

Minute

Policy and Resources Committee

Tuesday, 20 June 2023, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors James W Stockan, Heather N Woodbridge, Graham A Bevan, Stephen G Clackson, Alexander G Cowie, David Dawson, P Lindsay Hall, Steven B Heddle, Kristopher D Leask, W Leslie Manson, James R Moar, Raymond S Peace, John A R Scott, Gwenda M Shearer, Gillian Skuse, Jean E Stevenson, Ivan A Taylor, Mellissa-Louise Thomson, Owen Tierney and Duncan A Tullock.

Clerk

- Hazel Flett, Service Manager (Governance).

In Attendance

- Oliver D Reid, Chief Executive.
- Stephen Brown, Chief Officer, Orkney Health and Social Care Partnership.
- Karen Greaves, Corporate Director for Strategy, Performance and Business Solutions.
- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- James Wylie, Corporate Director for Education, Leisure and Housing.
- Gavin Mitchell, Head of Legal and Governance.
- Lynda Bradford, Head of Health and Community Care (for Items 1 to 9).
- Andrew Groundwater, Head of Human Resources and Organisational Development.
- Erik Knight, Head of Finance (for Items 1 to 5.1).
- Kenny MacPherson, Head of Property, Asset Management and Facilities (for Items 22 and 23).
- Lorna Richardson, Head of Neighbourhood Services (for Items 12 to 22).
- Alex Rodwell, Head of Improvement and Performance.
- David Custer, Service Manager (Engineering) (for Items 20 to 22).
- David Sawkins, Deputy Harbour Master (Strategy and Support) (for Items 11 to 21).
- Shaun Hourston-Wells, Acting Strategic Planning Lead (for Items 1 to 5).

Observing

- Inga Burton, Service Manager (Sustainable Regeneration and Arctic) (for Items 10 to 13).
- William Moore, Service Manager (Improvement and Performance) (for Items 1 to 10).
- Kirsty Groundwater, Communications Team Leader (for Items 1 to 25).

Apology

- Councillor Rachael A King.

Declarations of Interest

- Councillor Stephen G Clackson – Item 25.
- Councillor P Lindsay Hall – Item 25.
- Councillor Gwenda M Shearer – Item 10.
- Councillor Mellissa-Louise Thomson – Item 25.
- Councillor Heather N Woodbridge – Items 24 and 25.

Chair

- Councillor James W Stockan.

1. Disclosure of Confidential Information

The Committee noted that the public required to be excluded from the meeting for consideration of Item 22, as the business to be discussed involved the potential disclosure of confidential information of the class described in Section 50A(3)(a) of the Local Government (Scotland) Act 1973 as amended.

2. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items 23 to 26, together with Appendix 3 of Item 20, 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.

3. Detailed Revenue Budgets

After consideration of a joint report by the Chief Executive, the Corporate Director for Enterprise and Sustainable Regeneration and the Head of Finance, copies of which had been circulated, the Committee:

Noted:

3.1. That, on 7 March 2023, when setting the budget and Council Tax levels for 2023/24, the Council delegated powers to the Head of Finance, in consultation with the Chief Executive and the Section 95 Officer, to prepare and distribute a detailed budget incorporating all the budget adjustments agreed by the Council, and any settlement updates and/or clarifications unknown as at 23 February 2023.

3.2. That the Scottish Government revenue grant funding to the Council for financial year 2023/24 had been confirmed at £89,936,000.

3.3. That the General Fund revenue budget for financial year 2023/24 had now been set at £100,777,600.

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

3.4. That detailed revenue budgets for financial year 2023/24, in respect of the undernoted services, attached as Appendix 1 to this Minute, be approved:

- General Fund Services.
- Housing Revenue Account.
- Scapa Flow Oil Port.
- Miscellaneous Piers and Harbours.
- Orkney College.
- Corporate Holding Accounts.
- Strategic Reserve Fund.
- Orkney Islands Council Pension Fund.

