions.

**ECONOMY** – to retain and grow Orkney's highly skilled workforce that is internationally recognised within maritime and renewable energy sectors. Traditional industries such as agriculture are a strong part of our community. Growth in tourism needs to be sustainable and an asset for all.

**SPECIAL CHARACTER** – Orkney is a unique place to live and visit, with internationally acclaimed cultural and natural heritage assets. Residents want to make sure it stays this way.



Stakeholder Engagement

**Vision:**

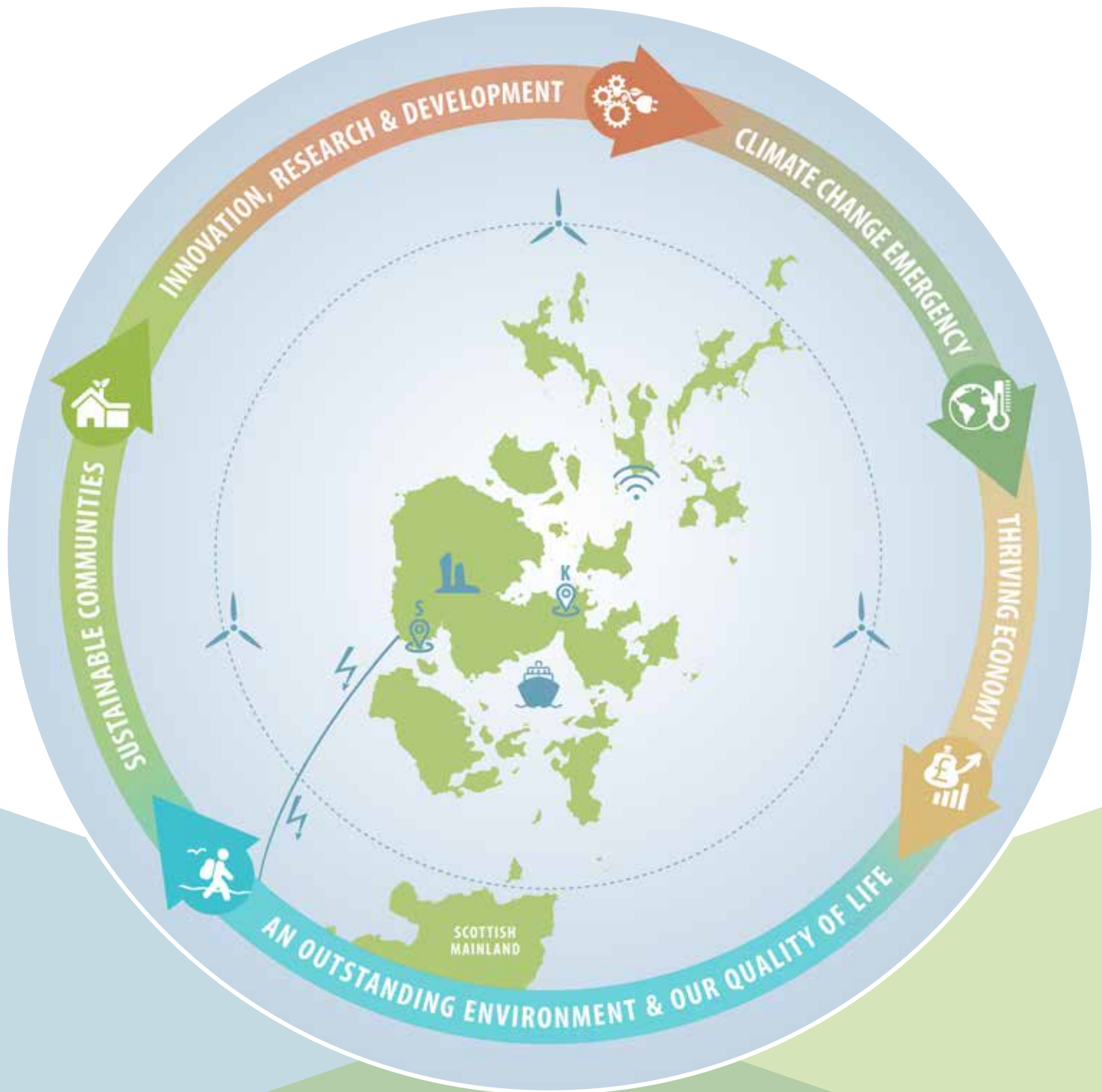
Orkney will have a clean, healthy and attractive environment with a productive and inclusive circular economy that is managed sustainably to support thriving and resilient island communities.

Effective community empowerment and strategic planning will help to unlock Orkney's potential through an integrated approach to sustainable development across land and sea.

INNOVATIVE

PROSPEROUS

AMBITIOUS





## 2 - Strategic Priorities

Five strategic priorities have emerged to inform the identification of the requirements for strategic development in Orkney. Each of these priorities are inter-related and collectively inform Orkney's Strategic Developments and Outcomes.

### Sustainable Communities



#### Context

*Orkney has a strong sense of community whether it is within our towns, villages, rural parishes or remote islands. Our resourceful communities are safe places to live and work with a sense of place that is rooted in our culture, society and environment. We need to ensure future growth is sustainable, making the most of infrastructure and services, reducing the need for fossil fuels and ensuring our places are ready for the challenges ahead.*

### A place-based approach

Orkney has a strong sense of place and identity with many factors contributing to what makes Orkney special and to our quality of life. Every place has different strengths on which to build and aspects that can be improved. When planning for the future, it is important to take a joined-up and collaborative approach when deciding how land should be used, developed and what infrastructure is required such as active travel connections. There are many assets, services and resources that need to come together to create successful places. It is therefore a key strategic priority to take forward a holistic approach to planning in Orkney informed by community aspirations.



Stromness



Kirkwall



Kirkwall

## 1889 Orkney's towns and service hubs

Kirkwall and Stromness are the largest settlements which form the main centres of population, employment, housing, facilities and services. Kirkwall is Orkney's capital; a centrally located service hub serving Orkney and the non-linked islands. Kirkwall's facilities include the Council headquarters, Kirkwall Airport, the Pickaquoy Centre, Orkney College UHI, Hatston Ferry Terminal, town centre businesses and the town's many other facilities. Kirkwall's population is growing faster than any other part of Orkney and has a high level of housing demand.

Stromness is a service centre predominantly for the West Mainland and is a key gateway to Orkney via the Scrabster to Stromness lifeline ferry service. Stromness is also the hub for research and innovation with the Orkney Research and Innovation Campus (ORIC) hosting the European Marine Energy Centre (EMEC), International Centre for Island Technology Heriot Watt University and Robert Gordon University.

*The Plan below locates Kirkwall and Stromness in the context of Orkney.*



## Rural development

Orkney is characterised by a relatively dispersed development pattern of towns, villages, rural settlements and countryside with scattered rural housing and farm steadings. The Orkney Mainland and linked islands are within easy commuting distances of Kirkwall, Stromness and other service centres. Therefore, development pressure for new housing and business development in the countryside is a significant planning and sustainability issue.

Our core spatial strategy is to direct development in the first instance to places with sufficient infrastructure and facilities to support sustainable social and economic development; the towns, villages and rural settlements. These are the places where services, facilities, retail, infrastructure, employment and centres of population are primarily located. This approach seeks to maximise the use of existing infrastructure, reduce the need to travel and looks to safeguard agricultural land and rural landscapes.

It is also a strategic priority to support the economic and social aspirations of our rural communities by supporting traditional business and creating new rural businesses, whilst seeking to protect Orkney's landscape and natural environment for future generations. The next local development plan provides an opportunity to consider future development scenarios to inform policies for sustainable rural development.



## 1890 Fragile island communities

The north and south islands of Orkney are connected to Mainland Orkney by an inter-island ferry and air service. Each island is unique and rich in cultural and natural heritage as well as having a strong sense of community. But these communities are affected by a number of socio-economic issues such as declining populations, under-representation of young people within the population, a lack of economic opportunities, below average income levels and problems with transport and digital connectivity. It is important to ensure that economic growth in Orkney is inclusive of these island communities and that planning policies support the development of housing, businesses and community services to enable these islands to thrive. A bespoke "Isles Approach" to planning policy should continue to enable sustainable development whilst not placing an unacceptable burden on existing infrastructure and services.

*The Plan below locates our fragile island communities.*



*The Plan left locates Orkney's main centres of population and highlights ferry routes.*

## **Coastal and marine development**

To support the growth of the Blue Economy, there is a need for integration and joined up working between the land use and marine planning regimes. This is particularly important for the sectors including offshore renewable energy, ports and harbours and aquaculture, and for addressing the challenges of climate change. In the Orkney context, the regional spatial strategy provides an important opportunity to establish a spatial development framework across land and sea to enable an integrated approach to the local development plan, regional marine plan and associated development projects.

In 2021, the Council will take the opportunity to pilot the local management of marine seabed assets on behalf of Crown Estates Scotland. This is the Marine Asset Management Scheme and it will provide enhanced accountability and transparency, particularly to the local community. It will better integrate the management of all local marine assets, shorelines, sea surface area, water column and seabed for the best use of these assets in pursuit of economic, social and environmental benefits.

In Orkney, the character of the coast and wider landscape are inseparable; there is an inherent relationship between the coast and the entire land area. This presents a significant challenge to defining a specific coastal zone that is distinct from other land areas, and as indicated in Scottish Planning Policy (Paragraphs 89 and 90), the subsequent identification of coastal areas that are subject to significant constraint and areas that are unsuitable for development. If applied in Orkney, this national policy approach would place an unreasonable blanket restriction on development across the islands. Orkney therefore needs to develop a bespoke approach to coastal development policy that takes account of our distinct landscape and coastal characteristics, and the needs of the Blue Economy.

## **Digital connectivity**

Whilst Orkney is a site for one of the UK's 5G testbeds set up to promote and co-ordinate research into 5G technologies and use cases, the whole community still experiences some of the poorest digital outcomes in the UK with many areas of the

1891 county not having access to superfast broadband whilst many urban areas of Scotland now have ultrafast broadband and 5G. Improving digital connectivity and investment in digital infrastructure is a key strategic priority to support growth and sustainability.

## **Sustainable travel and transport**

Providing active travel networks for walking and cycling will enable people to safely travel and stay healthy and active. Creating sustainable transport options and active travel provision will also help our communities make zero carbon choices. Well designed and connected places will reduce the need for carbon based travel, whether this is by locating homes near places of work or through the use of fast and reliable digital connectivity.

Orkney currently has a high level of electric vehicles for a rural community. It is a strategic priority to enable greater electric vehicle use and enhance the capacity of the electric vehicle charging network by supporting development of charge points with new and existing developments. This will include supporting the infrastructure required for other low/zero carbon transportation including hydrogen fuelled cars, buses and ferries.

For our communities the ferry connections to and around Orkney provide a lifeline service; socially and economically. For Orkney, inter-island ferry and air links are the only means of travel for these communities to access facilities such as healthcare and certain types of education. They are considered to be public transport services and are lifelines for our most fragile communities. The present infrastructure is far from carbon neutral. National investment is required to ensure these services have longevity and have lower carbon emissions.

Later this year, Kirkwall airport will become the UK's first operationally based low carbon aviation centre reflecting Orkney's status as a world leader in renewable research and development. Aircraft powered by electricity, hydrogen and sustainable aviation fuels (SAF) will be trialled. This work will help decarbonise regional air travel and create employment opportunities. As a partner, the Council supports Highland and Islands Airport Limited in their future sustainable business growth.

Orkney is the worst affected area by fuel poverty in the UK resulting in local impacts on prosperity and quality of life. Future housing and business development will need to incorporate affordable renewable and low carbon heat; and energy efficiency measures. This needs to be delivered through both new development and investment in retro-fitting existing housing stock and business premises.

### Strategic Outcomes

**Outcome 1** – To allow for our communities to flourish socially and economically; the whole of Orkney needs fast and reliable digital connectivity in the home, places of education, places of work and places that provide services. A reliable connectivity will reduce the need to travel and support our move to cut carbon emissions.

