

Minute

Development and Infrastructure Committee

Tuesday, 7 June 2022, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors David Dawson, Graham A Bevan, P Lindsay Hall, Kristopher D Leask, W Leslie Manson, Raymond S Peace, Gillian Skuse, James W Stockan, Mellissa-Louise Thomson and Duncan A Tullock.

Present via remote link (Microsoft Teams)

Councillors Owen Tierney and Heather N Woodbridge.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- Roddy Mackay, Head of Planning and Community Protection (for Items 1 to 5).
- Shonagh Merriman, Interim Corporate Finance Senior Manager.
- Stuart Allison, Service Manager (Enterprise).
- Karen Bevilacqua, Solicitor.

In Attendance via remote link (Microsoft Teams)

- Hazel Flett, Senior Committees Officer.

Observing

- Sweyn Johnston, Head of Enterprise and Economic Growth.
- Kirsty Groundwater, Communications Team Leader.

Declarations of Interest

- Councillor Graham A Bevan – Item 6.
- Councillor P Lindsay Hall – Item 3.13.
- Councillor Gillian Skuse – Items 6 and 8.
- Councillor Heather N Woodbridge – Item 6.

Chair

- Councillor David Dawson.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Item 8, together with Annex B of Item 6, 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. Appointment of Vice Chair

The Chair called for nominations for the post of Vice Chair of the Development and Infrastructure Committee and, after a secret ballot, the result of which was as follows:

- Councillor Gillian Skuse – 7 votes.
- Councillor Duncan A Tullock – 5 votes.

The Committee resolved, in terms of delegated powers, that Councillor Gillian Skuse be appointed Vice Chair of the Development and Infrastructure Committee.

3. Appointments to Sub-committees, Groups and Other Bodies

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

Noted:

3.1. Council policy on appointments and/or nominations to external bodies, as outlined in section 6 of the report by the Corporate Director for Strategy, Performance and Business Solutions.

3.2. That appointments and/or nominations made to the bodies, listed in Appendix 1 to the report by the Corporate Director for Strategy, Performance and Business Solutions, would last until the Meeting of the Development and Infrastructure Committee to be held in June 2024.

The Committee resolved to make the undernoted appointments.

3.3. Harbour Authority Sub-committee

After a secret ballot to appoint three members of the Development and Infrastructure Committee to the Harbour Authority Sub-committee, the result of which was as follows:

- Councillor Graham A Bevan – 5 votes.
- Councillor P Lindsay Hall – 7 votes.
- Councillor Mellissa-Louise Thomson – 9 votes.
- Councillor Owen Tierney – 3 votes.
- Councillor Duncan A Tullock – 4 votes.
- Councillor Heather N Woodbridge – 8 votes.

Councillors P Lindsay Hall, Mellissa-Louise Thomson and Heather N Woodbridge were duly appointed.

After a secret ballot to appoint two members, who should not necessarily be members of the Development and Infrastructure Committee, to the Harbour Authority Sub-committee, the result of which was as follows:

- Councillor Graham A Bevan – 8 votes.
- Councillor Stephen G Clackson – 2 votes.
- Councillor Ivan A Taylor – 7 votes.
- Councillor Owen Tierney – 1 vote.
- Councillor Duncan A Tullock – 2 votes.

Councillors Graham A Bevan and Ivan A Taylor were duly appointed.

The Committee thereafter resolved, in terms of delegated powers:

3.3.1. That the remit of the Harbour Authority Sub-committee be confirmed as exercising the function of Duty Holder, with responsibility for the safety, effectiveness and affordability of all existing harbour activities and for compliance with all appropriate codes and legislation, noting that projects included within and associated with the Orkney Harbours Masterplan now fell within the remit of the Strategic Projects Project Board and reported through the Policy and Resources Committee.

3.3.2. That, as the role of Duty Holder rested with the Council, the Designated Person's Annual Audit Report should be reported through the Policy and Resources Committee.

