

Minute

Development and Infrastructure Committee

Tuesday, 10 September 2024, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Kristopher D Leask, Mellissa-Louise Thomson, Graham A Bevan, Alexander G Cowie, P Lindsay Hall, Rachael A King, Raymond S Peace, Gillian Skuse, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Katy Russell-Duff, Committees Officer.

In Attendance

- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- James Buck, Head of Marine Services, Transportation and Harbour Master.
- Sweyn Johnston, Head of Enterprise and Economic Growth (for Items 8 to 17).
- Eric Knight, Head of Finance (for Items 12 to 17).
- Lorna Richardson, Head of Neighbourhood Services (for Items 1 to 7).
- Stuart Allison, Service Manager (Enterprise) (for Items 11 to 17).
- Karen Bevilacqua, Service Manager (Legal Services).
- Laura Cromarty, Service Manager (Transportation) (for Items 6 to 9).
- Shonagh Merriman, Service Manager (Corporate Finance).
- Kenny Roy, Service Manager (Roads and Grounds) (for Items 1 to 7).
- Gavin Barr, Economic Development Manager (for Items 11 to 17).
- Matthew Wylie, Team Manager (Roads Support) (for Items 1 to 7).

Observing

- Kenny MacPherson, Head of Property, Asset Management and Facilities (for Items 1 and 2).
- Craig Walker, Service Manager (HR Operations).
- Thomas Richards, Senior Human Resources Advisor.
- Symeon Grayson, Airfield Superintendent (for Items 6 to 9).
- Kirsty Groundwater, Communications Team Manager (for Items 16 and 17).
- Josh Rendall, Graduate Planner (Development Planning).
- Maya Tams-Gray, Committees Officer.

Apology

- Councillor W Leslie Manson.

Declarations of Interest

- Councillor Rachael A King – Items 12 and 13.
- Councillor Mellissa-Louise Thomson – Item 12.
- Councillor Heather N Woodbridge – Items 12 and 14.

Chair

- Councillor Kristopher D Leask.

1. Revenue 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 Service Manager (Corporate Finance), the Committee:

Noted:

1.1. The revenue expenditure outturn statement in respect of service areas for which the Development and Infrastructure Committee was responsible, for financial year 2023/24, attached as Annex 1 to the report by the Head of Finance, indicating a budget overspend position of £1,798,800.

1.2. The revenue financial detail by service area statement, in respect of service areas for which the Development and Infrastructure Committee was responsible, for financial year 2023/24, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

1.3. 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 report by the Head of Finance, and obtained assurance that appropriate action was taken with regard to significant budget variances.

2. Revenue 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 Service Manager (Corporate Finance), the Committee:

Noted:

2.1. The revenue financial summary statement in respect of service areas for which the Development and Infrastructure Committee was responsible, for the period 1 April to 30 June 2024, attached as Annex 1 to the report by the Head of Finance, indicating a budget underspend position of £1,301,800.

2.2. The revenue financial detail by service area statement in respect of service areas for which the Development and Infrastructure Committee was responsible, for the period 1 April to 30 June 2024, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

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 report by the Head of Finance, and obtained assurance that appropriate action was being taken with regard to significant budget variances.

3. Road Asset Replacement Programme – 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 Service Manager (Corporate Finance), the Committee:

Noted:

3.1. The summary outturn position of expenditure incurred for financial year 2023/24 in respect of the Road Asset Replacement Programme, as detailed in section 1.4 of the report by the Head of Finance.

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 regarding significant budget variances and progress made with delivery of the approved Road Asset Replacement Programme.

4. Road Asset Replacement 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 Service Manager (Corporate Finance), the Committee:

Noted:

4.1. The summary position of expenditure incurred, as at 30 June 2024, in respect of the approved Road Asset Replacement Programme for financial year 2024/25, as detailed in section 1.4 of the report by the Head of Finance.

The Committee scrutinised:

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

5. Verge Maintenance Plan

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

Noted:

5.1. The proposal that the annual Verge Maintenance Plan be replaced by a five year plan.

5.2. That annual consultation would continue and would focus on areas of safety concern and injurious weeds.

5.3. That Yellow Rattle was being explored to suppressing grass growth.

5.4. That safety cuts would still be undertaken where required.

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

5.5. That the Verge Maintenance Plan 2024-2030, attached as Appendix 1 to this Minute, be approved.

6. Proposed 20mph Speed Limits

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

Noted:

6.1. The proposals to introduce 20 mph speed limits on the sections of road listed in Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure.