**Outcome 2** – To identify Orkney Sustainable Communities as locations for future growth where people live, work, exercise, socialise, shop and use services. These will be locations that service our rural communities.

**Outcome 3** – Investigate the future of housing in Orkney; especially in our rural and remote locations, considering the adaption of existing housing stock to address fuel poverty and climate change, low carbon housing, live/work unit options and co-living.

**Outcome 4** - Consider future rural development scenarios and how they may affect our landscape, countryside and agriculture; whilst seeking to maximise development in locations where there is appropriate infrastructure and services.

**Outcome 5** – Continue to investigate and invest in sustainable travel networks in our communities that link homes to places of work, education and services. These networks will provide links within settlements and between our settlements; including Green Infrastructure Networks that facilitate sustainable surface water management, active travel and biodiversity corridors. Infrastructure is required to continue Orkney's move to low carbon travel.



### Context

*Orkney is a resilient and enterprising community with a diverse economy. Our vision is to establish Orkney as a vibrant carbon neutral place which supports the growth of existing and new businesses; and stimulates inclusive investment in all our communities. To realise this vision and the establishment of our circular economy, we require continued investment in our core industries, strategic infrastructure, people and skills.*

### Economic and community hubs

Kirkwall and Stromness are the main urban centres in Orkney performing vital economic roles as centres for business and administration. They are hubs for community and sports activities, provide healthcare services such as the new hospital, 'The Balfour', in Kirkwall, education facilities at all levels and are gateways for internal and external ferry links. As such, they have been identified as Strategic Hubs.

### Economic challenges

Orkney has many economic strengths with a diverse economy that has both established and emerging sectors, including agriculture, marine, food and drink, renewable energy and tourism. Though we are a relatively prosperous place, we also face a number of economic challenges. Remoteness from traditional economic, population and government centres results in relatively expensive transport connectivity and associated challenges to developing businesses. We have an aging population and therefore wish to encourage more young people to live and work in Orkney.

It is therefore critical that we invest in the essential strategic development and infrastructure, services, people and skills to help build on our economic successes, securing a sustainable future. But for all our challenges, Orcadians face them head on having a global reach through organisations such as EMEC.

## The Blue Economy

Surrounded by a major marine estate and coastline Orkney has significant 'Blue Economy' opportunities, including the sustainable expansion of fishing and aquaculture, and new high growth areas such as renewable energy, biotechnology and low/zero carbon fuels. Orkney is ideally placed to support the forecasted rapid growth in shipping around the North West and North East Passages as ice cover recedes in the Northern Arctic waters due to global warming. Scapa Flow, being the largest natural harbour in the northern hemisphere, has a significant locational advantage.

As brought forward within the Islands Growth Deal, there is the opportunity to support marine low carbon fuel transition through Liquid Natural Gas (LNG) refuelling in Scapa Flow, and future hydrogen technology. The Orkney Harbours Masterplan will also establish world class facilities to support the offshore wind industry and wider marine sectors. With these developments, Orkney will play a central role in delivering upon the Scottish Government's Arctic Strategy and National Islands Plan.

### Supporting our established economic sectors

As well as supporting the development of emerging sectors, agriculture, aquaculture and fishing are established industries that require support to enable a sustainable future. This support should include investment in infrastructure, enabling planning policies, sustainable management and environmental protection measures. It is also important to acknowledge the cultural and community value of traditional industries including agriculture and fishing, and the contribution they make to island life.

Kirkwall Bay



## 1893 Sustainable tourism

Tourism is an important source of jobs and income in Orkney with an estimated annual value of £67 million to the Orkney economy. It contributes to many sectors including accommodation, food and drink, hospitality, transport and manufacturing. As a growth sector, the sustainable management of tourism is a key strategic issue. Investment is required to address adverse impacts from high-volume tourism, maximise socio-economic benefits, seasonal nature and the protection of the special character and qualities of Orkney's cultural and natural assets. As the ice cover recedes in the Northern Arctic waters this could open up future tourism markets for Orkney.

### Strategic Outcomes

**Outcome 1** - A vibrant and diverse economy that is inclusive of all our communities in the provision of well-paid economic opportunities for all.

**Outcome 2** - A carbon neutral Orkney economy.

**Outcome 3** - A thriving and sustainable marine economy supported by world class infrastructure, supply chain and a highly skilled work force.

**Outcome 4** - A thriving and sustainable tourism destination with well managed infrastructure, cultural and natural heritage.

Divers





### Context

*Climate change is a global issue requiring immediate international, regional and local action. Rising sea levels and changing weather patterns will increasingly affect our environment in Orkney and, in turn, our society and economy in significant ways. Increased flooding and coastal erosion are impacting on our communities and homes, our historic, cultural and natural assets, and will increasingly affect agriculture, fisheries and the many other industries that our communities rely on. Mitigating and adapting to climate change is therefore a strategic priority of critical importance.*

### Transition to zero carbon

Orkney will take a leading role to support the global transition to low carbon. Orkney is at the cutting edge of innovation in renewable energy technologies, low carbon fuels and local energy networks. It is a key strategic priority to support the continued growth of these sectors and the transfer of this knowledge and technology to decarbonise the national economy, homes and transportation.

Maximising local socio-economic benefits from appropriate renewable energy development both on the land and at sea is a significant strategic priority for Orkney. This strategy identifies key harbour assets, development and grid infrastructure to help realise and grow these opportunities.

ReFLEX Orkney aims to maximise the potential for renewable energy in Orkney and eliminate the need for fossil fuels by improving the supply demand balance of renewable energy with the use of electric vehicles, battery storage, the use of hydrogen and smart heating systems.



Micro Generation

Rising sea levels and changing weather patterns will increase adverse impacts from flooding, coastal erosion, coastal inundation and wider processes of coastal change. To effectively plan future development and infrastructure, greater understanding of these processes and associated impacts is required. Improving knowledge of the likely impacts of climate change, including flooding and coastal erosion will inform future local development plans and strategic funding. Further assessment and modelling are required to help predict and plan future development and infrastructure to adapt to climate change.

The Council through the Flood Risk Management (Scotland) Act 2009 completes flood risk management for Orkney. The Local Flood Risk Management Plan considers the County's priorities and actions to avoid and reduce the risk of flooding; prepare and protect communities from flood risk. Actions that consider physical infrastructure can be financially and technically difficult for the Council and partner agencies, such as the Scottish Environment Protection Agency, to deliver.

### Safeguarding and enhancing natural assets

Safeguarding and enhancing the integrity of terrestrial and marine ecosystems, and geomorphological features, will have significant benefits to mitigate and reduce the adverse impact of climate change. Natural habitats, and green infrastructure can improve surface water management and reduce flooding impacts in our settlements. Woodland, peat and carbon rich soils, saltmarsh and maerl beds, for example, provide significant carbon storage and sequestration benefits. Coastal and marine habitats including sand dunes, saltmarsh and kelp forests, provide essential coastal protection services. It is therefore important that these habitats are safeguarded and enhanced to help mitigate climate related impacts.



Electric car

## Climate change related opportunities

Whilst climate change presents many potential threats and uncertainties, it also presents significant opportunities to create a greener, cleaner and more productive economy. Renewable energy and low/zero carbon fuels are a significant economic driver for Orkney that can benefit local jobs, supply chain, infrastructure and services.

Orkney is ideally placed to support the forecasted rapid growth in shipping around the North West and North East Passages as arctic ice cover recedes due to climate change. The opening up of new arctic shipping routes is enabling faster connections to China and the far east. Orkney has a locational advantage to create new low and zero carbon shipping and fuelling opportunities.

## Strategic Outcomes

**Outcome 1** – Orkney’s infrastructure and assets will be resilient to the adverse impacts of climate change.

**Outcome 2** - Orkney will realise significant socio-economic and community benefits from appropriate onshore wind, offshore wind, wave and tidal development; and associated non fossil fuel opportunities.

**Outcome 3** – Orkney Harbours will be the preferred location for offshore wind, wave and tidal operations in North of Scotland with a skilled local workforce and supply chain.

## An Outstanding Environment and Quality of Life



### Context

*Orkney consistently comes out near the top of national quality of life rankings. The factors that contribute to this include sense of community, trust, belonging, health, safety, high levels of employment, wellbeing and happiness. The quality of the environment is a significant factor. Each island and community has its own special character and it's this diversity that makes Orkney a unique and interesting place to live and visit. Local communities value their environment and wish to see it safeguarded for current and future generations.*

1895 Our outstanding natural environment in Orkney is of international significance. In addition to its intrinsic value, the environment underpins many sectors of the economy - from agriculture, fishing and aquaculture to tourism and the food and drinks industry. The natural heritage of Orkney is reflected in its many designated sites, the wider biodiversity and geodiversity, as well as its inspiring landscapes and seascapes.

Natural features and processes also support communities in less obvious ways, for example through water storage and purification, carbon storage and flood mitigation. Orkney’s complex mosaic of habitats and biological features provide a wealth of natural capital and ecosystem services. These include dune systems, vegetated shingle and saltmarshes that provide valuable coastal defences against the erosive forces of strong tides and wave action. In our seas, the many kelp and seaweed communities on sublittoral sediment also provide protection against wave action. Marine habitats such as maerl beds, flame shell beds, kelp forests, horse mussel reefs and seagrass meadows have been found to be significant storage areas for carbon, commonly known as ‘Blue Carbon’.

*The Plan below locates Orkney International Natural Heritage Designations.*



The Plan below locates Orkney's Marine Protected Areas 1896



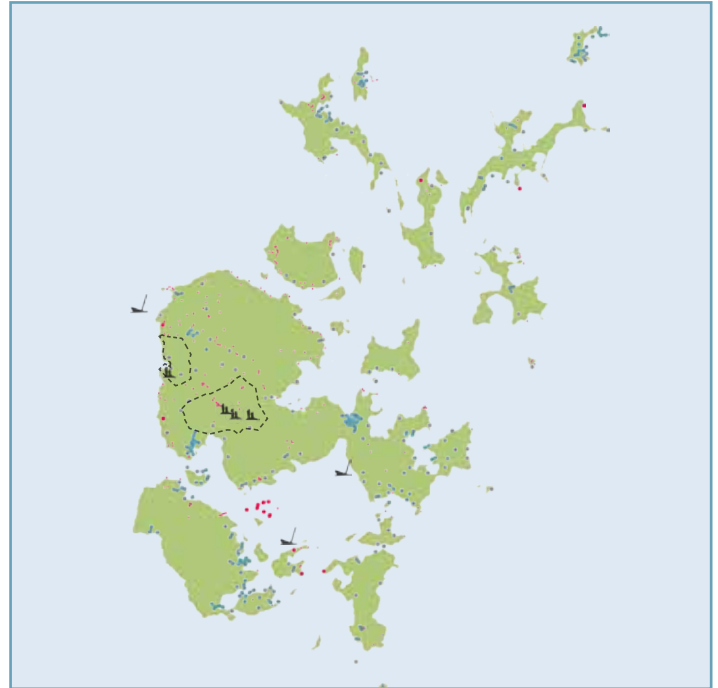
The Plan below locates Orkney's National Landscape Designations.



### **The historic environment**

From the Neolithic village at Skara Brae to the wrecks of the German High Seas fleet in Scapa Flow, Orkney is internationally renowned for its historic buildings, archaeology and cultural heritage. These are not only central to Orkney's cultural identity, but also form the backdrop to everyday life. Orkney's rich and varied historic sites are valuable assets, comprising a significant proportion of the county's infrastructure, public realm and building stock. These assets need to be protected whilst recognising their place in the living landscape.

The Plan below locates Orkney's historic environment assets with listed buildings in red, Scheduled Ancient Monuments in blue, the Monuments of the World Heritage Site and their associated buffers in black and controlled sites noted with a black ship symbol.



### **Outdoor enjoyment and recreation**

The natural and historic environment are valuable resources for recreation, outdoor access and enjoyment. Whether it be working outside, walking, cycling, sailing, outdoor swimming, wildlife watching or visiting our cultural heritage sites, people feel the benefit of being outdoors to their mental health and general wellbeing. And within our towns, open spaces, footpaths and cycleways create green networks, enabling communities to live healthier lives and reduce carbon emissions. Opportunities to enjoy the outdoors and develop better infrastructure for outdoor access and active travel need to be a priority.

