

Minute

Policy and Resources Committee

Tuesday, 26 November 2019, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors James W Stockan, W Leslie Manson, Stephen G Clackson, Alexander G Cowie, Norman R Craigie, Robin W Crichton, David Dawson, Andrew Drever, Barbara Foulkes, Steven B Heddle, J Harvey Johnston, Rachael A King, John T Richards, Stephen Sankey, John A R Scott, Gwenda M Shearer, Graham L Sinclair, Magnus O Thomson, Owen Tierney, Duncan A Tullock and Kevin F Woodbridge.

Clerk

- John W Mundell, Interim Chief Executive.

In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure (for Items 1 to 25).
- Gillian Morrison, Executive Director of Corporate Services.
- Sally Shaw, Chief Officer/Executive Director, Orkney Health and Care.
- James Wylie, Executive Director of Education, Leisure and Housing.
- Gareth Waterson, Head of Finance.
- Brian Archibald, Head of Marine Services, Engineering and Transportation (for Items 1 to 3 and 22 to 24).
- Peter Diamond, Head of Education (Leisure, Culture and Inclusion) (for Items 13 to 22).
- Karen Greaves, Head of Executive Support.
- Hayley Green, Head of IT and Facilities.
- Roddy Mackay, Head of Planning, Development and Regulatory Services (for Items 10 to 15).
- Gavin Mitchell, Head of Legal Services.
- Darren Richardson, Head of Infrastructure and Strategic Projects (for Items 1 to 4).
- Catherine Diamond, Early Years Lead Officer (for Items 14 to 22).
- Peter Bevan, Engineering Services Manager (for Items 14 and 15).
- Keith Foubister, Works and Inspection Manager (for Items 15 and 16).
- Kenny MacPherson, IT Services Manager (for Items 15 to 17).
- Hazel Flett, Senior Committees Officer.

Observing

- Andrew Groundwater, Head of HR and Performance (for Items 1 to 25).
- Sweyn Johnston, Strategic Projects Director (for Items 10 to 13).
- Rosemary Colsell, Procurement Manager (for Item 9).
- Karen Walter, Early Learning and Childcare Delivery Plan Manager (for Items 14 to 22).
- Meredith Macbeth, Cathedral Mason (for Items 15 and 16).
- Andrew Hamilton, Performance and Best Value Officer (for Items 1 to 4).

Declarations of Interest

- Councillor J Harvey Johnston – Item 13.
- Councillor John T Richards – Item 15.
- Councillor Duncan A Tullock – Items 13 and 21.
- Councillor Kevin F Woodbridge – Item 14.

Chair

- Councillor James W Stockan (for Items 1 to 24).
- Councillor W Leslie Manson (for Items 25 and 26).

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items 21, 22, 23 and 25, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Revenue Expenditure Monitoring

2.1. Policy and Resources

After consideration of a joint report by the Chief Executive, the Executive Director of Corporate Services, the Executive Director of Development and Infrastructure and the Head of Finance, copies of which had been circulated, the Committee:

Noted:

2.1.1. The revenue financial summary statement in respect of the undernoted services for the period 1 April to 30 September 2019, attached as Annex 1 to the joint report by the Chief Executive, the Executive Director of Corporate Services, the Executive Director of Development and Infrastructure and the Head of Finance, indicating an underspend position of £223,800:

- Central Administration.
- Law, Order and Protective Services.
- Other Services.

2.1.2. The revenue financial detail by Service Area statement for the period 1 April to 30 September 2019, attached as Annex 2 to the joint report by the Chief Executive, the Executive Director of Corporate Services, the Executive Director of Development and Infrastructure and the Head of Finance.

2.1.3. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the joint report by the Chief Executive, the Executive Director of Corporate Services, the Executive Director of Development and Infrastructure and the Head of Finance.

