

Minute

Development and Infrastructure Committee

Tuesday, 4 February 2020, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure.
- Brian Archibald, Head of Marine Services, Engineering and Transportation (for Items 1 to 11).
- Darren Richardson, Head of Infrastructure and Strategic Projects (for Items 1 to 3).
- Roddy Mackay, Head of Planning, Development and Regulatory Services (for Items 1 to 7).
- Colin Kemp, Corporate Finance Senior Manager.
- Karen Bevilacqua, Solicitor.
- Stuart Allison, Economic Development Manager (for Items 4 to 7).
- Laura Cromarty, Transport Manager (for Items 6 to 11).
- Kenneth Roy, Road Support Manager (for Items 1 to 3).
- Michael Harvey, Policy Planner (Development and Marine Planning) (for Items 1 to 5).
- Morag Robertson, Economic Development Officer (for Items 4 to 7).

Observing

- David Hartley, Communications Team Leader (for Items 10 and 11).
- Susan Shearer, Senior Planner (Development and Marine Planning) (for Items 1 to 5).
- Michael Farquharson, Assistant Planner – Historic Environment (Development and Marine Planning) (for Items 1 to 5).
- Lorraine Stout, Press Officer (for Items 1 to 9).

Apologies

- Councillor Alexander G Cowie (who had been invited for Item 10).
- Councillor Gwenda M Shearer (who had been invited for Item 10).

Declarations of Interest

- Councillor Robin W Crichton – Item 7.
- Councillor David Dawson – Item 7.
- Councillor Rachael A King – Items 6 and 7.

Chair

- Councillor Graham L Sinclair.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items 9 and 10, together with Annex B of Item 7, 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

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

Noted:

2.1. The revenue financial summary statement in respect of Development and Infrastructure for the period 1 April to 31 December 2019, attached as Annex 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, which indicated an overspend of £564,000.

2.2. The revenue financial detail by Service Area statement in respect of Development and Infrastructure for the period 1 April to 31 December 2019, attached as Annex 2 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance.

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 joint report by the Executive Director of Development and Infrastructure and the Head of Finance.

3. Road Asset Replacement Programme

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Corporate Finance Senior Manager, the Committee:

Noted:

3.1. The summary position of expenditure incurred, as at 31 December 2019, against the approved Road Asset Replacement Programme for financial year 2019 to 2020, as detailed in section 4.1 of the report by the Head of Finance, which indicated a probable outturn position as at 31 March 2020 broadly in line with the approved budget of £1,398,000.

The Committee scrutinised:

3.2. The detailed analysis of expenditure figures and programme updates, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance on progress being made with delivery of the approved Road Asset Replacement Programme.

4. Regional Spatial Strategy/National Planning Framework 4

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:

4.1. That the Planning (Scotland) Act 2019 set out a requirement for all local authorities, either individually or collectively, to produce a Regional Spatial Strategy.

4.2. That the Chief Planner had written to all local authorities offering an opportunity for regional partnerships to work collaboratively with the Scottish Government to develop early thinking on strategic planning and also to provide early input into development of National Planning Framework 4.

4.3. That the Scottish Government had confirmed that each planning authority would be offered a grant of £5,000 from the Planning Review budget to assist them in considering how to take regional strategies forward.

4.4. That the Scottish Government had commenced early work on preparing National Planning Framework 4 and that in summer/autumn 2020, following a period of extensive engagement, a draft National Planning Framework 4 would be published for public consultation.

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

4.5. That the Council should actively engage in preparation of National Planning Framework 4 as an individual local authority rather than through a regional working group of local authorities.

4.6. That, following publication of statutory guidance on regional planning by the Scottish Government, expected by the end of 2021, the Executive Director of Development and Infrastructure should submit a report, to the next available meeting of the Committee, on preparation of an Orkney Regional Spatial Strategy.

5. Stromness Place Plan

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:

5.1. That the Stromness Urban Design Framework Supplementary Guidance was due to be reviewed in 2019.

5.2. That, during 2019, Planning Aid for Scotland (PAS) was engaged by the Council to facilitate a community engagement initiative, What's Next for Stromness?, which was carried out in partnership with Stromness Community Council and Stromness Development Trust to reflect the aspirations of those community bodies.

5.3. That, following the community engagement initiative, the Stromness Place Plan, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, had been produced by PAS, in collaboration with the local community.

5.4. That, although the Planning (Scotland) Act 2019 removed the statutory status of Supplementary Guidance, the Act introduced a requirement for local planning authorities to 'register' Place Plans, granting them material status in the review of Local Development Plans.

5.5. That, over the coming year, secondary legislation would be enacted and guidance issued by the Scottish Government, detailing how Place Plans should be considered by planning authorities and how they should be formally registered.

5.6. That, following enactment of the necessary legislation, should the Stromness Place Plan be endorsed by the Council, it was proposed to formally register the Plan.

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

5.7. That, in order for the Council to demonstrate broad support of its aims, the Stromness Place Plan, attached as Appendix 1 to this Minute, be endorsed.

5.8. That, following enactment of secondary legislation, the Executive Director of Development and Infrastructure should formally register the Stromness Place Plan, in accordance with the Planning (Scotland) Act 2019.

6. Archaeological Investigations

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

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

Noted:

6.1. That six applications for financial assistance had been received in respect of archaeological investigation projects to be undertaken during the 2020 season, comprising three mainland based projects and three island based projects, with total project costs of £441,753.

6.2. That the six applications requested assistance totalling £68,370, which exceeded the available budget of £40,000 by approximately 71%.

