



LERWICK COMMUNITY COUNCIL

www.lerwickcc.org

CHAIRMAN

Mr Jim Anderson
15 Twageos Road
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Shetland ZE1 0BB

Tel. 01595 695648 or 07803 342304
Email: chair@lerwickcc.org.uk

CLERK

Mrs Marie Sandison
Community Council Office
1 Stouts Court
Lerwick
Shetland ZE1 0AN

Tel. 01595 692447 or 07762 017828
Email: clerk@lerwickcc.org.uk

1st March 2017

Dear Sir/Madam,

You are requested to attend a meeting of Lerwick Community Council to be held in the **Solar House**, North Ness, Lerwick at **7pm** on **Monday 6 March 2017**.

The next meeting of Lerwick Community Council will be on Monday 3 April 2017.

Yours faithfully,

Marie Sandison

Marie Sandison
Clerk to the Council

LCC Members Literature in Office

None

BUSINESS

1. Hold the circular calling the meeting as read
2. Apologies for absence
3. Approve minutes of the meeting held 6 February 2017
4. Business arising from the minutes
5. Police Scotland Monthly Report
6. Broadband – Tavish Scott, MSP and Ian Brown, Shetland Broadband
7. Correspondence
 - 7.1 Shetland Charitable Trust - Tavish Scott, MSP, Association of Shetland Community Councils and OSCR
 - 7.2 Emergency Control for Shetland – Annabelle Ewing, MSP – Minister for Community Safety and Legal Affairs, Scottish Government
 - 7.3 Review of Support to Association of Community Councils – Michael Duncan
 - 7.4 Future Support to ASCC – Catherine Hughson, Executive Officer, VAS
 - 7.5 Scottish Civic Trust – Park Lane Garden – John Pelan, Director, Scottish Civic Trust
 - 7.6 Scottish Natural Heritage Event – W J (Ian) Ross, Chairman, Scottish Natural Heritage
 - 7.7 Review of the Planning System – Suzanne Stephen, Planning & Architecture, Scottish Government
 - 7.8 Padlocked Gates – Neil Hutcheson, Roads Engineer, Roads, SIC
 - 7.9 Shetland War Memorial – Helen Bowman, Conservation Officer, War Memorials Trust
 - 7.10 PB Champion for Scotland – Vaila Simpson, Executive Manager, Community Planning & Development, SIC
 - 7.11 Opportunity to investigate potential renewable energy supply to Sandy Loch WTW – Ross Jones, CARES Development Officer, Local Energy Scotland
 - 7.12 Copland's Pier Erosion – Richard Gibson, 10 Commercial Street, Lerwick
 - 7.13 Untreated Sewage Discharge into Clickimin Loch – George Leslie
8. Finance
 - 8.1 Financial Report 28th February 2017
 - 8.2 2017/'18 Core Funding Application – Michael Duncan, Community Planning & Development
 - 8.3 2017/'18 Community Development Fund Application – Michael Duncan, Community Planning & Development
 - 8.4 Community Development Fund '15/'16 Remaining Funds – Michael Duncan, Community Planning & Development
9. Grant Applications
 - 9.1 Letter & Policy re: Junior Up-Helly-Aa – Mr Ian Spence, Secretary, Junior Up-Helly-Aa

10. Planning Applications

10.1 2016/434/PPF – Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate – 8 Harbour Street, Lerwick, ZE1 0LR – Mellivora Capensis

10.2 2017/024/PPF - Reclamation of foreshore at area known as Tods Buildings, area to be filled with granular material and used to park haulage vehicles and equipment – North of Lerwick Marina, Gremista, Lerwick – Mr George Hepburn

10.3 2015/380/PPF – Demolition of an existing unused office building and the construction of a new 100 bed hotel (3805 sq metre) and new 945 square metre office building, with associated parking – Brevik House, 27 South Road, Lerwick, ZE1 0TG – Breiwick Bay Properties Ltd

11. Any Other Business

6 February
MONDAY 9 JANUARY 2017

At a meeting of LERWICK COMMUNITY COUNCIL held in Board Room, Solar House, North Ness, Lerwick, at 7.00pm

Members

Mrs A Simpson	Mr A Carter
Ms K Fraser	Mr S Hay
Mr W Spence	Mr A Johnston
Mr A Wenger	Mr J Fraser
Mr D Ristori	

Ex-Officio Councillors

Cllr A Wishart	Cllr M Bell
Cllr M Stout	Cllr P Campbell

Additional Co-opted Student Members

Miss Eve Thomson

Additional Co-opted Members

Mr B Johnston	Mrs M Hall
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In Attendance

Mrs M Sandison, Clerk to the Council

Chairman

Mrs A Simpson, Vice Chairman to the Council presided.

02/17/01

Circular

The circular calling the meeting was held as read.

02/17/02

Apologies for absence

Apologies for absence were received from Mr J Anderson, Mr P Coleman, Mr E Knight, Mr T Carroll, Mr A Henry, Cllr J Wills, and Cllr C Smith.

02/17/03

Minutes

The minutes of the meeting on 6th January 2017 were approved by Mr J Fraser and Mr A Carter.

02/17/04

Business Arising from the Minutes

Mr Wenger asked if his name could be corrected on page 9 of the Minute.
(Action: Clerk to the council)

Building Budgets Feedback

Mr Wenger asked if there was any feedback.
The clerk report that no feedback had been sent yet.

02/17/05 **Police Scotland Monthly Report**

Mrs Simpson commented that no report was available. She enquired if anyone had any urgent matters they wished to bring to the Police.

02/17/06 **Correspondence**

6.1 Defibrillators – Michael Duncan and Defibrillator Information

Mrs Simpson reported that Mr Duncan had produced a list of defibrillators following query from the Bressay Community Council and had asked if members knew of any more. She reported that Mr Ristori had added Osla's and Shetland Janitorial Supplies and notified that Lerwick Fish Traders were to have one shortly and Mr Duncan was to add them to the list.

Cllr Campbell added that the Swan had a defibrillator.

Cllr Stout informed members that part of the issue was the significant maintenance cost for parts and to highlight that if there were a good number of communities purchasing these, there was the possibility of purchasing together and it would bring the price down.

(Action: Clerk to the council)

6.2 Street Lighting at Westerloch – Neil Hutcheson, Roads, SIC

Mrs Simpson noted the reply from Mr Hutcheson and the light Mr Wenger had raised concern for was to be installed as part of the work at Westerloch.

Mr Wenger acknowledged the letter and thanked Mrs Simpson.

6.3 Painting Railings – Jim Leask, Support Worker, Bridges Project

Mrs Simpson noted from the correspondence that Mr Leask had purchased the materials with advice from the staff at Frank Williamson's. She asked if anyone had any comments on the materials he had purchased.

6.4 Earth Hour – Brian Ford, Historic Environmental Scotland

Mrs Simpson mentioned that they had been asked in previous years to do this. The clerk had contacted Mr Stewart Angus who was quite happy to switch them off between half past eight and half past nine on 25th March 2017.

6.5 Lerwick War Memorial – Michael Duncan, Community Planning & Development, SIC

Following investigation the Vice Chair reported that neither Lerwick Community Council nor the Shetland Islands Council owned the Lerwick War Memorial, although the council had done one off maintenance before, but were not obliged to do it.

Mrs Simpson reported that usually community groups and voluntary organisations had done the maintenance.

6.6 Lerwick War Memorial – Guidance/Pre-application, War Memorial Trust

Mrs Simpson informed members that they were going to apply for funding from the War Memorial Trust. The problem of the memorial's name was queried, as it is listed as 'Men of Shetland', 'Shetland War Memorial' and 'Lerwick War Memorial.'

Members agreed that 'Shetland War Memorial' was probably correct.

Mr Spence said that he had completed these forms before and suggested that they would give you advice if you phoned. He thought it would be called the 'Shetland War Memorial'.

The clerk offered to contact the War Memorials Trust and seek advice.

Mr Fraser commented that War Memorials were across the length and breadth of Shetland, all requiring maintenance at some point. He suggested the formation of a Shetland wide community group that took responsibility for applying for funding for the maintenance of War Memorials all over Shetland.

He suggested contacting various groups who might be interested in forming a working party to take on board periodically assessing the war memorials, researching what various funding was available and following through on.

Mrs Simpson thanked Mr Fraser for his idea and asked if anyone had a view on that.

Cllr Wishart suggested approaching the ASCC.

Mrs Simpson agreed as they had a forthcoming meeting and that might be a good place to start.

(Action: Clerk to the council)

6.7 Anderson High School Parent Council Agenda 7 February 2017

Mrs Simpson asked members if there was anything anyone wanted to raise when Mr Anderson was at this meeting.

Mr Fraser said that he knew there would be plans for the new school, but the existing school had been a major part of Lerwick and of Shetland life for generations and held a special place for many people. He thought about perhaps recognising the closing of the school as well as the opening and wanted to know if this was something that was being considered.

Mrs Simpson asked members of the community council for their opinions and if they thought it would be appropriate for discussion.

Members were happy and Mrs Simpson agreed to ask Mr Anderson to forward on at the Anderson High School parent council meeting.

Mr B Johnston queried the fundraising for the outdoor space.

Mr Fraser informed members that a seating area for the space in front of the school had previously been spoken about and fundraising ideas had been spoken about. He suggested they may have moved on to other ideas, but this had been spoken about when he was on the parent council.

Mrs Simpson said that they could ask Mr Anderson to enquire what the fundraising was for.

(Action: Clerk to the council/Mr Anderson)

6.8 Walking Event Follow-up – Jennifer Sjoberg

Mrs Simpson informed members that Mr Carter and Ms Fraser had attended the event. She enquired if they knew of any further meetings, as there had been lots of ideas on the day.

Mr Carter remarked that there was funding under LEADER 2, for walking in the broadest sense, to be developed in some way. His impression was that they wanted to find out if there was any common project from the attendees at the meeting and a working group could then be formed to take that forward.

Ms Fraser said there were no proper conclusions in the end, but with plenty of ideas for walks up in Unst. She thought that this community council could raise awareness and ideas.

Mr Carter stated that it was noted that various organisation had leaflets, but there was no commonality in terms of signage and descriptions. There was an indication of a wish to come together, with a general accepted and agreed format and he thought that hopefully there could be some common ground between them.

Mrs Simpson asked if they hoped to hear further feedback in the future.

Ms Fraser replied that yes they would and also if they thought of better walks or signage they could forward on.

Mr Ristori mentioned the Shetland Field Studies Group.

Mr Wenger added that the group were looking for members and the next Annual General Meeting was on 10th March with a talk taking place on 10th February.

Mrs Simpson asked if it would be worth passing this information on to Jennifer Sjoberg.

Members agreed with this suggestion.

Mr Carter mentioned that the council did have a member of staff employed following the 'rights of way' legislation which gave anyone in Scotland a right to go anywhere. He thought that one of the key responsibilities of this post was to develop recognised pathways around Shetland.

Ms Fraser mentioned the walks listed on the council website.

(Action: Clerk to the Council)

Additional Agenda Item

Surface Dressing, Re-Surfacing and Reconstruction Programme 2017 – Dave Coupe, Executive Manager, Roads, SIC

The plans were displayed for members.

Mrs Simpson explained the colour coded different road surfacing that was to be to be carried out.

She highlighted there would be an enforced 20 mph speed limit following works.

Mrs Hall commented that the last road surfacing done at Cheyne Crescent and King Harold Street had been messy, with tar up on the paths and had not been finished off to the same standard as the rest. The paths had footprints on them and the road lines were not finished even though the work was done in the summer. She enquired why it was different and asked if a contractor had been involved.

Cllr Stout replied that a new technique had been used which involved covering a large area in a short time and keeping costs down. He admitted to some splashing along the pavement edges, but in terms of the quality of the surface dressing there was a significant amount of work for the money.

He said with regard to the lines, discussion at the time meant the white lines needing to be replaced for safety, such as at junctions, were done within a few days. A contractor was to come up to repaint the lines, but due to other road works taking place throughout Shetland, the work was to be done during one visit.