2.2. Summary

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

2.2.1. The summary revenue expenditure statement for the period 1 April to 30 September 2019, attached as Annex 1 to the report by the Head of Finance, indicating the following:

- A total General Fund underspend of £1,396,700.
- A surplus in Sources of Funding of £51,500.
- A net Non-General Fund surplus of £6,510,400.

2.2.2. The financial detail across individual Sources of Funding for the period 1 April to 30 September 2019, including significant variances identified as Priority Actions, attached as Annex 2 to the report by the Head of Finance.

2.2.3. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance.

3. Capital Expenditure Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

3.1. The detailed analysis of capital expenditure in respect of the General Fund and the Non-General Fund capital programmes, for the period 1 April to 30 September 2019, attached as Appendix 1 to the report by the Head of Finance.

The Committee scrutinised:

3.2. Project updates in respect of the General Fund and the Non-General Fund capital programmes, for the period 1 April to 30 September 2019, attached as Appendix 2 to the report by the Head of Finance, and obtained assurance on progress being made with delivery of the capital programmes.

4. Performance Monitoring

4.1. Chief Executive's Service

After consideration of a report by the Chief Executive, copies of which had been circulated, and after hearing a report from the Head of Executive Support, the Committee:

Scrutinised the performance of the Chief Executive's Service for the reporting period 1 April to 30 September 2019, as set out in section 4 and Annex 1 of the report by the Chief Executive, and obtained assurance.

4.2. Corporate Services

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, the Committee:

Scrutinised the performance of Corporate Services for the reporting period 1 April to 30 September 2019, as set out in section 4 and Annex 1 of the report by the Executive Director of Corporate Services, and obtained assurance.

4.3. Council Delivery Plan

After consideration of a joint report by the Chief Executive and the Executive Director of Corporate Services, copies of which had been circulated, the Committee:

Scrutinised:

4.3.1. Progress made in respect of the targets within the Council Delivery Plan 2018 to 2023 for the reporting period 1 April to 30 September 2019, as set out in Annex 1 to the joint report by the Chief Executive and the Executive Director of Corporate Services.

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

4.3.2. That the undernoted actions that had been progressed to completion, be closed, while continuing to be referenced in future Council Delivery Plan monitoring reports:

- Page 5 – 1.7 Revised Kirkwall Urban Design Framework, incorporating the Your Kirkwall Action Plan.
- Page 9 – 2.4 We will review commissioned services and bring forward recommendations in relation to children's services priorities and long-term sustainability.
- Page 11 – 2.7 We will undertake a review of residential child care provision to reflect the changes brought about in the Children and Young People (Scotland) Act 2014 and bring forward recommendations to establish a residential estate fit for the medium term to include young people potentially up to the age of 25.
- Page 12 – 2.9 We will support our older people's residential care home workforce to provide high quality care to people with dementia by delivering specialist dementia care training to those staff.
- Page 23 – 3.10 We will continue to make representation to influence the Islands Bill and National Islands Plan to achieve the best possible outcome for our Communities.
- Page 26 – 4.1 Develop Orkney as a Low Carbon Energy Systems Innovation Hub, including LNG Distribution, Hydrogen production and usage across all modes of transport and Academic Innovation Centre projects.

- Page 27 – 4.3 Reprioritise economic development activity and funding to focus on inward investment and facilitating projects and support programmes which will have the highest / transformational impact in relation to job creation, inward migration / retention of working age population and community enablement.
- Page 46 – BV1a Develop detailed Council-wide and service workforce plans that consider future workforce needs, current capacity, supply and recruitment, skills, and financial constraints.
- Page 47 – BV1b Implement the Project Management Module on Concerto. Raise awareness of the newly developed Capital Project Appraisal Guidance amongst the Corporate Management Team and others with a role in capital project applications.
- Page 49 – BV2 Review the Council's current self-evaluation arrangements, and develop a revised How Good is Our Council? model encompassing corporate level, as well as service level, self-assessments.
- Page 50 – BV4a Within the new Council Plan 2018 to 2023, and the new 2019 to 2022 service plans, make explicit the intended impact of Council and service priorities and targets on Orkney's communities.
- Page 51 – BV5a Within the context of the Strategic Planning Framework, review the Council's performance management system, in order to ensure its ability to identify the impact of Council services and activities on Orkney's communities.
- Page 52 – BV5b Report Local Government Benchmarking Framework Indicators to Service Committees.