6.2. That officers had engaged with the local Community Councils, the outcome of which was attached as Appendix 3 to the report by the Corporate Director for Neighbourhood Services and Infrastructure.

On the motion of Councillor Kristopher D Leask, seconded by Councillor Gillian Skuse, the Committee resolved to **recommend to the Council**:

6.3. That the Corporate Director for Neighbourhood Services and Infrastructure be authorised to procure an external consultant, funded by Transport Scotland, to carry out a public engagement exercise in respect of the proposal to progress with the introduction of 20 mph speed limits on various roads across Orkney and prepare temporary traffic regulation orders.

6.4. That the Corporate Director for Neighbourhood Services and Infrastructure should submit a report, to the Development and Infrastructure Committee, detailing the outcome of the public engagement exercise referred to above and prior to the introduction of temporary traffic regulation orders.

7. Prohibition of Driving – Bridge Street and Albert Street, Kirkwall

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

Noted:

7.1. That the Council had received a request to close Bridge Street and Albert Street, Kirkwall, to vehicular traffic, on Friday and Saturday nights.

7.2. That, in order to facilitate the request, the Council would be required to introduce a permanent Traffic Regulation Order.

7.3. That the restrictions would exclude all traffic except emergency vehicles or vehicles being used for the purpose of utility works and essential building works or any other vehicles identified as requiring access following public engagement.

On the motion of Councillor Kristopher D Leask, seconded by Councillor Duncan A Tullock, the Committee resolved to **recommend to the Council**:

7.4. That the Corporate Director for Neighbourhood Services and Infrastructure should undertake a public engagement and report the outcome to the Development and Infrastructure Committee, prior to commencing statutory consultation in respect of introducing a new Prohibition of Driving Order.

Councillor P Lindsay Hall left the meeting during discussion of this item and rejoined the meeting at this point.

8. Public Bus Services – Contract Monitoring

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

Noted:

8.1. Passenger carryings, together with fare income for subsidised public bus services, excluding the X1 service which was commercial, for the period January to May 2024, as outlined in Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

8.2. That no formal complaints were received during 2023/24 in respect of public bus services in operation across Orkney.

9. Civil Aviation Authority – Desktop Audit

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

Scrutinised the Civil Aviation Authority's Oversight Report, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, together with the status of audit findings and observations detailed in section 4 of the report, and obtained assurance that action had been agreed or taken where necessary.

10. Harbour Authority Sub-committee

After consideration of the draft Minute of the Meeting of the Harbour Authority Sub-committee held on 27 August 2024, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Kristopher D Leask, seconded by Councillor Mellissa-Louise Thomson, to approve the Minute of the Meeting of the Harbour Authority Sub-committee held on 27 August 2024, attached as Appendix 2 to this Minute, as a true record.

11. Orkney Islands Local Marine Asset Management and Local Governance Pilot Scheme

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, together with an Equality Impact Assessment and an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report from the Service Manager (Enterprise), the Committee:

Noted:

11.1. The conclusion of the Orkney Islands Local Marine Asset Management and Local Governance Pilot project and annual report, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

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

11.2. That a further collaborative project between the Council and Crown Estate Scotland, as proposed in Appendix 3 to this Minute, subject to approval of the project by Crown Estate Scotland, together with confirmation of full funding, be approved.

11.3. That authority be delegated to the Corporate Director for Enterprise and Sustainable Regeneration, in consultation with the Head of Finance, the Head of Legal and Governance and the Head of Human Resources and Organisational Development, to determine final funding agreements and employment contracting associated with the collaborative project referred to above.

12. Economic Development Grants and Cost of Living Crisis Business Support Schemes

Budget Outturn Statement and Delegated Approvals

Councillor Rachael A King declared an interest in this item, her connection being that a close relative had received economic development grant funding, and was not present during discussion of matters contained in Annexes B and C of the report by the Corporate Director for Enterprise and Sustainable Regeneration.