### **A place-based approach**

Understanding a place, and its influence on people and communities is essential for effective planning of development and services. It's important to understand what makes a place work well, what makes a place special, so these features can be protected and enhanced. Natural spaces, play and recreation, cultural connections and sense of identify all contribute to the values and benefits we associate with our environment. This place-based approach will form the basis for how the environment will be managed through the planning system in Orkney.



## Strategic Outcomes

**Outcome 1** – Orkney’s natural environment will be protected and enhanced for the benefit of nature and people.

**Outcome 2** - Orkney’s historic environment will be sustainably managed as part of a living landscape for the enjoyment of our community and visitors, now and in the future.

**Outcome 3** – Through Local Place Plan, a Place Approach will be adopted that will involve the community to actively plan their places for the future.

## Innovation, Research and Development



### Context

*Orkney has always been an outward looking community with a global reach that has embraced change and looked to new sectors and opportunities to provide for its economic future. Bugar Hill Wind Energy Development on the West Mainland of Orkney began as a research site in the early 1980s with experimental technology that demonstrated how large scale renewable energy production was viable. Today, Orkney is home to the European Marine Energy Centre Ltd (EMEC) which is a world class facility providing developers of both wave and tidal technologies with open sea testing facilities, associated infrastructure, and a range*



*Washing the Microsoft data centre following retrieval from EMEC test site in Orkney © Microsoft*

1897

## Stromness

An internationally renowned cluster of innovation, research and development has emerged in Stromness around EMEC, Heriot Watt’s International Centre for Island Technology (ICIT) and complementary businesses, services and research organisations. This cluster has now been consolidated in the newly completed Orkney Research and Innovation Campus (ORIC) that has redeveloped the town’s former primary and high schools. ORIC is home to Heriot Watt University’s Centre for Island Technology, Robert Gordon University and the European Marine Energy Centre; as well as a number of renewables and energy commercial enterprises. Students from all over the world are attracted to study here and often gain rewarding employment within Orkney after graduation, making



*ORIC Campus, Stromness © orkney.com*

## Kirkwall

Orkney College forms part of the University of the Highlands and Islands - a network of 13 campus and research facilities throughout Northern Scotland. A range of subjects can be studied, including construction, business, catering, agriculture, archaeology, maritime studies and childcare, with vocational qualifications, modern apprenticeships, and under-graduate and post-graduate qualifications available. Internationally, Orkney College is a recognised centre for archaeology, agronomy and northern studies.

## Strategic Outcomes

**Outcome 1** - A strengthened position for Orkney as a world leader in research, development and innovation. This is of key importance to Orkney Islands Council.

**Outcome 2** - Research, development and innovation will act as a catalyst for economic and community development securing significant socio-economic benefits.

**Outcome 3** – Research, development and innovation will attract young and talented people to make

Orkney their preferred location to live and work.

### 3 – Orkney's Strategic Developments

Achieving Orkney's strategic priorities is dependent on smart investment in strategic development and infrastructure. Whether it be achieving our ambitions to lead at the cutting edge of the transition to net zero carbon or establishing Orkney as a world class destination for sustainable tourism, the necessary development and infrastructure needs to be identified and prioritised within Orkney's Regional Spatial Strategy and supported within NPF4.

Successful places are created through many contributing factors, not through stand alone developments or infrastructure investments. From clusters of innovation, research and development such as Stromness, to distinctive high-quality environments like the Heart of Neolithic Orkney World Heritage Site or Scapa Flow as a nationally significant natural harbour asset, building on the success of these places requires a coordinated approach. The Strategic Developments have been identified as places that require key infrastructure and development over the next 25 years and beyond to 2050.

Since the publication of National Planning Framework 3 in June 2013, there have been significant developments in Orkney particularly within the marine and renewable energy sectors.

Opportunities have evolved with a renewed strategic focus galvanised by Scotland's target of net zero emissions by 2045. New opportunities have come to the fore including wind energy developments and new facilities have been delivered such as the ORIC. The ORSS provides the ideal opportunity to focus and coordinate Orkney's Strategic Developments to assist in the delivery of national and local outcomes



Marine shipping

1898 both onshore and offshore.

### 3.1 - Building on NPF3 aspirations

Orkney featured prominently within NPF3 and many of these key development aspirations remain a priority and should continue to be supported in NPF4. The Orkney related aspects of NPF3 are:

- Orkney and Pentland Firth identified as an area of co-ordinated action in respect of marine renewable energy development.
- Recognition made of plans for a transhipment container hub in Scapa Flow which could benefit the opening up of northern trade routes.
- The role of key coastal and islands hubs including Kirkwall.
- The identification of Scapa Flow as a key port.
- The need to capitalise on world-class environments such as the Heart of Neolithic Orkney World Heritage Site.
- The inclusion of the Orkney-Scottish Mainland electricity grid connection as a "national development."

### 3.2 - The ORSS Strategic Developments of National Importance

- Scapa Flow Strategic Asset Development including Scapa Flow Deep Water Quay
- Kirkwall Strategic Development Hub including Hatston Pier
- Electricity Transmission Network
- Orkney's Renewable Energy Opportunities
- Stromness Strategic Development Hub including Orkney's Research and Innovation Centre
- World Heritage Site Gateway for Orkney
- High Speed Digital Connectivity for All

### 3.2 – Scapa Flow Strategic Asset Development including Scapa Flow Deep Water Quay as a National Development

#### Our vision for Scapa Flow:

*With its expansive natural sheltered harbour, Flotta Oil Terminal and ultra-deep-water quayside infrastructure and anchorages – Scapa Flow will be a first-class hub that supports maritime trade now and, in the future, fuel and energy production/supply, and the wider marine economy fostering growth, innovation and transition towards a decarbonised future. Achieving this ambition will generate considerable social, economic and environmental benefit and resilience for Orkney, for Scotland and the UK as a whole and for national and international shipping logistics.*



Scapa Flow is recognised as a national strategic asset which has played significant roles in the past and will continue to do so into the future. There have already been significant periods of change, from its historic role as a strategic naval base to a vital trade route way point and the development of Flotta Terminal and Scapa Oil Port. The Scapa Flow Strategic Asset Development will continue this journey, realising new opportunities to support the offshore wind and marine renewable sectors to develop new facilities for a low and zero carbon fuel hub, and evolving the harbour’s role within the energy sector.

The ambition to develop Scapa Flow will require infrastructure to be constructed to enable a future fuels hub for the storage and delivery of low and zero carbon fuels such as hydrogen and ammonia for both marine and terrestrial users. A new deep water harbour facility. A new deep-water harbour facility will service offshore platforms and support the construction, operations and maintenance of offshore wind developments in the north of Scotland. This development programme will repurpose Scapa Flow as it shifts from a dependency on oil and at the same time, the Control of Major Accident Hazards (COMAH) site at the Flotta Oil Terminal will transition to lower carbon energy use, contributing to the life extension of this strategic facility. This collective repurposing initiative will lead through innovation to transition from hydrocarbons to a zero-carbon future.

1899 The infrastructure and facilities that form part of this Strategic Development include:

- the construction of new deep-water quayside facilities in Scapa Flow – the Scapa Deep Water Quay - a proposed National Development;
- the development of a Liquefied Natural Gas (LNG) storage and distribution hub; and
- focused research, development and implementation of new technologies to enable the diversification of Flotta Terminal.

Other key aspects of Scapa Flow’s infrastructure assets include:

- Scapa Pier as a key component of Orkney’s critical infrastructure supporting Flotta Oil Terminal activities, Ship to Ship Transfer and rig stacking/maintenance. This pier also provides the single point of entry for Orkney’s supply of domestic and commercial fuels.
- Lyness on Hoy which has potential future use in the renewable energy, oil or gas sectors.
- Stromness harbour including Copland’s Dock and the marina.



The visualisation above shows the proposed Scapa Flow Deep Water Quay.



The Plan left indicates the location of the ports and harbours facilities and proposed developments noted.

### 3.3 - Kirkwall Strategic Development Hub including Hatston Pier as a National Development

1900s As Orkney's capital, Kirkwall is a strategically important economic, cultural, recreational, residential, commercial, tourist and transport hub for Orkney. Centrally located on the Orkney Mainland, Kirkwall serves people who live in and visit Kirkwall, as well as those from the East and West Mainland, the linked isles and the outer isles. Key services include Council headquarters, the Pickaquooy Centre, the new Balfour Healthcare Facility, Orkney College UHI, Hatston Pier and Terminal, Hatston Industrial Estate and a range of wider retail and business services. A successful Kirkwall contributes to a successful Orkney and the town's ongoing development must be supported and coordinated for the islands as a whole to thrive.



#### Our Vision for Kirkwall:

For Orkney's sustainable economic future, Kirkwall requires to remain as our hub for co-ordinated action to realise the ambitious plans for Scapa Flow and Hatston Pier; and for our renewable energy resource. Our ambitious plans will provide for social and economic benefits for the community and allow Orkney to transition to a zero-carbon economy. Kirkwall is the main hub for services, recreation and leisure, healthcare, education, administration, retail, transport and commercial activity.

The Plan below shows Kirkwall.



The visualisation below shows the proposed extension and redevelopment of Hatston Pier.



Kirkwall is a key transportation hub with Kirkwall Airport and the Hatston Terminal which connects Orkney to the Scottish mainland and then internationally. Via Hatston Pier or Kirkwall Harbour, Kirkwall is the most visited cruise port in the UK, the hub for inter-isle ferry routes to the Outer North Isles and Shapinsay and home to the largest marina in Orkney.

Further significant infrastructure investment is required to ensure that Kirkwall continues to support sustainable communities and economic growth across Orkney. The Orkney Harbours Master Plan – Phase 1 has identified opportunities to develop new multipurpose quayside infrastructure and land reclamation at Hatston and Kirkwall Piers to support the oil and gas, renewables, aquaculture, fishing and cruise sectors. This will be supported by a mixed-use waterfront redevelopment in the heart of Kirkwall and a significant expansion to Kirkwall Marina.

Recently, considerable investment has been made in new coastal flood defences in Kirkwall that have protected the heart of Kirkwall from coastal flooding. The Council with the Scottish Environment Protection Agency and Scottish Water are investigating and establishing solutions that address the surface water flooding issues for Kirkwall as well as creating more capacity in the public foul drainage system. Investment is still required to allow for future sustainable growth of our main settlement.

In 2018, the Council completed the Your Kirkwall Project that fully engaged with the community on their plan for Kirkwall as a place to live, work, study and visit. Your Kirkwall identified active travel and outside space projects. The Council is presently working with partner agencies and the community on the delivery of these projects that will see greater active transport connectivity within and around Kirkwall; ensuring purposeful trips and trips for health and recreation can be made actively.

The infrastructure and facilities that form part of this Strategic Development include:

- Hatston Terminal and Pier: New multi-purpose deep water quayside infrastructure and reclamation of land for development.
- Kirkwall Pier: New multi-purpose quayside infrastructure, along with marina, mixed-use waterfront development area and improvements to traffic management and facilities on quay.
- Funding to allow for the sustainable upgrade of surface water management.
- Funding for the completion of the Your Kirkwall Active Travel and Places Projects allowing Kirkwall to be a sustainable travel location that has places for all.
- To consider the development and future educational requirements of Orkney College as part of the University of the Highlands and Islands that will support growth sectors within Orkney's and Scotland's economy such as Tourism, Food and Drink, Agriculture and Archaeology; including investment in vertical farming



## 19013.4 – Electricity Transmission Network as a National Development



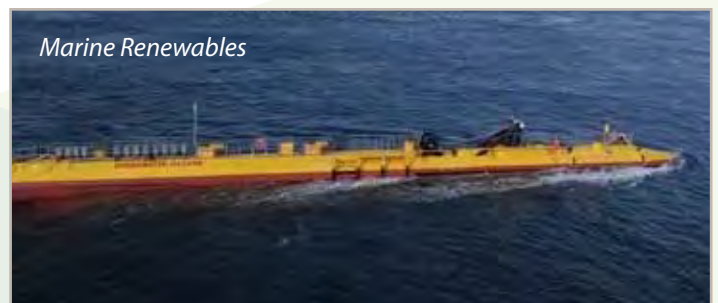
### *Our Vision for Electricity Transmission:*

*For Orkney's renewable energy opportunities, both on land and at sea to be sustainably realized and managed; with residual energy exported to markets both in Scotland and Internationally. Achieving this ambition will generate considerable social, economic and environmental benefits for Orkney as well as allowing for Orkney to transition to a zero-carbon economy and assisting in Scotland meeting its renewable energy targets.*

The Orkney-Scottish Mainland high voltage electricity grid connection needs to be retained as a National Development in National Planning Framework 4. Since the publication of National Planning Framework 3 in June 2014, this grid connection has not been achieved. To facilitate renewable energy developments a new cable linking Orkney to Mainland Scotland is required.