4.3.3. That the undernoted action be closed and deleted from the Council Delivery Plan:

- Page 33 – 4.11 Facilitate the establishment of a sustainable abattoir operator, and the establishment of a long term appropriately scaled abattoir facility.

4.3.4. That the undernoted actions be amended as indicated and retained within the Council Delivery Plan:

- Page 5 – 1.7 Revised Kirkwall Urban Design Framework, incorporating the Your Kirkwall Action Plan – the target date for this action to be extended to 31 March 2023.
- Page 6 – 1.9 Work with Scottish Government and other partners to progress the outcomes of the Inter Isles STAG (Strategic Transport Appraisal Guidelines) Strategic Business Cases in order to develop and then deliver the Outline and final Business Cases for improved inter isles transport services and the associated ferry, air and infrastructure improvements – the target date for this action to be extended to 31 March 2020.
- Page 30 – 4.8 Develop and Implement a World Heritage Site Strategic Masterplan including Gateway facility and core infrastructure projects – the target date for this action to be extended to 31 March 2023.
- Page 32 – 4.10 Ensure appropriate "Islands Project" funding mechanisms (internal and external) are in place to support key industry sectors (pre and post BREXIT), targeting the Shared Prosperity Fund and other distribution mechanisms – the target date for this action to be extended to 31 March 2023.

5. Treasury Management

5.1. Annual Report

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

5.1.1. That the Bank of England Base Rate increased to 0.75% on 2 August 2018, with the Public Works Loans Board borrowing rates increasing correspondingly, with shorter term rates increasing more sharply than longer term rates.

5.1.2. That, although there remained much uncertainty over interest rates, with the long-term trend prediction for rates to rise, the Council should be well placed to benefit from savings on loan charges over the longer term.

The Committee scrutinised:

5.1.3. The Annual Treasury Management Review for financial year 2018 to 2019, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance that the Treasury Management Practices had operated effectively.

5.2. Mid-Year Update

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Scrutinised the mid-year update for financial year 2019 to 2020, attached as Appendix 1 to the report by the Head of Finance, in respect of the following elements of treasury management, and obtained assurance that the Treasury Management Practices had operated effectively:

- Compliance with Treasury and Prudential Limits.
- Prudential and Treasury Indicators for financial 2019 to 2020 as at 30 September 2019.
- Treasury Portfolio as at 30 September 2019.
- Treasury Adviser's overview of the economy and interest rates for the first half of financial year 2019 to 2020.

6. Budget Setting 2020 to 2021 – Efficiency Savings

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

6.1. That, as part of the budget setting process for 2020 to 2021, the Senior Management Team had identified savings proposals that, using the criteria set out in section 3.2 of the report by the Head of Finance, had been classified as low risk and uncontroversial.

6.2. That, should the low risk savings be implemented, this would result in the following reductions to baseline budgets:

- 2019 to 2020 – £179,400.
- 2020 to 2021 – £267,600.

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

6.3. That the efficiency savings for 2019 to 2020, identified in Appendix 1 to this Minute and amounting to £179,400, be approved and accordingly removed from Service budgets in the current financial year.

6.4. That the efficiency savings for 2020 to 2021, identified in Appendix 1 to this Minute and amounting to £267,600, be approved as recurring savings and accordingly removed from Service baseline budgets.

7. Orkney Local Access Forum

After consideration of a report by the Chief Executive, copies of which had been circulated, and after hearing a report from the Head of Executive Support, the Committee:

Noted:

7.1. That, on 17 April 2018, the Policy and Resources Committee recommended:

- That the Council's representative on the Orkney Local Access Forum should be a member who was not currently a member of the Development and Infrastructure Committee.
- That Councillor Stephen Sankey be appointed as the Council's representative to the Orkney Local Access Forum.