6.3. The proposed offers of grant, based on the previously agreed allocation of £40,000, as detailed in Annex A to the report by the Executive Director of Development and Infrastructure.

The Committee resolved, in terms of delegated powers:

6.4. That, subject to an appropriate annual budget for 2020 to 2021 being made available to the Committee, a sum of up to £40,000 be allocated within the Economic Development Grants budget in respect of archaeological investigations.

6.5. That, subject to the annual budget for 2020 to 2021 being confirmed, offers of grant, as detailed in Appendix 2 to this Minute, should be made in respect of archaeological investigations for the 2020 season.

7. Economic Development Grants

Budget Monitoring Statement and Delegated Approvals

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

Councillor David Dawson declared a non-financial interest in this item, in that he was a non-executive board member of an organisation which had received Economic Development Grant funding, however, as the specific application was not discussed, he did not leave the meeting.

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

Noted:

7.1. That, for financial year 2019 to 2020, the approved budget in respect of Economic Development Grants amounted to £495,800.

7.2. Spending to 31 December 2019, in relation to Economic Development Grants, totalling £215,092, of which £178,730 related to grant commitments made in previous years and £36,362 to current year commitments.

7.3. That, as at 31 December 2019, the budget available for approval from the Economic Development Grants budget amounted to £240,790, as detailed in Annex A to the report by the Executive Director of Development and Infrastructure.

7.4. Grant approvals made in the period 1 April to 31 December 2019, totalling £249,121 including grants approved under delegated schemes for the same period, totalling £143,496 as detailed in Annex B to the report by the Executive Director of Development and Infrastructure.

7.5. Non-grant approvals made in the period 1 April to 31 December 2019, totalling £5,889 as detailed in Annex B to the report by the Executive Director of Development and Infrastructure.

8. Exclusion of the Public

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, 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 Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

9. Harbour Authority 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 9 of Part 1 of Schedule 7A of the Act.

After consideration of the draft Minute of the Meeting of the Harbour Authority Sub-committee held on 21 January 2020, copies of which had been circulated, the Committee:

Resolved:

9.1. On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, to approve the Minute of the Meeting of the Harbour Authority Sub-committee held on 21 January 2020 as a true record.

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

9.2. That the recommendations at paragraphs 3.5 to 3.7, 5.4, 8.5 and 8.6 of the Minute of the Meeting of the Harbour Authority Sub-committee held on 21 January 2020, attached as Appendix 3 to this Minute, be approved.

10. Public Bus Service Contract 2020 to 2025

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 9 of Part 1 of Schedule 7A of the Act.

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

Resolved to **recommend to the Council** what action should be taken with regard to the public bus contract for the period 2020 to 2025.

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.

11. Conclusion of Meeting

At 15:15 the Chair declared the meeting concluded.

Signed: Graham L Sinclair.

Appendix 2.

Archaeology Fund – 2020 Season

Applications approved under delegated powers

Name.	Project.	Assistance Approved.
Nick Card, ORCA, Orkney College UHI.	Excavations at Ness of Brodgar.	2.36% = £7,000.
Martin Carruthers, Archaeology Institute, Orkney College UHI.	Field project at The Cairns/ Windwick Bay, South Ronaldsay.	33.16% = £12,000.
Friends of St Ninians, Deerness.	Geophysics project at Newark, Deerness.	48.70% = £1,000.
Stephen Dockrill, Swandro Orkney Coastal Archaeology Trust.	Archaeological study of resource exploitation, sustainability and resilience at Swandro, Rousay.	15.63% = £5,000.
Dr Ingrid Mainland, Professor Jane Downes and Dan Lee, Archaeology Institute, Orkney College UHI.	Landscapes of Change, Rousay, Archaeology of the Rousay clearances and the Westness Estate.	28.31% = £10,000.
Prof Vicki Cummings, School of Forensic and Applied Science, University of Central Lancashire.	Excavations at Tresness, Sanday.	12.76% = £5,000.

Minute

Harbour Authority Sub-committee

Tuesday, 21 January 2020, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Brian Archibald, Harbour Master.
- David Sawkins, Deputy Harbour Master: Strategy and Support (for Items 1 to 3).
- Colin Kemp, Corporate Finance Senior Manager.
- Georgette Herd, Solicitor.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Graham L Sinclair.

1. Disclosure of Exempt Information

The Sub-committee noted the proposal that the public be excluded from the meeting for consideration of Item 8, as the business to be discussed involved the potential 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.

2. Miscellaneous Piers and Harbour

Revenue Maintenance Programme

Proposed Programme for 2020 to 2021

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 Deputy Harbour Master: Strategy and Support, the Sub-committee:

Noted:

2.1. That, although the revenue budget for financial year 2020 to 2021 had not yet been set, provision had been made within the draft budget in respect of revenue maintenance works for Miscellaneous Piers and Harbours, amounting to £1,148,000, to be funded from the Piers Maintenance Fund.

2.2. The proposed programme for 2020 to 2021 in respect of revenue maintenance works for Miscellaneous Piers and Harbours, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, based on the draft budget provision referred to above.

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

2.3. That, subject to an adequate budget being established, the programme of revenue maintenance for Miscellaneous Piers and Harbours for 2020 to 2021, attached as Appendix 1 to this Minute, be approved.

3. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

Minor Capital Improvement Programmes

Proposed Programmes 2020 to 2021

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 Deputy Harbour Master: Strategy and Support, the Sub-committee:

Noted:

3.1. That budgets in respect of Minor Capital Improvements for Miscellaneous Piers and Harbours and Scapa Flow Oil Port for 2020 to 2021 had not yet been set.