This infrastructure will assist in achieving the Scottish Government's ambitious green energy targets. The Scottish Energy Strategy 2017 sets a 2030 target for the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied by renewable sources. By 2045, the Scottish Government aims to have an almost completely decarbonised energy system.

The current poor grid connectivity to Mainland Orkney means that existing renewable energy developments are often curtailed, and new large-scale renewable energy projects are delayed. For Orkney to continue to be a global leader within this sector with research and development into new technologies both land and marine based, this connection is required.



At the end of 2019 and in early 2020, consents have been gained by Scottish Hydro Electric Transmission plc for the installation of a 220kV AC Subsea Cable that proposes to land at Warebeth, Stromness and for the associated infrastructure throughout Orkney. The Orkney Transmission Project – Conditional decision on Final Needs Case for this development was published in September 2019 by the Office for Gas and Electricity Markets (Ofgem). The needs case for the cable is based on 135MW of installed capacity being gained by December 2021.

### 3.5 - Orkney's Renewable Energy Opportunities as a National Development



#### Our Vision for Orkney's Renewable Energy Opportunities:

For Orkney's renewable energy opportunities, both on land and at sea to be sustainably realised and managed; with residual energy exported to markets both in Scotland and internationally. Achieving this ambition will generate considerable social, economic and environmental benefits for Orkney as well as allowing for Orkney to transition to a zero-carbon economy and assisting in Scotland meeting its renewable energy targets.

Orkney is recognised as having a considerable renewable energy resource with the significant wave and tidal energy opportunities being recognised through the Pentland Firth and Orkney Waters – Area of Coordinated Action that featured prominently within National Planning Framework 3. The Marine Scotland's Sectoral Marine Plan for Offshore Wind Energy has identified two draft options off the north coast of Scotland and near Orkney for offshore wind energy.

On land, on Orkney's Mainland and isles, there is presently over 50 MW of consented large-scale wind energy developments with other large-scale projects currently in development. Orkney is also home to the largest number of small-scale wind energy developments in Great Britain.

With our existing electricity grid infrastructure being heavily constrained, the Council and partners have been investigating and bringing forward ways to manage constrained renewable energy.

1902 The ReFLEX Orkney project is bringing forward ways to manage this through battery storage, hydrogen cells and electric vehicle use.

The Orkney Regional Spatial Strategy has also noted the major port and harbours infrastructure requirements that would facilitate the deployment, operation and maintenance of large scale renewable energy generation.

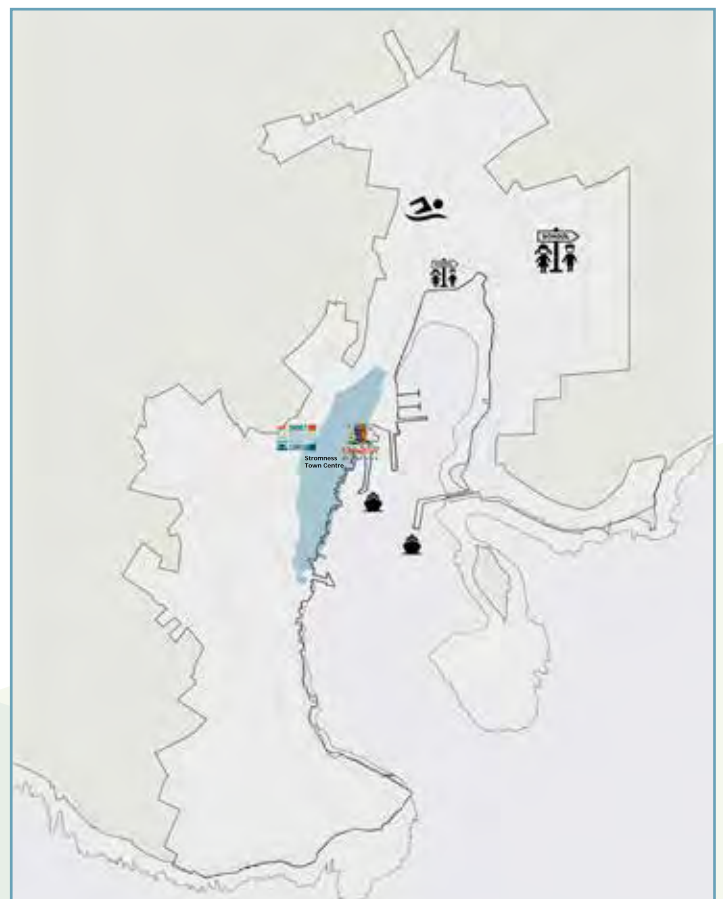
### 3.6 - Stromness Strategic Development Hub including Orkney's Research and Innovation Centre as a National Development



#### Our Vision for Stromness:

For Orkney's sustainable economic future, Stromness requires to remain as our global hub for Research and Innovation so that Orkney can realise the ambitious plans for the management of our renewable energy resource to allow Orkney to transition to a zero-carbon economy through the 2nd Phase of the Orkney Research and Innovation Campus and the Island Centre for Net Zero Carbon. Stromness is an important hub for services, recreation and leisure, healthcare, education, administration, retail, transport and commercial activity.

Below is a Plan locating the main facilities within Stromness.



Globally Orkney has a key strategic ambition to further establish itself as an International Centre of Excellence for collaborative, world-leading research and learning, and the commercial application of new renewable energy technologies. Orkney Research and Innovation Campus hosts the European Marine Energy Centre (EMEC), Heriot Watt's International Centre for Island Technology (ICIT) and Robert Gordon University, which have helped establish Orkney as a global leader in marine renewable energy, zero carbon energy systems and environmental research. A cluster of successful renewable energy businesses has grown up in Orkney as a result.

Completed in 2020, the Orkney Research and Innovation Campus Phase 1 has been a successful venture. Such is the demand for research and collaboration facilities, the space created is now full and the ORIC Board now plans to expand the campus with a Phase 2 development. The organisations on campus have continued to grow and there is a strong interest from existing and new academic partners to locate research and teaching activity in Orkney.

While there is a substantial opportunity for development of the campus, future development and activities of ORIC are not limited to Stromness but are a hub for activities throughout Orkney and other cross-island group low carbon activities.

1903 The ORIC Phase 2 development is looking to create additional office, student accommodation and facilities to support the establishment of an Island Centre for Net Zero Carbon. This will support a significant expansion in the number of high-quality island-based commercial, academic and research and development jobs, undergraduate and postgraduate places and create space for new start companies.

The Islands Centre for Net Zero Carbon will aim is to accelerate the islands' transition to net zero carbon and ability to act as UK demonstrators for the associated technologies and provide low carbon expertise. The ambition is to deliver an Integrated Energy System interlinking electricity, heat and transport networks into one overarching digitally connected low carbon ecosystem. This will capitalise on the islands' huge renewable energy potential and the current £28million UK Research and Innovation sponsored ReFLEX Orkney project to deliver a decarbonised energy system of the future. A key component of this will be a Hydrogen Hub, which establishes green hydrogen infrastructure allowing for the first demonstration of this clean fuel of the future in ambitious projects such as hydrogen ferries and hydrogen gas networks.



Electric Bus

### 3.7 - World Heritage Site Gateway for Orkney as a National Development

1904



#### Our Vision for the World Heritage Site Gateway:

Orkney's World Heritage Site Gateway will re-enforce Orkney's position as a tourism centre of excellence. A strategic and integrated approach will ensure effective management and a welcoming visit for all. The Gateway Project involves investment in new and existing facilities and the application of digital technologies and addressing sustainability and climate challenges

Orkney is renowned for its rich natural and cultural heritage assets. The world-class quality of these assets is illustrated by the UNESCO World Heritage status of the sites which form The Heart of Neolithic Orkney World Heritage Site (WHS). A cornerstone of the Orkney visitor experience, the component parts of the WHS are situated in the West Mainland of Orkney, comprising the domestic settlement at Skara Brae, Maeshowe Chambered Cairn, the Stones of Stenness circle and henge, the Ring of Brodgar stone circle and associated standing stones and funerary monuments.

For more than a decade, Orkney has been experiencing exponential growth in visitor numbers (with cruise passenger numbers alone increasing by 369% during the period). Although this has been driven largely by the cruise market, the coach tour and independent markets have also been growing.

The essential need for changes in ferry fare structures (introduction of Road Equivalent Tariffs) and successful developments in neighbouring areas such as the North Coast 500 route, for example, are also likely to drive up visitor numbers over the coming years. Continuing and rapidly expanding tourism growth is delivering social and economic benefits, but it is now beginning to impact on the fabric and character of the assets and landscape that attracts the tourists and provides a much-loved backdrop to the lives of communities in Orkney.

The Orkney World Heritage Site Gateway is a Strategic Development which will enable a sustainable and viable tourism economy to develop and thrive, alongside other established sectors such as agriculture, energy and creative industries. Focused investment will seek to address the negative impacts of high-volume tourism, increase the economic return and cultural benefits that can be achieved for island communities, and do so in a way that protects and enhances the very special character and value of Orkney and the WHS.

The infrastructure and facilities that form part of this Strategic Development include an Orientation Centre that will be a dedicated year-round tourism facility providing information, interpretation and orientation, vehicle parking (including electric vehicle charge points), bicycle facilities (including e-bike hire and charge points), a zero carbon shuttle service powered by locally produced hydrogen from renewable resources that will transfer visitors between the centre, the monuments and our main settlements of Kirkwall and Stromness, and an Active Travel Network that will link the centre and monuments.



Standing Stones of Stenness



Barnhouse Village



### 3.8 - High Speed Digital Connectivity for All as a National Development

1905



Vision for High Speed Digital Connectivity:  
For all homes, places of work and service locations such as schools and healthcare facilities to have access to reliable and ultra-fast digital connectivity to enhance our way of life, our ability to work either from our places of work or remotely; and for all residents to have access to services through digital connectivity .

Digital connectivity considers both mobile and Broadband connectivity. Poor connectivity affects how we live, work and stay connected with our friends and family. For some in cities and towns it is taken for granted but rural communities like Orkney regularly face challenges associated with poor digital connectivity. Throughout the coronavirus pandemic for our remote and rural populations, working from home and accessing healthcare and educational facilities has been problematic.

In the Ofcom Connected Nations Reports (September 2019) Orkney was considered to have the worst connected local authority area in the UK. 66.69% of properties achieve the Scottish Government's definition of super-fast broadband with 30Mb/s download speeds. For our outer islands this figure drops to only 39.32%.

In May 2020, the 5G New Thinking project commenced, following on from previous work completed in Orkney on the 5G RuralFirst projects. The project aims to deliver a practical tool kit that industry, local authorities and rural communities can replicate. Part of the project will deploy this technology in Orkney. The project also aims to deliver a BenCom (Community Benefit Society) in Orkney that aims to develop commercially viable and sustainable connectivity.

Improving digital connectivity and ensuring fair investment in digital infrastructure is a key strategic priority of ORSS and Orkney Islands Council. This will support sustainable economic growth and the retention of population levels in our rural and remote locations.



