

Minute

Development and Infrastructure Committee

Tuesday, 11 September 2018, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham L Sinclair, Andrew Drever, Norman R Craigie, David Dawson, J Harvey Johnston, Rachael A King, W Leslie Manson, Gwenda M Shearer, James W Stockan, Magnus O Thomson, 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 and 20 to 22).
- Darren Richardson, Head of Infrastructure and Strategic Projects (for Items 1 to 8).
- Roddy Mackay, Head of Planning, Development and Regulatory Services (for Items 1 to 19).
- Colin Kemp, Corporate Finance Senior Manager.
- Karen Bevilacqua, Solicitor.
- Jackie Thomson, Development and Regeneration Manager (for Items 13 to 19).
- Stuart Allison, Economic Development Manager (for Items 12 to 18).
- Andrew Blake, Ferry Services Manager (for Items 1 to 3 and 20 to 22).
- Stuart West, Planning Manager (Development and Marine Planning) (for Items 7 to 14).
- Hazel Flett, Senior Committees Officer.
- Kenneth Roy, Team Leader Roads Support (for Items 6 to 8).
- Ross Irvine, Rural Planner (Development and Marine Planning) (for Items 9 to 14).
- Jordan Low, Economic Development Officer (for Items 12 to 18).
- Malcolm Parsons, Airfield Superintendent/Technician (for Items 7 to 11).
- Eileen Summers, Policy Officer (Environment) (Development and Marine Planning) (for Items 9 to 14).

Observing

- David Hartley, Communications Team Leader (for Items 19 and 20).
- Rebecca McAuliffe, Press Officer (for Items 1 to 18).

Declarations of Interest

- Councillor Norman R Craigie – Item 19.
- Councillor Andrew Drever – Item 21.
- Councillor Rachael A King – Item 16
- Councillor Magnus O Thomson – Item 21.
- Councillor Kevin F Woodbridge – Items 15, 19 and 21.

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 18 to 21, together with Appendix 2 of Item 15 and Annex B of Item 16, 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 Outturn

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 expenditure outturn statement in respect of Development and Infrastructure for financial year 2017 to 2018, attached as Annex 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, which indicated an underspend of £20,700.

2.2. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 2 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance.

3. 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:

3.1. The revenue financial summary statement in respect of Development and Infrastructure for the period 1 April to 30 June 2018, attached as Annex 1 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance, which indicated an underspend of £591,100.

3.2. The revenue financial detail by Service Area statement in respect of Development and Infrastructure for the period 1 April to 30 June 2018, attached as Annex 2 to the joint report by the Executive Director of Development and Infrastructure and the Head of Finance.

3.3. 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.

4. Road Asset Replacement Programme

Capital Expenditure Outturn

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:

4.1. The summary outturn position of expenditure incurred against the approved Road Asset Replacement Programme for financial year 2017 to 2018, as detailed in section 4 of the report by the Head of Finance.

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

5. Road Asset Replacement Programme

Proposed Programmes for 2018 onwards

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:

5.1. That, on 16 February 2017, the Committee approved Road Asset Replacement Programmes, amounting to £1,178,000, for financial years 2017 to 2018 and 2018 to 2019, together with an indicative programme for financial year 2019 to 2020.

5.2. That, due to exceptional circumstances, it had been necessary to reprioritise or postpone works for operational reasons, resulting in an underspend on the programme of works for 2017 to 2018, amounting to £327,000.

5.3. That, on 25 September 2018, the Policy and Resources Committee would consider a report outlining the extent of slippage on the approved capital programme for financial year 2017 to 2018.

5.4. Subject to the deliberations of the Policy and Resources Committee on 25 September 2018, the revised capital allocations in respect of the Road Asset Replacement Programme, as follows:

- 2018 to 2019 – £1,378,200, including prior year slippage, amounting to £200,000, carried forward.

- 2019 to 2020 – £1,077,000, including prior year slippage, amounting to £127,000, carried forward.
- 2020 to 2021 – £950,000.

The Committee resolved, in terms of delegated powers:

5.5. That the revised Road Asset Replacement Programme for 2018 to 2019, together with the indicative programmes for 2019 to 2020 and 2020 to 2021, attached as Appendix 1 to this Minute, be approved.