3.2. The proposed programmes for 2020 to 2021 in respect of minor capital improvements for Miscellaneous Piers and Harbours and Scapa Flow Oil Port, attached as Appendices 1 and 2 respectively to the report by the Executive Director of Development and Infrastructure.

3.3. That the Council had previously approved capital allocations as follows:

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

3.4. That the draft programmes, referred to at paragraph 3.2 above, were costed as follows:

- Miscellaneous Piers and Harbours – £805,000.
- Scapa Flow Oil Port – £300,000.

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

3.5. That a capital allocation of £805,000 be made available within the Council's capital programme for 2020 to 2021 in respect of minor capital improvement works for Miscellaneous Piers and Harbours.

3.6. That a capital allocation of £300,000 be made available within the capital programme for 2020 to 2021 in respect of minor capital improvement works within Scapa Flow Oil Port.

3.7. That, as the capital allocations were funded directly from income generated, the Head of Finance should update the revenue budgets for Miscellaneous Piers and Harbours and Scapa Flow Oil Port accordingly in order to reflect the associated additional loan charges.

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

3.8. That, subject to adequate budgets being established, the programmes of Minor Capital Improvements for Miscellaneous Piers and Harbours and Scapa Flow Oil Port for 2020 to 2021, attached as Appendices 2 and 3 respectively to this Minute, be approved.

4. Revenue Expenditure Monitoring

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

Noted:

4.1. The revenue financial summary statement in respect of the Scapa Flow Oil Port and Miscellaneous Piers and Harbours for the period 1 April to 31 December 2019, attached as Annex 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, which indicated a surplus of £5,088,900, which was £549,500 ahead of the profiled budget position.

4.2. The revenue financial detail by Service Area statement in respect of the Scapa Flow Oil Port and Miscellaneous Piers and Harbours for the period 1 April to 31 December 2019, attached as Annex 2 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance.

4.3. 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 Executive Director of Development and Infrastructure and the Head of Finance.

5. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

Draft Budgets

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

Noted:

5.1. That the respective budgets for Miscellaneous Piers and Harbours and Scapa Flow Oil Port, as trading activities, were based upon an assumption that a surplus could be generated from their activities.

5.2. That provision had been made within the revenue budget for Miscellaneous Piers and Harbours in respect of maintenance and repairs works, with a sum of £1,148,000 to be funded in 2020 to 2021 by a contribution from the Piers Maintenance Fund.

5.3. That, during financial year 2020 to 2021, the scope of the respective trading accounts, being Miscellaneous Piers and Harbours and Scapa Flow Oil Port, would be reviewed by Marine Services, in conjunction with the Finance Service, which might impact on revenue budgets going forward.

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

5.4. That the draft revenue budgets for financial year 2020 to 2021 in respect of Miscellaneous Piers and Harbours and Scapa Flow Oil Port, attached as Appendix 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, be submitted to the Policy and Resources Committee for consideration through the budget setting process for 2020 to 2021.

6. Miscellaneous Piers and Harbours Revenue Maintenance Programme

Expenditure Monitoring

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

Noted:

6.1. The summary position of expenditure incurred, as at 31 December 2019, against the approved Miscellaneous Piers and Harbours revenue maintenance programme for financial year 2019 to 2020, as detailed in section 5.1 of the report by the Head of Finance.

6.2. The detailed analysis of expenditure figures and programme updates, attached as Appendix 1 to the report by the Head of Finance.

7. Miscellaneous Piers and Harbours and Scapa Flow Oil Port

Minor Capital Improvement Programmes

Expenditure Monitoring

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

Noted:

7.1. The summary position of expenditure incurred, as at 31 December 2019, against the approved Miscellaneous Piers and Harbours and Scapa Flow Oil Port minor capital improvement programmes, as detailed in section 4 of the report by the Head of Finance.

7.2. The detailed analysis of proposed expenditure figures against the approved programmes, attached as Appendix 1 to the report by the Head of Finance.

8. Proposed Harbour Charges

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, the Sub-committee resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

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

Resolved to **recommend to the Council** that the Schedule of Charges for Miscellaneous Piers and Harbours and Scapa Flow Oil Port, attached as Appendix 4 to this Minute, be approved, to take effect from 1 April 2020.

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 12:05 the Chair declared the meeting concluded.

Signed: Graham L Sinclair.

Miscellaneous Piers and Harbours - Proposed Revenue Maintenance Works for 2020/21