3.3.3. That the following members be appointed to serve on the Harbour Authority Sub-committee for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Councillor Graham A Bevan.
- Councillor P Lindsay Hall.
- Councillor Mellissa-Louise Thomson.
- Councillor Heather N Woodbridge.

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

3.3.4. That Councillor Ivan A Taylor, who was not a member of the Development and Infrastructure Committee, be appointed to serve on the Harbour Authority Sub-committee for the period to June 2024.

3.4. Community Benefit Member/Officer Working Group

The Committee resolved, in terms of delegated powers, that the Community Benefit Member/Officer Working Group be disestablished, with matters relating to community benefit arising from renewable activities being included within the remit of Strategic Projects Project Board.

3.5. Planning and Regulatory Services Consultative Group

The Committee resolved, in terms of delegated powers:

3.5.1. That, in order to reflect the new management structure, the Planning and Regulatory Services Consultative Group be renamed the Planning and Community Protection Consultative Group.

3.5.2. That the remit of the Planning and Community Protection Consultative Group be confirmed as follows:

- To develop, scrutinise and monitor various service plans within the remit of Planning and Community Protection, including the Building Standards Performance Framework, Building Standards Balanced Scorecard, Food Regulatory Service Plan, Animal Welfare Service Plan, Health and Safety Regulatory Service Plan and Planning Performance Framework.
- To assist the Corporate Director for Neighbourhood Services and Infrastructure in all aspects of reviewing the Local Development Plan.
- To provide a consultative forum on any other relevant matters in respect of all Planning and Community Protection service issues.

3.5.3. That the following members be appointed to serve on the Planning and Community Protection Consultative Group for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Chair, Planning Committee – Councillor Owen Tierney.
- Vice Chair, Planning Committee – Councillor Kristopher D Leask.
- Councillor P Lindsay Hall.
- Councillor Raymond S Peace.

3.6. Roads and Environmental Services Consultative Group

The Committee resolved, in terms of delegated powers:

3.6.1. That, in order to reflect the new management structure, the Roads and Environmental Services Consultative Group be renamed the Neighbourhood Services Consultative Group.

3.6.2. That the remit of the Neighbourhood Services Consultative Group be confirmed as follows:

- To contribute towards development of policy and provide a consultative forum in respect of all Neighbourhood Services issues, including roads and environmental services and the management of waste.

3.6.3. That the following members be appointed to serve on the Neighbourhood Services Consultative Group for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

- Councillor Kristopher D Leask.
- Councillor Raymond S Peace.
- Councillor Mellissa-Louise Thomson.
- Councillor Owen Tierney.
- Councillor Duncan A Tullock.

3.7. Transport Fairer Funding Consultative Group

The Committee resolved, in terms of delegated powers, that the following members be appointed to serve on the Transport Fairer Funding Consultative Group for the period to June 2024:

- Leader – Councillor James W Stockan.
- Depute Leader – Councillor Heather N Woodbridge.
- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Councillor P Lindsay Hall.
- Councillor W Leslie Manson.
- Councillor Mellissa-Louise Thomson.

3.8. Regulatory Appeals Panel

The Committee noted existing arrangements whereby the Regulatory Appeals Panel comprised three members of the Development and Infrastructure Committee, with powers delegated to the Chief Executive to select members to sit on the Regulatory Appeals Panel, as and when required, depending on availability and the nature of the appeal.

3.9. Destination Orkney Strategic Partnership

The Committee noted:

3.9.1. That representation on and participation in the Destination Orkney Strategic Partnership was in an advisory capacity only, whilst representing the function and remit of the relevant stakeholder organisation.

3.9.2. That previous representation on the Destination Orkney Strategic Partnership comprised the following:

- Leader, with Depute Leader as substitute.
- Chair, Development and Infrastructure Committee, with Vice Chair as substitute.