Cllr Bell added that it had been mentioned at a previous meeting that thirty years work had been done within one year. There had been a big push to get the work done, although some initial concerns, he felt the large amount of work had been done well.

Cllr Wishart said that although there had been complaints at the time, he really thought that it was work that had been done well and added he would like to see the community council acknowledging that.

Mrs Simpson agreed.

Cllr Stout asked if it was helpful having this level of detail brought to the attention of the community council.

Mrs Simpson said that she thought it was.

Cllr Wishart pointed out that the 20 mph mandatory speed limit was a good thing, but was unsure how it would be enforced.

6.9 Scottish Civic Trust My Place Awards – Andrew Sandison, Park Lane Community Garden

Noted.

02/17/07

Finance

7.1 Core Funding Financial Report 30th January 2017

Mrs Simpson pointed out that the increased available funds was due to some of the under spent budget for office supplies going back into the available funds. She asked if there were any questions.

Mr Wenger asked about the six hundred pounds no longer required by the Riding Club.

The clerk explained that the money had been granted by the community council, but was no longer needed. The funds were part of the Community Development Fund (Distribution) funding and it was shown on the financial report, as it was unspent.

Mr Wenger asked how they might go about getting somebody to spend it.

Mr Fraser suggested going back to those who missed out at the Participatory Budgeting event.

Mrs Simpson asked if that was possible.

The clerk reported the possibility, but would it need to be checked out with Michael Duncan from the Community Development and Planning department of the council.

Mrs Simpson agreed that they check that was alright and could do that.

Members discussed the deadline for spending the funds.

Cllr Stout informed members that normally if the community council was unable to pass it on to the original project, then it would have to be returned.

Cllr Campbell asked about the possibility of the funds being carried forward.

The clerk reported that a percentage of the main funding could be carried forward, but this was not the case for the Community Development (Distribution) Funding.

Mr Fraser suggested that they could approach the Port Authority and offer the rent for the Junior Up Helly Aa application for the next five years.

Cllr Stout advised about the grants system, pointing out that it was about community groups coming forward with a specific project and approaching the community council for funding. He wasn't saying it was a bad idea, but that this had to be approached in a slightly different way.

Mrs Simpson confirmed that the clerk would check what could and could not be done with the funding.

(Action: Clerk to the council)

Lerwick Town Hall Guides

Mrs Simpson asked if anyone had any ideas about selling some of the Town Hall Guides.

Mr B Johnston asked where they were sold at.

The clerk mentioned they were sold at the Museum, Northlink, The Shetland Times Bookshop, Tourist Office and the Town Hall.

Mr Wenger asked about the possibility of having them at the Christian Bookshop.

Members suggested Cruise ships and visiting yachts.

Mr Hay mentioned Jolene Garriock who co-ordinates Cruise Ships.

(Action: Clerk to the council)

7.2 Paths for All Remittance

Mrs Simpson informed members that the Stoney Hill Sign had been erected, but Ms Fraser had noticed a spelling mistake. She suggested that this would need to be sorted and then community council members could be contacted regarding some publicity that was necessary.

(Action: Clerk to the council)

7.3 Invoice for Paint – Bank Lane Railings – Jim Leask, Bridges Project

Mrs Simpson noted the invoice of £41.33 for paint and brushes for Bank Lane.

02/17/08

Grant Applications

8.1 Junior Up Helly Aa – Rent for ground for Peerie Galley Shed – Mr Ian Spence

Mrs Simpson asked if any member had any comments regarding the request of £82.12 for the ground rent.

Mr Carter wondered how appropriate it would be to explore their thoughts on the response to question 2c.

Mrs Simpson acknowledged that it was the Equal Opportunities part.

Cllr Wishart suggested that it was always possible to have a policy in place, but whether it was mandatory or followed was the question. He didn't see the need to get into that.

Mr Carter asked if there was any way they could encourage the organisation to adopt a more progressive attitude to this issue. He suggested that in light of what was going on internationally, that they looked at their own.

Members suggested asking Ms Thomson if she had any comments to make.

Ms Thomson said she had never felt oppressed in anyway and thought you could not defend Up Helly Aa, as it was silly and nonsense. She said that from her point of view, of being a Shetland woman, it was not an issue.

Mrs Simpson asked if she thought it was not an issue in the school.

Ms Thomson replied that no, she did not and thought that if a woman wanted to take part the choice was there.

Mrs Simpson pointed out that with the Equal Opportunities Policy the choice was there, but they didn't know what the policy said.

Mr Ristori said that this question was on last week's 'Speakeasy' programme with the school on and they had said that they would be more than happy to support that option for the Junior Up Helly Aa, but not for the big one.

Mr A Johnston commented that the big one and the junior one had to run together.

Mrs Simpson asked why he thought that.

Mr A Johnston replied that one wouldn't work without the other.

Mr B Johnston suggested that they were straying off the point as the group had asked the community council for assistance. He remarked that this was an application for funding to be discussed, and the other issue was maybe for another agenda.

Mr A Johnston said that historically the community council had said they would pay the rent and in previous years the community council has just paid the bill. He said due to the financial set up now there needed to be an application, but they did decide many years ago that there contribution would be for the ground rent.

Mrs Simpson said she didn't know how as a public body, they were placed when a group with an equal opportunities policy was not adhered to. She said she was unsure about that, as it was public money. She thought that they would need to see the policy.

Mrs Simpson suggested that they hold the application over until the next meeting until they saw the policy and decided if they were alright giving the funding.

(Action: Clerk to the council)

02/17/09

Planning Applications

9.1 2016/432/PPF – Change of use to Class 6 and erect storage extension – Stronachs Body Repairs, Port Business Park, Lerwick, ZE1 0TW

No objections.

(Action: Clerk to the council)

9.2 2016/436/PPF – Change of use to class 10 Library – Old Museum & Library, Lower Hillhead, Lerwick, ZE1 0EL – Shetland Islands Council

Ms Fraser declared an interest as the Library Manager.

Ms Fraser mentioned that they had organised some consultation in the past year with customers during the Open Day held in July to mark the 50th Anniversary of the old Library. She said feedback was available on the library website. Generally there had been quite positive feedback, with only a few people who did not like the building at all.

Mrs Simpson thanked Ms Fraser for the information.

No objections.

(Action: Clerk to the council)

02/17/10

Any Other Business

ASCC Bi-Annual Meeting

Mrs Simpson asked if any member was keen to attend. Mr Anderson was attending and the clerk might like to attend. She said that normally two representatives from each community council attended. The meeting was to be held on Saturday 25th March at 11am in the Shetland Museum.

(Action: Clerk to the council)

Building Budgets Meeting

Mr Wenger asked about the feedback from the Bressay & Lerwick meeting.

(Action: Clerk to the council)

Town Centre 20mph

Cllr Stout advised ^{about} ~~that~~ the 20 mph speed restrictions ~~were to go ahead and~~ ^{were to go ahead and} asked if there were any last minute comments.

Mrs Simpson thanked Cllr Stout and asked if anyone had any comments.

Mr Wenger said he had wanted to know what type of accidents had been reported.

Cllr Stout replied that there was a range of accidents involved. He said the important thing was that the way accident statistics were gathered meant there was a responsibility to look at accident clusters. He said that there was a statutory duty to show they had done what they could to reduce those accident figures.

Mr Wenger mentioned the example that some of the accidents would have involved people getting in and out of parking spaces and a change in the speed limit would not help.

Cllr Wishart commented that the types of accidents were well enough described in the papers that went to Living Lerwick and were in the public domain, where they could be looked up.

Cllr Stout said that the only remaining option for doing something about that around the Esplanade area was to enforce the 20 mph speed restriction. He had no doubt that it would be fully debated at the meeting the next day, and appreciated any minute last comments or thoughts.

Drop off at Schools

Mrs Hall asked about drop off points at the schools and commented on the number of cars parked in the area with cars stopping in the middle of the road and children getting out.

Cllr Stout said it came down to motivating parents and challenging attitudes. He spoke about putting in dropping off spaces, but having them taken up with parked cars.

Cllr Wishart asked if he could comment again on the speed limit and reported that at the meeting about pedestrianisation of the street, the feeling there was of welcoming the speed limit.

Mrs Simpson agreed that there no problem with that at that the meeting.

Knab Gates

Mr Fraser mentioned that a spring loaded bolt in the gate at the Knab had rusted and was beyond use.

Mr B Johnston reported that both the gates were like that.

Mrs Simpson said that they would pass the information on.
(Action: Clerk to the council)

Alcohol Focus Group

Mr Fraser said Lucy Flaws from NHS Health Improvement, was hosting Alcohol Focus Groups in Shetland. A Lerwick meeting was to be held on 16th February at 6.30pm. He said that there was room for more to attend. He understood one of the topics was to be held on alcohol provision and the results of these focus groups were to feed into the decision making process and formulate licensing policy from next year. He suggested that if anyone was interested to contact Lucy Flaws at NHS Health Improvement.

Mrs Simpson asked if anyone wanted to go to that then Mr Fraser had advised them how to do that.

New AHS & Halls of Residence Open Day

Mrs Simpson asked if members were interested in a tour of the new Anderson High School and asked the clerk to organise this.
(Action: Clerk to the council)

Planning Review

Mrs Simpson spoke about the large document and finding a guide for Community Council members. The briefing notes had been circulated by the clerk and the document would be sent when it arrived. She said that this item would be on the March agenda.

(Action: Clerk to the council)

There being no further competent business the meeting concluded at 8.10pm.

Minute ends.

MRS A SIMPSON
VICE CHAIRMAN
LERWICK COMMUNITY COUNCIL

Vice Chairman.....

Date.....

Hi Kerry, Hi All

Good morning. Sorry for the delayed reply, but I had to wait for some responses before I could give a complete update.

There's been some questions about how the ASCC has approached the OSCR following the vote during the 8th Oct 2016 meeting.

Here is the timeline on the ASCC's correspondence with the OSCR re: stance on SCT Trustees.

27th January - Letter to OSCR was sent, copy sent to Tavish Scott, asking him to further progress this matter with the OSCR on behalf of the ASCC (letters attached)

6th February - Response from Tavish Scott: *"Thank you for your letter of 27th January regarding the ASCC's policy position on electing Trustees. Jim Gear has asked that I will contact OSCR on this matter. I will indeed do that and forward you the subsequent response."*

14th February - OSCR has responded to Tavish Scott, and his office has forwarded the letter to ASCC (response attached)

I've spoken with Jim Gear and he has said that the ASCC does not require each CC to send their stance regarding this matter and it is entirely up to the respective CCs if they want to do so. I've attached the SCT Application forms for those who are looking to send their own responses, deadline 23rd February.

I hope this helps - please do contact me for any other questions. I will get back to you with any other update regarding this matter.

Best regards,
Charity

Charity Johnson

Administration Assistant

Association of Shetland Community Councils (ASCC) / Voluntary Action Shetland (VAS)

Market House, 14 Market Street

Lerwick, Shetland ZE1 0JP

01595 743900

charity.johnson2@shetland.org

27 January 2017

Office of the Scottish Charity Regulator
OSCR, 2nd Floor, Quadrant House,
9 Riverside Drive,
Dundee DD1 4NY

Dear Sir or Madam

Shetland Charitable Trust Trustees

During the October 2016 Association of Shetland Community Councils (ASCC) Bi-Annual Meeting, members unanimously voted that trustees for the Shetland Charitable Trust should be **elected** and not appointed.

I enclose the draft minutes for the abovementioned meeting, with the ASCC's stand on SCT Trustees expressed in Agenda Item No. 7.

The Association of Shetland Community Councils is the only organisation, other than the Shetland Islands Council, which represents the whole of Shetland. It is therefore hoped that the stance of the organisation should be dutifully considered during the Shetland Charitable Trust consultation.