Detail	Est Cost	
Eday pier approach road	£15,000	280m ² bitmac on approach road
Burwick linkspan	£120,000	Shot blast and paint complete linkspan inc replacing existing railings.
Sanday linkspan paint	£180,000	Linkspan in poor condition and will require 100% blast
Nevi skerry beacon re-bolt.	£55,000	
Helliar holm lighthouse paint and external maintenance	£75,000	Carried forward from 18/19
Planned maint on Hatston Walkway, cylinder swap outs etc.	£160,000	
Pier Ladders	£25,000	Stromness and Kirkwall
Kirkwall Pier capsil rail replacement including cope repairs. (removing concrete capsil from pier)	£80,000	To prevent on-going expenditure by re-design of present arrangements. Cost reduction in long run.
Kettletoft stone deck slabs 60m ² . 150m ² bitmac	£18,000	Excavate existing stone slabs, compact hardcore, lay existing slabs and replace 60m2
North Isles carparks and marshalling areas, including white lining/pedestrian markings.	£50,000	Rapness , Loth , Eday and Stronsay.
North Isles fender chains and hydac rubber replacement to Eday, Stronsay and Rapness.	£150,000	50k per pier
Rousay carpark drainage/flooding issue.	£9,000	Initial works to drain jet and camera inspection 1.5k. install larger drain if required 7.5k
Stronsay West pier bollards and stone deck slabs	£30,000	10 timber bollards at 3k per bollard
Cathodic Protection checks on piers	£8,000	Various, starting with Hatston.
Tingwall Carpark markings	£6,000	Refresh markings at Tingwall Carpark
North Ronaldsay Ferry Terminal / Pier repairs	£25,000	Pier deck, capsil, Steps and ladders
Stromness Pier Bollards - Initially 3.	£12,000	Break out concrete plinth, investigate, replace concrete with re bar and fibres.
Electrical supply / earthing works at inter-island ferry terminals	£75,000	Kirkwall Pier.
Accelerated Low Water Corrosion - retention	£55,000	Final year costs - retention as per contract payable to contractor.

Total £1,148,000

Miscellaneous Piers and Harbours - Proposed Minor Capital Works for 2020 to 2021

<u>Detail</u>	<u>Est Cost</u>	
Miscellaneous Piers & Harbours		
Flotta Ferry Waiting Room - c/f from 19/20	£120,000	Capacity being built into 20/21 and final preliminary work being undertaken.
Scottish Water requirements to meet water supply points on piers	£40,000	Regulatory works required by SW on water supply points to vessels.
Wall at Coplands Dock - planning condition for access road	£50,000	As part of planning consent for pier access road
Eday Transit Shed Water Main works	£55,000	Re-alignment of water main.
Egilasy Pier lighting	£120,000	Replacement of light columns and LED energy efficiency lanterns.
Wyre Pier Lighting	£75,000	Replacement of light columns and LED energy efficiency lanterns.
Kettletoft Pier lighting	£160,000	Replacement of light columns and LED energy efficiency lanterns.
Stromsøy Pier lighting and pier rewire with approved earth	£110,000	Replacement of light columns and LED energy efficiency lanterns.
Snow clearing/ utility vehicle for Stromsøy Pier	£25,000	Utility type vehicle and gritter as per Kirkwall Pier
Workshop Supervisor Van	£20,000	Transit type size
Stores Van	£30,000	Transit type size
Total - MP&H	£805,000	

Scapa Flow Oil Port - Proposed Minor Capital Works for 2020 to 2021

Detail	Est Cost	
Scapa Flow Oil Port		
Oil Pollution Equipment - Skimmer	£2,000	Updating / upgrading to new, modern and more efficient equipment
Oil Pollution Equipment - Industrial Steam Pressure Washer	£25,000	Providing ability to rapidly clean off equipment, more efficient provision of service
Oil Pollution Equipment - Replacement for Scapa Protector	£175,000	Present vessel no longer suitable for role, modern small vessel would be more suited
VTs Communication System - Back up micro-wave link/s	£75,000	To remove a single point of failure in existing communication system
Contingency	£23,000	
Total - SFOP	£300,000	

WITH EFFECT FROM 1ST APRIL 2020

CONTENTS

COMMERCIAL VESSELS

FISHING VESSELS

PLEASURE CRAFT

WHARFAGE

MISCELLANEOUS

PILOTAGE

BOARDING/LANDING

TOWAGE

NOTES:-

As from the 18 July 1994 Ship Tonnage Measurements must comply with the International Tonnage Convention 1969 (ITC69). Where vessels cannot supply a Tonnage Certificate in line with ITC69 then a provisional Gross Tonnage (GT) will be calculated in line with the Department of Transport Formula.

In this Schedule of Charges a "day" means any 24 hour period and includes any part thereof.
In this Schedule of Charges the 4 day charge is calculated from the time of arrival at either the berth or anchorage location
VAT applies to all vessels under 15 gross tonnes and all recreation or pleasure vessels.

Any goods deposited on Harbour Authority property are stored entirely at owner's risk.

Any vessels loading/discharging personnel or goods and using onboard or off-board lifting equipment onto/off any OIC pier will be deemed as having berthed alongside. This includes vessels alongside but held in position by DP (Dynamic Positioning).

Her Majesty's Ships and other UK/Scottish Government vessels and charitable sail training vessels will be exempt berthing and anchorage fees. All other charges for services including pilotage will apply.

All enquiries regarding Rates & Charges should be directed to:

**Orkney Islands Council Marine Services
Harbour Authority Building,
Scapa, Orkney,
United Kingdom KW15 1SD
t: +44 (0) 1856 873636
f: +44 (0) 1856 873012
e: harbours@orkney.gov.uk
w: www.orkneyharbours.com**

In the case of dispute of interpretation of the charges in this schedule, the Executive Director of Development and Infrastructure or the Harbour Master's decision shall be final.

CHARGES FOR COMMERCIAL VESSELS

2020

1 PERIOD DUES

All vessels in sections 2 and 3 are charged on a 4 day period commencing at time of arrival. Vessels remaining in port or harbour longer than 4 days will be charged additional rates as follows:-

- (a) For each 24 hour period or part thereof, one quarter of the initial charge.
- (b) Vessels remaining in harbour longer than the pre-agreed stated time may be subject to the 4 day rate becoming a daily rate
- (c) Vessels movements departing and returning at harbour limits for the sole purposes of sea trials/ tests will be charged as if the vessel had been in port for the entire period.

