

## 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.