6. Proposed Prohibition of Waiting in Stromness

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 Infrastructure and Strategic Projects, the Committee:

Noted:

- 6.1.** That, in November 2017, the Committee agreed that three existing prohibition of waiting orders covering on-street parking in Stromness be reviewed and consolidated into a single order.
- 6.2.** That one objection was received during the consultation process carried out in respect of the proposal to consolidate the prohibition of waiting on various streets in Stromness, specifically to the proposal to introduce a 30-minute waiting time limit on Church Road, Stromness.
- 6.3.** The proposal that four of the seven bays on Church Road, Stromness, be amended from 30-minute waiting to all day parking, as shown on the drawing attached as Appendix 2 to the report by the Executive Director of Development and Infrastructure.

On the motion of Councillor James W Stockan, seconded by Councillor Graham L Sinclair, the Committee resolved, in terms of delegated powers:

- 6.4.** To make The Orkney Islands Council (Stromness) (Prohibition of Waiting) Order 2018, incorporating the proposal outlined in paragraph 6.3 above.
- 6.5.** That The Orkney Islands Council (Stromness) (Prohibition of Waiting) Order 2018 should come into effect on 1 November 2018.

7. Pickaquoy Road, Kirkwall

Proposed Extension to Part-time Speed Limit

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 Infrastructure and Strategic Projects, the Committee:

Noted:

7.1. That the increased volume of housing at Upper and Lower Grainbank had resulted in more children walking to Glaitness School from Peerie Sea Loan, Kirkwall.

7.2. That concerns for the safety of children walking to Glaitness School had been raised by staff at the school.

7.3. That the current speed limit on Pickaquoy Road, Kirkwall, was 30 miles per hour, with a part-time 20 miles per hour speed limit between Tesco and a point 40 metres north of Muddisdale Road, between 09:00 to 09:45 and 15:15 to 16:00 on Mondays to Fridays during term time.

7.4. The proposal to extend the current part-time 20 miles per hour speed limit on Pickaquoy Road, Kirkwall, by 175 metres, to a point approximately 40 metres north of the junction with Peerie Sea Loan, as highlighted on the drawing attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure.

7.5. That costs in respect of the proposal to extend the current part-time 20 miles per hour speed limit on Pickaquoy Road, Kirkwall, estimated at £10,000, would be met from the Cycling, Walking and Safer Streets grant allocation for 2018 to 2019.

Councillor Graham L Sinclair, seconded by Councillor David Dawson, moved that the current part-time 20 miles per hour speed limit on Pickaquoy Road, Kirkwall, be extended, to a point approximately 40 metres north of the junction with Peerie Sea Loan, as indicated on the drawing attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure.

Councillor W Leslie Manson, seconded by Councillor Kevin F Woodbridge, moved an amendment that the current part-time 20 miles per hour speed limit on Pickaquoy Road, Kirkwall, be extended, as follows:

- To a point approximately 40 metres north of the junction with Peerie Sea Loan.
- To an appropriate point between Tesco and Lidl supermarkets on Pickaquoy Road to enable the flashing signs to be more visible.
- To a point on Pickaquoy Loan to the south side of the Glaitness Cycle Track.

The result of a recorded vote was as follows:

For the Amendment:

Councillors J Harvey Johnston, Rachael A King, W Leslie Manson, Gwenda M Shearer, James W Stockan, Magnus O Thomson, Duncan A Tullock and Kevin F Woodbridge (8).

For the Motion:

Councillors Norman R Craigie, David Dawson, Andrew Drever and Graham L Sinclair (4).

The amendment therefore became the motion.

Councillor Andrew Drever moved a further amendment, notice of which had been given, that no action be taken meantime to extend the current part-time 20 miles per hour speed limit on Pickaquoy Road, Kirkwall.

On receiving no seconder, his amendment fell, and the Committee:

Resolved to **recommend to the Council:**

7.6. That the current part-time 20 miles per hour speed limit on Pickaquoy Road, Kirkwall, be extended as indicated on the drawing attached as Appendix 2 to this Minute.

8. Harbour Authority Sub-committee

After consideration of the draft Minute of the Meeting of the Harbour Authority Sub-committee held on 28 August 2018, copies of which had been circulated, the Committee:

Resolved, 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 28 August 2018, attached as Appendix 3 to this Minute, as a true record.

9. Airfield Safety Management Manual

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

Noted:

9.1. That the Council, as the Accountable Body for the island airfield operations, was subject to regulation and scrutiny by the Civil Aviation Authority.

