



LERWICK COMMUNITY COUNCIL

CHAIRMAN

Mr Jim Anderson
66 Breiwick Road
Lerwick
Shetland ZE1 0DB

Tel. 01595 693540 or 07803 342304
Email: chair@lerwickcc.org.uk

CLERK

Mrs Katrina Semple
Community Council Office
1 Stouts Court
Lerwick
Shetland ZE1 0AN

Tel. 01595 692447 or 07818 266876
Email: clerk@lerwickcc.org.uk

30 August 2011

Dear Sir/Madam

You are requested to attend a meeting of Lerwick Community Council to be held in the Town Hall Chamber, Town Hall, Lerwick at **7.00pm on Monday 5 September.**

The next meeting will be on Monday 3 October 2011.

Yours faithfully

Katrina Semple
Clerk to the Council

LCC Members Literature in Office

No new literature received

BUSINESS

1. Hold the circular calling the meeting as read
2. Apologies for absence
3. Approve minutes of the meeting held on 4 July 2011
4. Business arising from the minutes
5. Police Report
For Information - Breakdown of Crime Classifications
6. Update, St Olaf Street Dentist – Mr Ralph Roberts, Chief Executive, Shetland NHS Board
7. Gremista Biomass Fuel Production Project – Mr Angus Grains, Director, North Fish (Shetland) Ltd
8. Discuss – Adoption of Model Scheme for the Establishment of Community Councils
8.1 Included for Information: Code of Conduct – Current & Community Council Scheme - Current
9. To be approved - Audit of Accounts–Amendment to Community Council Constitution
10. Correspondence
 - 10.1 District Heating, Properties in Lanes – Mr N Martin, District Heating Manager, SHEAP Ltd
 - 10.2 2011/182/PCD to Install 2 no. CCTV cameras at 42 Haldane Burgess Crescent – Mr S Pattie, Development Management Officer, SIC
 - 10.3 Footpath between Fogralea & Murrayston – Mr J C Duncan, Access Officer, Heritage, SIC
 - 10.4 South Lochside Litter Bin, Relocation Request – Mr G MacDonald, Cleansing & Grounds Maintenance Officer, SIC
11. To be approved - Unaudited Financial Accounts for Year End 31 March 2010
12. Financial Report
13. Planning applications
No planning applications received as at 30 August 2011
14. Lerwick applications July & August 2011
15. Any Other Business

MONDAY 4 JULY 2011

At a meeting of LERWICK COMMUNITY COUNCIL held in the Town Hall Chamber, Town Hall, Lerwick, at 7.00pm

Members

Mr J Anderson
Mr A Henry
Mr D Ristori
Ms K Fraser
Mrs K Greaves

Mr A Johnson
Mr S Hay
Mr E Knight
Mrs A Simpson
Mr S McMillan

Ex-Officio Councillors

None present

Additional Co-opted Members

None Present

In Attendance

Mr N Riddell, Shetland Times Reporter
Mrs K Semple, Clerk to the Council

Chairman

Mr J Anderson, Chairman to the Council presided.

11/07/01

Circular

The circular calling the meeting was held as read.

11/07/02

Apologies for Absence

Apologies for absence were received from PS B Gray, Mr J Stewart, Mr W Spence, Mr M Peterson and Miss J Sim.

New Member

The Chairman welcomed Mr Stewart Hay, new Lerwick Community Council member, to the meeting.

11/07/03

Minutes

The minutes of the meeting held on 6 June 2011 were approved on the motion of Mrs A Simpson and seconded by Mr A Henry.

11/07/04

Business Arising from the Minutes

Item 11/06/04 – Knab Viewpoint

The Chairman informed members that the Knab Viewpoint was now complete.

Mr D Ristori commented that it was a pleasure to see so many people making good use of the viewpoint already and he had heard many complimentary comments.

The Chairman stated that unfortunately he was aware of one negative remark but he too had heard many positive comments.

11/07/05

Area Commanders Report – June 2011

The Chairman advised members that it would be the last report from Chief Inspector David Bushell as he was moving on.

Noted

Police Officers on Bicycles

Mrs K Greaves asked if any members had seen any Police officers patrolling the town on bicycles.

Mr S Hay stated that he had seen a Police officer patrolling on his bike the previous Friday.