7.2. That, on 14 May 2019, Councillor Stephen Sankey was appointed as a member of the Development and Infrastructure Committee, resulting in a vacancy for the Council's representative on the Orkney Local Access Forum.

After a secret ballot, the result of which was as follows:

- Councillor John A R Scott – 10 votes.
- Councillor Owen Tierney – 11 votes.

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

7.3. That Councillor Owen Tierney be appointed as the Council's representative on the Orkney Local Access Forum.

7.4. That the appointment, referred to at paragraph 7.3 above, should be for the remainder of the term of this Council, namely to May 2022.

8. Local Government Boundary Commission for Scotland

Review of Electoral Arrangements

After consideration of a report by the Chief Executive, copies of which had been circulated, and after hearing a report from the Head of Executive Support, the Committee:

Noted:

8.1. That, in terms of the Local Government (Scotland) Act 1973, the Local Government Boundary Commission for Scotland (the Commission) was required to conduct reviews of each local authority's electoral arrangements every eight to 12 years.

8.2. That the Islands (Scotland) Act 2018 required the Commission to review the electoral arrangements of the six councils containing inhabited islands.

8.3. That, on 10 September 2019, the Commission launched a public consultation on a review of electoral arrangements, for which responses were required by 2 December 2019.

8.4. That the Commission's proposals for the Orkney Islands Council area made no changes to the existing number of councillors, number of wards or ward names, retaining 21 councillors across six wards.

8.5. That the Commission proposed changes to ward boundaries in Kirkwall and East Mainland, South Ronaldsay and Burray, as detailed on the map attached as Appendix 1 to the report by the Chief Executive, as follows:

- The boundary between the two Kirkwall wards to be amended at Kirkwall Harbour to create a more easily identifiable ward boundary.
- The Kirkwall East boundary to be extended southwards to better reflect local ties and placing Kirkwall airport, currently within the East Mainland, Burray and South Ronaldsay ward, within a Kirkwall ward.

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

8.6. That the Council endorse the proposals made by the Commission relating to the Orkney Islands Council area in respect of changes to ward boundaries in Kirkwall and East Mainland, South Ronaldsay and Burray, detailed at paragraph 8.5 above.

8.7. That the Chief Executive should submit a response to the Commission, on behalf of the Council, in relation to the review of electoral arrangements, by the deadline of 2 December 2019.

9. Driving at Work Policy

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of IT and Facilities, the Committee:

Resolved to **recommend to the Council** that the updated Driving at Work Policy, attached as Appendix 2 to this Minute, be approved.

10. Contract Standing Orders – Review

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of IT and Facilities, the Committee:

Resolved to **recommend to the Council** that the revised Contract Standing Orders, attached as Appendix 3 to this Minute, be approved.

11. Family Leave for Elected Members

After consideration of a report by the Chief Executive, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Executive Support, the Committee:

Noted:

11.1. The Family Leave Guidance for Councils, attached as Appendix 1 to the report by the Chief Executive, setting out key principles which local authorities may wish to adopt to support elected members during periods of maternity, paternity, shared parental and adoption leave.

11.2. That the Convention of Scottish Local Authorities had endorsed the Family Leave Guidance for adoption by councils on a voluntary basis.

11.3. That, although there was no legal right to family leave of any kind for people in elected public office, adoption of the Guidance would ensure a consistent approach across councils for those elected members who wished to take appropriate leave at the time of birth or adoption and could remove a barrier that deterred women and younger people from standing for election.

11.4. That adoption of the Guidance would not relieve an Elected Member from their statutory obligation to attend at least one meeting of the Council throughout a period of six consecutive months in the absence of separate approval by the Council.

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

11.5. That the Council adopt the Family Leave Guidance for Councils, attached as Appendix 4 to this Minute.

11.6. That, for the purposes of Section 35 of the Local Government (Scotland) Act 1973, the Council should approve the absence by an Elected Member from meetings of the Council for a period of six consecutive months while that Elected Member was on Family Leave, subject to the Elected Member having given prior intimation to the Chief Executive of their wish not to attend Meetings during such period.