Yours sincerely

Charity Johnson
Administration Assistant

27 January 2017

Mr Tavish Scott
MSP
171 Commercial Street
Lerwick
Shetland
ZE1 OHX

Dear Mr Scott

During the October 2016 Association of Shetland Community Councils (ASCC) Bi-Annual Meeting, members unanimously voted that trustees for the Shetland Charitable Trust should be **elected** and not appointed.

Chairman Jim Gear would like to ask for your assistance in progressing this matter, on behalf of the ASCC, to the Office of the Scottish Charity Regulator.

I enclose copy of the ASCC's letter to the OSCR, along with a copy of the draft minutes for the abovementioned Bi-Annual Meeting, the SCT Trustees vote addressed in Agenda Item No. 7.

Yours sincerely,

Charity Johnson
Administration Assistant

Encs



Tavish Scott MSP
Shetland Parliamentary Office
171 Commercial Street
Lerwick
Shetland
ZE1 0HX

9 February 2017

Dear Mr Scott

REORGANISATION OF SHETLAND CHARITABLE TRUST (SC027025)

Thank you for your letter to David Robb of 6 February 2017 regarding the representations from the Association of Shetland Community Councils in favour of election rather than appointment of Shetland Charitable Trust charity trustees. I am responding as I oversee this area of work for OSCR.

As you may be aware, SCT have submitted for our approval a reorganisation scheme under section 39 of the Charities and Trustee Investment (Scotland) Act 2005. Among other changes, this proposes to reduce the proportion of Councillor trustees appointed to SCT by Shetland Islands Council and increase the number of trustees recommended by a Selection Panel and appointed by the charity trustees.

As the law requires, we published a summary of the scheme on our website to allow the public to study the proposals and make representations for or against them. I can confirm that we did receive a representation from the Association of Shetland Community Councils in favour of elected trustees.

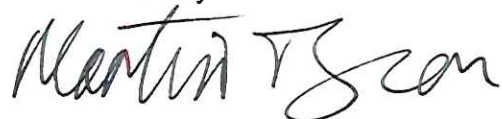
The publication period for the reorganisation finished yesterday, and the deadline for representations to be submitted to us is 23 February.



Once that date passes we will consider the scheme, any representations we have received (including ASCC's), and any responses to those representations which SCT might make. We will then issue our decision whether or not to approve the scheme – as with the previous SCT reorganisation I anticipate that we would publish our decision and the reasons for it, given the public interest in Shetland.

I hope this information is of assistance to you.

Yours sincerely

A handwritten signature in black ink that reads "Martin Tyson". The signature is written in a cursive style with a large, sweeping initial 'M'.

Martin Tyson

Head of Casework

martin.tyson2@oscr.org.uk



T: 0300 244 4000

E: scottish.ministers@gov.scot

Mrs Marie Sandison
Lerwick Community Council
Community Council Office
Basement, Stouts Court
Lerwick
Shetland
ZE1 0AN

Our ref: 2017/0003949

21 February 2017

Dear Mrs Sandison,

Thank you for your letter of 27 January, addressed to the First Minister, regarding emergency services control in Shetland. I am replying given my portfolio responsibility for fire and rescue matters.

Following the recent media coverage regarding its North Operational Control (OC) the SFRS conducted an immediate review of all call and mobilisation data relating to the specific incidents mentioned, including the Bressay/Yell incident. Based on this evidence, the SFRS provided the Scottish Government with assurance that it attended each of these incidents with the correct resource. As community safety is a major priority for the Scottish Government I met the SFRS Chief Officer on 10 January to discuss the matters raised in the media. At that meeting the Chief Officer explained the details behind each incident and I felt assured that in the small minority of cases where errors of process were revealed, the operational procedures and supervisory arrangements in place enabled quick corrective action to be taken.

Decisions on the allocation of SFRS resources, including control rooms, are a matter for the Board of the SFRS. The decision to have three operational controls (OCs), and their locations, was one taken by the SFRS Board in light of the advice, and assurances of senior professional fire-fighters. This decision was supported by the Fire Brigades Union (FBU). Three modern controls with connections to every fire station in Scotland will be able to deliver a better service, as the boundaries of the previous eight services will become less of an issue, and the latest IT systems allows "dynamic mobilising", whereby mobilising the nearest appliance, not the appliance from the nearest station, provides the most effective response to an incident.

The North Control will deliver significantly enhanced resilience, improving the safety of both our communities and firefighters. The people in the North of Scotland will benefit from SFRS's investment in state-of-the-art control technology. In late 2018 (ie, when implementation of its new Command & Control Mobilising System is due to be completed),

for the first time ever SFRS control rooms will be able to fully integrate. This will strengthen resilience, enhance capability and ensure resources continue to be deployed in the right place at the right time.

Much has been made of the "loss of local knowledge". The geographical location of control rooms has no impact on the service that members of the public in local communities receive. Local knowledge is not vested in the physical location of the control room, but in the professional knowledge of control room staff, supported by sophisticated systems and technology and the knowledge of the locally-based crews. The SFRS Johnstone OC demonstrates this - prior to taking on the calls of the Dumfries control room, Johnstone served the whole of the Strathclyde region including 29 west coast island communities and handled over 50% of SFRS calls.

You may be aware that before the creation of SFRS there were serious concerns around the provision of fire and rescue services in the Highlands and Islands. The SFRS has worked hard to improve fire and rescue provision in the region, investing significantly (£13.6million) in the former Highlands and Islands area. This is double what might have been expected by the legacy service.

I hope you find this reply helpful.

Yours sincerely,
Annabelle Ewing

Annabelle Ewing

Clerk to Lerwick Community Council

From: Michael.Duncan@shetland.gov.uk
Sent: 24 February 2017 15:48
To: CommunityCouncilClerks@shetland.gov.uk; evaganson@gmail.com;
whalsayc.c.clerk@gmail.com
Cc: Vaila.Simpson@shetland.gov.uk
Subject: Review of support to Association of Community Councils
Attachments: ASCC report - future support to ASCC.doc

Dear all,

Please find attached a consultative report in relation to future support to the Association of Community Councils.

If you have any queries on this matter then please do not hesitate to contact Vaila Simpson or myself at this office. The consultation period for this review ends on 30 April 2017.

Best regards,

Michael D

Michael Duncan
External Funding Officer

Shetland Islands Council
Community Planning & Development
Solarhus
3 North Ness
Lerwick
Shetland
ZE1 0LZ

Tel: 01595 743828

Email: Michael.duncan@shetland.gov.uk

Facebook: www.facebook.com/shetland.community.hub

Review of support to Association of Community Councils	
Executive Manager – Community Planning & Development	SIC Development Services

1.0 Introduction

- 1.1 The purpose of this report is to consult with Community Councils on the options for future support to the Association of Community Councils (ASCC).

2.0 Decision required

- 2.1 The ASCC resolves to:
- 2.1.1 Agree a preferred option for future admin support to the ASCC from the list of options as set out in Section 4.1 of this report.
 - 2.1.2 Inform the Executive Manager – Community Planning & Development of the ASCC's preferred option of future admin support.
 - 2.1.3 Note the other proposals listed in Section 4 of this report.

3.0 Detail

Legislation and Guidance

- 3.1 Community Councils were created by the Local Government (Scotland) Act 1973. The Act required Local Authorities to introduce Community Council schemes for their area outlining various arrangements including elections, meetings, boundaries, and finance. Local Authorities have statutory oversight of Community Councils and, in consultation with their Community Councils, the freedom to tailor schemes to the particular circumstances of their area.
- 3.2 Local Authorities and other bodies consult with Community Councils on issues affecting the community. These issues depend to a large extent on what is important to each community, however, Local Authorities are required to consult Community Councils on planning applications and many choose to involve them in the Community Planning process.
- 3.3 In order to facilitate the effective functioning of Community Councils, the Local Authority must designate an official to act as a Community Council Liaison Officer (CCLO). Unless there is a specific agreement or an issue is a specific departmental issue, all correspondence between the Local Authority and the Community Councils should, in the first instance, be directed through that official.

- 3.4 Community Councils may make representations to the local authority and other public and private agencies, on matters for which it is responsible and which it considers to be of local interest. Representations should be made, in the case of statutory objections, such as planning or licensing matters, to the appropriate Local Authority official. On issues where a local authority department is consulting with Community Councils, representations should be made to the appropriate departmental officer.
- 3.5 Community Councils shall provide copies of their agendas and minutes within prescribed timescales to the Council via the Local Authority's named official.

Local context

- 3.6 There are 18 Community Councils in Shetland. The ASCC currently has 16 members - Delting Community Council and Northmaven Community Council are no longer part of the ASCC as they both withdrew membership.
- 3.7 Historically the Council's Finance service provided core funding to Community Councils. Grant aid was also provided to Voluntary Action Shetland (VAS) to supply the ASCC admin support and carry out some CCLO duties which dates back to the late 1990s.
- 3.8 In 2013, the Council's Community Planning & Development (CP&D) service established the Community Development Fund which was designed to support projects from Community Councils and eligible Community Development organisations.
- 3.9 In 2014, core budgets for Community Councils was transferred from Finance to CP&D and in 2015 responsibility for Community Councils was transferred from Legal services to CP&D (with the exception of Election duties).
- 3.10 The changes outlined in paragraphs 3.8 and 3.9 have led to CP&D having an increased amount of direct contact with Community Councils in the last few years. In addition the roll out of the Participatory Budgeting concept locally, which is led by CP&D on behalf of the Council, has also contributed to closer working relationships.
- 3.11 Other factors such as changes in legislation have necessitated the need to strengthen direct links between the Council and Community Councils. Legislation and policy directives such as the Commission on Strengthening Local Democracy, the Community Empowerment (Scotland) Act 2015 and the National Review of Planning all note a central role for Community Councils in community empowerment and involvement. This is a key priority area for the Shetland Partnership.
- 3.12 At a recent meeting of the ASCC, the value and role of the ASCC was discussed with some of its members expressing a view that the benefits of the ASCC could be delivered more cost effectively. There was a view that the ASCC should carry out a review with all Community Council's regarding its purpose and effectiveness.
- 3.13 It has also been noted that given the ASCC only has 16 Community Council members at present, as a consultative body the ACSS is less valuable than it used to be as all consultation by the SIC must be directed to each Community Council individually, or directed to ASCC plus Delting and Northmaven Community Councils separately.

- 3.14 Officers in CP&D have carried out a desk top review of current arrangements with regards support to ASCC. It has been identified that there is a lack of clarity over the Council's CCLO responsibilities and the admin support role provided by VAS.
- 3.15 The review has also highlighted that there is an increased risk of duplication and in line with best practise elsewhere, it is less and less appropriate for CCLO functions to be outsourced by the Council.
- 3.16 It should be noted with the changing landscape in the public sector both locally and nationally, the Council recognises the need for a strong and independent ASCC voice. However going forward it is also apparent that the Council will increasingly need to liaise directly with the ASCC and Community Councils, as opposed to via VAS, to progress a range of activities and projects. This includes but is not limited to the following:
- Deliver Community Council training programme
 - Review core scheme of establishment
 - Support delivery of participatory budgeting events
 - Oversee Community Council elections
 - Raise awareness of Community Councils
 - Ensure democratic representation
 - Share good practise and build capacity
- 3.17 The Council continues to seek out all efficiencies and savings as part of its Medium Term Financial Plan budget objectives.

4.0 Proposals

- 4.1 Following the review it has been identified that there is a need to separate out the CCLO duties from the administration role currently provided by VAS. This will ensure that the Council meets its statutory obligations in line with best practise whilst also ensuring clarity of role, removing the risk of duplication and achieving efficiency savings.

The following options are set out for consideration by Community Councils and the ASCC:

- 4.1.1 VAS provides ASCC admin support to facilitate meetings – with a reduced level of grant aid
- 4.1.2 The ASCC nominates an existing Community Council clerk to provide admin support for a grant payment – either on a permanent or rotating basis
- 4.1.3 The Community Council of the ASCC Chair provides admin support for a grant payment – this would change with each Chair appointment
- 4.1.4 The Council provides ASCC admin support in house
- 4.1.5 The ASCC proposes another solution to ensure ongoing admin support i.e. contract task to a Third Party, employs own clerk etc.