4. Medium Term Financial Strategy

After consideration of a joint report by the Chief Executive, the Corporate Director for Enterprise and Sustainable Regeneration and the Head of Finance, together with an Equality Impact Assessment, copies of which had been circulated, the Committee:

Noted:

4.1. That the Medium Term Financial Strategy served as a key planning document for the use of resources over the medium-term.

4.2. That the Medium Term Financial Strategy drew information from a variety of policies which had been developed to provide the financial framework within which the Council operated, where appropriate.

4.3. The key principles of the Medium Term Financial Strategy, as outlined in section 4 of the joint report by the Chief Executive, the Corporate Director for Enterprise and Sustainable Regeneration and the Head of Finance.

4.4. That, based on assumptions made in developing the Medium Term Financial Strategy, the Council Tax increases, currently anticipated to be required to achieve the Scottish average during the term of this Council, were set out in section 5 of the joint report by the Chief Executive, the Corporate Director for Enterprise and Sustainable Regeneration and the Head of Finance.

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

4.5. That the updated Medium Term Financial Strategy, for the period 2023/24 to 2027/28, attached as Appendix 2 to this Minute, be approved.

5. Performance Monitoring

5.1. Strategy, Performance and Business Solutions

After consideration of a joint report by the Corporate Director for Strategy, Performance and Business Solutions, the Corporate Director for Enterprise and Sustainable Regeneration and the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Scrutinised:

5.1.1. Progress with actions in the former Chief Executive's Service and Corporate Services' Service Plans, for the period 1 October 2022 to 31 March 2023, as set out in section 3 and Annex 1 to the joint report by the Corporate Director for Strategy, Performance and Business Solutions, the Corporate Director for Enterprise and Sustainable Regeneration and the Corporate Director for Neighbourhood Services and Infrastructure.

5.1.2. The performance indicators for the Strategy, Performance and Business Solutions service for the period 1 October 2022 to 31 March 2023, as set out in Annex 2 to the joint report by the Corporate Director for Strategy, Performance and Business Solutions, the Corporate Director for Enterprise and Sustainable Regeneration and the Corporate Director for Neighbourhood Services and Infrastructure.

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

5.1.3. That the undernoted actions, that had been progressed to completion, be closed:

- Former Chief Executive's Service Service Plan:
 - 11 – Feedback – develop a programme of service user satisfaction surveys across the Council.
- Former Corporate Services' Service Plan:
 - 02 – Pay and Grading Structure Review – undertake a review of the Council's pay and grading structure in line with national commitments.
 - 07 – Procurement – progress where possible Phase 2 of the Change Review of Procurement.
 - 12 – Electronic Document and Records Management System – develop an Electronic Document and Records Management System for the Council.
 - 13 – Online Applications for Licensing – develop online facility for submission of licence applications as Phase 2 of the Customer Service Platform project.

5.1.4. That, as this was the last performance monitoring report on the former Chief Executive's Service and Corporate Services' Service Plans, the undernoted actions, which had not progressed to completion, be considered for inclusion in the relevant Directorate Delivery Plans:

- Former Chief Executive's Service Service Plan:
 - 02 – Capital Strategy – develop a long-term capital strategy.
 - 09 – Change Programme – Projects – support the service leads in the progress to completion of Change Programme projects.
- Former Corporate Services' Service Plan:
 - 05 – Office Accommodation Review – establish a fully costed options analysis (pre-CPA1) for Council Headquarters at School Place, which also takes account of the outcome of the Change Review into Asset Management.
 - 06 – Asset Management – progress where possible Phase 2 of the Change Review of Asset Management.
 - 08 – Digital Strategy – review and update the current Digital Strategy and develop a new Digital Strategy Action Plan. Focus for this second iteration to be on practical service improvements for Orkney citizens.
 - 10 – Participatory Budgeting – working with colleagues in finance, explore options to further develop Participatory Budgeting (PB) in line with national policy drivers and the Council's strategic plan, and move the Council towards readiness to meet its 1% budget target for mainstream PB. Inclusion of mainstream PB in Council budget for 2021 to 2022.
 - 11 – Locality Plan – progress the Locality Plan 2018 to 2021 for the non-linked isles. Working with colleagues in Development and Marine Planning, widen the use of the Place Standard for consultation and analysis of local communities across Orkney and develop one or more locality plans for additional selected areas to be agreed by the Orkney Partnership Board.