12. Climate Change Duties

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 Planning, Development and Regulatory Services, the Committee:

Noted:

12.1. That the Climate Change Duties Report, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, which covered the period 1 April 2018 to 31 March 2019, summarised the actions that had been undertaken by the Council during that period to fulfil its climate change duties.

12.2. That the Climate Change Duties Report was due for submission to the Sustainable Scotland Network by 30 November 2019.

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

12.3. That powers be delegated to the Executive Director of Development and Infrastructure to amend the Climate Change Duties Report for 2018 to 2019, referred to at paragraph 12.1 above, to take account of matters raised by elected members, and thereafter submit the final report to the Sustainable Scotland Network, by the deadline of 30 November 2019.

The Committee noted:

12.4. That, due to the time constraints involved, the Chief Executive would be requested to exercise emergency powers to authorise submission of the Climate Change Duties Report for 2018 to 2019, referred to at paragraph 12.3 above, prior to approval by the Council.

Councillor Stephen Sankey left the meeting during discussion of this item and rejoined the meeting at this point.

Councillor J Harvey Johnston left the meeting at this point.

13. Orkney's Community Wind Farm Project

Planning Application Procedure

Councillor Duncan A Tullock declared a non-financial interest in this item, in that a close family member was involved in a potential project, and was not present during discussion thereof.

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

Noted:

13.1. That three wind farm sites were currently being developed as part of Orkney's Community Wind Farm Project, namely:

- Wee Fea, Hoy.
- Quanterness, St Ola.
- Faray.

13.2. That separate planning applications were likely to be submitted for each of the three sites in 2020, with Quanterness likely to be the first to be submitted.

13.3. Options and routes through which any planning application could be determined, as outlined in the flowchart, attached as Appendix 1 to the joint report by the Chief Executive and the Executive Director of Development and Infrastructure.

13.4. That, as each site had a capacity lower than 50 megawatts, planning applications must be submitted to Orkney Islands Council, as local planning authority, rather than direct to Scottish Ministers.

13.5. That Scottish Ministers could, at their discretion, call in a planning application, should the proposed development raise issues of national significance, although it was very rare in practice for Scottish Ministers to call in an application, even in cases where the local authority was the developer or where the local authority had previously notified the application to Scottish Ministers.

13.6. That the applicant could also request Scottish Ministers to call in the planning application upon submission of that application to the local planning authority.

13.7. That a request direct from an applicant to call in a planning application was rare and that it would be a matter for the Minister to decide upon, either accepting that the application should be determined by Scottish Ministers, or returning the application to the local authority for determination.

Councillor W Leslie Manson, seconded by Councillor James W Stockan, moved that:

- Upon submitting the first planning application for sites related to Orkney's Community Wind Farm project, the Chief Executive should make a request to the Scottish Government that, based on national significance, the application be called in for determination by Scottish Ministers.
- Should the Scottish Government accept that request, the same action should be taken for future planning applications relating to Orkney's Community Wind Farm project.

Councillor Robin W Crichton, seconded by Councillor David Dawson, moved an amendment that Orkney Islands Council should determine any planning applications relating to Orkney's Community Wind Farm project.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Stephen G Clackson, Robin W Crichton, David Dawson, Steven B Heddle, John A R Scott, Magnus O Thomson and Owen Tierney (7).

For the Motion:

Councillors Alexander G Cowie, Norman R Craigie, Andrew Drever, Barbara Foulkes, Rachael A King, W Leslie Manson, John T Richards, Stephen Sankey, Gwenda M Shearer, Graham L Sinclair, James W Stockan and Kevin F Woodbridge (12).

The motion was therefore carried.

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

13.8. That, upon submitting the first planning application for sites related to Orkney's Community Wind Farm project, the Chief Executive should make a request to the Scottish Government that, based on national significance, the application be called in for determination by Scottish Ministers.