- 4.2 The Executive Manager – Community Planning & Development will take a report to the first cycle of the new Council seeking approval of any proposed changes and endorsement to consolidate the CCLO duties in-house within CP&D.
- 4.3 The CCLO role will be clearly defined and the CCLO will act as first point of contact for Community Councils on behalf of the Council, unless otherwise defined.
- 4.4 The consultation period for Community Councils shall remain open until 30 April 2017. Thereafter, feedback will be evaluated and a report presented to an appropriate early meeting of the new Council recommending new arrangements for supporting the ASCC. Implementation to be in place by no later than 1 October 2017.

5.0 Conclusions

- 5.1 In recent years there has been a lack of clarity of roles between the Council and Voluntary Action Shetland. Following the transfer of budgets and responsibility to CP&D, along with changes to legislation, this has contributed to the need for the Council's Community Planning & Development Service to have a more direct relationship with Community Councils.
- 5.2 CP&D are well placed to take on the CCLO role and already work closely with Community Councils. Separating out the CCLO responsibilities and ASCC admin roles will ensure that resources are used more effectively and assist the Council to build/develop relationships with Community Councils.

From: catherine.hughson@shetland.org
To: CommunityCouncilClerks@shetland.gov.uk
Cc: wendy.hand@shetland.gov.uk; j.gear520@btinternet.com; jim@filsket.me.uk
Subject: Future support to ASCC
Date: 13 February 2017 08:27:18

Hi All

The SIC are intending to conduct a review of the support VAS give community councils. They have prepared a report with varying options to be that will be circulated to you shortly. VAS have not been offered any further grant meantime so the future after 1 April is unsure. If you could inform you Chair of this I would be grateful.

They have informed us the more and more Community Councils are using the SIC for assistance therefore the role of VAS is diminishing.

The report will be discussed at the ASCC meeting in March.

Regards

Catherine

Catherine Hughson
Executive Officer
Voluntary Action Shetland
14 Market House
Market Street
Lerwick

01595743901

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Scottish Charity number SC017286

'Neither employees of VAS nor VAS itself will have any liability for information provided in good faith and will not be liable for any loss resulting from the use of the information.'

VAS – response to report on Review of Community Councils

Executive Manager Community Planning and Development dated 25th March 2017

From: Executive Officer VAS supported by VAS Board

Background

Shetland Council of Social Services(now Voluntary Action Shetland - VAS) was approached by Shetland Islands Council to consider providing the support and liaison on behalf of the Association of Community Councils. At that time there had been a comparison done with Orkney Islands Council who had appointed a Community Council Liaison Officer (CCLO), it was felt that if the SIC were to go down that route they would need to employ another 2 members of staff. Therefore for best value it was decided that it would be beneficial for VAS to take on this role. An additional benefit was that it would be independent from the SIC, which would ensure impartiality.

VAS have continued deliver the statutory CCLO role for the past twenty plus years, during times of reduction in funding and has continued to support the Association both in human and in financial terms over and above the grant awarded by the SIC.

In 2007 a Service Level Agreement was agreed between VAS (SCSS) and the Association this stated the eleven points of service expected from VAS:-

1. Administration support to ASCC meetings (2 per year)
2. Administration support to Joint Liaison Group (3 per year)
3. Financial Administration in liaison with representatives of the ASCC
4. Financial Monitoring and Planning in liaison with representatives of the ASCC
5. Liaison with Statutory Agencies in liaison with representatives of the ASCC
6. Representation at Forums and Meetings in liaison with representatives of the ASCC
7. Support to Community Clerks
8. Policies and Procedures – ASCC
9. Project and Staff Management
10. Policies and Procedures – SCSS
11. Accommodation and I.T. Systems

Local Context – Comments

In a new report from the SIC dated 25 march 2017 they are proposing a number of changes which will directly affect Community Councils and VAS. The report states the need for a Community Council Liaison Officer. As previously noted this idea is not original this statutory role has been around since Community Councils were created but was discounted locally. The sudden need for this CCLO role within the SIC seems to be that the support for the Community Councils has been transferred from legal and admin to community planning and development. During a recent meeting we were informed that community councils are increasingly contacting SIC officers for support and therefore the need for VAS to supply this type of role is no longer required.

We are unsure about where the discussion on the value of the ASCC took place as it is not included in any minutes of ASCC or Joint Liaison Group, we do have notes in minutes referring to self evaluation not a review.

We are unsure about the statements in 3.16 of the report considering the amount of consultation we have been involved in regarding the possibility of Community Councils taking on local services, this has not lead to a positive outcome for community councils or communities.

Proposals

4.1.1. VAS cannot continue to support the ASCC if reduced grant was offered.

Other options would be for individual community council to decide.

Conclusions

VAS have considered the content of the SIC report and are disappointed that it does not show the liaison, support and training we have given community councils and their clerks.

Our role has been much more than an administration service with not only the secretary role, but the executive officer and team leader have also supported and represented the ASCC .

There is no evidence to support the implications in the report that Community Workers will provide a better or cheaper support service than that currently provided by VAS.

Dependant on the outcome of this review we could be in a position where VAS is unable to continue its liaison and support role to the ASCC.

From: [John Pelan](#)
To: clerk@lerwickcc.org.uk
Cc: [Gaby Laing](#); [Karen MacLeod](#)
Subject: Park Lane Community Garden
Date: 16 February 2017 11:10:22
Attachments: [image001.png](#)
[image002.png](#)

Dear Mrs Sandison

Thank you for your recent nomination of Park Lane Community Garden for a My Place Award. Unfortunately, the project has not been selected for a visit by the judges. We have had a very competitive range of entries and the judges have to decide on visiting those projects that have best met the criteria.

I am sorry to be the bearer of bad news. However, the project will feature in the brochure we produce to accompany the award as well as an exhibition at The Lighthouse, in Glasgow. My colleague, Gaby Laing is contacting all the nominees regarding images for both the brochure and exhibition.

Best wishes

John

John Pelan
Director, The Scottish Civic Trust
The Tobacco Merchant's House
42 Miller Street, Glasgow G1 1DT
Tel: 0141 221 1466
Mob: 07808 843129
@johnpelan

www.scottishcivictrust.org.uk
www.myplaceawards.org.uk
www.doorsopendays.org.uk
www.scottishheritageangelawards.org.uk



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The Scottish Civic Trust is a registered Scottish charity No: SC012569.

Dear Sir/Madam

Scottish Natural Heritage – opportunity to meet Board members and senior staff

**Islesburgh Community Centre, Lerwick
21 February 2017, 7 - 9pm**

I am writing to invite you to join me for an informal reception at Islesburgh Community Centre on Tuesday 21 February from 7pm to 9pm. The purpose of the event is to provide an opportunity for local people to meet with some of our Board and senior staff, and to enable you to discuss issues of mutual interest with us.

SNH maintains an extensive network of area offices employing locally based staff who try hard to ensure that they maintain good local contacts and a clear awareness of current issues and priorities. It is also very important though for myself and senior figures in the organisation to have an opportunity to meet local people and to hear directly about your issues, concerns and interests regarding the natural world. We would be interested in your views on how SNH can effectively deliver, and how we can best work together, to benefit the natural heritage. We're also keen to hear what role you think the natural heritage plays in local life.

On Tuesday we will be joined by Daisy Narayanan, Acting Director of Sustrans. Sustrans is a charity that promotes low carbon travel, and we are keen to explore how walking and cycling and access to nature can deliver benefits in Shetland.

I do hope that you will be able to join us. If not, you are very welcome to ask a colleague to attend on your behalf.

With best wishes,

A handwritten signature in blue ink, appearing to read 'W. J. Ross', enclosed in a thin black rectangular border.

W J (Ian) Ross
Chairman

Scottish Government has launched a consultation on the plans for the future of the Scottish planning system. We have published information about this on the Community Councils website (<http://www.communitycouncils.scot/consultation-on-the-future-of-the-scottish-planning-system.html>) but we would appreciate if you could forward the information below to community councils in your area to make them aware of the consultation, which will close on **4th April 2017**.

Consultation on the future of the Scottish planning system

Scottish Government has launched a digital consultation on the plans for the future of the Scottish planning system. The consultation seeks the views of the people of Scotland.

In 2015 Ministers commissioned an independent panel to undertake a review of the planning system. The review included opportunities to get involved through both written and oral evidence and an online discussion forum and many community councils gave input to this review. Since then Scottish Government has been working with a wide range of stakeholders, including community representatives, public and private sectors, to explore potential changes to the planning system.

This consultation builds on the work of the Independent Panel, the Scottish Government and stakeholders. It presents proposals for change and provides an opportunity for people to help shape the future of the planning system in Scotland.

Community councils have a statutory right to be consulted on applications for planning permission and are mentioned in [Places, people and planning: A consultation on the future of the Scottish planning system](#), which gives an overview of the consultation and proposed changes to the Scottish planning system.

Following completion of the consultation period analysis of the responses will be undertaken and published within 12 weeks of the consultation closing. The analysis will help inform the drafting and production of a draft Planning Bill which is to be introduced to Parliament in Year 2 of the Parliamentary Programme.

During the time of the consultation closing and the introduction of the bill Scottish Government will be engaging with key stakeholders to finalise the detailed proposals for inclusion in the bill.

More information, including how to get involved in the consultation, can be found at <https://consult.scotland.gov.uk/planning-architecture/a-consultation-on-the-future-of-planning/>

The consultation will close on **4 April 2017**.

More information

If you have any questions please phone 0131 244 7067 or email planningreview@gov.scot
[Places, people and planning: A consultation on the future of the Scottish planning system](#)
[A consultation on the future of planning](#)
[Scottish Planning Review Participation Statement January 2017](#)

Places, people and planning – a consultation paper

Briefing Note for Community Councils

Introduction

On 10 January 2017 we published 'Places, people and planning – a consultation on the future of the Scottish Planning System'. It contains 20 proposals for changes to the planning system, based on the recommendations of an independent review carried out in 2016.

The four main areas of change

Our ideas for change are set out under the headings below.

Making plans for the future

1. Aligning community planning with spatial planning
2. Regional partnership working
3. Improving national spatial planning and policy
4. Stronger local development plans
5. Making plans that deliver

People make the system work

6. Giving people the opportunity to plan their own place
7. Getting more people involved in planning
8. Improving public trust
9. Keeping decisions local – rights of appeal

Building more homes and delivering more infrastructure

10. Being clear about how much housing land is required
11. Closing the gap between planning consent and delivery of homes
12. Releasing more 'development ready' land
13. Embedding an 'infrastructure first' approach
14. A more transparent approach to funding infrastructure
15. Innovative infrastructure planning

Stronger leadership and smarter resourcing

16. Developing skills to deliver outcomes
17. Investing in a better service
18. A new approach to improving performance
19. Making better use of resources – efficient decision-making
20. Innovation, designing for the future and the digital transformation of the planning service

You can find out more about the proposals at:

<https://consult.scotland.gov.uk/planning-architecture/a-consultation-on-the-future-of-planning/>

What do the proposals mean for community councils?

Our proposals aim to add to the role that you already play in the planning system. We aim to make communities central to delivering great places and a force for

positive change. While all the ideas above are likely to be of interest, there are some which are directly relevant to your possible future role.

What happens currently	Our proposal
The planning authority does not have to consult on the development plan scheme. Community groups are encouraged to look at the development plan scheme and provide feedback.	The development plan scheme would set out how the local community would be involved in developing proposals for change, and should be prepared after consulting relevant community councils. (Proposal 4)
Does not apply.	Community bodies (including existing groups such as community councils) would be able to register their interest with a local authority if they want to prepare a local place plan. (Proposal 6)
You are told at each stage of the plan that the relevant documents have been prepared and where you can view them.	You would be given a stronger role in planning by introducing a new duty to consult you when preparing development plans. (Proposal 6)
You must, by law, be consulted on planning applications.	No change proposed. (Proposal 6)
You are consulted before certain planning applications are submitted	We would ask for views on improving the consultation between developers and your community before they submit certain planning applications. (Proposal 8)
Does not apply.	If a site is brought forward which is not in the development plan, the local authority will actively involve you in setting out further ways of consulting the community. (Proposal 8)

We recognise that we need to give you support, training and guidance to help you to fully contribute to planning in your area.