5.2. Orkney Health and Care

After consideration of a report by the Chief Officer, Orkney Health and Social Care Partnership, copies of which had been circulated, and after hearing a report from the Acting Strategic Planning Lead, the Committee:

Scrutinised the performance of Orkney Health and Care Council delegated services for the reporting period 1 October 2022 to 31 March 2023, as set out in sections 3 and 4 and Appendices 1 to 3 to the report by the Chief Officer, Orkney Health and Social Care Partnership.

6. Council Delivery Plan 2018 to 2023

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, the Committee:

Noted:

6.1. Progress made in respect of the targets within the Council Delivery Plan 2018 to 2023 for the period 1 October 2022 to 31 March 2023, as set out in Annex 1 to the report by the Corporate Director for Strategy, Performance and Business Solutions.

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

6.2. That the undernoted actions, that had been progressed to completion, be closed:

- 1.3 – Coastal Flood Protection – retain and where possible enhance public road infrastructure and coastal flood protection of public road infrastructure.
- 1.6 – Orkney Outdoor Access Strategy Action Plan – implement the Orkney Outdoor Access Strategy Action Plan and develop Active Travel Programme activity including sourcing external funding for improvements to core path and (where affordable) other path and cycle networks.
- 3.1 – Extend the Orkney Offer – extend the Orkney Offer to learners of all ages.
- 3.3 – Digital Culture – we will undertake the development and delivery of an e-School programme.
- 4.9 – Islands Deal – work in partnership with the two other Islands Councils to finalise the Islands Deal.
- 5.1 – Car Parking Responsibilities, Speed Limits and Infrastructure – consider scope of car parking responsibilities, speed limits and infrastructure and the establishment of enhanced parking warden services including where practicable a new Environmental warden service.
- 5.4 – Orkney Local Biodiversity Action Plan – implementation of the Orkney Local Biodiversity Action Plan and participation in the Orkney Native Wildlife Project.
- 5.6 – Community Associations and Community Schools – continue to support Community Associations and Community Schools.
- 5.9 – Museums Service – maintain, promote and develop accessibility to collections held within the Museums Service, including development of Scapa Flow Museum.
- 5.13 – Maintenance Strategy – develop and implement an appropriately resourced Maintenance Strategy for all individual Council property assets.
- 5.18 – Flooding Risk – engage with the Scottish Government and Scottish Water to seek to identify viable solutions to reduce risk of flooding to: a. St Margaret’s Hope; b. St Marys; c. Stronsay – Whitehall; d. Kirkwall.
- 5.19 – Terrestrial and Marine Planning Policy – establish and implement terrestrial and marine planning policy and environmental monitoring systems.
- 5.20 – Burial Grounds – continue investment programme for the care and expansion (where necessary) of burial grounds across Orkney.

6.3. That, as this was the last performance monitoring report on the Council Delivery Plan 2018-23, future performance reporting on any actions that had not progressed to completion be as follows:

- Council Priorities – to be included in the Council Delivery Plan 2023-28, which was presented to the Policy and Resources Committee on 18 April 2023, with future performance reporting based on that plan.
- Directorate Priorities – to be included in the relevant Directorate Delivery Plans and progress reported to the relevant committees.
- Outstanding Actions – not included in either the Council Delivery Plan or Directorate Delivery Plans to be reported as an annex in the Council Delivery Plan performance report and identified as outstanding actions from the Council Delivery Plan 2018-23.