13.9. That, should the Scottish Government accept the request outlined in paragraph 13.8 above, the same action should be taken for future planning applications relating to Orkney's Community Wind Farm project.

14. North Isles Landscape Partnership Scheme

Councillor Kevin F Woodbridge declared a financial interest in this item, in that he operated a business, and had close family members who were members of groups, which could benefit from the North Isles Landscape Partnership Scheme, 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 Head of Planning, Development and Regulatory Services, the Committee:

Noted:

14.1. That the North Isles Landscape Partnership Scheme was established in 2015, with a total projected budget of up to £4,524,211, subject to a full funding package being secured, and comprised the undernoted partners:

- Orkney Islands Council.
- Highlands and Islands Enterprise.
- Royal Society for the Protection of Birds.
- Scottish Natural Heritage.

14.2. That, in September 2017, the Council resolved that funding of up to £282,260 be allocated from the Strategic Reserve Fund towards the delivery phase of the North Isles Landscape Partnership Scheme.

14.3. That, to date, funding up to the value of £4,080,904 had been confirmed in respect of the overall budget for the North Isles Landscape Partnership Scheme, with the balance of £363,307 yet to be secured.

14.4. That the current £1,000,000 tranche of the Community Development Fund, which was approved in June 2016, had an uncommitted balance of £434,192 available for community groups to apply for, in a time when match funding was becoming increasingly difficult to secure.

14.5. That one of the principles of the Community Development Fund was that assistance should not be approved to any project which could be subject to financial assistance from any other Council service.

14.6. That some of the capital projects which had provisional funding allocations from the North Isles Landscape Partnership Scheme were being delivered by community groups based in the North Isles.

14.7. That community groups had historically sought project funding from the Community Development Fund.

14.8. That existing and potential future funding streams that the Council provided or administered could be eligible to provide match funding to some of the projects from the North Isles Landscape Partnership Scheme.

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

14.9. That the current cap on Council funding towards the North Isles Landscape Partnership Scheme, referred to at paragraph 14.2 above, be removed.

14.10. That community-led projects which had provisionally secured part-funding from the North Isles Landscape Partnership Scheme be considered eligible to seek co-funding from other Council funding streams, including the Community Development Fund.

15. Kirkwall Surface Water Management Plan

Councillor John T Richards declared a non-financial interest in this item, in that he was a resident within an area of Kirkwall which was affected by surface water flooding, and, although he did not leave the meeting, he took no part in the 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 Engineering Services Manager, the Committee:

Noted:

15.1. That, following publication of the Orkney Local Flood Risk Management Plan in 2016, an action was identified to prepare a Kirkwall Surface Water Management Plan, with its purpose being to provide sufficient information to support development of an agreed strategic approach to management of surface water flood risk within Kirkwall.

15.2. That development in the Junction Road area of Kirkwall was constrained by the surface water flood risk as a result of surcharging of both the combined sewer and the surface water sewer in Junction Road.

15.3. That the option recommended in a flood study report, commissioned by the Council and published in 2013, namely a combined surface water and combined sewer pump station, was not supported by Scottish Water.

15.4. The proposal to procure consultants to model an alternative range of options to reduce surface water flood risk in Kirkwall and allow preparation of a Stage 1 Capital Project Appraisal, at an estimated cost of up to £50,000.

15.5. That, for detailed design and scheme preparation of an approved option, leading to development of a Stage 2 Capital Project Appraisal, a budget of up to £100,000 should be allowed.

15.6. That, on 12 November 2019, when reviewing the draft Kirkwall Surface Water Management Plan, the Development and Infrastructure Committee recommended that the Executive Director of Development and Infrastructure should submit a report, to the Policy and Resources Committee, seeking a budget of up to £150,000 in respect of detailed modelling work and technical design of a scheme to reduce surface water flood risk in Kirkwall.