2 VESSELS ENTERING HARBOUR BUT NOT DOCKING AT AN ORKNEY ISLANDS COUNCIL (OIC) PIER

- (a) Vessels, whether with cargoes or passengers or in ballast entering the Harbour area for any purpose, but not entering any dock, or using any pier shall be charged as follows:-
For safety by stress of weather, direct passage or for the purpose of supplying bunkers to another vessel..... No Charge
- (b) All Vessels per GT..... 0.23
- (c) LAY-UP: Oil Rigs and any other specialised vessels. By prior agreement with the Council and on prior written application to the Executive Director or the Harbour Master.

Note In the event of a vessel being subject to UK Border Force / HMRC inspection or similar there may be additional charges applied by the Harbour Authority for the use of any port facilities.

3 VESSELS, BARGES AND DEVICES DOCKING AT AN OIC PIER

- (a) All vessels to or from any Port per GT 2.76
- (b) All vessels operating a regular weekly service between Scottish mainland and Orkney..... per GT 0.38
- (c) All vessels trading regularly in inter-island services..... per GT 0.38
- (d) Cruise Liners..... per GT 0.33
- (e) Vessels engaged in the provisions of services and supply of materials for offshore or other similar operations..... per GT 0.45
- (f) Passenger Launches/Workboats servicing the Flotta Oil Terminal per GT 0.38
- (g) LAY-UP: Oil Rigs and any other specialised vessels. By prior agreement with the Council and on prior written application to the Executive Director or the Harbour Master.

Note 1 In the event of a vessel being subject to UK Border Force / HMRC inspection or similar there may be additional charges applied by the Harbour Authority for the use of any port facilities

Note 2 For vessels referred to at sub paragraphs (b) and (c), the charge quoted is per visit.

Note 3 Docking is defined as tied up to, adjacent to or on the seabed at any OIC Pier

4 VESSELS, BARGES AND DEVICES

The Harbour Authority wishes to give notice that all vessels/devices/barges (whether moored, anchored or underway) will be charged on an International Tonnage Certificate (ITC69) basis if held, otherwise the following applies:

£2.10 per metre per day up to 40 metres (alongside) plus £3.80 per metre per day for every metre over 40m

£1.25 per metre per day up to 40 metres (at anchor) plus £2.50 per metre per day for every metre over 40m

5 COMPOUNDED CHARGES (ANNUAL REGISTRATION CHARGE)

By agreement with the Council and on prior written application to the Executive Director of Development and Infrastructure or the Harbour Master, locally owned commercial vessels (as defined in paragraph 4 above) based at any OIC Pier and engaged in trading operations within harbour limits may be allowed compounded arrangements as per the table hereunder:-

- (a) Up to 50 GT-Based on overall length
 - (1) 10m and under 165.00
 - (2) Exceeding 10m to 12m 260.00
 - (3) Exceeding 12m to 15m 370.00
 - (4) Exceeding 15m 590.00
- (b) Over 50 GT up to 100 GT..... per GT 11.67
- (c) Over 100 GT up to 200 GT..... per GT 12.84
- (d) Over 200 GT up to 300 GT..... per GT 14.00
- (e) Over 300 GT up to 400 GT..... per GT 19.84
- (f) Over 400 GT up to 500 GT..... per GT 28.01
- (g) Over 500 GT up to 600 GT..... per GT 38.52
- (h) Over 600 GT..... per GT 52.51

The compounded charges herein referred to shall cease to be applicable to any vessel which has not preceded to sea in excess of 28 days or deemed unfit for sea by order of the Harbour Master. Such vessels will then be liable for the charge as at paragraph 3(c) or 4 as appropriate.

Vessels without an ITC 69 are not eligible for compound dues

Compound dues will only be given on the production of proof of third party liability insurance of the owner to a minimum value of £3,000,000.00

6 FLOTTA OIL TERMINAL - TANKER CHARGES per GT 2.76

7 OIL AND GAS SHIPS AT ANCHOR IN SCAPA FLOW

Cargo Transfers.....	Per Cargo Tonne or part thereof	0.41
LNG Transfers.....	Per Cubic Metre or part thereof	0.41
Total Cargo Transferred - Minimum Charge		37000.00

(The above rates may change during the validity of this schedule of charges)

Multiple STS Operations will be charged on each individual cargo transferred as above

8 BUNKER OPERATIONS OR SIMILAR

Tonnage Transferred	Per Cargo Tonne or part thereof	2.19
Towage, Pilotage, Boarding/Landing charged separately if used		

9 MEDIUM TO LONG TERM ANCHORAGE

Subject to a minimum charge equivalent to 3 months (92 days) charge, the following charges shall be applied per day.

* Vessels up to 10,000 GT	70.00
* Vessels over 10,000 GT and up to 50,000 GT	105.00
* Vessels over 50,000 GT and up to 100,000 GT	140.00
* Vessels over 100,000 GT	165.00

1 Vessels arriving within Harbour Limits, but not berthing, for up to a 6 hour period, whether the anchor is dropped or not, will be charged a rate of £0.06 per GT up to a maximum charge of £4750.00. Pilotage and Towage will be charged at the published rate.

2 Hot/warm stacked and 'active' accommodation vessels will be charged as per paragraph 9 of the Schedule of Charges. This rate recognises that the vessels will be crewed with propulsion/position holding power available.