The Committee resolved, in terms of delegated powers:

3.9.3. That, provided the Destination Orkney Strategic Partnership accepted the amended representation from the Council, the following members be appointed to serve on the Destination Orkney Strategic Partnership, in an advisory capacity only, for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

3.10. Highlands and Islands Transport Partnership

The Committee resolved, in terms of delegated powers, that the following members be appointed to serve on the Highlands and Islands Transport Partnership (HiTRANS) for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

3.11. Hydrogen Project Board

The Committee resolved, in terms of delegated powers, that the Hydrogen Project Board be disestablished and its remit subsumed within the remit of the Strategic Projects Project Board.

3.12. KIMO

The Committee resolved, in terms of delegated powers:

3.12.1. That the Council should continue with an appointment to KIMO.

3.12.2. That Councillor Heather N Woodbridge be appointed to serve on KIMO for the period to June 2024.

3.13. Orkney Energy Strategy Stakeholder Group

Councillor P Lindsay Hall declared a non-financial interest in this item, being a Director of Hoy Energy Limited, but concluded that his interest did not preclude his involvement in the discussion.

The Committee resolved, in terms of delegated powers:

3.13.1. That the following members be appointed to serve on the Orkney Energy Strategy Stakeholder Group for the period to June 2024:

- Convener – Councillor Graham A Bevan.
- Leader – Councillor James W Stockan.
- Depute Leader – Councillor Heather N Woodbridge (substitute).
- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

3.13.2. That, in order to reflect the revised management structure, officer representation on the Orkney Energy Strategy Stakeholder Group be amended as follows:

- Head of Enterprise and Economic Growth.
- Head of Marine Services, Transportation and Harbour Master.
- Head of Planning and Community Protection.
- Head of Community Learning, Leisure and Housing.

3.13.3. That, to provide corporate oversight, the undernoted Corporate Directors be invited to participate in the deliberations of the Orkney Energy Strategy Stakeholder Group, as and when required:

- Corporate Director for Enterprise and Sustainable Regeneration.
- Corporate Director for Neighbourhood Services and Infrastructure.
- Corporate Director for Education, Leisure and Housing.

3.14. Orkney Local Plan District Partnership

The Committee resolved, in terms of delegated powers, that Councillor W Leslie Manson be appointed to serve on the Orkney Local Plan District Partnership for the period to June 2024.

3.15. Orkney Marine Planning Advisory Group

The Committee noted:

3.15.1. That the Orkney Marine Planning Advisory Group was established in March 2021 to provide advice and feedback on development of the Orkney Regional Marine Plan and to help ensure effective stakeholder and public participation in developing the Plan.

3.15.2. That membership of the Orkney Marine Planning Advisory Group included representatives from a variety of statutory agencies and stakeholder groups, as well as the Council.

3.15.3. That the terms of reference of the Orkney Marine Planning Advisory Group delegated responsibility for providing the roles of Chair and Vice Chair to the Council.

3.15.4. That, as a temporary measure, the Chair of the Development and Infrastructure Committee was nominated as Chair of the Orkney Marine Planning Advisory Group, with the Head of Planning, Development and Regulatory Services nominated as Vice Chair.

3.15.5. The proposal to formalise the appointment of the Chair and Vice Chair of the Orkney Marine Planning Advisory Group, with the Chair and Vice Chair of the Development and Infrastructure Committee respectively.

The Committee resolved, in terms of delegated powers:

3.15.6. That the Chair and Vice Chair of the Development and Infrastructure Committee be appointed as the Chair and Vice Chair respectively of the Orkney Marine Planning Advisory Group.

3.15.7. That Council representation on the Orkney Marine Planning Advisory Group be extended to include the Chair and Vice Chair of the Planning Committee.

3.15.8. That, accordingly, the following members be appointed to serve on the Orkney Marine Planning Advisory Group for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

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

3.15.9. That the following additional members be appointed to serve on the Orkney Marine Planning Advisory Group for the period to June 2024:

- Chair, Planning Committee – Councillor Owen Tierney.
- Vice Chair, Planning Committee – Councillor Kristopher D Leask.