7. Local Government Benchmarking Framework

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Improvement and Performance, the Committee:

Noted:

7.1. The National Benchmarking Overview Report, published by the Improvement Service on 17 March 2023, attached as Annex 1 to the report by the Corporate Director for Strategy, Performance and Business Solutions, which set out all councils' performance against the Local Government Benchmarking Framework at a national level.

The Committee scrutinised:

7.2. The performance of the Council against the Local Government Benchmarking Framework indicators for 2021/22, as set out in Annexes 2 and 3 to the report by the Corporate Director for Strategy, Performance and Business Solutions, and obtained assurance.

8. Registered Services within Orkney Health and Care

Inspection Assurance Report

After consideration of a report by the Chief Officer, Orkney Health and Social Care Partnership, copies of which had been circulated, and after hearing a report from the Head of Health and Community Care, the Committee:

Scrutinised the inspection activity for registered services within Orkney Health and Care, for the period 1 November 2022 to 30 April 2023, as detailed in section 4 of the report by the Chief Officer, Orkney Health and Social Care Partnership, and obtained assurance that action plans had been submitted to the Care Inspectorate and were being progressed where appropriate.

9. Joint Inspection of Adult Support and Protection

After consideration of a joint report by the Chief Executive and the Chief Officer, Orkney Health and Social Care Partnership, copies of which had been circulated, the Committee:

Noted:

9.1. That, between October 2022 and April 2023, the Orkney Partnership was inspected to ensure that adults at risk of harm in Orkney were safe, protected and supported.

9.2. That, on 4 April 2023, a joint seminar for Elected Members, Integration Joint Board Members and NHS Orkney Board Members was held to provide feedback following receipt of the draft inspection report.

9.3. That, on 11 April 2023, the Care Inspectorate published its report of the joint inspection of adult support and protection, attached as Appendix 1 to the report by the Chief Officer, Orkney Health and Social Care Partnership.

9.4. The key findings arising from the inspection report, summarised in section 4 of the report by the Chief Officer, Orkney Health and Social Care Partnership.

9.5. That work was progressing to develop the improvement action plan which would be presented to the next meeting of the Policy and Resources Committee, together with a progress update.

10. Port Marine Safety Code – Annual Compliance Audit Report

Councillor Gwenda M Shearer declared an interest in this item, her connection being that her spouse was employed in the Council's towage service, however, as the towage service was not discussed, she did not leave the meeting.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, the Committee:

Noted:

10.1. That the Designated Person, David Foster, Marico Marine, undertook an audit of compliance with the Port Marine Safety Code, as part of his annual visit on 9 and 10 November 2022.

10.2. That, as part of the Port Marine Safety Code compliance audit, an assessment was made of progress with recommendations arising from the audit.

10.3. The Port Marine Safety Code compliance audit report, produced by the Designated Person, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, which raised four new actions, together with those arising from previous audits, which had been implemented and acted upon.

10.4. The Action Plan, attached as Appendix 2 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, associated with the Port Marine Safety Code compliance audit, which had been updated to reflect progress made as at May 2023.

10.5. That the Port Marine Safety Code compliance audit and associated Action Plan, attached as Appendices 1 and 2 respectively to the report by the Corporate Director for Enterprise and Sustainable Regeneration, was scrutinised by the Harbour Authority Subcommittee, as the appointed Duty Holder, on 23 May 2023.

The Committee scrutinised:

10.6. The Port Marine Safety Code compliance audit and associated Action Plan, attached as Appendices 1 and 2 respectively to the report by the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance that action had been taken or agreed where necessary.

11. Scheme of Administration

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Legal and Governance, the Committee:

Noted:

11.1. That, in May 2021, the Council reviewed and updated the Scheme of Administration noting that, if required, a further review of the Scheme of Administration would be undertaken to consider any necessary changes arising from the proposed management restructure.

