

Minute

Development and Infrastructure Committee

Wednesday, 26 September 2018, 10:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham L Sinclair, Andrew Drever, Norman R Craigie, David Dawson, W Leslie Manson, Gwenda M Shearer, James W Stockan, Magnus O Thomson, Duncan A Tullock and Kevin F Woodbridge.

Councillors Stephen G Clackson, Alexander G Cowie, Robin W Crichton, Steven B Heddle, John T Richards and Owen Tierney, who had been invited for Items 1 and 2.

Councillor Stephen Sankey, who had been invited for Items 1 to 3.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure.
- Darren Richardson, Head of Infrastructure and Strategic Projects.
- Roddy Mackay, Head of Planning, Development and Regulatory Services (for Items 1 to 3).
- Colin Kemp, Corporate Finance Senior Manager.
- Karen Bevilacqua, Solicitor.
- Stuart West, Planning Manager (Development and Marine Planning) (for Items 1 to 3).
- James Green, Senior Policy Planner (Development and Marine Planning) (for Items 1 and 2).
- Michael Harvey, Policy Planner (Development and Marine Planning) (for Item 1).
- Jonathan Walters, Environmental Services Facilities Manager.

Observing

- Ian Rushbrook, Capital Project Manager (for Items 2 to 5).
- Jayne Venables, Project Co-ordination Manager.
- Kirsty Groundwater, Press Officer (for Items 1 and 3 to 5).

Apologies

- Councillor J Harvey Johnston.
- Councillor Rachael A King.
- Councillor Barbara Foulkes, who had been invited for Items 1 and 2.
- Councillor John A R Scott, who had been invited for Items 1 and 2.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Graham L Sinclair.

1. Kirkwall Urban Design Framework

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

Noted:

1.1. That the requirement for an Urban Design Framework for Kirkwall was set out in the Orkney Local Development Plan 2017.

1.2. That, during 2017 to 2018, a consultative draft Kirkwall Urban Design Framework was generated through the Your Kirkwall community engagement initiative.

1.3. That public consultation had been undertaken in respect of the draft Kirkwall Urban Design Framework.

1.4. The Consultation Report, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, which recorded the steps taken to ensure full and proper consultation was undertaken, the comments raised by members of the public and stakeholders and the response by the Executive Director of Development and Infrastructure to those comments.

1.5. The summary of key consultation responses, as detailed in section 4 of the report by the Executive Director of Development and Infrastructure.

1.6. The revised Kirkwall Urban Design Framework, attached as Appendix 2 to the report by the Executive Director of Development and Infrastructure, which had been amended to respond to material planning matters raised through the consultation process, referred to at paragraphs 1.3 and 1.4 above.

1.7. That, once approved, the Kirkwall Urban Design Framework would have status as a material consideration in planning decision making.

On the motion of Councillor W Leslie Manson, seconded by Councillor Duncan A Tullock, the Committee resolved to **recommend to the Council**:

1.8. That the Kirkwall Urban Design Framework, attached as Appendix 1 to this Minute, incorporating minor changes as proposed by members, be approved as Supplementary Guidance.

2. Aquaculture Water Quality Impact Modelling Assessment for Scapa Flow

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 Senior Policy Planner (Development and Marine Planning), the Committee:

Noted:

2.1. That Supplementary Guidance: Aquaculture highlighted the importance of assessing the cumulative impacts from proposed aquaculture developments in Scapa Flow.

2.2. That, in December 2017, the Council agreed:

2.2.1. That the existing Scapa Flow hydrodynamic model be developed to model nutrient inputs to establish an upper biomass limit for farmed fish in Scapa Flow, at a cost not exceeding £25,000.

2.2.2. That the results of various ongoing relevant workstreams should be made available prior to undertaking further work on a capacity study for aquaculture development in Scapa Flow.

2.3. That the Aquaculture Water Quality Impact Modelling Assessment for Scapa Flow, referred to at paragraph 2.2.1 above, had been completed and was attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure.

2.4. That the modelling supporting the assessment had determined that the dissolved nutrient release from the eight existing operational fish farms and three proposed fish farms in Scapa Flow was sufficient to maintain current compliance with High Water Framework Directive Coastal Water Dissolved Inorganic Nitrogen standards.

2.5. That water quality in Scapa Flow was at very low risk of regulatory non-compliance, even when considering cumulative impacts of dissolved nutrient release on water quality.

2.6. That the model predicted, in general, a low impact of dissolved nutrient release from sewage treatment works and watercourse discharges, sufficient to maintain compliance with the standards referred to at paragraph 2.4 above, with the exception of Water Sound, where predicted concentrations exceeded that limit, and the assessment concluded that the contribution of existing and proposed fish farms to Dissolved Inorganic Nitrogen concentrations in Water Sound was minor.

2.7. That officers had investigated the potential to take forward additional depositional modelling for Scapa Flow to assess sea bed impacts from existing and planned fish farms, in partnership with the Scottish Environment Protection Agency, which was estimated to cost £16,200.

Councillor James W Stockan left the meeting at this point.