3.16. Orkney Renewable Energy Forum

The Committee resolved, in terms of delegated powers, that the following members be appointed to serve on the Orkney Renewable Energy Forum, in an observer status only, for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.

3.17. Road Safety Forum

The Committee resolved, in terms of delegated powers, that the following members be appointed to serve on the Road Safety Forum for the period to June 2024:

- Chair, Development and Infrastructure Committee – Councillor David Dawson.
- Vice Chair, Development and Infrastructure Committee – Councillor Gillian Skuse.
- Councillor Duncan A Tullock.

4. Performance Monitoring

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

Scrutinised:

4.1. The performance of Development and Infrastructure for the reporting period 1 October 2021 to 31 March 2022, as set out in sections 3 to 5 and Annexes 1 to 3 of the joint report by the Corporate Director for Neighbourhood Services and Infrastructure and the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance.

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

4.2. That the following service plan actions, which had been progressed to completion, be removed from the service plan list of actions:

- 05a – Environmental Services – Finalise and complete Stage 2 Waste Facility appraisal work (replacement Chinglebraes).
- 17a – Sustainable Quarry Services – Expansion of quarry.

4.3. That the following service plan actions be amended as indicated and thereafter incorporated within the service plan list of actions:

- 08 – Major Projects – Prioritise and where necessary secure additional resources to deliver strategic projects – target date extended to 31 December 2022.
- 10a – Improve Accessibility to all Transport Services – Continue to pursue funding opportunities where possible – target date extended to 31 December 2025.
- 10b – Improve Accessibility to all Transport Services – Ensure all contracted services have accessibility provision – target date extended to 31 December 2025.

- 20a – Pursue the delivery of 21st century digital and broadband capability including wireless connectivity – target date extended to 31 December 2025.

5. Local Government Benchmarking Framework

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

Scrutinised the performance of service areas, which fell within the remit of the Development and Infrastructure Committee, against the Local Government Benchmarking Framework Indicators for 2020/21, attached as Annex 1 to the joint report by the Corporate Director for Neighbourhood Services and Infrastructure and the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance.

6. Economic Development Grants

Budget Outturn Statement and Delegated Approvals

Councillor Graham A Bevan declared a non-financial interest in this item, being a member of Stromness Community Development Trust, however, as the specific application was not discussed, he did not leave the meeting.

Councillor Gillian Skuse declared a non-financial interest in this item, in that a family member was employed by an organisation which had received economic development grant funding, however, as the specific application was not discussed, she did not leave the meeting.

Councillor Heather N Woodbridge declared a non-financial interest in this item, being co-vice chair of North Ronaldsay Development Trust, however, as the specific application was not discussed, she did not leave the meeting.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Enterprise), the Committee:

Noted:

6.1. That, during financial year 2021/22, new spending commitments of £306,300 were approved which, relative to the revised Economic Development Grants budget of £306,300 including the capability to over-commit by 5%, resulted in full allocation of the available budget, as detailed in Annex A to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

6.2. That the level of outstanding spending commitments held in the Economic Development Grants Fund, as at 31 March 2022, decreased by £85,654 to £966,082.

6.3. Grant approvals made in the period 1 April 2021 to 31 March 2022, totalling £306,300, including grants approved under delegated schemes for the same period totalling £158,073, as detailed in Annex B to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

7. Exclusion of Public

On the motion of Councillor David Dawson, seconded by Councillor Gillian Skuse, 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 class described in the relevant paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

8. Sustainable Aviation Test Environment

Councillor Gillian Skuse declared a non-financial interest in this item, in that a family member was employed by an organisation in the energy sector, 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 paragraph 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 the Sustainable Aviation Test Environment project.

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

9. Conclusion of Meeting

At 12:34 the Chair declared the meeting concluded.

Signed: David Dawson.