Churchill Barrier



### **Feedback and Contact details**

Comments, questions and queries relating to this Statement of Public Participation on the development of the Orkney Islands Regional Marine Plan can be directed to the marine spatial planning team at Orkney Islands Council, by email: [marineplanning@orkney.gov.uk](mailto:marineplanning@orkney.gov.uk) or in writing: Marine Planning, OIC, School Place, Kirkwall KW15 1NY.

Cover picture: Visual Minute captured during public engagement workshop in Kirkwall Sept 2019 © MoreThanMinutes

## Executive Summary: May 2021:

### Development and Indicative Participation Timetable

This document is called the Statement of Public Participation. It outlines the key stages involved in producing a statutory Orkney Islands Regional Marine Plan and how stakeholders and the wider public can engage with the process. It will be updated and revised as the plan-making process evolves or as required; this is the first edition. This document and its revisions will be available through the Orkney Islands Council web site; any comments are welcome; the contact details are above.

The production of a regional marine plan for the Orkney Islands marine region will go through various stages prior to publication; an indicative timetable is set out below.

Stage 1: Preparation, approval and publication of the initial Statement of Public Participation (this document); establishing governance arrangements for the Advisory Group, which will support Orkney Islands Council as the Delegate in preparation of the Plan; initial meeting of the Advisory Group: Nov 2019 – May 2021.

Stage 2: Preparation of draft Plan and supporting documents (e.g. Strategic Environmental Assessment (SEA), Habitats Regulation Assessment: Feb 2021 – Oct 2022. All drafts to OIC committees for endorsement Nov 2022 – Dec 2022.

Stage 3: Submission to Scottish Ministers for approval to publish consultation draft: Feb 2023 – Apr 2023.

Stage 4: Publication of the draft Orkney Islands Regional Marine Plan and 12 week consultation on the Plan and supporting documents including: Strategic Environmental Assessment, partial Business and Regulatory Impact Assessment, Equality Impact Assessment, Child Rights and Wellbeing Impact Assessment and Island Communities Impact Assessment: May 2023 – Aug 2023.

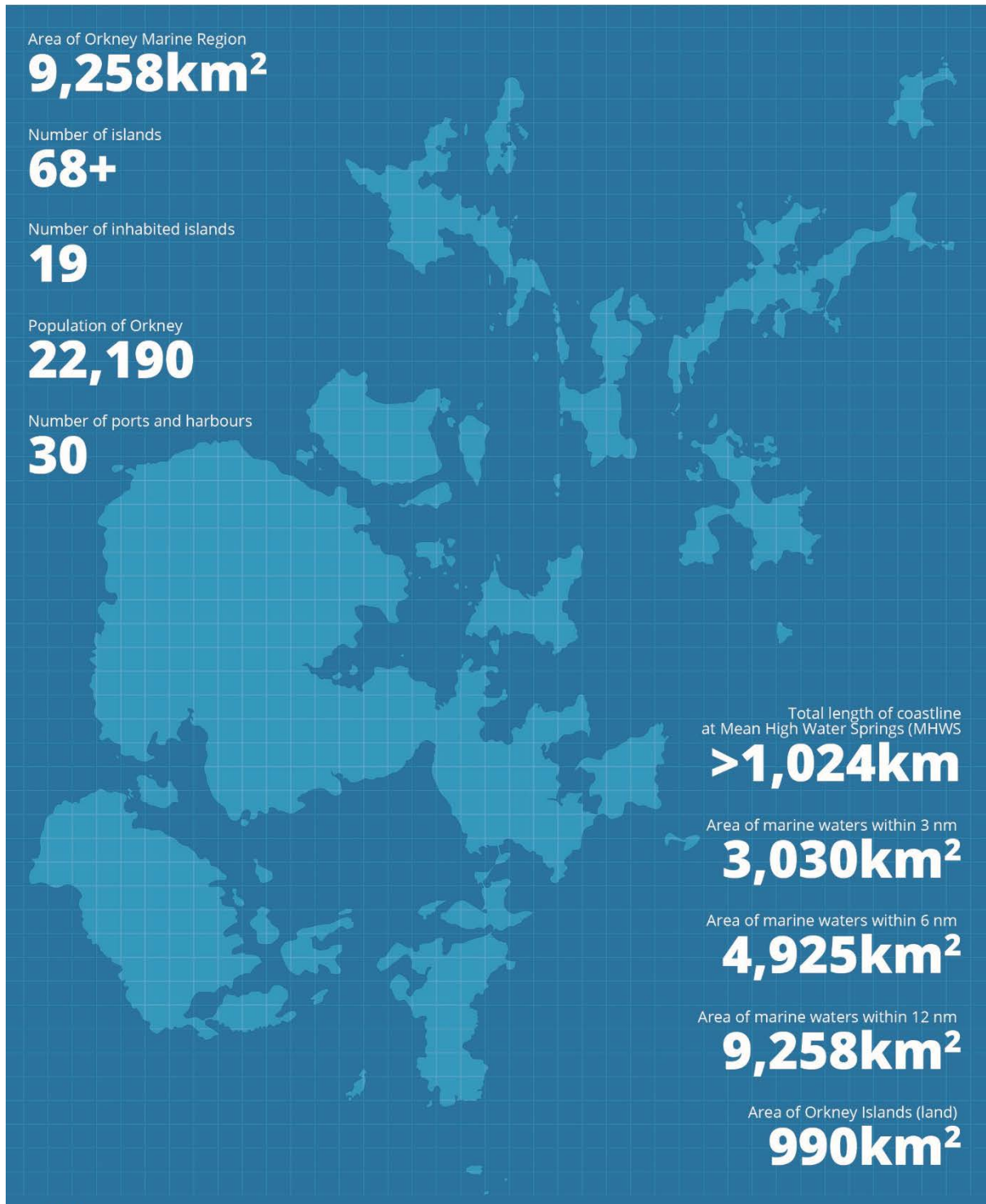
Stage 5: Review of the draft Orkney Islands Regional Marine Plan and supporting information in response to comments made during consultation (Sept 2023 – Oct 2023); all drafts to OIC committees for endorsement Nov 2023 – Dec 2023; submission to Scottish Ministers for approval Jan 2024.

Stage 6: Consideration by Scottish Ministers followed by adoption and publication of the Orkney Islands Regional Marine Plan with supporting information: Jan 2024 – Mar 2024. Final plan published Apr 2024, along with a statement of modifications. Post adoption SEA statement May 2024.

Stage 7: If an independent investigation required, evidence gathering and report May 2024 - July 2024; settling of text Aug 2024 - Sept 2024; submission to Scottish Ministers for approval and publishing Oct 2024 - Jan 2025. Ongoing review, monitoring and reporting on plan implementation and amendment of the Orkney Islands Regional Marine Plan as required.

Jan 21-Oct 22 preparation	Nov 22- Apr 23 Approval	May 23 Draft Docs	Jun 23-Aug 23 Consultation
Sept 23-Oct 23 Amendments	Nov 23-Mar 24 Approval	Apr 24 Final Docs	*Independent Investigation

\*Approximately additional year if independent investigation required: see details in Table 2.



## Contents

<b>Topic</b>	<b>Page</b>
<b>Executive summary</b>	<i>iii</i>
<b>Contents</b>	<i>v</i>
<b>Introduction</b>	<b>1</b>
<b>The need for policy alignment and integration with wider plans and strategies</b>	<b>4</b>
<b>Planning policy hierarchy</b>	<b>4</b>
<b>Statement of Public Participation: Participation Commitment</b>	<b>6</b>
<b>Development and Participation Indicative Timetable</b>	<b>7</b>
<b>Stage 1: Preparation, approval and publication of the initial Statement of Public Participation</b>	<b>9</b>
<b>Stage 2: Preparation of draft Plan and supporting documents</b>	<b>10</b>
<b>Stage 3: Submission to Scottish Ministers for approval to publish consultation draft</b>	<b>11</b>
<b>Stage 4: Publication of the draft Orkney Islands Regional Marine Plan and 12 week consultation</b>	<b>11</b>
<b>Stage 5: Review of the draft Plan</b>	<b>13</b>
<b>Stage 6: Consideration by Scottish Ministers followed by adoption and publication of the Plan</b>	<b>13</b>
<b>Stage 7: Review, monitoring and reporting on Plan implementation</b>	<b>13</b>
<b>Appendix 1: Summary of Orkney's marine spatial planning activities 2009 - date</b>	<b>15</b>
<b>Appendix 2: Advisory Group members</b>	<b>16</b>
<b>Appendix 3: Acronyms and Abbreviations</b>	<b>17</b>
<b>Table 2: Simplified schematic of indicative timeline</b>	<b>18</b>

## Introduction

This document is called the Statement of Public Participation. It outlines the key stages involved in producing a statutory Orkney Islands Regional Marine Plan (OIRMP), an indicative timetable and how stakeholders and the wider public can engage with the process.

This Statement of Public Participation will be updated and revised as the plan-making process evolves or as required; this is the first edition. This document and any revisions will be available through the Orkney Islands Council (OIC) web site. Any comments on the proposed Statement of Public Participation are welcome; the contact details are included at the beginning of this document.

## Background

The Marine (Scotland) Act 2010 provides for the preparation and adoption of both a national marine plan and regional marine plans. Together these plans introduce a statutory marine planning system that will enable a more strategic approach to managing the Scottish marine resource. The policy framework within the plans seeks to balance environmental quality upon which socio-economic needs and demands rely, inform the decision-making process, manage potential conflict scenarios and support sustainable development in the seas around Scotland.

Scottish Ministers adopted and published the National Marine Plan (NMP) in March 2015. Marine Scotland are due to undertake a review of the NMP in the first part of 2021 and will consider whether changes might be necessary to the plan to deliver the Blue Economy approach, among other things.

Preparation for Regional Marine Planning began in late 2010 with a consultation on how to define the boundaries for marine regions and how many there should be across Scotland. Eleven regions were identified based on physical characteristics and these were provided for in the Scottish Marine Regions Order 2015, with Orkney Islands being one of the eleven Scottish Marine Regions.

Through its involvement with the Pilot Pentland Firth and Orkney Waters Marine Spatial Plan<sup>1</sup> (PFOW MSP), Orkney has been involved in innovating ways forward in the evolving marine spatial planning processes. The PFOW project was initiated by Marine Scotland in c. 2008; in 2012, OIC, along with the Highland Council, got involved with helping to prepare the pilot plan. Thus, a core team of three people from these three organisations identified the key process required to prepare a regional marine plan, with the added flexibility of being a pilot project i.e. a non-statutory plan. It covered two Scottish marine regions: Orkney Islands and the North Coast (Mainland Scotland).

The pilot plan-making process also identified many key stakeholders who were subsequently contacted to check if they wanted to be involved in this current statutory phase of marine planning for Orkney. This ensures a wide range of stakeholders are involved from the very earliest stages of the plan-making process, through the provision of updates on progress, prior, during and post delegation of the

---

<sup>1</sup> [Pilot Pentland Firth and Orkney Waters Marine Spatial Plan - gov.scot \(www.gov.scot\)](http://www.gov.scot)

marine planning functions to OIC (see below). Further details on background work are provided in Appendix 1.

#### [Orkney Marine Planning Partnership / Orkney Islands Regional Marine Plan](#)

The Marine (Scotland) Act 2010 introduced provisions for stakeholders to prepare statutory regional marine plans at the local level. A regional marine plan contains statutory local policies and spatial information to guide marine consenting and management decisions. These plans are prepared by Marine Planning Partnerships (MPPs) representing the economic, community, environmental and recreational interests within a local marine region (to 12 nautical miles).

MPPs are established to enable local ownership of marine planning policy development taking account of local circumstances. The Orkney Marine Planning Partnership will develop a locally appropriate marine policy framework empowering the local community to deliver sustainable development, realise economic opportunities and protect the local marine environment.

A Ministerial Direction delegating regional marine planning functions to OIC commenced on 27 November 2020. The Council will carry out the delegated functions preparing the statutory OIRMP on behalf of Scottish Ministers.