9.2. That the Civil Aviation Authority required all licensed aerodromes to have a safety policy.

9.3. That, when the Airfields Safety Management System, the documentation which managed risk at the island airfields, was introduced in 2014, a safety policy was mandated by the Civil Aviation Authority.

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

9.4. That the Airfield Safety Management Manual, attached as Appendix 4 to this Minute, be approved.

10. Civil Aviation Authority – Inspection of Council Airfields

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

Noted:

10.1. That, following its annual inspection of Council airfields, which took place between 21 and 25 May 2018 and on 27 July 2018, the Civil Aviation Authority had issued the Aerodrome Audit Reports, attached as Appendices 1 and 2 to the report by the Executive Director of Development and Infrastructure.

10.2. That the Aerodrome Audit Reports found no Level 1 non-compliance items across the six airfields, but reported four Level 2 non-compliance items, as detailed in section 4.3 of the report by the Executive Director of Development and Infrastructure.

10.3. That the observations within the Civil Aviation Authority audit were seen as being part of the Council's drive for continuous improvement whilst maintaining a 100% safety record at the airfields.

Councillor David Dawson left the meeting at this point.

11. Inter-Island Air Services

Proposed Summer 2019 Timetables

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

Noted:

11.1. That the inter-island air services timetable for summer 2019 was scheduled to operate from 25 February to 26 October 2019 inclusive.

11.2. That the Air Services Consultative Forum met on 22 August 2018 to discuss the summer 2019 timetable, with details of the main comments arising outlined in section 4 of the report by the Executive Director of Development and Infrastructure.

11.3. That the proposed timetable, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, was largely consistent with the service operated during summer 2018, with the exception of amendments to the last two timing points on a Saturday for operational reasons.

11.4. That, in advance of a service budget being established as part of the budget setting process for 2019 to 2020, the level of service provision was subject to an adequate budget being made available.

On the motion of Councillor Graham L Sinclair, seconded by Councillor Kevin F Woodbridge, the Committee resolved, in terms of delegated powers:

11.5. That the summer 2019 timetable in respect of the inter-island air service, to be operated by Loganair Limited, attached as Appendix 5 to this Minute, be approved.

Councillor David Dawson rejoined the meeting at this point.

12. Orkney Core Paths Plan

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:

12.1. That, in December 2008, the Council adopted the current Orkney Core Paths Plan.

12.2. That the Orkney Outdoor Access Strategy, approved in March 2017, identified that the Council would review and prepare an updated Core Paths Plan to provide a reduced and better-managed group of higher quality paths.

12.3. That public consultation had been undertaken in respect of the Orkney Core Paths Plan.

12.4. The consultation report, attached as Appendix 1 to the report by Executive Director of Development and Infrastructure, which recorded the comments raised by consultees and the response by the Executive Director of Development and Infrastructure to those comments.

12.5. The revised draft Orkney Core Paths Plan, attached as Appendix 2 to the report by the Executive Director of Development and Infrastructure, which had been amended to respond to comments raised through the consultation process, referred to at paragraphs 12.3 and 12.4 above.

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

12.6. That the amended Orkney Core Paths Plan, attached as Appendix 6 to this Minute, be approved.

Councillor J Harvey Johnston left the meeting at this point.

13. Orkney Local Biodiversity Action 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 Planning Manager (Development and Marine Planning), the Committee:

Noted:

13.1. That, in terms of the Nature Conservation (Scotland) Act 2004, the Council had a duty to further the conservation of biodiversity.

13.2. That, as the Orkney Local Biodiversity Action Plan 2013 to 2016 had reached the end of its plan period, a new draft plan had been prepared covering the period 2018 to 2022.

13.3. That public consultation had been undertaken in respect of the draft Orkney Local Biodiversity Action Plan 2018 to 2022.

13.4. The Consultation Report, attached as Appendix 2 to the report by the Executive Director of Development and Infrastructure, which recorded the steps taken to ensure full and proper consultation was undertaken, and included the comments raised by stakeholders and members of the public, as well as the responses of the Orkney Local Biodiversity Action Plan Steering Group to those comments.

13.5. The draft Orkney Local Biodiversity Action Plan 2018 to 2022, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, which had been amended to respond to matters raised through the consultation process, referred to at paragraphs 13.3 and 13.4 above.

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

13.6. That the Orkney Local Biodiversity Action Plan 2018 to 2022, attached as Appendix 7 to this Minute, be approved.

14. St Margaret's Hope Conservation Area Regeneration Scheme

The Committee noted that this item had been withdrawn.