Councillor Graham L Sinclair, seconded by Councillor Duncan A Tullock, moved that, subject to the Scottish Environment Protection Agency committing to partnership funding, the Executive Director of Development and Infrastructure should submit a report, to the Development and Infrastructure Committee in due course, detailing a depositional modelling study for Scapa Flow, together with any financial implications for the Council.

Councillor Kevin F Woodbridge, seconded by Councillor W Leslie Manson, moved an amendment that the Executive Director of Development and Infrastructure should submit a report, to the Development and Infrastructure Committee, detailing a depositional modelling study for Scapa Flow, together with any financial implications for the Council.

The result of a recorded vote was as follows:

For the Amendment:

Councillors W Leslie Manson and Kevin F Woodbridge (2).

For the Motion:

Councillors Norman R Craigie, David Dawson, Andrew Drever, Gwenda M Shearer, Graham L Sinclair, Magnus O Thomson and Duncan A Tullock (7).

The motion was therefore carried, and the Committee:

Resolved to **recommend to the Council:**

2.8. That the Aquaculture Water Quality Impact Modelling Assessment for Scapa Flow, attached as Appendix 2 to this Minute, be adopted as Development Management Guidance.

2.9. That, subject to the Scottish Environment Protection Agency committing to partnership funding, the Executive Director of Development and Infrastructure should submit a report, to the Development and Infrastructure Committee in due course, detailing a depositional modelling study for Scapa Flow, together with any financial implications for the Council.

3. St Margaret's Hope Conservation Area Regeneration Scheme

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 Planning Manager (Development and Marine Planning), the Committee:

Noted:

3.1. That, to date, two Conservation Area Regeneration Schemes had taken place in Orkney, namely in Stromness and Kirkwall.

3.2. That, since 2007, Historic Environment Scotland had administered and awarded funding from the Conservation Area Regeneration Scheme, to provide financial assistance for area-based regeneration and conservation initiatives to the historic environment.

- 3.3.** That Round 8 of the funding programme, referred to at paragraph 3.2 above, would run from 1 April 2019 to 31 March 2024, with local authorities invited to submit notes of interest for potential projects to be delivered within their area.
- 3.4.** That, following informal discussions with Historic Environment Scotland regarding the potential for St Margaret's Hope as a project, the Council had been encouraged to submit an initial application for funding.
- 3.5.** That the online application system would open shortly, with an anticipated closing date for applications of mid November 2018.
- 3.6.** That, should an application for funding be submitted, it would be necessary to defer any start date until April 2020, in order that an up to date Conservation Area Appraisal and Management Plan for St Margaret's Hope could be produced, and to fully develop the details of any priority projects or any public realm improvements.
- 3.7.** That a temporary post of Assistant Planner (Historic Environment) would be required to develop the project, at an estimated cost of £30,100.

On the motion of Councillor Andrew Drever, seconded by Councillor Norman R Craigie, the Committee resolved to **recommend to the Council**:

- 3.8.** That the Executive Director of Development and Infrastructure should submit a note of interest to Historic Environment Scotland confirming that the Council was interested in operating a Conservation Area Regeneration Scheme project within St Margaret's Hope between 2020 and 2024.
- 3.9.** That the Executive Director of Development and Infrastructure should submit a report, to the next meeting of the Policy and Resources Committee, regarding funding required to progress the application to Historic Environment Scotland's Conservation Area Regeneration Scheme in respect of a project for St Margaret's Hope.

4. Proposed New Waste Management Facilities

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 Infrastructure and Strategic Projects, the Committee:

Noted:

- 4.1.** That, in October 2015, the Council agreed that a project to develop the "Proof of Concept" phase of exploring the feasibility of the proposal to replace the existing waste management facility at Chinglebraes be initiated.
- 4.2.** The Stage 1 Capital Project Appraisal in respect of proposed new waste management facilities, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure.
- 4.3.** That, should the project progress through the Capital Project Appraisal process, resources of up to £99,000 were available to produce the Stage 2 Capital Project Appraisal.

4.4. That a further sum of up to £150,000 was required in order to develop the Stage 2 Capital Project Appraisal in respect of proposed new waste management facilities.

4.5. Options for proposed new waste management facilities, as outlined in section 8 of the report by the Executive Director of Development and Infrastructure, with the preferred options to be progressed to the detailed Stage 2 Capital Project Appraisal being as follows:

- Option 2 – Residual waste resource recovery on Orkney – Energy from Waste.
- Option 4 – Separate food waste collection and processing, for example Anaerobic Digestion or In Vessel Composting.

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

4.6. That the Executive Director of Development and Infrastructure should submit a report, to the Policy and Resources Committee, regarding funding required to develop a Stage 2 Capital Project Appraisal in respect of proposed new waste management facilities.

4.7. That, subject to resources being secured, as an exception to the Capital Project Appraisal process, due to concerns over the sustainability of the current waste disposal route and the necessity of planning to meet more stringent recycling targets, the Executive Director of Development and Infrastructure should submit, to the Policy and Resources Committee, a Stage 2 Capital Project Appraisal in respect of proposed new waste management facilities.

Councillor James W Stockan rejoined the meeting during discussion of this item.

5. Conclusion of Meeting

At 12:00 the Chair declared the meeting concluded.

Signed: Graham L Sinclair.