11.2. That, since May 2021, Council decisions and other actions, including adoption of the new management structure, had necessitated the proposed amendments and additions to the Scheme of Administration, as summarised in section 4 of the report by the Corporate Director for Strategy, Performance and Business Solutions.

11.3. The proposed revised Scheme of Administration, attached as Appendix 1 to the report by the Corporate Director for Strategy, Performance and Business Solutions, which incorporated the proposals outlined in sections 4 to 6 of the report.

11.4. That Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) required local authorities to develop a Scheme of Delegation for the determination of planning applications.

11.5. That the proposed revised Scheme of Administration, referred to at paragraph 11.3 above, would be submitted to Scottish Ministers for approval, prior to implementation of any amendments in respect of determination of planning applications.

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

11.6. That powers be delegated to the Chief Executive to finalise and publish the Scheme of Administration referred to at paragraph 11.3 above.

12. Scheme of Delegation to Officers

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Legal and Governance, the Committee:

Noted:

12.1. That, in May 2021, the Council reviewed and updated the Scheme of Delegation to Officers noting that a further review, to consider any necessary changes arising from the proposed management restructure, would be reported to the Policy and Resources Committee in due course.

12.2. That, since May 2021, Council decisions and other actions, including adoption of the new management structure, had necessitated the proposed amendments and additions to the Scheme of Delegation to Officers, as summarised in section 4 of the report by the Corporate Director for Strategy, Performance and Business Solutions.

12.3. The proposed revised Scheme of Delegation to Officers, attached as Appendix 1 to the report by the Corporate Director for Strategy, Performance and Business Solutions, which incorporated the proposals outlined in section 4 of the report.

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

12.4. That powers be delegated to the Chief Executive to finalise and publish the Scheme of Delegation to Officers referred to at paragraph 12.3 above.

13. Islands Growth Deal – Governance and Risk-Sharing Arrangements

After consideration of a joint report by the Corporate Director for Enterprise and Sustainable Regeneration and the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Legal and Governance, the Committee:

Noted:

13.1. That, on 5 October 2021, the Council approved a Governance Agreement for the Islands Growth Deal which established the Islands Growth Deal Joint Committee for the purposes of governing the Islands Growth Deal.

13.2. That Comhairle nan Eilean Siar acted as the Lead Authority and the Accountable Body for the Islands Growth Deal in terms of its relationship with UK and Scottish Government.

13.3. That there were potential liabilities which might arise for Comhairle nan Eilean Siar due to its role as Accountable Body and it would be fair for those liabilities to be appropriately shared among the three constituent authorities.

13.4. The proposal that the Governance Agreement for the Islands Growth Deal Joint Committee be amended to ensure that each constituent authority shall be responsible for any liabilities which related to a project in their own geographic area, or that liabilities shall be shared proportionately where those related to a cross-island project.

13.5. That both the Islands Deal Programme Board and the Islands Growth Deal Joint Committee had agreed, in principle, the proposal referred to above, and the approval of each constituent authority was now being sought.

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

13.6. That the undernoted amendments to the Islands Growth Deal Joint Committee Governance Agreement be approved:

- Insertion of additional clause after 12.1 and before 12.2 as follows:
 - Orkney Islands Council and Shetland Islands Council shall indemnify the Lead Authority in respect of any claim made on the Lead Authority by the UK or Scottish Government for recovery of any grant funding in respect of any project, provided that Orkney Islands Council and Shetland Islands Council shall only be liable to indemnify the Lead Authority in respect of projects which relate to their geographic areas (or in reasonable proportion if the project relates to the geographic areas of more than one Constituent Authority).
- Existing clause 12.1 amended to substitute “other party or parties” with “Constituent Authorities”.