MPPs consist of delegate organisations, or persons, and advisory organisations, or persons. OIC is the delegate and is legally responsible for delivering regional marine planning functions. Advisors have a formal role within an Advisory Group to help steer and inform the preparation of the regional marine plan. The delegate and the Advisory Group will collectively be known as the Orkney Marine Planning Partnership (OMPP).

#### [Preparation of the Orkney Islands Marine Region: State of the Environment Assessment](#)

The Marine (Scotland) Act 2010 requires that an assessment be made of the condition of the environment within any Scottish marine region where a regional marine plan is being prepared. As well as describing the condition of the environment, the State of the Environment Assessment also has to summarise the significant pressures and impact of human activity on the area.

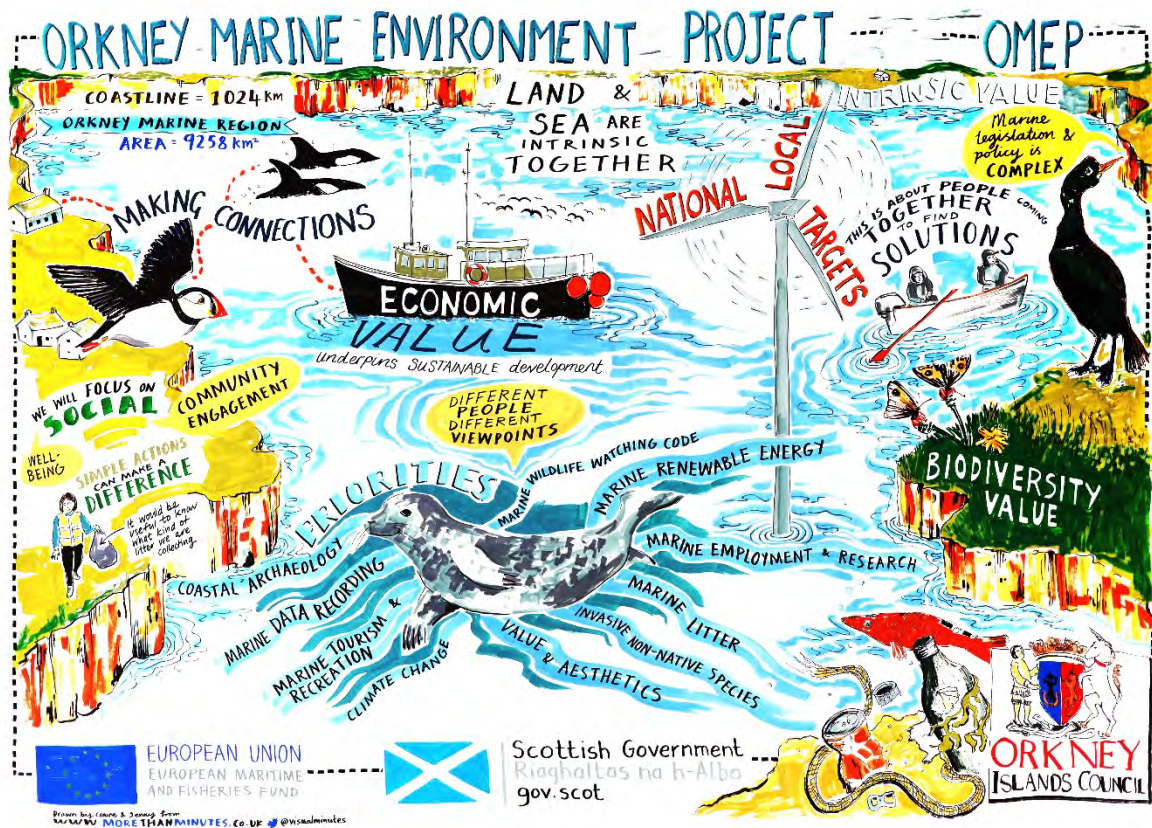
OIC prepared the Orkney Islands Marine Region: State of the Environment Assessment (SoEA) during 2018-2020, as the main output of the Orkney Marine Environment Project. Key stakeholders were contacted and asked to provide any data they could share to inform this baseline assessment process. Prior to the coronavirus pandemic, this was done via face to face meetings, email and during public workshops, as outlined below. Most of these stakeholders had been consulted during the earliest stages of trying to secure delegate partners and were involved in the PFOW process discussed above, therefore had a reasonable understanding of marine planning process and data requirements.

Although there was no obligation to do so, the draft SoEA for Orkney was subject to various public consultation events to allow the wider island communities to be included from the outset. This included workshops with Visual Minutes (see Figure



1) and presentations, as well as questionnaires, followed by a consultation on the draft SoEA.

The SoEA was subject to an independent review by International Centre for Island Technology, Heriot Watt University, based in Stromness. Key research staff provided feedback throughout the process and assessed the methodology used. The SoEA was finalised and published in Jan 2021 and can be viewed on the OIC website<sup>2</sup>.



**Figure 1: Visual Minute captured during public engagement workshop in Stromness Sept 2019 © MoreThanMinutes**

### Delegated marine planning functions

As the first step in the process of statutory regional marine planning, Orkney Islands Council received a Direction from Scottish Ministers on 27<sup>th</sup> November 2020, delegating the functions in relation to producing a Regional Marine Plan for the Orkney Islands ([SI/SR Template \(www.gov.scot\)](https://www.gov.scot)). The Direction identifies the Delegate legally responsible for developing the Regional Marine Plan and outlines the matters to be considered relevant to the Plan. The Direction also considers the timescales within which certain actions have to be completed, including submission

<sup>2</sup> <https://www.orkney.gov.uk/Service-Directory/D/orkney-islands-marine-region-state-of-the-environment-assessment.htm>

to Scottish Ministers for their approval, a Regional Marine Plan, together with various supporting information. The Orkney Islands Delegate is Orkney Islands Council.

As the adjacent planning authorities, notification of the intention to prepare a regional marine plan for Orkney was sent to Shetland Islands Council, Comhairle nan Eilean Siar and The Highland Council, in February 2021.

### The need for policy alignment and integration with wider plans and strategies

Most development and use which takes place in the marine environment has an onshore component or implication. This could be, for example, a harbour development with an access road, laydown area and facilities on the coast, a pier across the intertidal zone and navigational approaches within adjacent marine waters. For developments such as these, a consistent policy for port and harbour development needs to be adopted in the relevant regional marine plan and land-based development plan.

There are planning policies that aim to protect environmental assets that have marine, intertidal and land-based components such as designated nature conservation sites, protected species, historic environment assets and landscape/seascape features or characteristics. Marine and land use planning policies that aim to protect and manage these assets need to be consistent in their requirements and effectively integrated to ensure that the desired outcomes are achieved. This consistency and integration will help to protect the environment and streamline the assessment of development and decision-making processes.

### Planning policy hierarchy

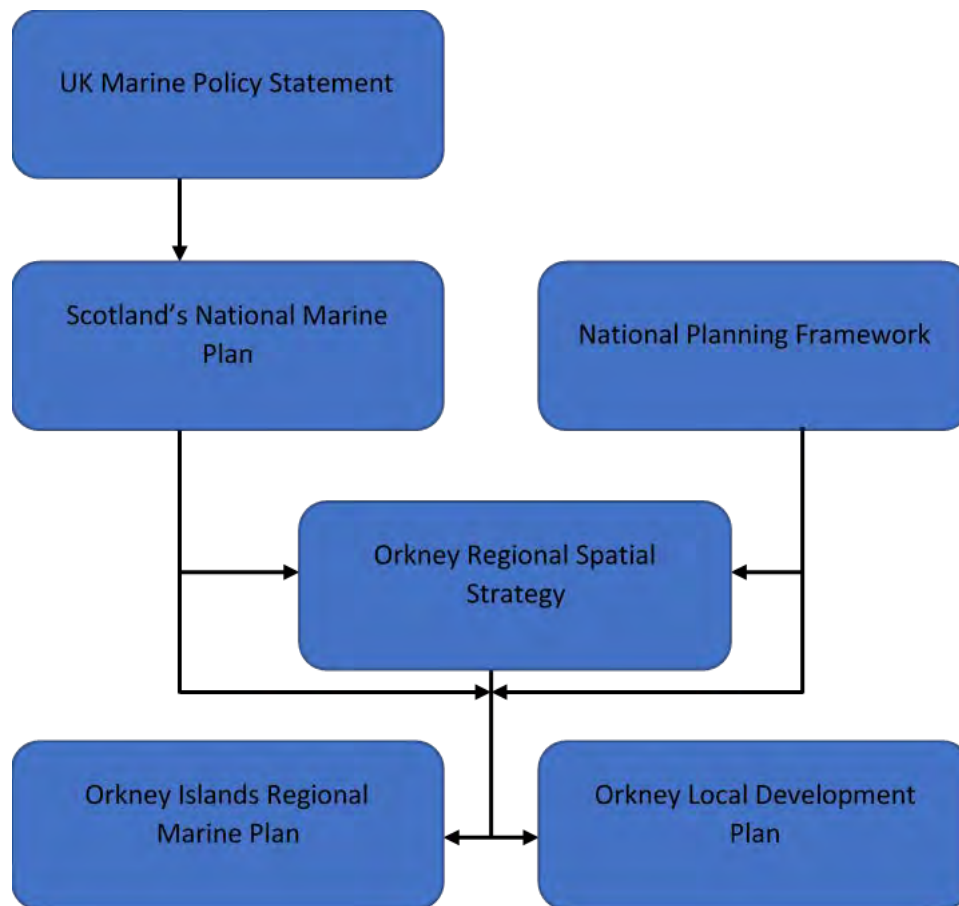
Marine and land use planning policy in Scotland is delivered through a hierarchy of national, regional and local plans and strategies. Plans and strategies developed at the local level are required to conform with or have regard to plans at the national and regional level, as outlined below. Thus, the OIRMP is required to conform with the UK Marine Policy Statement and Scotland's National Marine Plan (see Figure 2).

Under the reformed planning system in Scotland, National Planning Framework will, for the first time, incorporate Scottish Planning Policy and will take on enhanced status as part of the statutory development plan. Therefore, National Planning Framework 4 (NPF4) and the next Orkney Local Development Plan will form the statutory development plan for Orkney. NPF4 will contain national policies for a wide range of development and planning issues that will provide the planning policy framework at the local level. It is therefore critical that NPF4 is adopted prior to the preparation of the draft OIRMP in order that NPF4 policies can inform the OIRMP.

Following the publication of NPF4 due in 2022, an Orkney Regional Spatial Strategy (ORSS) will be prepared in accordance with the requirements of the Planning (Scotland) Act 2019. This strategy will identify the priorities for, and location of, key strategic developments in Orkney. It is envisaged that the ORSS will set the strategic framework for development across the land and marine areas of Orkney. The

strategy will inform the preparation of the future Orkney Local Development Plan and OIRMP to help deliver the identified outcomes in a joined-up way.

Due to the statutory requirements for conformity between the various plans and strategies, and the practical need for consistency and integration to support better decision making, the timing of the preparation of the various plans need to be appropriately aligned.



**Figure 2: Diagram showing the relationship between the various plans and strategies.**

#### UK Marine Policy Statement and Scotland's National Marine Plan

The UK Marine Policy Statement was adopted in 2011 and sets the framework for preparing Marine Plans and taking decisions affecting the marine environment. Following on from that, Scotland's National Marine Plan (NMP) was adopted in 2015 and provides a comprehensive overarching framework for all marine activity in both Scottish inshore waters (out to 12 nautical miles) and offshore waters (12 to 200 nautical miles). The NMP sets out guidance specifically for regional planners to inform the development of regional marine plans.

#### National Planning Framework 4

National Planning Framework 4 (NPF4) will provide a long-term spatial plan for Scotland that sets out where development and infrastructure is needed to support sustainable and inclusive growth. It will guide spatial development, set out national policies, designate national developments and reflect regional spatial priorities. Currently under preparation, a draft NPF4 will be deposited for public consultation in Autumn 2021. It is anticipated that NPF4 will be adopted in 2022.