On the motion of Councillor Robin W Crichton, seconded by Councillor James W Stockan, the Committee resolved to **recommend to the Council:**

15.7. That the Council should engage consultants to model a range of options and produce recommendations to reduce surface water flood risk in Kirkwall, at an estimated cost of up to £50,000, to be funded by a contribution from the Renewables, Redevelopment and Regeneration Fund.

15.8. That, following receipt of the consultant's recommendations, the Executive Director of Development and Infrastructure should submit a Stage 1 Capital Project Appraisal in respect of a scheme to reduce surface water flood risk to Kirkwall, to the next available meeting of the Development and Infrastructure Committee.

15.9. That, subject to positive endorsement of the Stage 1 Capital Project Appraisal by the Development and Infrastructure Committee, the Executive Director of Development and Infrastructure should develop a Stage 2 Capital Project Appraisal, including detailed design, at a further cost of up to £100,000, to be funded by a contribution from the Renewables, Redevelopment and Regeneration Fund.

16. St Magnus Cathedral

Proposed Alterations to West Door and Access

After consideration of a joint report by the Executive Director of Education, Leisure and Housing and the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Education (Leisure, Culture and Inclusion), the Committee:

Noted:

16.1. That, on 11 September 2019, after considering the outcome of a public consultation undertaken during July and August 2019, the St Magnus Cathedral Sub-committee recommended:

- That, in principle, the proposed alterations to the West Door and access at St Magnus Cathedral be approved.
- That, as an exception to process in that the project was fully funded by a third party, the Executive Director of Education, Leisure and Housing should submit, to the Policy and Resources Committee, a Stage 2 Capital Project Appraisal in respect of the proposed alterations to the West Door and access at St Magnus Cathedral.

16.2. That The Society of the Friends of St Magnus Cathedral had indicated it would meet, in full, the costs associated with proposed alterations to the West Door and access at St Magnus Cathedral.

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

16.3. That the Stage 2 Capital Project Appraisal in respect of proposed alterations to the West Door and access at St Magnus Cathedral, attached as Appendix 5 to this Minute, be approved.

16.4. That proposed alterations to the West Door and access at St Magnus Cathedral be added to the capital programme for 2019 to 2020 onwards, at a gross capital cost of £180,000.

17. Replacement Telephone System

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of IT and Facilities, the Committee:

Noted:

17.1. That, on 29 June 2019, there was a significant outage following a lightning storm that damaged the BT phone lines that connected to the Council's phone system.

17.2. That the consequential power surge on the BT phone lines was understood to be the reason for failure of the Integrated Services Digital Network interface card, responsible for Direct Dial In lines and a power supply to a unit responsible for 52 extensions within the Council.

17.3. That, following urgent repair work, the Council's telephone system was fully restored on 5 July 2019.

17.4. That, in the event of another failure, further service recovery was threatened by the age of the equipment, in that older systems became harder to recover, and there was now a risk that the Council's telephone system might soon suffer an unrecoverable failure.

17.5. The proposal that the cost of the Council's new telephone system, estimated at £240,000, be funded as follows:

- £80,000 from the IT Capital Replacement programme for financial year 2020 to 2021.
- £160,000 to be re-provisioned from the approved Disaster Recovery capital project, for which alternative delivery options were being explored.

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

17.6. That the Stage 2 Capital Project Appraisal in respect of a replacement telephone system for School Place and connected offices, attached as Appendix 6 to this Minute, be approved.

17.7. That, as an exception to process in that the risk of failure to the existing telephone system was high, provision of a replacement telephone system for School Place and connected offices be added to the capital programme for 2019 to 2020 onwards, at a gross capital cost of £240,000, to be funded as follows:

- £80,000 from the IT Capital Replacement programme for financial year 2020 to 2021.
- £160,000 to be re-provisioned from the Disaster Recovery capital project.