14. Airfield Terminal Building Programme

Stage 2 Capital Project Appraisal

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, the Committee:

Noted:

14.1. That, on 15 February 2022, when considering a Stage 1 Capital Project Appraisal in respect of the provision of new airfield terminal buildings, the Development and Infrastructure Committee recommended:

- That, as an exception to the Capital Project Appraisal process, in order to ensure the safe and resilient operation of the airfield infrastructure, the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services should submit, to the Policy and Resources Committee, a Stage 2 Capital Project Appraisal in respect of proposed new airfield terminal buildings at Westray, Stronsay, Papa Westray and Eday.

14.2. That, as the project appeared to be a good fit with the target outcomes of the Islands Infrastructure Fund, on 21 April 2023, a funding bid was submitted to the Islands Infrastructure Fund for 2023/24 for replacement terminal buildings in the islands of Eday, Papa Westray, Stronsay and Westray with improvements to car parking facilities and electric vehicle infrastructure for vehicles and bikes.

14.3. That the application to the Island Infrastructure Fund for 2023/24 was unsuccessful.

14.4. That, as a result of the unsuccessful funding bid for 2023/24, it was proposed to carry out the terminal building replacement programme over two years, with a further application being submitted to the Islands Infrastructure Fund for the 2024/25 Islands Programme.

14.5. That, as work was ongoing across directorates within the Corporate Leadership Team to present a draft capital programme to the Policy and Resources Committee in due course, approval of the project to replace airfield terminal buildings would reduce the level of capital funding available for other projects to be added to the capital programme for 2023/24 and 2024/25.

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

14.6. That the Stage 2 Capital Project Appraisal in respect of the proposed new airfield terminal buildings at Eday, Papa Westray, Stronsay and Westray, attached as Appendix 3 to this Minute, be approved.

14.7. That, as an exception to the Capital Project Appraisal process, in order to ensure the safe and resilient operation of the airfield infrastructure, new airfield terminal buildings at Papa Westray and Stronsay be added to the capital programme for 2023/24 onwards, at an estimated gross capital cost of £915,000, to be funded by the Council with borrowings from the Loans Fund.

14.8. That the Corporate Director for Enterprise and Sustainable Regeneration should submit a further application to the Islands Infrastructure Fund for the 2024/25 Islands Programme, in respect of new airfield terminal buildings at Westray and Eday.

14.9. That, subject to a successful award of funding from the Islands Infrastructure Fund, as an exception to the Capital Project Appraisal process, to ensure the safe and resilient operation of the airfield infrastructure, new airfield terminal buildings at Westray and Eday be added to the capital programme for 2024/25 onwards, at an estimated gross capital cost of £915,000, to be funded as follows:

- Cost to the Council – £366,000.
- Islands Infrastructure Fund – £549,000.

15. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

Minor Capital Improvement Programmes

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Deputy Harbour Master (Strategy and Support), the Committee:

Noted:

15.1. That the Non-General Fund capital programme included annual budget allocations for financial year 2023/24 as follows:

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

15.2. That, on 14 March 2023, the Harbour Authority Sub-committee resolved that, subject to adequate budgets being established, minor capital improvement programmes for Miscellaneous Piers and Harbours and the Scapa Flow Oil Port for 2023/24 be approved, costed as follows:

- Miscellaneous Piers and Harbours – £991,000.
- Scapa Flow Oil Port – £280,000.

15.3. That revenue budgets for 2023/24 in respect of Miscellaneous Piers and Harbours and the Scapa Flow Oil Port included associated loan charges in respect of the approved minor capital improvement programmes.

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

15.4. That the allocation within the Non-General Fund capital programme for 2023/24 be increased from £300,000 to £991,000 in respect of minor capital improvement works for Miscellaneous Piers and Harbours.

15.5. That the allocation within the Non-General Fund capital programme for 2023/24 be increased from £150,000 to £280,000 in respect of minor capital improvement works within Scapa Flow Oil Port.

16. Police and Fire Sub-committee

After consideration of the draft Minute of the Meeting of the Police and Fire Sub-committee held on 16 May 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Duncan A Tullock, seconded by Councillor Jean E Stevenson, to approve the Minute of the Meeting of the Police and Fire Sub-committee held on 16 May 2023, attached as Appendix 4 to this Minute, as a true record.