3 Cold Stacking per day 640.00

NOTES

Oil Tankers operating to the Scapa Flow Oil Port will be required to pay additional charges in way of Pilotage, Boarding/Landing and normal Towage charges, as applicable and at rates laid down in the Schedule of Charges if they are rejected by the Flotta Terminal Operators as being in an unfit state to conduct cargo operations and are required to put to sea and so leaving the harbour to rectify their condition. Additional Towage charges will be applied for vessels requiring the assistance of tugs outwith "normal Towage" as defined in the compound charge.

All Tankers undertaking ship to ship transfers or Flotta Ops and arriving pre operations or remaining post operations in the port and at anchor for a total of more than 21 days overall either prior to or after the completion of the transfer will be charged as per table 2 (b) or 9 (*) above as appropriate. Provided a chargeable operation is undertaken within the 21 day period, there will be no additional charge other than pilotage or towage if required.

Within the Compound Charge for tankers using the Oil Port of Scapa Flow "normal Towage" is defined as "Towage required by the tanker, per visit, and provides for: Escort into the Port, to anchor and or, to the Berth. Berthing and unberthing and subsequent escort to anchor and, or to sea. Stand-by duties are also provided for Ship to Ship transfers and for vessels whilst alongside the Flotta Oil Terminal Jetty".

Orkney Islands Council provide up to 3 tugs for STS and terminal operations, whose costs are contained within the appropriate composite charge but it should be noted that any additional tugs required for whatever reason will be charged to owners account.

Tugs activated to sail, to assist vessels at anchor for breakdown or weather within the harbour area will be charged at the normal rates.

CHARGES FOR FISHING VESSELS

1 VESSELS ENTERING HARBOUR AND DOCKING AT AN OIC PIER

(a) Up to 50 GT.....	32.00
(b) Over 50 GT up to 100 GT.....	44.00
(c) Over 100 GT up to 200 GT.....	55.00
(d) Over 200 GT up to 300 GT.....	65.00
(e) Over 300 GT.....	75.00
Plus for every GT over 300 GT	1.08

2 PERIOD DUES

All vessels in Section 1 remaining in Port or Harbour longer than 4 days will be charged additional rates as follows:-

For each day or part thereof, one quarter of the initial charge.

3 COMPOUNDED CHARGES (ANNUAL REGISTRATION CHARGE)

By agreement with the Council, locally owned and registered fishing vessels based at and operating from any OIC Pier and using OIC Harbour facilities may, on prior application being made in writing to the Executive Director or Harbour Master, be allowed compounded arrangements, payable in advance, as follows:-

(a) Up to 10m overall length.....	114.00
(b) Exceeding 10m up to 12m overall length.....	250.00
(c) Exceeding 12m up to 15m overall length.....	365.00
(d) Exceeding 15m up to 18m overall length.....	565.00
(e) Exceeding 18m up to 21m overall length.....	740.00
(f) Exceeding 21m up to 24m overall length.....	1110.00
(g) Exceeding 24m up to 27m overall length.....	1400.00
(h) Exceeding 27m up to 30m overall length.....	1685.00
(i) Exceeding 30m overall length.....	1970.00

NOTE - The compounded charge allows the use of all OIC Piers

The compounded charges herein referred to shall cease to be applicable to any vessel which has not preceded to sea in excess of 28 days or deemed unfit for sea by order of the Harbour Master. Such vessels will then be liable for the charges as at paragraph 1 above

Compound dues will only be given on the production of proof of third party liability insurance of the owner to a minimum value of £3,000,000.00

CHARGES FOR PLEASURE CRAFT USING OIC HARBOUR FACILITIES

1 A seasonal compound fee, payable in advance, will be charged for each locally owned and based pleasure craft, regularly moored or berthed within the defined Harbour limits, for the season 1 May to 31 October as follows:-	
(a) Up to 10m overall length.....	78.00
(b) Exceeding 10m up to 12m overall length.....	121.00
(c) Exceeding 12m up to 15m overall length.....	175.00
(d) Exceeding 15m overall length.....	275.00
2 All visiting pleasure craft up to 10m.....per 4 day period 23.00	
or.....	per 14 day period 47.00
3 All visiting pleasure craft over 10m £23.00 plus £1.85 per/m for every metre overper 4 day period	
or £47.00 plus £3.10 per/m.....	per 14 day period

Visiting pleasure craft using Orkney marinas at Kirkwall, Stromness or Westray will be charged in accordance with the charging arrangements set and published on www.orkneymarinas.co.uk. These charges incorporate harbour dues which are paid to the Harbour Authority.

NOTE-

- (1) The above charges allow the use of all OIC Pier and Harbour facilities.
- (2) Vessels not using any pier will be charged at half the above rates.
- (3) The following categories of craft are exempt from payment of the above fees - dinghies, with oars or sails; canoes
- (4) Any vessel in the Harbour after 31 October will also pay the above seasonal rate for the period 1 November to 30 April
- (5) The compounded charges herein referred to shall cease to be applicable to any vessel which has not preceded to sea in excess of 28 days or deemed unfit for sea by order of the Harbour Master. Such vessels will then be liable for the charges as at paragraph 2 and 3 above
- (6) Compound dues will only be given on the production of proof of third party liability insurance of the owner to a minimum value of £3,000,000.00

WHARFAGE CHARGES ON GOODS AND PASSENGERS**AQUACULTURE**

Fish/Shellfish or Crustacean direct from sea, and fish/shellfish harvested.....	per tonne	2.88
Fish/Salmon Feed, Smolts.....	per tonne	1.80