18. Pension Fund Sub-committee, together with Pension Board

After consideration of the draft Minute of the Meeting of the Pension Fund Sub-committee, together with the Pension Board, held on 17 September 2019, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor James W Stockan, seconded by Councillor Rachael A King, to approve the Minute of the Meeting of the Pension Fund Sub-committee, together with the Pension Board, held on 17 September 2019, attached as Appendix 7 to this Minute, as a true record.

19. Human Resources Sub-committee

After consideration of the draft Minute of the Meeting of the Human Resources Sub-committee held on 7 November 2019, copies of which had been circulated, the Committee:

Resolved:

19.1. On the motion of Councillor W Leslie Manson, seconded by Councillor James W Stockan, to approve the Minute of the Meeting of the Human Resources Sub-committee held on 7 November 2019 as a true record.

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

19.2. That the recommendation at paragraph 3 of the Minute of the Meeting of the Human Resources Sub-committee held on 7 November 2019, attached as Appendix 8 to this Minute, be approved.

20. Exclusion of Public

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

21. Asset Management Sub-committee

Councillor Duncan A Tullock declared a non-financial interest in this item, in that a close family member was referred to in the draft Minute of the Meeting of the Asset Management Sub-committee held on 7 November 2019, however as the specific item was not discussed, he did not leave the meeting.

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 2, 6 and 9 of Part 1 of Schedule 7A of the Act.

After consideration of the draft Minute of the Meeting of the Asset Management Sub-committee held on 7 November 2019, copies of which had been circulated, the Committee:

Resolved:

21.1. On the motion of Councillor W Leslie Manson, seconded by Councillor Robin W Crichton, to approve the Minute of the Meeting of the Asset Management Sub-committee held 7 November 2019 on as a true record.

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

21.2. That the recommendations at paragraphs 5.3 and 8.3 of the Minute of the Meeting of the Asset Management Sub-committee held on 7 November 2019, attached as Appendix 9 to this Minute, be approved.

22. Early Learning and Childcare

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1, 2, 4 and 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Lead Officer Early Years, the Committee:

Resolved to **recommend to the Council** what action should be taken with regard to early learning and childcare.

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

Councillor Magnus O Thomson left the meeting at this point.

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Councillor Robin W Crichton left the meeting at this point.

23. MV Golden Mariana – Replacement

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 6 and 8 of Part 1 of Schedule 7A of the Act.

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

Noted:

23.1. That the Council had been searching for a suitable replacement for the 47-year-old MV Golden Mariana for several years through the brokerage/second hand market.

23.2. The Stage 2 Capital Project Appraisal, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, which presented three options for the provision of a backup/replacement vessel for the MV Golden Mariana, with the preferred course of action being to purchase a second-hand vessel.

Councillor Robin W Crichton rejoined the meeting at this point.

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

23.3. That the Stage 2 Capital Project Appraisal, in respect of the provision of a replacement vessel for the MV Golden Mariana, attached as Appendix 10 to this Minute, be approved.

23.4. That, as an exception to process, in order to ensure reliability of the ferry service between Westray and Papa Westray, purchase of a second-hand passenger vessel for the Papa Westray route be added to the capital programme for financial year 2019 to 2020 onwards, at an estimated gross capital cost of £1,535,000.

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

Councillor Rachael A King left the meeting at this point.

24. Continuation of Meeting

The Committee **suspended Standing Orders** in order that the meeting might continue beyond 17:00.

Councillors Gwenda M Shearer and James W Stockan left the meeting at this point.

Signed: James W Stockan.

Councillor W Leslie Manson took the Chair for the remainder of the meeting.

25. Local Governance Review

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1 and 11 of Part 1 of Schedule 7A of the Act.

After consideration of a joint report by the Chief Executive and the Executive Director of Corporate Services, copies of which had been circulated, the Committee:

Resolved to **recommend to the Council** what action should be taken with regard to the Local Governance Review.

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

Councillor James W Stockan rejoined the meeting at this point.

Councillor Robin W Crichton left the meeting during discussion of this item.

26. Conclusion of Meeting

At 17:20 the Chair declared the meeting concluded.

Signed: L Manson.