#### Orkney's Regional Spatial Strategy

Following the publication of NPF4 in 2022 and the adoption of statutory guidance by the Scottish Government, an Orkney's Regional Spatial Strategy (ORSS) will be prepared. The ORSS will identify the strategic priorities for development planning in Orkney over the next 25 years and beyond to 2050. The key strategic developments necessary to deliver these priorities will be identified alongside the outcomes to which they will contribute. The Regional Spatial Strategy will not be part of the "development plan" however the preparation of the National Planning Framework and Local Development Plans is to "have regard to" an adopted Regional Spatial Strategy.

#### Statement of Public Participation: Participation Commitment

This Statement of Public Participation outlines the transparent and inclusive process that will be used to develop the OIRMP, making best use of local knowledge and expertise, along with national data sources and professional input.

In developing the OIRMP for the Orkney Islands, the Delegate is committed to:

- involving all relevant stakeholders and members of the public throughout the process;
- ensuring arrangements for participation are inclusive, clear and transparent;
- providing clear communication through a range of formats;
- giving full consideration to all representations.

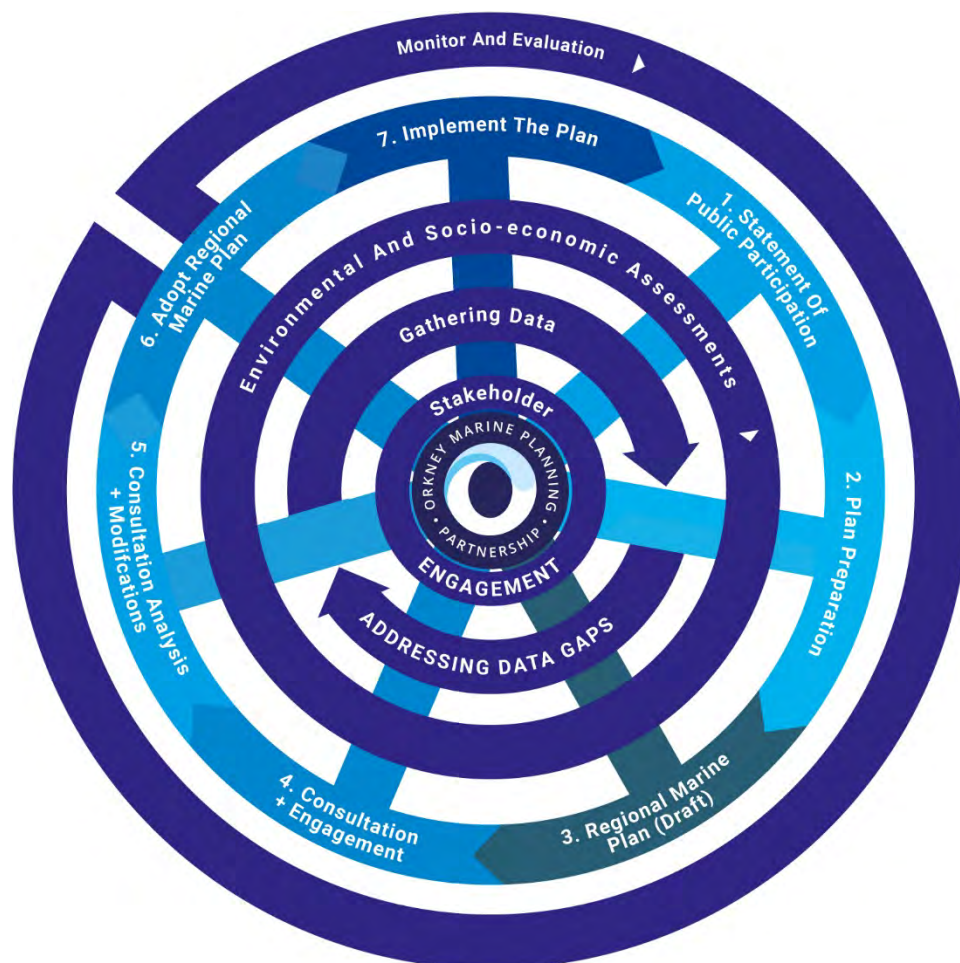
Effective engagement in the development of the OIRMP at each stage is essential. This will ensure the OIRMP benefits not only those with a sectoral interest in Orkney's marine resources, but also those who live in or visit the region. As such, the process will involve a wide range of stakeholders including, but not limited to, members of the public, key agencies, conservation bodies, fishing and aquaculture representatives, shipping, ports and harbours, energy interests, recreation and tourism interests and the voluntary sector.

Stakeholder involvement and feedback as the OIRMP progresses is paramount to its success. All comments, views and representations made at the various stages will be taken on board, although the outcome might not result in all alterations suggested. Given that the marine planning system must integrate future needs and different views, as well as operate with legal constraints and national policy, some compromise will be required.

To help ensure effective consultation, a separate ‘Principles of Engagement’ document is also being prepared. Whilst principally an operational document for the Delegate, it will also provide guidance for stakeholders to ensure best practice techniques are used. These principles include the need for adaptability and flexibility. Due to the unprecedented impacts of the Covid19 pandemic, this is particularly relevant, given the evolving guidance on where and how many people from different households can meet, thereby affecting how stakeholder events can be organised.

### Development and Participation Indicative Timetable

The process to produce a regional marine plan for the Orkney Islands marine region will go through a number of stages prior to publication (see Figure 3). An indicative timetable is set out below and this Statement of Public Participation will be updated and revised as the OIRMP progresses. It will give details on future events and this Statement of Public Participation and its revisions will be available through the OIC web site. Any comments on the proposed Statement of Public Participation are welcome; contact details are included at the beginning of this document.



**Figure 3: The Orkney Islands Regional Marine Planning Process Diagram**

The summary of the seven stages that will be undertaken to prepare the marine plan provided below is followed by further detail on each stage. All timescales are indicative and subject to revision as required. Any subsequent updates will be approved by Scottish Ministers prior to publication.

Stage 1: Preparation, approval and publication of the initial Statement of Public Participation (this document); establishing governance arrangements for the Advisory Group, which will support Orkney Islands Council as the Delegate in preparation of the Plan; initial meeting of the Advisory Group: Nov 2019 – May 2021.

Stage 2: Preparation of draft Plan and supporting documents (e.g. Strategic Environmental Assessment (SEA), Habitats Regulation Assessment): Feb 2021 – Oct 2022. All drafts to OIC committees for endorsement Nov 2022 – Dec 2022.

Stage 3: Submission to Scottish Ministers for approval to publish consultation draft: Feb 2023 – Apr 2023.

Stage 4: Publication of the draft Orkney Islands Regional Marine Plan and 12 week consultation on the Plan and associated supporting documents including: Strategic Environmental Assessment, partial Business and Regulatory Impact Assessment, Equality Impact Assessment, Child Rights and Wellbeing Impact Assessment and Island Communities Impact Assessment: May 2023 – Aug 2023.

Stage 5: Review of the draft Orkney Islands Regional Marine Plan and supporting information in response to comments made during consultation (Sept 2023 – Oct 2023); all drafts to OIC committees for endorsement Nov 2023 – Dec 2023; submission to Scottish Ministers for approval Jan 2024.

Stage 6: Consideration by Scottish Ministers followed by adoption and publication of the Orkney Islands Regional Marine Plan with supporting information: Jan 2024 – Mar 2024. Final plan published Apr 2024, along with a statement of modifications. Post adoption SEA statement May 2024.

Stage 7: If an independent investigation required, evidence gathering and report May 2024 - July 2024; settling of text Aug 2024 - Sept 2024; submission to Scottish Ministers for approval and publishing Oct 2024 - Jan 2025. Ongoing review, monitoring and reporting on plan implementation and amendment of the Orkney Islands Regional Marine Plan as required.

Jan 21-Oct 22 preparation	Nov 22- Apr 23 Approval	May 23 Draft Docs	Jun 23-Aug 23 Consultation
Sept 23-Oct 23 Amendments	Nov 23-Mar 24 Approval	Apr 24 Final Docs	*Independent Investigation

\*Approximately additional year if independent investigation required: see details in Table 2.

**Stage 1: Preparation, approval and publication of the initial Statement of Public Participation (this document); establishing governance arrangements for the Advisory Group, which will support Orkney Islands Council as the Delegate in preparation of the Plan; initial meeting of the Advisory Group: Nov 2019 – May 2021.**

#### Statement of Public Participation

Endorsement of the draft Statement of Public Participation will be requested from the OIC Development and Infrastructure Committee in March 2021 and ratification at the General Meeting of the Council in May 2021. The draft Statement of Public Participation will then be submitted to Marine Scotland in May 2021 for approval by Scottish Ministers. If further revisions are necessary, these will be considered following comment from Marine Scotland and the final Statement of Public Participation will be published as soon as practicable after that.

#### Advisory Group

The Orkney Marine Planning Advisory Group will provide technical advice and guidance on physical, environmental, social, cultural and economic issues to inform the preparation of a regional marine plan for Orkney. The Advisory Group will play an important role to ensure that marine planning is informed by a broad range of expertise and interests; see Appendix 2 for the list of member organisations.

Between 2016 – 2020, OIC carried out significant engagement with the economic, community, environmental and recreational interests in Orkney regarding participation in regional marine planning. This included investigation potential Delegate and Advisory Group roles. Following receipt of the Direction from Scottish Ministers on 27 November 2020, OIC re-contacted key stakeholders previously involved with engagement activities. In addition, anyone who had subsequently shown an interest in the development of marine planning in Orkney during the Orkney Marine Environment Project were also contacted. Following due process, the Advisory Group was set up.

At the initial meetings of the Advisory Group, papers will be discussed regarding:

- outline of the roles and responsibilities of the Delegate and the Advisory Group.
- draft formal Terms of Reference to establish and define a clear relationship between the Delegate and the Advisory Group.
- this draft Statement of Public Participation.

**Stage 2: Preparation of draft Plan and supporting documents (e.g. Strategic Environmental Assessment (SEA), Habitats Regulation Assessment): Feb 2021 – Oct 2022. All drafts to OIC committees for endorsement Nov 2022 – Dec 2022.**

The Plan will be scoped to determine the key aspects it should contain, using input from the Advisory Group and wider stakeholders, along with the statutory consultees. The outline draft Plan will be prepared. It will be revised in light of comments received and a draft Plan will be developed. Further dialogue will then be undertaken with the Advisory Group and other stakeholders and policy options will be refined in line with the Strategic Environmental Assessment and other assessments, as outlined below. Once endorsed by the OIC committee process (Development and Infrastructure committee then Full Council meeting), the draft Plan will then be submitted to Scottish Ministers for their agreement to its publication for consultation.

The development of the Plan is subject to a Strategic Environmental Assessment (SEA). In Scotland, public bodies are required to assess, consult on and monitor the likely impacts their plans, programmes and strategies will have on the environment. This process is known as SEA. An SEA scoping report will be published by OIC after the scope of the draft OIRMP has been defined and discussed with the Advisory Group. The SEA scoping report will be subject to a five-week consultation period with the statutory consultees via the SEA gateway. Following the scoping phase, an SEA environmental report will be prepared alongside the draft Plan.

A draft Habitat Regulations Appraisal (HRA) report will also be published for consultation alongside the SEA report. Under the Habitats Regulations, all competent authorities must consider whether any plan or project will have a 'likely significant effect' on a European site. If so, they must carry out an 'appropriate assessment' (AA). This is known as Habitats Regulations Appraisal (HRA). Natura 2000 is the Europe-wide network of protected sites developed under the European Commission's Habitats Directive (Directive 92/43/EEC) and Birds Directive (79/409/EEC).

During the development of the draft Plan, the process of developing a partial Business and Regulatory Impact Assessment (BRIA) will be initiated to inform and assess the impact of the regional marine plan policies. A BRIA is used to analyse the cost and benefits to businesses and the third sector of any proposed legislation or regulation, with the goal of using evidence to identify the proposal that best achieves policy objectives, while minimising costs and burdens as much as possible. The partial BRIA will be published for consultation at the same time as the SEA.

The purpose of an Equality Impact Assessment (EqIA) is to ensure the law is complied with, taking account of equality, human rights and socioeconomic disadvantage (poverty) implications when making decisions. It also ensures decision makers are fully informed at a formative stage in the decision-making process.