BASIC MATERIALS AND FERTILISERS

Fertilisers (including Basic Slag).....	per tonne	1.42
Cement.....	per tonne	1.42
Timber.....	per tonne	1.42
Sand, Gravel, Stone Chips and Salt.....	per tonne	1.42
Scrap Metal.....	per tonne	1.42
Contractors' Plant and Machinery	per tonne	4.79
Renewable Energy Devices and Associated Infrastructure & Materials	per tonne	1.42
Oil Related Equipment	per tonne	4.95
Explosives	per tonne	21.50
General Cargo	per tonne	2.80

FUEL ETC

Coal, Coke, Logs etc.....	per tonne	1.38
Petroleum Products.....	per tonne	2.19
(Fuel Oil, Diesel etc)		
Gas	per tonne	2.19

MANUFACTURED GOODS

(including animal foodstuffs and bulk grain).....	per tonne	2.19
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NOTE All items not specified above shall be chargeable at the general cargoes rate of £2.80 per tonne.

PASSENGERS

Adults.....	1.23
Children.....	0.68
Cruise Liner visitors excluding Hatston Pier.....	1.55
Cruise Liner visitors at Hatston Pier only.....	1.75

PRIVATE VEHICLES

Motor Cars (accompanied).....	9.07
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Commercial Vehicles, and all Trailers, Empty Containers, Vans, Caravans/Motor Homes etc:-

up to 7.5 metres.....	11.67
Over 7.5 metres to 10 metres.....	23.29
Over 10 metres to 12.5 metres.....	37.00
Greater than 12.5 metres.....	50.54
Motor Cycles with Side-cars.....	7.43
Motor Cycles solo.....	3.68
Pedal Cycles.....	1.38
Boats up to 5 metres.....	7.43
Each additional half metre.....	0.87

LIVESTOCK

Cattle and Horses.....	0.87
Sheep and other Livestock.....	0.50

Foodstuffs, Domestic Fuels and Manufactured Goods, imported and exported into/out of Orkney requiring trans-shipment to/from outlying Islands will pay wharfage only at the port of trans-shipment

The Council will not be responsible for the safe custody of any goods landed or deposited upon any of their quays, wharves, or premises, whether in the open or under any shed thereon; nor will they accept any liability for any loss (whether partial or total) or for any damage however arising which may happen to such goods.

As the Council have no charge of custody of goods landed or deposited on the quays, it is suggested that the Owners or Consignees of such goods should arrange to have them watched whilst the goods remain there.

The Council will not permit goods of a dangerous or explosive character to be dealt with on their estate, except upon such special terms and conditions as may have been arranged, or may be prescribed in their Bye-laws, or the Acts of Parliament relating to goods of an inflammable or explosive character.

MISCELLANEOUS CHARGES

1 FORKLIFT,CHERRY PICKER	per hour	59.00
2 WASTE OIL DISPOSAL		
(a) Hire of 1,000 litre portable tank.....	per fill	19.00
(b) Hire of 2,000 litre Bowser	per fill	31.00
(c) Hire of operator.....	per hour	46.35
(d) Testing, disposal. Per m3 landed	per m ³	206.00
(e) SEPA Form		at cost
(f) Administration Charge 15% of the total above costs is applicable		
Hire charges apply from leaving Harbour Authority Building, Scapa until returned to Harbour Authority Building, Scapa.		
The above rates may alter at short notice, without prior notification, subject to fluctuation and disposal costs		
3 GARBAGE DISPOSAL		
(a) The disposal of ship-generated garbage waste up to a weight of 2 tonne (See Note (a))		No Charge
(b) exceeding 2 tonne	Per Tonne or Part thereof	600.00
OTHER SHIP GENERATED WASTE		
The disposal of all other wastes will be at the discretion of OIC Marine Services. The cost of disposal will be agreed prior to landing such waste at an OIC Harbour Pier.		
The above rates may alter at short notice, without prior notification, subject to fluctuation and disposal costs.		
4 LINKSPANS		
Minimum charge per hour		95.00
5 HARD RAMPS		
Minimum charge per hour		43.00
6 DRYING OUT AREA		
First 2 days		No Charge
Per day thereafter		79.00
7 CHARGES FOR USE OF WEIGHING MACHINES		
(a) For goods weighed per tonne or part thereof.....		0.70
(b) For weighing vehicles for shipment or taxation.....		3.15
8 WATER CHARGES		
per Tonne.....		2.55
9 ELECTRICITY CHARGES		
per Unit.....		0.21
This rate may alter at short notice and without prior written notification		
Northlink Rate for Cold Ironing by separate negotiation		
10 QUAY RENTS/SLIPS UPTO 20 METRES FROM QUAY EDGE (only with permission of the Harbour Master)		
Notice of at least 10 days must be given to the Harbour Master		
Vessels paying Compound Harbours Dues - (but not including those paying Orkney Marina Charges)		
Quay edge on piers (first 7 days)		No Charge
thereafter per square metre per day.		0.24
Hatston Slipway and Lorry Park, Stromness (First 14 days)		No Charge
Thereafter per square metre per day.		0.24
Vessels/Transport or Plant not paying Compound Harbour Dues: -		
Laydown area within 20m of quay edge per square metre per day.		0.24
Vessels/Transport or Plant not paying Compound Harbour Dues:-		
Laydown area > 20m from Quay edge per square metre per day		0.13
Vehicles/Trailers in Marshalling Areas not for immediate embarkation/dis-embarkation (within 24 hours)	per day	110.00
Short term undeveloped Brownfield site areas per square metre	per week	0.13
11 PORT SECURITY CHARGES		
Security Panels each per week or part thereof		7.50

Security Surcharge for Staff beyond 2100 hrs on day of arrival	per hour	30.00
12 HIRE OF CONFERENCE ROOM with/without Video Conferencing facilities	per half day	46.00
13 TIDE TABLES per copy		4.00
14 WEATHER DATA - per calendar month per site		31.00

OVERTIME

Extra charges will be made when work is performed before or after ordinary working hours or for Public Holidays.