When and how can you get involved?

What?	When?	How?
Consultation paper	Responses needed by 4 April 2017	<i>Send us your comments and thoughts</i>
Public drop in session	27 February	Shopping Centre, Inverness
Public drop in session	28 February	Shopping Centre, Aberdeen (tbc)
Public drop in session	1 March	Shopping Centre, Dundee (tbc)
Public drop in session	2 March	Shopping Centre, Edinburgh (tbc)

Where can you get more information?

You can get updated information on events in your area from our Participation Statement, which you can find at <https://beta.gov.scot/policies/planning-architecture/>. You can also get updates through our Twitter account at @ScotGovPlanning and #SGPlanningreview.

A guide to the planning system

Why do we have a planning system?

Sometimes new buildings, changes to the use and appearance of existing buildings, and other changes in the way land is used are needed. This is called 'development'. The planning system is used to make decisions about future development, and the use of land in our towns, cities and countryside. It decides where development should happen, where it should not happen, and how development affects its surroundings.

The planning system should help build a growing economy, but at the same time protect our environment for future generations and make sure that communities can enjoy a better quality of life.

Different bodies have a role in the planning system. At a national level, we (the Scottish Government) develop legislation, national policy and advice on planning. Ministers develop the **National Planning Framework**, approve strategic development plans and make decisions on certain types of **planning** applications **and** appeals.

However, how the planning system is run is mainly the responsibility of planning authorities. Their main roles include:

preparing development plans, master plans and development briefs;
processing and deciding on applications for planning permission;
acting as the local review body in certain cases; and
taking enforcement action if planning requirements are not kept to.

Community Councils have a formal role, too. At each development plan stage they will be told that the relevant documents have been prepared and where they can see them; are consulted by developers on certain applications for major and national developments; and when planning applications are submitted.

There are three main parts to the planning system.

Development plans – setting out how places should change and the policies used to make decisions about planning applications.

Development management – making decisions about planning applications.

Enforcement – making sure that development is carried out correctly and taking action when development happens without permission or when conditions have not been followed.

What are development plans?

A development plan sets out how places should change and what they could be like in the future. It says what type of development should take place where, and which areas should not be developed. It sets out the best locations for new homes and businesses and protects places of value to people or wildlife.

The plan also helps development to take place quickly by describing how any new or improved facilities, such as roads, schools and parks, will be provided.

Councils and national park authorities must prepare a development plan for their area at least every five years. Development plans must keep to the **National Planning Framework**. The law says that the development plan should be the starting point in making any planning decisions.

What is development management?

Development management is the process of deciding whether to grant or refuse planning permission. Your council will normally deal with applications for planning permission. You need planning permission for any new development.

Some developments, for example changes to existing developments such as certain house extensions, are classed as permitted development and don't need permission from the council.

Developments are one of three types: local, major or national. Most applications for planning permission are for local developments and include changes to individual houses and, for example, smaller developments for new retail use. Major developments include those of 50 or more homes, certain waste, water, transport and energy-related developments, and larger retail developments. National developments are mainly large public works, such as the Queensferry crossing, and are set out in the National Planning Framework.

How are decisions on planning applications made?

The way in which the council will deal with an application will depend on whether it is a local, major or national development. In all cases the council must make decisions in line with the development plan, unless '**material considerations**' justify going against the plan.

A **material consideration** is a planning issue which is relevant to the application and can include national policy, comments by the public and by organisations the council has consulted, the design of the proposal, and the effect on the environment. Once the council has reached its decision, it will issue a decision notice (unless the application is to be decided by Ministers).

Enforcement

If you build something without planning permission, or if you don't follow the conditions attached to a planning permission, the council can use their enforcement powers. Enforcement is important because it makes sure that everyone stays within planning law and the conditions of their planning permission. All councils have to publish a planning enforcement charter setting out how the enforcement system works, the council's role in enforcement and the standards it has set itself.

You can get more information on the planning system from the Scottish Government website – <https://beta.gov.scot/policies/planning-architecture/>

From: neil.hutcheson@shetland.gov.uk
To: clerk@lerwickcc.org.uk
Cc: neil.robertson@shetland.gov.uk
Subject: RE: Padlocked Gate
Date: 17 February 2017 11:47:54

Marie,

The keys for the gates are held by Kelly's Opticians, The Bag & Travel Shop and Phusiam. There is a traffic order on Taylor's Steps, which is a public road, that permits them to be locked in the evening.

I have discussed this with Kelly's. They are aware of the order and I understand that on a couple of occasions, due to an oversight, the gates have been left locked for longer than they should have been. It was not intentional and hopefully will not be happening again.

Cheers, Neil.
(4882)

From: Clerk to Lerwick Community Council [<mailto:clerk@lerwickcc.org.uk>]
Sent: 13 February 2017 11:08
To: Hutcheson Neil@Roads Service
Subject: FW: Padlocked Gate

Neil, do you have information about this?

Many thanks,
Marie

From: Clerk to Lerwick Community Council [<mailto:clerk@lerwickcc.org.uk>]
Sent: 27 January 2017 10:25
To: 'neil.hutcheson@shetland.gov.uk'
Cc: 'dave.coupe@shetland.gov.uk'
Subject: Padlocked Gate

Hi Neil,

I've been notified that a gate between Kelly's Opticians and The Bag & Travel Shop is permanently locked.

A member has said that this is a 'right of way' and should be opened to allow access, at least during the day.

Can you please investigate and let us know the situation.

Regards,
Marie

--

Marie Sandison
Clerk

From: [Helen Bowman](#)
To: [Clerk to Lerwick Community Council](#)
Cc: [Rachel Reese](#)
Subject: RE: Shetland War Memorial, Lower Hillhead, Lerwick, Shetland
Date: 22 February 2017 10:22:49
Attachments: [image005.gif](#)
[image006.png](#)
[image007.jpg](#)
[image002.png](#)

Our ref: WM6977

Dear Marie

Thank you for your email and enquiry.

In terms of **timescales**, I can certainly look to assess your pre-application and provide pre-application advice as a matter of priority and before the close of February, and as such you could, on the basis of the advice I provide, look to submit a full grant application (which would be attached to my pre-app advice) in time for the next submission deadline (31st March 2017).

That application would then be considered at our Grants panel in late April and *if everything is in place* I would look to make a Grant Offer during the last week of April/first week of May. This would be the fastest turnaround we could undertake, and all cases – unless they are ‘at risk’ memorials – need to go to a Grants panel.

Quotes:

I do appreciate that the location doesn't necessarily lend itself to attracting contractors and I appreciate the practical ease of using LTM (who I am familiar with as they have worked on other war memorial projects we have grant supported) while they are on the island. In terms of the CMRF, we ask for the following re: quotes:

- **Two** quotes for projects under £5,000 and **three** quotes for project over £5,000

As it looks as this may easily be a project in excess of £10k, I will need to see that you have attempted to obtain two other quotes.

We have supported quite a few projects based in the inner and outer Hebrides and most applicants have secured at least two quotes from contractors and many are willing to travel. The reason we ask for more than one quote is so we can show value for public money.

- If, by the time you get to submit your application in March and you can show that you have made effort to secure two other quotes but have been **unable** to do so (please keep records of correspondence, emails/calls) then I would look to consider the LTM quote alongside your application.

- If you **do** secure further quotes and they are more expensive than the LTM quote (as we look to Grant Offer based on the lowest appropriate (in conservation terms) quote) then we can look to Grant Offer based on the LTM quote.

It may be the case that other quoting contractors will need to factor in accommodation and travel in which case the quotes will be more expensive (as I assume LTM staff are staying on the island at the moment) but that isn't a process we can pre-empt.

Just a heads up on my pre-app advice, I will set out the works we can support under CMRF for the memorial and this would need to be reflected in the LTM quote (they may wish to revise it) and any other quotes secured – for example, only lime mortar will be accepted for new pointing, not cement, and we would need to see this specified in the quote. But all this will be set out in my advice so do wait until you receive it.

I hope the above helps and has provided some clarity regarding timescales and what we need to see to make a Grant Offer.

With best wishes
Helen

Miss Helen Bowman
Conservation Officer (Scotland)

Protecting and conserving war memorial heritage
Building a greater understanding of our war memorial heritage.



War Memorials Trust 42a Buckingham Palace Road London SW1W 0RE

Telephone: **direct dial:** 07419 372 904 **charity** 0300 123 0764 **fax:** 020 7834
0202/0300 123 0765

Web: **email:** helen@warmemorials.org or conservation@warmemorials.org
www.warmemorials.org / www.learnaboutwarmemorials.org /
www.warmemorialsonline.org.uk

Registered Charity Number: 1062255

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From: Clerk to Lerwick Community Council [<mailto:clerk@lerwickcc.org.uk>]
Sent: Monday, February 20, 2017 9:55 AM

To: WMT Grants

Subject: RE: Shetland War Memorial, Lower Hillhead, Lerwick, Shetland

Dear Rachel,

Thank you for your acknowledgement of our application and photographs.

I understand the response time will be longer. Can I make a small plea on behalf of Lerwick Community Council, due to our remoteness.

Currently a conservation company (LTM Group Ltd) is working on a project in Shetland (Lerwick Town Hall). They will be here until June and we have approached them for a quote for works on the Shetland War Memorial. (Attached to our pre-application).

Can consideration be given to the possibility of having our application looked at during a shorter timeframe, for work to be carried out before June whilst they are still here, if our application is successful?

A previous email from Helen Bowman accepted that our location did not lend itself to the usual quote requirements and that everything was open for discussion.

I look forward to hearing from you.

Regards,
Marie

--

Marie Sandison
Clerk
Lerwick Community Council

Tel: 07762 017828

From: WMT Grants [<mailto:grants@warmemorials.org>]

Sent: 17 February 2017 16:39

To: Clerk to Lerwick Community Council

Subject: FW: Shetland War Memorial, Lower Hillhead, Lerwick, Shetland

Our ref: WM6977

Dear Marie,

Further to my email yesterday, below, asking for photographs I am now aware that you have been in contact with Helen Bowman separately and have sent photographs to her.

As such, we will no longer require further photographs and I am now writing to acknowledge receipt of your form and photographs and to advise you that the enquiry will undergo a preliminary assessment. Please note that our usual response time is 3 to 4 weeks. However due to a record number of applications at present, the current response time is around 8-10 weeks.

War Memorials Trust is unable to fund work already started or finished, so please do not commence work prior to receiving our advice or making a full application if we send you the Application Forms.

If you have any questions regarding your pre-application then please contact the Conservation Team at grants@warmemorials.org or 020 7233 7356 quoting the reference number above. Please do not contact us to chase your enquiry within the next 6 weeks as this causes additional administrative work and delays us in providing a response to you.

If you are not already aware War Memorials Online, www.warmemorialsonline.org.uk, is a website seeking to create a greater understanding of the condition of war memorials in the UK. A basic record currently exists for Men of Shetland war memorial and we would encourage you to add further information to that record at www.warmemorialsonline.org.uk/node/146072. You can register to add photographs, information and a condition update – in the condition update you are welcome to make reference to submitting an enquiry to War Memorials Trust as it can be good for others to see that action is being taken where there are concerns.

If you have any further queries, please do not hesitate to contact me.

Kind regards,

Rachel

Ms Rachel Reese
Conservation Administrator

Protecting and conserving war memorial heritage.