A draft Child Rights and Wellbeing Impact Assessment (CRWIA) will also be prepared. This is a process through which the identification, research, analysis and



record of the anticipated impact of any proposed law, policy or measure on children's human rights and wellbeing is made.

In accordance with section 8 of the Islands Scotland Act 2018, an Island Communities Impact Assessment (ICIA) will be prepared. It will describe the likely significantly different effect of the draft Plan and assess the extent to which OIC considers that the Plan can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it.

**Stage 3: Submission to Scottish Ministers for approval to publish consultation draft: Feb 2023 – Apr 2023.**

Scottish Ministers will consider the draft plan along with the associated documents and provide feedback. Once permission is granted, the draft Plan will be published on the OIC website and brought to the attention of interested parties via the methods outlined in Table 1 below.

**Stage 4: Publication of the draft Orkney Islands Regional Marine Plan and 12 week consultation on the Plan and associated supporting documents including: Strategic Environmental Assessment, partial Business and Regulatory Impact Assessment, Equality Impact Assessment, Child Rights and Wellbeing Impact Assessment and Island Communities Impact Assessment: May 2023 – Aug 2023.**

The draft Orkney Islands Regional Marine Plan will be published in May 2023 and there will be a public consultation on the draft Plan in Jun 2023 – Aug 2023. Consultation events will be held in multiple geographical locations and on a number of dates, in order to maximise participation opportunity, where Covid19 restrictions allow. These events will be advertised online, via email and in the printed press. Consultation information will be available from the website and will be sent out in email alerts to our stakeholder database; where face to face events are not possible, on-line resources will be used.

In accordance with the Environmental Assessment (Scotland) Act 2005, the consultation period for the draft Plan and SEA will be advertised in the relevant newspapers. OIC will take such further steps as it considers appropriate to secure that the proposals contained in the draft Plan are brought to the attention of interested persons.

**Table 1: Summary of consultation events proposed and indicative timescales**

(Note: event type will depend on best available guidance at the time of the event in response to any coronavirus restrictions.)

Event: Web Publication	Audience: All	Date: May 2023 – Aug 2023
Details:	The draft Orkney Plan and associated SEA and BRIA and other supporting draft documents will be published on the OIC website; the consultation will run for 12 weeks	
Publicity method:	Newspaper advertisement, social media, e-alerts, press release	
Event: Public meetings (Covid19 restrictions permitting)	Audience: All	Date: Jun 2023 - Aug 2023
Details: in person meetings	During the 12-week consultation period, OIC will hold a series of public meetings/workshops to raise awareness and discuss the draft Plan and associated SEA, HRA, BRIA, EqIA, CRWIA and ICIA*. Drop-in sessions will be held from at least three venues on three separate dates, when permitted.	
Publicity method:	Social media, e-alerts, direct invite, press release	
Details: Virtual meetings	Virtual presentations and discussions, as requested	
Publicity method	Social media, e-alerts, printed press, direct invite	
Event: Online meetings	Audience: All	Date: Jun 2023 - Aug 2303
Details:	Online meetings can be held to allow participation from communities from the non-connected isles. They may be e.g. webinars or 'Teams' meetings.	
Publicity method:	Social media, e-alerts, direct invite	
Event: One to one meetings	The marine planning team will be happy to discuss any stage of the Plan at any time with any stakeholder; this may be via email, virtual meeting or face to face, restrictions permitting.	

\*SEA = Strategic Environmental Assessment; HRA = Habitats Regulations Appraisal; BRIA = Business and Regulatory Impact Assessment; EqIA = Equalities Impact Assessment; CRWIA = Child Rights and Wellbeing Impact Assessment; ICIA = Island Communities Impact Assessment

**Stage 5: Review of the draft Orkney Islands Regional Marine Plan and supporting information in response to comments made during consultation (Sept 2023 – Oct 2023); all drafts to OIC committees for endorsement Nov 2023 – Dec 2023; submission to Scottish Ministers for approval Jan 2024.**

The draft Plan and relevant supporting documents will be revised in response to comments made during consultation prior to submission to Scottish Ministers.

**Stage 6: Consideration by Scottish Ministers followed by adoption and publication of the Orkney Islands Regional Marine Plan with supporting information: Jan 2024 – Mar 2024. Final plan published Apr 2024, along with a statement of modifications. Post adoption SEA statement May 2024.**

The Scottish Ministers and the Delegate must, acting jointly, consider and make a decision as to whether to appoint an independent person to investigate and report upon the proposals contained within the draft Plan.

OIC must publish the Regional Marine Plan as soon as reasonably practicable after its adoption has been agreed by the Scottish Ministers, together with the following:

- any supporting assessments, documents and information agreed by Scottish Ministers;
- statement on any modifications that have been made to the proposals published in the consultation draft for the plan, and the reasons for those modifications;
- statement on recommendations from appointed independent person (if applicable);
- statement on recommendations from independent person that have not been implemented (if applicable).

**Stage 7: If an independent investigation required, evidence gathering and report May 2024 - July 2024; settling of text Aug 2024 - Sept 2024; submission to Scottish Ministers for approval and publishing Oct 2024 - Jan 2025. Ongoing review, monitoring and reporting on plan implementation and amendment of the Orkney Islands Regional Marine Plan as required.**

Following the publication of a consultation draft of the Plan the Scottish Ministers and OIC must, acting jointly, consider and make a decision as to whether to appoint an independent person to investigate and report upon the proposals contained within the draft. In the event of a disagreement between the Scottish Ministers and OIC as to whether to appoint an independent person, the final decision rests with the Scottish Ministers. If the independent review is required, this would add approximately up to a year to publish the final Plan.

Review, monitoring and reporting on plan implementation, and amendment of the Plan will be carried out as required. As the marine environment is constantly developing and evolving, it is important that OIC continue to review the Plan.

OIC must keep the following under review:

- the effects of the policies in the Plan;
- the effectiveness of the policies in securing that the objectives for which the Plan was prepared and adopted are met;
- the progress being made towards securing the objectives;
- the progress being made towards securing that the objectives in the regional marine plan secure the objectives in the national marine plan.

OIC will also prepare a report on the matters kept under review and submit this to the Scottish Ministers. The first report must be published within five years from the date of adoption of the Orkney Islands Regional Marine Plan. OIC must then consider and decide if the Regional Marine Plan needs to be amended or replaced.

## Appendix 1: Summary of Orkney's key marine spatial planning activities 2008 - date

Date	Work undertaken
2008 - 2012	Marine Scotland set up framework and started research studies on the Pilot Pentland Firth & Orkney Waters Marine Spatial Plan (PFOW MSP). This non-statutory plan aids the new process of marine planning.
<b>Mar 2010</b>	<b>Publication of the Marine (Scotland) Act</b> gives the legal foundation for the requirement to prepare the National Marine Plan and potential for statutory regional marine plans.
Apr 2012	OIC and the Highland Council join Marine Scotland in a working group to prepare pilot PFOW MSP.
Nov 2012	PFOW Statement of Public Participation published.
2012 - 2013	Planning Issues and Options Consultation Paper stage: document provided an outline of potential topics to cover in a draft plan; consultation process refined and added new topics.
Jun 2013	Consultation on draft Planning Issues and Options Consultation Paper.
2013 - 2015	Draft plan and supporting documents prepared.
<b>Mar 2015</b>	<b>National Marine Plan published</b> ; covers all Scottish waters, including Orkney.
Jul 2015	Consultation on draft PFOW plan and supporting documents.
<b>Mar 2016</b>	<b>PFOW MSP published</b> ; accompanied by 'Lessons Learned' report.
Nov 2016	PFOW MSP wins 'Partnership' category at the Scottish Awards for Quality in Planning.
2016 - 2019	OIC work towards getting statutory regional marine planning underway for Orkney. Potential Delegate or Advisory Group members contacted.
Jun 2017	PFOW MSP wins 'Excellence in Plan Making Practice' category at the Royal Town Planning Institute Award for Planning Excellence.
2018	PFOW stakeholders contacted to check if they wished to be updated and involved in the Orkney-specific marine planning process. Update provided to them in October.
Jul 2018	Islands (Scotland) Act allows OIC to be the legal delegate for marine planning.
Mar 2019	OMEP project started: key output would be a State of the Environment Assessment (SoEA).
Jun 2019	Stakeholder update.
Sept 2019	Stakeholder workshops on SoEA in Kirkwall and Stromness.
Sept 2020	Stakeholder update.
Nov 2020	Delegation of Functions conferred on OIC by Scottish Ministers.
<b>Jan 2021</b>	<b>State of the Environment Assessment published.</b>
Feb 2021	Advisory Group set up.

**Appendix 2: Orkney Marine Planning Advisory Group members**

<b>Organisation</b>	<b>Category</b>
NatureScot	Environment
Scottish Environment Protection Agency*	Environment
International Centre for Island Technology	Academic
Orkney Sustainable Fisheries	Commercial
Historic Environment Scotland	Environment
Orkney Harbour Authority	Commercial
Visit Scotland	Commercial
Crown Estate Scotland	Commercial
Scottish Salmon Producers Organisation	Commercial
Repsol Sinopec	Commercial
Royal Society for the Protection of Birds Scotland	Environment
Orkney Renewable Energy Forum	Commercial
Orkney Marinas	Recreational
Scottish and Southern Electricity Networks	Commercial
Orkney Marine Services Association	Commercial
Orkney Sub-aqua Club	Recreational

\*SEPA unable to formally confirm membership until cyber-attack issues resolved but has previously clearly indicated intention to participate.

**Appendix 3: Acronym and Abbreviations list**

BRIA	Business and Regulatory Impact Assessment	OIC	Orkney Islands Council
CRWIA	Child Rights and Wellbeing Impact Assessment	OIRMP	Orkney Islands Regional Marine Plan
EqIA	Equalities Impact Assessment	OMEP	Orkney Marine Environment Project
HRA	Habitat Regulations Appraisal	ORSS	Orkney Regional Spatial Strategy
ICIA	Island Communities Impact Assessment	PFOW MSP	Pentland Firth and Orkney Waters Marine Spatial Plan
MPPs	Marine Planning Partnerships	SEA	Strategic Environmental Assessment
NMP	National Marine Plan	SoEA	State of the Environment Assessment
NPF4	National Planning Framework 4	SPP	Statement of Public Participation

**Table 2: Simplified schematic of indicative timeline for preparation stages for the Orkney Islands Regional Marine Plan**

Document	J	F	M	A	M	J	J	A	S	O	N	D
SPP*	Stage 1			Stage 1	Stage 1	Update as required						
Draft Plan	Stage 2											
SEA/HRA* etc	Stage 2											
<b>2022</b>												
Document	J	F	M	A	M	J	J	A	S	O	N	D
SPP	Update as required											
Draft Plan	Stage 2										Stage 2 OIC 1	Stage 2 OIC 2
SEA/HRA* etc	Stage 2										Stage 2 OIC 1	Stage 2 OIC 2
<b>2023</b>												
Document	J	F	M	A	M	J	J	A	S	O	N	D
SPP	Update as required											
Draft Plan	Stage 2	Stage 3 Minsiterial Approval			Stage 4	Stage 4			Stage 5		Stage 5 OIC 1	Stage 5 OIC 2
SEA/HRA* etc	Stage 2	Stage 3 Minsiterial Approval			Stage 4	Stage 4			Stage 5		Stage 5 OIC 1	Stage 5 OIC 2
<b>2024</b>												
Document	J	F	M	A	M	J	J	A	S	O	N	D
SPP	Update as required											
Draft Plan	Stage 6 Minsiterial Approval			Stage 6	Stage 7 + Independent investigation**, if required							
SEA/HRA* etc	Stage 6 Minsiterial Approval			Stage 6	Post adopt' SEA							

*	See acronym list	OIC 1	Development and Infrastructure Committee
**	If independent investigation required, this will take approximately another year.	OIC 2	Full Council meeting

	Preparation
	Endorsement / Approval
	Consultation
	Published