17. 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 18 May 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Heather N Woodbridge, seconded by Councillor Kristopher D Leask, to approve the Minute of the Meeting of the Pension Fund Sub-committee, together with the Pension Board, held on 18 May 2023, attached as Appendix 5 to this Minute, as a true record.

18. Investments Sub-committee

After consideration of the draft Minute of the Meeting of the Investments Sub-committee held on 18 May 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Heather N Woodbridge, seconded by Councillor P Lindsay Hall, to approve the Minute of the Meeting of the Investments Sub-committee held on 18 May 2023, attached as Appendix 6 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 30 May 2023, copies of which had been circulated, the Committee:

Resolved:

19.1. On the motion of Councillor Heather N Woodbridge, seconded by Councillor John A R Scott, to approve the Minute of the Meeting of the Human Resources Sub-committee held on 30 May 2023, as a true record.

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

19.2. That the recommendation at paragraph 1.3 of the Minute of the Meeting of the Human Resources Sub-committee held on 30 May 2023, attached as Appendix 7 to this Minute, be approved.

20. Orkney Harbours Infrastructure – Update

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

Noted:

20.1. The appointment of Harper Macleod as legal advisers on the Orkney Harbours Masterplan Phase 1 projects of Scapa Deep Water Quay and Hatston Reclamation and Pier Extension.

20.2. The attendance by officers at the Wind Europe event at the Bella Center in Orestad, Copenhagen, between 25 and 27 April 2023 and at All Energy in Glasgow between 10 and 11 May 2023.

20.3. That the UK Government's Floating Offshore Wind Manufacturing Investment Scheme (FLOWMIS) had opened for applications, with an extended deadline of 27 August 2023, and that an application was under development.

20.4. That the Strategic Investment Model (SIM) had opened and that an initial application had been submitted.

20.5. The intention to amend proposed procurement documentation into stages, to allow the Council to keep its options open, as follows:

- Stage 1 being for the performance of pre-construction services, the outcome of which would be preparation of a detailed design for the development and including a potential alternative outcome to the pre-construction phase.
- Stage 2, allowing the Council the option of appointing the successful tenderer to build the facility or as a development partner to jointly progress the development with the Council.

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

20.6. That the Chief Executive be requested to submit, on behalf of the Council, the following applications for funding:

- UK Government – Floating Offshore Wind Manufacturing Investment Scheme (FLOWMIS) in respect of the proposed Scapa Deep Water Quay.
- Scottish Government – Low Carbon Vacant and Derelict Land Investment Programme in respect of proposed improved laydown facilities at Lyness.

Councillor James R Moar left the meeting during discussion of this item.

21. Exclusion of Public

On the motion of Councillor James W Stockan, seconded by Councillor Heather N Woodbridge, the Committee resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved:

- The disclosure of confidential information of the class described in Section 50A(3)(a) of the Local Government (Scotland) Act 1973 as amended.
- 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.

22. Coastal Change Adaptation Plan

Under section 50A(2) 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 confidential information as defined in section 50A(3)(a) of the Act.

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

Noted:

22.1. That, under the Flood Risk Management (Scotland) Act 2009, the Council was required to produce a Local Flood Risk Management Plan for Orkney which detailed the actions to be adopted to reduce the damage, distress and costly impact of flooding.

22.2. That, in order to satisfy statutory land and marine based planning functions, the Council had a duty to acknowledge and plan for coastal change and flooding to ensure that services and new development were appropriately located and designed.

22.3. That, on 6 September 2022, the Development and Infrastructure Committee recommended approval of the local list actions for inclusion in the Local Flood Risk Management Plan 2022 to 2028, which included development of a Shoreline Management Plan.