NOTES

(a)

In accordance with the Port Waste Reception Facilities Regulations 2003, Marine Services provide waste reception facilities to meet the needs of ships normally using the harbour. In order to cover the costs of the provision of port waste reception facilities, Marine Services have a mandatory charge of 0.8% of Harbour Dues. This charge allows vessels to deliver waste in the form of garbage up to a weight of 2.0 tonne free of additional charge to the ship. Where garbage delivered is in excess of these quantities the additional volume or weight will be charged as prescribed in section 3. The disposal of all waste oils will be charged as prescribed in section 2.

(b)

The disposal of all other waste will be at the discretion of Orkney Islands Council's Marine Services. The cost of disposal will be agreed prior to delivery of such waste at an OIC Harbour pier.

(c)

Any recharges for damage or insurance claims will incur an Administrative Fee of 15% of the total cost

(d)

There will be no free collection of the first 2 tonne of waste where a third party, other than the ships agent, has been contracted for waste services.

PILOTAGE ACT 1988
ORKNEY ISLANDS COUNCIL SCHEDULE OF CHARGES

- 1** The following charges are payable for piloting vessels inwards or outwards and for movements within the Competent Harbour Authority Areas (CHA) to or from any pier, jetty, SPM or anchorage for each piloted movement:-
- | | |
|--|--------|
| (a) Vessels up to 4,000 GT. | 165.00 |
| (b) For each 100 GT or part thereof in excess of 4,000 GT. | 1.75 |
- 2** A charge of £90.00 per hour or part thereof shall be applicable in the following cases:- 90.00
- (a) When a pilot is requested for the departure, shifting or arrival of a vessel and the vessel fails to move or arrive within one hour of the stated time of departure, shift or arrival.
- (b) When a pilot is requested and the request is cancelled after the pilot has set out from Harbour Authority Buildings, Scapa to undertake pilotage; and
- (c) For detention aboard ship of a pilot by request of the Master, owner or agent and no pilotage service is being undertaken.
- (d) All charges in 1 applicable for up to 4 hours of Pilot being onboard, thereafter £90.00 per hour or part thereof
- 3** Vessels which are being towed by a vessel under pilotage and any vessel being led within the CHA areas by a vessel which is under pilotage shall pay pilotage dues as if the pilot were on board.
- 4** Officers of Orkney Islands Council undergoing training may from time to time accompany the authorised pilot but such trainees shall not be considered to be assistants to the pilot and no extra charge shall accrue to any vessel in respect of such trainees.
- 5** A ship's register tonnage for charging purposes shall be the Gross Tonnage as defined by the International Tonnage Convention 1969 (ITC69) and The Merchant Shipping (Tonnage) Regulations 1997.
- 6** Pilot Exemption Certificates (PEC)
- | | |
|--|--------|
| Examination of PEC Candidates - per candidate | 270.00 |
| Issue of Pilotage Exemption Certificate, or renewal of existing certificate - per certificate | 270.00 |
| 7.5% of the appropriate pilotage charge be applied to each act of pilotage by the holder of a PEC. | |
| Charge capped at 1000 acts per vessel into a single port. | |

BOARDING AND LANDING CHARGES

- 1** For each act of pilotage undertaken, every vessel shall pay a boarding and landing fee of:-
- | | |
|--|--------|
| (a) Vessels up to 4,000 GT..... | 227.00 |
| (b) For each 100 GT or part thereof in excess of 4,000 GT..... | 1.75 |
- 2** If the pilot launch is detained under any of the circumstances mentioned in section 2 of the schedule of charges for Pilotage, a charge shall apply as follows:-
- | | |
|------------------------------------|--------|
| For each hour or part thereof..... | 270.00 |
|------------------------------------|--------|
- 3** An up-to-date ship's tonnage register shall be produced as and when required.
A ship's register tonnage for charging purposes shall be the Gross Tonnage as defined by the International Tonnage Convention 1969 (ITC69) and The Merchant Shipping (Tonnage) Regulations 1997.
- 4** Boarding/Landing North Sea Pilots when launches available..... 1500.00

CHARGES FOR HARBOUR CRAFT

The following hourly rate will be applicable when the launches are not engaged on pilotage duties:

Hire of Pilot Launches.....per hour or part thereof	360.00
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All Hire requests to be booked via the Harbour Master or Duty Harbour Master, in case of an emergency arrangements can be made via VTS

Bareboat Charter rates (subject to charter terms and conditions)	per day	360.00
Fuel & Lubricants at cost		

TOWAGE RATES

1 Assisting Vessel on or off berth per Tug per hour or any part thereof plus passage time	690.00
	690.00
2 Towage Escort Services per Tug per hour or any part thereof	
3 Cruise Liners assisting on/off berth, per act, per Tug	1400.00
4 Charter of Tugs within Orkney - Base to Base per hour or any part thereof	690.00
5 Charter of Tugs outwith Orkney : First 24 hours including mob/demob	12400.00
per day thereafter	6200.00
Fuel & Lubricants at cost	

Charter Rates by separate negotiation with OIC Marine Services