**In Memoriam 2014 offers greater protection for our war memorial heritage.
Register your interest or find out more at www.inmemoriam2014.org.**



War Memorials Trust 42a Buckingham Palace Road London SW1W 0RE
Telephone: **direct dial:** 020 7233 7356 **charity** 0300 123 0764 **fax:** 020 7834
0202/0300 123 0765

Web: **email:** rachel@warmemorials.org or conservation@warmemorials.org
www.warmemorials.org / www.warmemorialsonline.org.uk /
www.learnaboutwarmemorials.org
Registered Charity Number: 1062255

Information contained within this email and any attachments is confidential and intended for the named recipient(s) only. If you are not the intended

recipient(s) or have received this email in error, please notify War Memorials Trust immediately. If such an error occurs you must not: use, forward, copy or act upon any information contained within the email or attachments. Opinions expressed in this email are those of the sender and not necessarily the company. No liability is accepted for consequences arising from use, misuse or misinterpretation of any files, documents or information related to this email.

From: WMT Grants
Sent: 16 February 2017 12:52
To: 'Clerk to Lerwick Community Council'
Subject: RE: Shetland War Memorial, Lower Hillhead, Lerwick, Shetland

Our ref: WM6977

Dear Marie,

Thank you for submitting a Grants Pre-application form for Lerwick war memorial.

Before your application can be assessed by our Conservation Team, we require good quality recent colour photographs of the war memorial, as stated on the Grants Pre-application form in the Photographs section. The photographs should show the whole memorial as well as close-ups of the specific elements identified in the proposed works.

Both digital and hard copies are accepted, but digital images in JPEG format are preferred, if possible. Our email system can only accept emails smaller than 8MB so if you have large photographs, images or documents you may need to send multiple emails.

Once I have received your photographs I will pass your Grants Pre-application form on to our Conservation Team for assessment.

Kind regards,

Rachel

Ms Rachel Reese
Conservation Administrator

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From: Clerk to Lerwick Community Council [<mailto:clerk@lerwickcc.org.uk>]
Sent: 13 February 2017 11:42
To: Helen Bowman
Subject: RE: Shetland War Memorial, Lower Hillhead, Lerwick, Shetland

Hi Helen,

Attaching our pre-application and email from the local authority regarding investigation of ownership.

Regards,
Marie

--

Marie Sandison
Clerk
Lerwick Community Council

Tel: 07762 017828

From: Helen Bowman [<mailto:Helen@warmemorials.org>]
Sent: 08 February 2017 13:45
To: Clerk to Lerwick Community Council
Subject: RE: Shetland War Memorial, Lower Hillhead, Lerwick, Shetland

Hi Marie

Allana is currently on maternity leave and I am looking after her role.

Could you send me some current photos of the memorial so I can get a sense of condition and if you could outline the type of works you think you would look to undertaken? I've attached our funding guidance so you can get a sense of what is eligible under the scheme.

I appreciate some locations do not lend themselves to our usual quote requirements so everything is open to discussion!

Best wishes

Miss Helen Bowman
Conservation Officer (Scotland)

Protecting and conserving war memorial heritage
Building a greater understanding of our war memorial heritage.



War Memorials Trust 42a Buckingham Palace Road London SW1W 0RE
Telephone: **direct dial:** 07419 372 904 **charity** 0300 123 0764 **fax:** 020 7834
0202/0300 123 0765

Web: **email:** helen@warmemorials.org or conservation@warmemorials.org
www.warmemorials.org / www.learnaboutwarmemorials.org /
www.warmemorialsonline.org.uk
Registered Charity Number: 1062255

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From: Clerk to Lerwick Community Council [<mailto:clerk@lerwickcc.org.uk>]
Sent: Tuesday, February 7, 2017 12:10 PM
To: Allana Hughes
Subject: Shetland War Memorial, Lower Hillhead, Lerwick, Shetland

Good Afternoon Allana,

I was given your contact details by Mr William Spence one of our community councillors who has been in touch with you before.

The Lerwick Community Council are considering applying for a grant towards cleaning and maintenance of the War Memorial in Lerwick.

I would welcome your advice on the situation we have being quite remote and managing to secure conservation-accredited quotes and staff to work on the Memorial here in Shetland.

A company is currently working in Shetland on conservation of the Lerwick Town Hall and they have provided us with one quote of £13,284.90.

Dear all: -

Please see below an invitation to express an interest in becoming a PB Champion for Scotland. I thought I would highlight this to you, as you all have experience of PB, and would ask you to circulate the email to your Community Councillors. This is a really exciting opportunity, and we'd be keen to see someone from a community council included in the PB champion group.

But time is short, as the **deadline for expressions of interest is 5PM, Friday 17th March 2017.**

Please let me know if you are interested in submitting an application, as there may be funding available to support your attendance at the training session. Please note I cannot guarantee funding at this stage, but will confirm once interest is known.

Kind regards,
Vaila Simpson

Open call for Participatory Budgeting Champions

Express your interest in becoming a PB Champion

Are you passionate about high quality citizen empowerment? Want to be at the forefront of democratic innovation? Inspired enough to commit your energies to make the voices of all citizens of Scotland heard?

PB Scotland is now seeking to create a dedicated group of PB champions, who are able to support others on their journey. People with the skills, commitment and capacity to learn, and then share that learning. Without having a group of people in Scotland who can provide good quality advice and support on PB, we risk a skills gap just as momentum is growing.

You may be a qualified community engagement professional, a grass roots community activist or perhaps someone who understands how commissioning and public finance works. There is no ideal candidate.

What is more important is your commitment and your capacity. You'll be working as part of a team, with the support of experienced mentors and the other PB champions, to enhance the understanding of PB and contribute towards a fairer, more democratic Scotland.

From: [Ross Jones](#)
To: clerk@lerwickcc.org.uk
Cc: chair@lerwickcc.org.uk
Subject: FW: Opportunity to investigate potential renewable energy supply to Sandy Loch WTW
Date: 20 February 2017 09:17:46

From: Ross Jones
Sent: 16 February 2017 09:08
To: 'jim@filsket.me.uk'
Subject: Opportunity to investigate potential renewable energy supply to Sandy Loch WTW

Hi Jim,

I write in your capacity as Chair of Lerwick Community Council. I work as a Development Officer for Local Energy Scotland. This is a nationwide consortium responsible for encouraging local and community ownership of renewable energy across Scotland through the Scottish Government's Community and Renewable Energy Scheme (CARES). Further information on the scheme can be found [here](#).

Scottish Water has been in discussion with Local Energy Scotland to proactively identify opportunities where developers or communities can provide renewable energy generation to their assets where this is feasible and compatible with their statutory duties. The Water Treatment Works (WTW) at Sandy Loch, represents one such opportunity. I write to enquire if Lerwick Community Council would be interested in investigating this opportunity further. The CARES scheme may be able to support Lerwick Community Council to secure grant funding for a feasibility study and work with Scottish Water to explore the opportunity further.

Scottish Water's preference is that any renewable energy scheme to supply a site will be developer led (i.e. by the community) and located on land adjacent to the asset. Supply to the site would be via private wire and Scottish Water would support the renewable development by taking power to offset the consumption at the WTW from the grid. Power would be purchased by Scottish Water through a formal PPA.

Local Energy Scotland is currently supporting Strathaven Town Mill in South Lanarkshire to develop a 57kW hydro scheme to supply the local Scottish Water site.

Demand data provided by Scottish Water covering the last three years shows an average hourly demand of between 140 and 151kW for the site with a maximum demand of 215kW.

The approach to Lerwick CC is to establish whether the Council are interested in exploring the idea further and working with Scottish Water to determine whether a local renewable supply is feasible. It is likely that any feasibility study would cover wind and solar and will need to address whether these are appropriate developments for the location and also to Scottish Water in terms of the supply being provided.

I would be happy to discuss this in more detail with you or other representatives of the Council and set up a telephone meeting with Scottish Water should there be interest.

Where the Council do confirm an interest in exploring this further then there are a number of

steps that will need to be undertaken locally before an application for [funding](#) of a feasibility study would be considered.

- I would request that the Council establish ownership of adjoining land to the site and interest by any landowner in a potential lease of a site if appropriate.
- Make initial checks with planning and if relevant other agencies to confirm that there aren't any potential show stoppers to developing a site adjacent to the WTW for the generation of renewable energy.

I will be happy to provide support for the above.

Where the outcomes of these steps are positive we would support the submission of an application from the Council for grant funding to undertake a feasibility study in to the options for renewable supply to the site.

Regards, Ross

Ross Jones

CARES Development Officer

North Isles and North of Scotland

Local Energy Scotland | Changeworks | Fairways House | Fairways Business Park | Inverness | IV2 6AA

Mobile 07467 953 745 Direct Line 01463 259 739 | ross@hi.localenergyscotland.org

From: [Richard Gibson](#)
To: clerk@lerwickcc.org.uk
Cc: [Jonathan Wills](#)
Subject: Copeland's Pier Erosion
Date: 25 February 2017 12:01:12
Attachments: [IMG_3916.JPG](#)
[CopelandsPier 1 promote Shetland.tiff](#)

Hi Marie,

I expect the Community Council are aware of this as it is practically on their doorstep and have it in hand already. But if not, I think something needs to be done about it before it becomes a major repair.

I believe the SIC Planning Department are responsible for dealing with coastal erosion, and have access to money for coastal protection. It appears that there have been several attempts at temporary repair which have been rather unsatisfactory and, if they fail, may lead to much greater problem. The Amenity Trust have a team of experienced stone masons who may be able to undertake the work commensurate with this sensitive location. Ideally the work should be done this summer as a further winter could involve much greater expense.

When there was a similar problem with Stout's Pier it was impossible to find the owner of the site and it was eventually Scottish Water who made the repair as part of their sewage works after SIC, Feuers & Heritors and the Garth Estate denied responsibility.

Richard Gibson
10 Commercial St
Lerwick

1 Fogralea,
Lerwick
ZE1 0SE

18th February, 2017.

Mrs M Sandison
Clerk
Lerwick Community Council
Basement
Stouts Court
Lerwick
ZE1 0AN

Dear Mrs Sandison,

Untreated Sewage Discharge into Clickimin Loch

Thank you for the photo-copy of the letter from Scottish Water to Lerwick Community Council dated 9th January, 2016.

I can confirm that I was very happy with the telephone response from Mr Jim Anderson at Scottish Water on 9th January, 2016. He explained the problems which they encounter on a regular basis in this area, as well as the measures which they have put in place to ensure that there is no further sewage discharge directly into the Clickimin Loch.

Kind regards.

Yours sincerely



George Leslie

LERWICK COMMUNITY COUNCIL

Core Funding Financial Report as at 28 February 2017

<u>INCOME</u>	£	£
Balance at at 1 April 2016		10,419.24
SIC Core Funding Grant 2016-17		20,923.00
SIC Community Development Funds (Distribution & Project)'16/'17		4,000.00
SIC CC Participatory Budgeting PB Project		5,000.00
Morrison Construction - Donation to PB Project		300.00
Rotary Club of Shetland		100.00
Sale of Town Hall Guides		8.32
Paths for All Grant - Staney Hill Sign		472.00
		41,222.56

<u>EXPENDITURE</u>	£	£
Office Costs	3,253.98	
Employment Costs	8,764.80	
Administration	616.96	
Accountancy	0.00	
Misc.	35.00	
Grants/Projects	10,076.19	
CDF Distrib & Projects	800.00	
LOOT for LERWICK	10,437.20	
		33,984.13
		7,238.43

<u>REPRESENTED BY</u>	£
Bank Balance as at 28.02.17	7,238.43
	7,238.43

Indication of Free Funds:

Main Annual Running Costs - Amended Forecast - £14,830.62	
Amended Budget Remaining	2,159.88
Annual Grants & Projects Amended Forecast £5,981.07	
Amended Budget Remaining	264.88

Committed Funding:

Paths for All - Staney Hill Sign	472.00	
Living Lerwick - Hanging Christmas Lights	1,000.00	
Filsket Riding Club (No longer required) CDF Distribution	600.00	
Royal British Legion Lerwick Pipe Band	2,000.00	
		6,496.76
Estimated Free Funds		741.67

Clerk to Lerwick Community Council

From: Michael.Duncan@shetland.gov.uk
Sent: 23 February 2017 16:41
To: CommunityCouncilClerks@shetland.gov.uk
Cc: Vaila.Simpson@shetland.gov.uk; june.porter@shetland.gov.uk;
Roselyn.Fraser@shetland.gov.uk; patricia.christie@shetland.gov.uk;
frances.browne@shetland.gov.uk; Elsa.Manson@shetland.gov.uk
Subject: Core funding

Dear all,

I am writing to confirm that following the Council meeting on 15 February Community Council core funding has been approved for financial year 2017/18 on a cash standstill basis.