15. Development Trust Core Funding

Councillor Kevin F Woodbridge declared a non-financial interest in this item, being a member of the North Ronaldsay Development Trust and having family members on its Board, and was not present during discussion thereof.

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 Economic Development Manager, the Committee:

Noted:

15.1. That, on 6 October 2015, the Council agreed that core funding support of up to £10,000 for each of financial years 2015 to 2016, 2016 to 2017 and 2017 to 2018, be provided to the following development trusts:

- North Ronaldsay Development Trust – up to £5,000.
- Papay Development Trust – up to £5,000.

15.2. The review of core funding and income generating capacity of North Ronaldsay Development Trust and Papay Development Trust, attached as Appendix 2 to the report by the Executive Director of Development and Infrastructure.

15.3. That North Ronaldsay Development Trust and Papay Development Trust had requested Council assistance to cover ongoing core funding costs until 31 March 2021.

15.4. The options in respect of continued support to the development trusts, as detailed in section 6 of the report by the Executive Director of Development and Infrastructure, with the preferred option being Option 2, namely to continue to provide financial assistance to North Ronaldsay Development Trust and Papay Development Trust.

On the motion of Councillor Graham L Sinclair, seconded by Councillor Rachael A King, the Committee resolved to **recommend to the Council**:

15.5. That core funding support of up to £10,000 for each of financial years 2018 to 2019, 2019 to 2020 and 2020 to 2021, be provided to the following development trusts:

- North Ronaldsay Development Trust – up to £5,000.
- Papay Development Trust – up to £5,000.

15.6. That powers be delegated to the Executive Director of Development and Infrastructure to determine the actual level of funding to be provided to North Ronaldsay Development Trust and Papay Development Trust for the three financial years, based on:

- An annual review of the relevant Island Development Plan to assess progress towards financial sustainability.
- Receipt of a claim form outlining the relevant core costs.

16. Economic Development Grants

Budget Monitoring Statement and Delegated Approvals

Councillor Rachael A King 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, 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 Manager, the Committee:

Noted:

16.1. That, for financial year 2018 to 2019, the approved budget in respect of Economic Development Grants amounted to £591,700.

16.2. Spending to 31 July 2018, in relation to Economic Development Grants, totalling £108,774, of which £93,573 related to grant commitments made in previous financial years and £15,200 to current year commitments.

16.3. That, as at 31 July 2018, the Budget Available for Approval from the Economic Development Grants budget amounted to £443,856, as detailed in Annex A to the report by the Executive Director of Development and Infrastructure.

16.4. Grant and non-grant approvals made in the period 1 April to 31 July 2018, totalling £147,844, including grants approved under delegated schemes for the same period, totalling £39,344, as detailed in Annex B to the report by the Executive Director of Development and Infrastructure.

17. 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.

18. Application Number 0/5/2/1804

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

Resolved, in terms of delegated powers, what action should be taken with regard to application number 0/5/2/1804.

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

Councillor J Harvey Johnston rejoined the meeting at this point.

19. Provision of Abattoir Services in Orkney

Councillor Norman R Craigie declared a non-financial interest in this item, in that a close family member was part of the consortium who had received funding from the Abattoir Challenge Fund, and was not present during discussion thereof.

Councillor Kevin F Woodbridge declared a financial interest in this item, in that he was a mutton producer and might utilise any future facility, 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 Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Development and Regeneration Manager, the Committee:

Resolved to **recommend to the Council** what action should be taken with regard to the provision of abattoir services in Orkney.

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

Councillor Magnus O Thomson left the meeting at this point.

20. School and Public Bus Service Contract

The Committee noted that this item had been withdrawn.

21. Ferry Services – Proposed Establishment of Post

Councillors Andrew Drever and Kevin F Woodbridge declared non-financial interests in this item, being Board members of Orkney Ferries Limited, but concluded that their interest did not preclude their involvement in the discussion.

Although Councillor Magnus O Thomson had declared a non-financial interest in this item, being a Board member of Orkney Ferries Limited, he had left the meeting prior to consideration of Item 20 above.

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

Resolved to **recommend to the Council** that one additional full-time permanent post of Clerical Assistant, Grade 3, be established to support Ferry Services within the Development and Infrastructure service.

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.

22. Conclusion of Meeting

At 15:10 the Chair declared the meeting concluded.

Signed: Graham L Sinclair.