22.4. That, on 21 December 2022, the Council published the Local Flood Risk Management Plan for 2022-2028, attached as Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure, which contained actions based on agreed objectives for tackling floods in highest risk areas and which relied on the best evidence available on the causes and consequences of flooding, making clear the practical ambition of responsible authorities, including the Council, the Scottish Environment Protection Agency and Scottish Water.

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

22.5. That, in respect of the actions already approved and included in the Local Flood Risk Management Plan for 2022-2028, funding of £200,000 be allocated to develop and deliver a Coastal Change Adaptation Plan.

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.

23. Scottish Wide Area Network

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

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Property, Asset Management and Facilities, the Committee:

Resolved to **recommend to the Council** what action should be taken with regard to the Scottish Wide Area Network.

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.

24. Regeneration Capital Grant Fund

Councillor Heather N Woodbridge declared an interest in this item, her connection being that she was a Director and Co-Chair of The North Ronaldsay Trust, and was not present during discussion thereof.

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 4 and 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, the Committee:

Resolved to **recommend to the Council** what action should be taken with regard to project delivery associated with the Scottish Government's Regeneration Capital Grant Fund.

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.

25. Loan Facilities for Development Trusts and Community Organisations to Facilitate Rural Housing Opportunities

Councillor Stephen G Clackson declared an interest in this item, his connection being that he was a member of the Sanday Development Trust, but concluded that his interest did not preclude his involvement in the discussion.

Councillor P Lindsay Hall declared an interest in this item, his connection being that he was a member of the Island of Hoy Development Trust, but concluded that his interest did not preclude his involvement in the discussion.

Councillor Mellissa-Louise Thomson declared an interest in this item, her connection being that she was a Director of the Eday Partnership, and was not present during discussion thereof.

Councillor Heather N Woodbridge declared an interest in this item, her connection being that she was a Director and Co-Chair of The North Ronaldsay Trust, but concluded that her interest did not preclude her involvement in the discussion.

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 4 and 6 of Part 1 of Schedule 7A of the Act.

After consideration of a joint report by the Corporate Director for Enterprise and Sustainable Regeneration and the Corporate Director for Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, the Committee:

Noted:

25.1. That, although there were national lending schemes available for house building, the Council had received requests to make loans available to development trusts that were engaged in building small numbers of houses in rural and island locations.

25.2. That, on 21 December 2021, when considering the allocation of one-off funding towards a series of projects considered to provide excellent recovery prospects from the COVID-19 pandemic, the Policy and Resources Committee recommended the allocation of funding to a series of recovery projects, which included a one-off allocation of £500,000 towards a Rural and Islands Housing Fund.

25.3. That, as part of the budget setting process for 2023/24, following a review of all General Fund reserves and previous commitments for funding, the £500,000 allocation towards the Rural and Islands Housing Fund was subsequently reduced to £400,000.

25.4. The proposal to establish a loan scheme for development trusts and other community organisations undertaking housing developments.

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

25.5. The establishment of a Loan Scheme in respect of housing developments undertaken by development trusts and other community organisations, based on the following terms and conditions:

- Secured loans of between £25,000 and £100,000, being offered on standard loan terms of up to 25 years, with an initial repayment holiday period available of up to two years, followed by up to 23 years to repay the loan balance in full.
- The Loan Scheme being entirely discretionary with no absolute entitlement to a loan.
- Each application to be considered on an individual basis and determined by the Head of Finance, in consultation with the Head of Legal and Governance, to ensure compliance with Subsidy Control and that the terms of the loan were not ultra vires.

26. Staff Appeals Sub-committee

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

After consideration of the draft Minute of the Meeting of the Staff Appeals Sub-committee held on 30 May 2023, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Heather N Woodbridge, seconded by Councillor Duncan A Tullock, to approve the Minute of the Meeting of the Staff Appeals Sub-committee held on 30 May 2023, attached as Appendix 8 to this Minute, as a true record.

27. Conclusion of Meeting

At 14:55 the Chair declared the meeting concluded.

Signed: James W Stockan.