For clarification, I hereby confirm the respective Community Council allocations in the table below:

Community Council	2017/18 Grant Allocation
Aithsting & Sandsting	£10,218
Bressay	£5,802
Burra & Trondra	£5,998
Delting	£11,317
Dunrossness	£9,546
Fetlar	£3,626
Gulberwick, Quarff & Cunningsburgh	£9,923
Lerwick	£20,923
Nesting & Lunnasting	£7,127
Northmavine	£12,667
Sandness & Walls	£9,227
Sandwick	£8,034
Scalloway	£7,258
Skerries	£3,426
Tingwall, Whiteness & Weisdale	£8,306
Unst	£8,423
Whalsay	£7,696
Yell	£8,531
TOTAL	£158,048

In order to receive a grant offer letter please send me an email with a written request to drawdown your respective core funding allocation. When emailing please ensure to specify your Community Council name and the amount of funding requested using the figures from the table above. I would also be obliged if you could confirm your Community Council's postal address and how you want the funds allocated against the eligible categories:

Administration
Environment services
Grants to local/district group
Roads

Once I receive your written request it will be checked and, assuming all is in order, a grant offer letter will be prepared and posted to you as soon as possible for signing.

On receipt of the signed grant acceptance forms, I will arrange to release due payment as soon as possible. Grant offer acceptance forms received prior to 31 March may be held until the new financial year and processed shortly after 1 April.

Please note Community Councils will be required to account for its core funding by producing annual accounts. The annual accounts should clearly set out all core funding income and expenditure, and the accounts must be independently checked and certified prior to submission to the Council. You should also continue to send in meeting agendas and minutes.

I trust this meets with your approval and look forward to hearing from you in due course. However should you have any queries on the above please get in touch.

Best regards,

Michael D

Michael Duncan
External Funding Officer

Shetland Islands Council
Community Planning & Development
Solarhus
3 North Ness
Lerwick
Shetland
ZE1 0LZ

Tel: 01595 743828
Email: Michael.duncan@shetland.gov.uk

Facebook: www.facebook.com/shetland.community.hub

Michael Duncan
External Funding Officer

Shetland Islands Council
Community Planning & Development
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3 North Ness
Lerwick
Shetland
ZE1 0LZ

Tel: 01595 743828
Email: Michael.duncan@shetland.gov.uk

Facebook: www.facebook.com/shetland.community.hub

Dear all,

I am writing to confirm that following the Council meeting on 15 February a CDF scheme budget of £68,000 has been approved for financial year 2017/18.

Please note bidding rounds have been set as follows:

Round 1	-	Friday 24 March
Round 2	-	Friday 21 April
Round 3	-	Friday 19 May

Please note below a few reminders about the CDF scheme:

- When completing your CDF application form electronically be sure to complete it using Adobe Reader and save it regularly when completing the form to avoid losing your application
- When applying for a Distribution Fund grant remember that a Distribution Fund can only be used to award grants to community groups for local projects and activities that meet the CDF scheme aims. It cannot be used to top up core funding or used for other revenue costs/projects
- Please note CDF Distribution Fund grants must be spent within the financial year it is received i.e. by 31 March
- When applying for a CDF Project grant remember the project must be delivered by the Community Council and not passed on to another organisation as funding to deliver the project
- Please note CDF Project grants will be for a "one off" activity or service and must be spent within 1 year of offer date
- Please note CDF bids to repeat a previously funded CDF projects are likely to get a low priority - unless you can clearly demonstrate and evidence the need for it
- Please note Community Councils require to account for CDF Distribution Funds by way of submitting independently certified annual accounts. Project grants will usually require the submission of paid receipts. You must ensure that CDF funding and the associated expenditure is clearly set out in your annual accounts.

Lastly, please note it is important you provide as much detail and evidence as possible when completing your application form. Some applications lack detail which makes them difficult to assess and score and therefore face being returned or rejected. The CDF scheme budget is usually oversubscribed so any grant applications lacking detail may struggle. Therefore it is important when completing the CDF application form that you refer to the scheme guidelines and scoring criteria.

Please find below a link to our web pages where you will find all the necessary information. Should you wish to discuss your project in advance of completing an application form then please get in touch.

Best regards,

Michael D

http://www.shetland.gov.uk/grants/community_development_fund.asp

Community Development Fund Guidelines

This grant aid scheme is designed to support Community Councils and Community Development Organisations to further the aims and objectives of their organisation, within the geographical area of Shetland for which they are constituted, and which are in line with the Single Outcome Agreement and Council's Corporate Plan.

This grant scheme supports Community Councils and Community Development Organisations to deliver services, activities and initiatives in relation to the priority areas of children and young people; families at risk; older people; transport; safer & stronger communities; reducing offending; health inequalities & physical activity; employment and economic recovery & growth.

We hope this scheme makes a real difference to the quality of life for people living in Shetland and would encourage organisations to be both imaginative and innovative in designing bids which will impact positively on as many members of their respective communities as possible.

What our grants are for –

This grant scheme aims to support projects and activities that: -

- Encourage participation in community life, in particular those focusing on children, young people, older people and those most disadvantaged
- Assist in the process of sustaining and regenerating fragile rural areas
- Ensure organisations are open to those who want to take part and that they actively encourage more people into their organisation
- Promote individual and community achievement

We expect all funded applications to demonstrate that: -

- It meets a community need
- It represents value for money
- It is well planned
- There are long term benefits
- It makes a difference to the community
- The project expenditure can be accounted for

Who can apply?

You can apply for a Community Development Fund Grant if: -

- You are a Community Council; **OR**
- You are a Community Development Organisation constituted with an open constitution; and
- You are based in Shetland
- You have a constitution or set of rules which clearly defines your organisation's aims, objectives and procedures

- You have a bank or building society account in the name of your organisation which requires at least 2 signatures on each cheque or withdrawal
- You can enclose your most recent annual accounts which have been certified as true by a person independent of your organisation
- you spend the grant within a year

Constitutions

A constitution should include:

- An organisation's name, aims and objectives
- Details of how it achieves those objectives
- Details of how its committee is elected or appointed
- Details of how people can join the organisation
- Details of what will happen to the assets of the organisation if it closes
- The date when the constitution was adopted and signed on behalf of the organisation

How do we apply / making an application

It is a requirement of this scheme that all applications for grant assistance are submitted prior to your project commencing.

Bidding Round 1

Completed applications must be received by no later than 24 March 2017 – subject to the availability of finance

Bidding Round 2

Completed applications must be received by no later than 21 April 2017 – subject to the availability of finance

Bidding Round 3

Completed applications must be received by no later than 19 May 2017 – subject to the availability of finance

All applications received will be acknowledged within 5 working days identifying any further information required to complete the application. All applications requiring further information must be completed within a maximum period of two months from the date of receipt of the original application. The Council reserves the right to defer incomplete grant applications to the next bidding round.

Applications are available on the Council's website at http://www.shetland.gov.uk/grants/about_grant_aid.asp and can be submitted electronically.

Alternatively an application pack can be requested or collected from the Grants Unit – see contact details on page 8. You should also contact staff at the earliest opportunity to discuss your organisation's project eligibility and to get assistance with completing the application form.

What can we apply for?

We will consider providing 'seed corn' funding to, or 'pump priming' projects in the area covered by your organisation, which are related to the following priority areas: -

children and young people; families at risk; older people; transport; safer & stronger communities; reducing offending; health inequalities & physical activity; employment and economic recovery & growth

Examples we will consider funding: -

- Community Councils applying for a Distribution Fund
- Projects that develop local services
- Regeneration and income generating projects
- Facility upgrades
- Tourism related projects
- Projects that "spend to save" or "spend to earn"
- Environmental improvements

Projects should meet local needs and priorities and seek to deliver maximum benefits and impact in the community.

Examples we will not fund: -

- Loan or endowment payments
- Projects with no long-term sustainability
- Second hand vehicles and second hand equipment (unless valued or certified by an independent / qualified assessor)
- Projects / activities that have already taken place
- Business or commercial ventures
- Fundraising expenses
- Meals and subsistence costs
- General entertainment costs
- Schools projects or costs for competing in Schools competitions
- Unadopted roads
- Clerks wages and administration costs
- Political or religious activities
- Recoverable VAT

How much can we apply for?

Community Councils

Community Councils can apply for between £500 and £4,000.

The maximum Community Councils can apply for a Distribution Fund is up to £3,000.

The maximum Community Councils can apply for a project is up to £3,000.

Community Councils may apply for any combination of grant aid for a Distribution Fund and/or project within the above limits. Community Council applicants will be restricted to a maximum of £4,000.

A Distribution Fund may only be used to award grants to community groups and voluntary organisations to assist projects and activities that meet local area needs and priorities and that fit within the overall scheme objectives. It cannot be used to pay for revenue costs such as grass cutting, road signage, skip hire etc.

Community Councils applying for funding towards a project must directly deliver the project. Community Councils in receipt of CDF project grant cannot award the funding to a third party.

Community Development Organisations

Eligible Community Development Organisations can apply for between £500 to £3,000 to assist with the costs of delivering local projects and/or services. Community Development Organisations are required to demonstrate they have the support of their local community council(s) as part of their funding application.

General

There is no restriction on the number of applications you can make within the year, but you will be restricted to a maximum of £4,000 per Community Council applicant or to a maximum of £3,000 per eligible Community Development organisation applicant per Council financial year. Applicants are also limited to one grant per project, and each project will only be eligible for a single grant.

The maximum grant per applicant will be lifted in bidding round 3 if there is budget remaining and no other qualifying applications are received.

Please note that we will not award more than the amount you request in your application. If you are unsure about how much funding you can apply for, please contact the Grants Unit in advance of submitting your grant application for guidance and assistance.

Application Process

Once you have completed your grant application in full, attached all the necessary documents and worked through the checklist, please send the completed application form and enclosures to the Grants Unit for processing and consideration.

- On receipt of your application we will check if it is complete and ensure all the necessary information has been enclosed.
- We will acknowledge receipt of your application within 5 working days or return your application if not complete, and will let you know what else you need to do.
- Your completed application will be assessed and prioritised alongside all other Community Development Fund applications received at each bidding round.
- You will be informed of the decision in writing in no more than 6 weeks of receiving the completed application.
- Successful applications will be issued with a grant offer letter and acceptance docquet.
- Once your organisation has accepted the terms and conditions of the grant and returned the acceptance letter the grant will be paid in full directly into your organisations' bank account.
- You must comply with grant conditions and use the grant only for the purpose set out in your application form.
- You must complete a Project Evaluation form and a certification of expenditure form together with details of all relevant expenditure within 12 months of the date of the grant offer letter.

If your grant application is unsuccessful

We will tell you the main reasons why in a letter within 6 weeks of receiving the completed application. You may also find it useful to contact the Grants Unit as appropriate for advice and further assistance.

Following receipt of the explanation your organisation may wish you to revise your Community Development Fund grant application form and resubmit it to the next available bidding round.

Data Protection Act 1998 / Freedom of Information (Scotland) Act 2002

The Shetland Islands Council is registered as a Data controller in terms of the Data Protection Act 1998. The information provided by you will be stored by the council on a central electronic database and will be used in a number of ways by different departments of the Council when processing any funding applications made by your organisation. The information will not be transferred outwith the council without your explicit consent. Please contact us if you have any queries about how your information will be used.