Councillors Mellissa-Louise Thomson and Heather N Woodbridge declared interests in this item, their connection being that they were Directors of Development Trusts, and were not present during discussion of matters contained in Annexes B and C of the report by the Corporate Director for Enterprise and Sustainable Regeneration.

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

Noted:

12.1. That, during financial year 2023/24, new spending commitments of £331,839 were approved which, relative to the revised Economic Development Grants budget of £306,300 including the capability to over-commit by 5%, resulted in an overcommitment against the available budget of £25,539, as detailed in Annex A to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

The Committee resolved:

12.2. That the public be excluded from the meeting in respect of discussion of the matters contained in Annexes B and C of the report by the Corporate Director for Enterprise and Sustainable Regeneration, on the grounds that it involved the disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

Councillors Rachael A King, Mellissa-Louise Thomson and Heather N Woodbridge, having declared interests in this item, left the meeting at this point.

Officers responded to questions from elected members on the detail contained within Annexes B and C of the report by the Corporate Director for Enterprise and Sustainable Regeneration regarding economic development assistance provided.

Upon conclusion of discussion of the matters contained in Annexes B and C of the report by the Corporate Director for Enterprise and Sustainable Regeneration and, thereby, the exclusion of the public, Councillors Rachael A King, Mellissa-Louise Thomson and Heather N Woodbridge, rejoined the meeting and the Committee thereafter noted:

12.3. Grant approvals made in the period 1 April 2023 to 31 March 2024, totalling £331,839, including grants approved under delegated schemes for the same period totalling £102,689, as detailed in Annex B to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

12.4. Approvals made in the period 1 April 2023 to 31 March 2024, totalling £120,000, in respect of Cost of Living Crisis Business Support Schemes, as summarised in Annex C to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

13. Economic Development Grants and Cost of Living Crisis Business Support Schemes

Budget Monitoring Statement and Delegated Powers

Councillor Rachael A King declared an interest in this item, her connection being that a close relative had received economic development grant funding, however, as the specific application was not discussed, she did not leave the meeting.

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

Noted:

13.1. Spending to 30 June 2024, in relation to Economic Development Grants totalling £65,797, of which £46,948 related to grant commitments made in previous financial years and £18,849 to current year commitments.

13.2. Grant approvals made in the period 1 April to 30 June 2024 totalling £140,789, including grants approved under delegated schemes for the same period totalling £100,789, as detailed in Annex B to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

13.3. Approvals made in the period 1 April to 30 June 2024, totalling £120,000, in respect of Cost of Living Crisis Business Support Schemes, as summarised in Annex C to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

14. Crown Estate Economic Development Fund and Crown Estate Community Led Development Fund

Budget Outturn

Councillor Heather N Woodbridge declared an interest in this item, her connection being that she was a Director of North Ronaldsay Development Trust, however, as the specific application was not discussed, she did not leave the meeting.

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

Noted:

14.1. The fund balances of the Crown Estate Economic Development Fund and the Crown Estate Community Led Development Fund, as at 31 March 2024, as detailed in Annex A to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

14.2. The funding allocations made in the period 1 April 2023 to 31 March 2024 totalling £484,539, against the Crown Estate Economic Development Fund, as detailed in Annex B to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

14.3. The grant approvals made in the period 1 April 2023 to 31 March 2024 totalling £478,003, against the Crown Estate Community Led Development Fund, as detailed in Annex C to the report by the Corporate Director for Enterprise and Sustainable Regeneration.

15. Exclusion of Public

On the motion of Councillor Kristopher D Leask, seconded by Councillor Mellissa-Louise Thomson, the Committee resolved that the public be excluded from the remainder of the meeting, as the business to be discussed involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

16. Orkney Ferries Limited – Financial Performance 2023/24

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

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

Scrutinised the revenue budget and management information for 2023/24 in respect of Orkney Ferries Limited, as contained in sections 3 and 4 of the report by the Corporate Director for Enterprise and Sustainable Regeneration, together with the Report and Accounts for the year ended 31 March 2024, attached as Annex 1 to the report, and obtained assurance.

17. Proposed Dairy Support Programme

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

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

Resolved to **recommend to the Council** that an Orkney Dairy Support Programme be established.

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.

18. Conclusion of Meeting

At 13:18 the Chair declared the meeting concluded.

Signed: Kristopher D Leask.