The Freedom of Information (Scotland) Act 2002 gives members of the public the right to request any information that we hold. The council regularly releases information about grant awards and information regarding your application may be made available to the public. Any personal information provided will be processed in accordance with the Data Protection Act 1998.

Protection of Vulnerable Groups requirements

From 1st April 2011, if your organisation is applying for grant assistance from this scheme, your group/ organisation will need to decide whether you have anyone (staff or volunteers) involved in 'Regulated Work' with children (and/or protected adults)*. If your organisation has individuals involved in Regulated Work then those individuals will need to apply to become a member of the PVG Scheme, and your group must also have policies and procedures in place that adequately cover adult and child protection and welfare issues.

You will need to decide whether or not your group has individuals involved in 'Regulated Work' with children and young people under the age of 18, and/or 'Regulated Work' with protected adults (from the age of 16, generally, in receipt of specified services)*

If either of these conditions applies to your group, then you will need to ensure that you have in place **all** of the following: an Adult and Child Protection Policy and an Adult and Child Protection Procedures; for organisations working with children and young people a Code of Conduct for staff and volunteers; an Equal Opportunities Policy. Templates for these documents are available from the Community Planning & Development Service or at www.shetland.gov.uk/grants/PVG_Templates.asp and must be approved and signed by committee members of your group. Your organisation must undertake a PVG Scheme Membership check when appointing staff, volunteers or helpers who are doing 'Regulated Work' to make sure they are not barred from working with children/protected adults and as part of checking their suitability for the particular post.

*There are various stages to go through to decide whether someone is doing 'Regulated Work.' The Safer Shetland website www.safersheland.com includes links to sources of help, in particular a self-assessment tool produced by Disclosure Scotland which will help you work through the various stages: www.disclosurescotland.co.uk/pvg_training/self-assessment/

In case of doubt , you may wish to seek further advice from either the Central Registered Body for Scotland (CRBS), on 01786 849777, or Disclosure Scotland on 0870 609 6006. Contact details for local support on this subject and more information are available on the Safer Shetland website www.safersheland.com.

Help and information about training courses is also available from the Community Development Team or from Voluntary Action Shetland, who undertake free checks for volunteers.

Other considerations

- The total value of the Community Development Fund budget is £68,000
- No applications can be considered for expenditure already incurred, except with the prior agreement of the Executive Manager – Community Planning & Development.
- All grant offers are subject to the Shetland Islands Council's approved grant conditions and availability of finance.
- All Distribution grant monies must be fully paid out during the financial year it is awarded. Any unspent monies at 31 March may be repaid to the Council
- The fund is cash limited. Once the fund is fully subscribed there shall be no further funding made available in the current year.
- Applications shall be assessed strictly on merit.
- Advice and assistance is available on other sources of funding from the Grants Unit or Community Development Team.
- In the event that your actual project expenditure is underspent your organisation may be required to repay part of the grant assistance back to Shetland Islands Council. If this happens you will be contacted in writing and asked to repay the identified underspend.
- Groups with savings, reserves, cash or investments greater than £10,000 may not be considered for grant assistance if they are unable to confirm that these funds are restricted or designated funds for a specific purpose.
- All Council grant awards must be acknowledged on all publicity and marketing material.
- Your organisations contact details must be included in the Council's online Community Directory and you will be responsible for making any changes to your organisation's details as necessary. If you have not joined the community Directory please contact the Grants Unit for information, or look up the website at <http://www.communitydirectory.shetland.gov.uk/>

Service pledges

In order to improve service delivery of the department's various grant aid schemes we have the following service pledges:

- The Grants Unit will provide accurate information about their grant aid schemes and application procedures.
- All grant application forms requested will be sent out within 2 working days.
- All grant application forms received will be acknowledged within 5 working days.
- All organisations receive a decision on completed grant application forms within 6 weeks
- All organisations that have had a grant application rejected will receive a written explanation of why it was unsuccessful.
- All organisations that have had a rejected grant application advised in writing have the right to appeal against the decision.

Please note this timescale only applies to grant Schemes that are delegated to officers within the Council's Community Planning and Development Service

Contact details

Staff is available to give advice and guidance on your project and with the completion of grant applications. You should contact staff at the earliest opportunity and prior to completing a grant application.

Grants Unit

Community Planning & Development
Solarhus
3 North Ness Business Park
Lerwick
ZE1 0LZ
Tel. (01595) 743827 / 743828

Or email grants.unit@shetland.gov.uk

Community Development Team

Community Planning & Development
Solarhus
3 North Ness Business Park
Lerwick
ZE1 0LZ
Tel. (01595) 743888

Clerk to Lerwick Community Council

From: Michael.Duncan@shetland.gov.uk
Sent: 22 February 2017 16:26
To: clerk@lerwickcc.org.uk
Subject: RE: CDF '15/'16 Remaining Funds

Hi Marie,

Please accept my apologies for the delay in responding to your query.

Following our recent telephone discussion you clarified that the £600 underspend was in relation to Filsket Riding Club. This sum is listed a commitment in your 2015/16 financial statements.

As you will note in the grant offer letter dated 14th April 2015 it is a condition of funding that “**all grant assistance approved shall be spent by 31 March 2016**. Any unspent grant may be repaid to the Shetland Islands Council.”

Having clarified that these funds have not been spent within the agreed timescales please can you arrange repayment of this amount. A cheque should be made payable to Shetland Islands Council for £600 and sent to myself at the address below.

I trust this clarifies matters and thank you in advance of the above.

Best regards,

Michael D

Michael Duncan
External Funding Officer

Shetland Islands Council
Community Planning & Development
Solarhus
3 North Ness
Lerwick
Shetland
ZE1 0LZ

Tel: 01595 743828

Email: Michael.duncan@shetland.gov.uk

Facebook: www.facebook.com/shetland.community.hub

From: Clerk to Lerwick Community Council [<mailto:clerk@lerwickcc.org.uk>]
Sent: 07 February 2017 11:43
To: Duncan Michael@Comm Plan & Dev
Subject: CDF '15/'16 Remaining Funds

Michael,

Community Development Fund – Distribution '15/'16 Ref 578/4118



Junior Up Helly Aa

Per Ian Spence, 40 Murrayston, Lerwick, Shetland, ZE1 0RE

17 February 2017

Mrs Marie Sandison
Clerk
Lerwick Community Council
1 Stouts Court
Lerwick
Shetland
ZE1 0AN

Dear Marie

APPLICATION FOR GRANT ASSISTANCE – JUNIOR UP HELLY AA

Further to your request in connection with the above, I enclose a recent Bank Statement showing our financial position. I apologise as this should have been included with our application for a grant.

Our Constitution and Policies are written for a boys only group and must be read within that context.

Our Constitution states that:

“Membership of the organisation shall be open to boys over the age of 10”

Our Equal Opportunities Policy is written in terms of the helpers and the boys; and I enclose a copy of that policy for your information as requested.

Since making the application to Lerwick Community Council, we've received offers of financial assistance from elsewhere and therefore feel we no longer need to pursue the grant and wish to withdraw our application.

We would like to take this opportunity to thank Lerwick Community Council for all the support towards Junior Up Helly Aa that your Members have provided in the past.

Yours sincerely

Ian Spence
(On behalf of the Junior Up Helly Aa Committee)

Enc.

This policy is written in the context of a "boys only group"



Junior Up Helly Aa

EQUAL OPPORTUNITIES POLICY **(including Recruitment of Offenders policy)**

It is the policy of our group to operate within the principles of equal opportunity in all aspects of our activities.

We aim to ensure no helper or young person receives less favourable treatment on grounds of age, disability, race, nationality, marital status, and sexual orientation, and class, political or religious belief.

We will ensure all those involved in Junior Up Helly Aa;

- Promote equality and do not participate in negative discrimination
- Do not incite or attempt to incite others to practice direct or indirect discrimination
- Draw attention to any suspected discrimination or practices within the group to enable these to be dealt with appropriately

We undertake to treat all helpers fairly and not to discriminate against them unfairly on the basis of conviction or other information revealed.

We will request an Enhanced Disclosure where it is considered necessary and relevant, making it clear to the individual concerned that we intend to do so.

In considering information about convictions, we will take the following into account when deciding whether an individual can help within the Junior Up Helly Aa group:-

- Whether the conviction or information is relevant
- The seriousness of the offence or information
- The length of time since any particular offence or alleged incident took place
- Whether the individual has a pattern of offending or other unsuitable behaviour
- Whether the individual's circumstances have changed since offending took place

No individual listed as unsuitable to work with children under the terms of the Protection of Children (Scotland) Act 2003 will be allowed to help in Junior Up Helly Aa.

We will ensure that the group running Junior Up Helly Aa are aware of this policy and monitor the success and impact of this policy to ensure the group practice and promote equal opportunities.

Clerk to Lerwick Community Council

From: development.management@shetland.gov.uk
Sent: 09 February 2017 14:21
To: clerk@lerwickcc.org.uk; Planning.Flooding.Drainage.Coastal@shetland.gov.uk
Subject: Planning Consultation 2016/434/PPF

Dear Sir/Madam,

Planning Ref: 2016/434/PPF
Proposal: Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate
Address: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR
Applicant: Mellivora Capensis
Date of Consultation: 9 February 2017

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on development.management@shetland.gov.uk or 01595 744864.

Consultation replies should be sent to: development.management@shetland.gov.uk.

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email development.management@shetland.gov.uk to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid
Executive Manager - Planning Service
Shetland Islands Council
8 North Ness Business Park
Lerwick
ZE1 0LZ

Clerk to Lerwick Community Council

From: development.management@shetland.gov.uk
Sent: 08 February 2017 09:39
To: Planning.Flooding.Drainage.Coastal@shetland.gov.uk;
MarinePlanning@shetland.gov.uk; roads.traffic@shetland.gov.uk; clerk@lerwickcc.org.uk
Subject: Planning Consultations 2017/024/PPF

Dear Sir/Madam,

Planning Ref: 2017/024/PPF
Proposal: Reclamation of foreshore at area known as Tods Buildings, area to be filled with granular material and used to park haulage vehicles and equipment
Address: North Of Lerwick Marina, Gremista, Lerwick, Shetland
Applicant: Mr George Hepburn
Date of Consultation: 8 February 2017

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on development.management@shetland.gov.uk or 01595 744864.

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Iain McDiarmid
Executive Manager - Planning Service
Shetland Islands Council
8 North Ness Business Park
Lerwick
ZE1 0LZ

Clerk to Lerwick Community Council

From: development.management@shetland.gov.uk
Sent: 06 February 2017 14:20
To: Planning.Flooding.Drainage.Coastal@shetland.gov.uk; foodsafety@shetland.gov.uk; clerk@lerwickcc.org.uk; DevelopmentOperations@scottishwater.co.uk; roads.traffic@shetland.gov.uk
Cc: Janet.BarclaySmith@shetland.gov.uk
Subject: Planning Re-Consultation 2015/380/PPP

Dear Sir/Madam,

Planning Ref: 2015/380/PPP
Proposal: Demolition of an existing unused office building and the construction of a new 100 bed hotel (3805 square metres) and new 945 square metre office building, with associated parking
Address: Brevik House , 27 South Road, Lerwick, ZE1 0TG
Applicant: Breiwick Bay Properties Limited
Date of Consultation: 6 February 2017

Re-notification of amendments to planning application 2015/380/PPP – To demolish existing unused office building and construct a new 100 bedroom hotel (3805m²) and new office building (945m²) with associated parking at the Brevik, Lerwick.

The planning application has been amended to remove the proposed office development and to reduce the size of the proposed hotel from 100 bedrooms to 91 bedrooms

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on development.management@shetland.gov.uk or 01595 744864.

Consultation replies should be sent to: development.management@shetland.gov.uk.

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email development.management@shetland.gov.uk to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid
Executive Manager - Planning Service
Shetland Islands Council
8 North Ness Business Park
Lerwick
ZE1 0LZ