The Chairman remarked that the idea was excellent and a positive approach to policing.

11/07/06

Police Report

PS B Gray was unable to attend the meeting.

11/07/07

Footpath between Fogralea & Murrayston – Safety Concern

The Chairman informed members that concern had been raised by a resident with regard to the safety of the footpath between Fogralea and Murrayston as it had become very overgrown. He asked if members would be happy for letter to be written requesting that the footpath be reinstated.

Members were in agreement to the Chair's proposal.

(Action: Clerk of the Council)

The Chairman asked the Vice Chairman, Mrs A Simpson, to continue with the meeting whilst he prepared for Agenda item 11/07/08, Land Development Sites – Submitted Site Allocations for Lerwick, which would now be discussed later on in the meeting than scheduled.

11/07/08

Co-operative for the Benefit of the Community – Interim Management Board – Request for Representative to be nominated from Community Council or Community Council Area

The Vice Chairman brought members attention to the fact that the appointment would, as noted in the letter, be time consuming.

No members present at the meeting expressed an interest in the position as representative.

The Vice Chairman asked members to pass on to the Clerk of the Council, the details of anyone in the Lerwick Community Council area who may be interested in the position.

She reiterated that a response was needed on or before 15 July 2011.

(Action: Clerk of the Council)

11/07/09

Correspondence

9.1 Mareel, Provisional Premises Licence Application – Mr B Hill, Depute Clerk to the Licensing Board, SIC

Ms K Greaves noted that the outdoor drinking area was next to the coastal walk. She asked if it would be possible to ask for a plan with regard to where the walk was in relation to Mareel.

The Vice Chairman asked what Mrs K Greaves concern was.

Mrs K Greaves stated that her concern was that people drinking too alcohol much may fall into the sea.

Mr E Knight retorted that many drinking establishments in Lerwick were situated close to the sea and he had never known anyone to fall into the water after drinking too much alcohol.

The Chairman commented that the applicant had to satisfy the Licensing Board and it is incumbent on them to ensure all aspects of public safety are considered.

Mrs K Greaves advised she would write herself to ask for copy of the plan.

Having prepared the viewing equipment, the Chairman thanked the Vice Chairman for standing in and he chaired the remainder of the meeting.

11/07/10

Land Development Sites – Submitted Site Allocations for Lerwick

In order to assist members to make their comment the Chairman displayed, on a large viewing screen, each site submitted as a proposed development site.

Mr A Johnson declared a financial interest.

Site Number 007

Location of Site – Decca Station

No objections

Site Number 011

Location of Site - Clickimin

Objection

To be protected from development as noted in the Lerwick Community Council Area Statement

Site Number 114f

Location of Site – Dales Voe

No objections

Site Number 013

Location of Site – Tagdale

No objections

Site Number 029a

Location of Site – Blackhill Industrial Estate

No objections

Site Number 029b

Location of Site – Gremista Industrial Estate

No objections

Site Number 029c

Location of Site – Gremista Industrial Estate

No objections

Site Number 029d

Location of Site – Rova Head

No objections

Site Number 029e

Location of Site – Blackhill Industrial Estate

No objections

Ms K Fraser asked if it would be relevant at this point to note that part of the area would be ideal for a park and ride car park.

The Chairman agreed and asked the clerk to write separately to Heather Taylor, Planning Officer, SIC with the suggestion.

(Action: Clerk of the Council)

Site Number 029f

Location of Site – Port Business Park

No objections

Site Number 031s

Location of Site – Staney Hill

No objections

Site Number 031t
Location of Site – Staney Hill
No objections

Ms K Fraser asked if it could be reiterated that any proposed housing should be carefully planned to include footpaths and viewpoints.

The Chairman agreed and asked the clerk to write separately to Heather Taylor, Planning Officer, SIC affirming the request.
(Action: Clerk of the Council)

Site Number 031u
Location of Site – Norstane
No objections

Site number 031v
Location of Site – Gremista Industrial Estate
No objections

Site Number 042a
Location of Site – Staney Hill
No objections

Site Number 042b
Location of Site – Staney Hill
No objections

Site Number 043d
Location of Site – Oxlee
Objections

No development 100m of MHWS (In Plan). Proposal form and highlighted map previously submitted to Heather Taylor, Planning Officer, SIC.

Any housing should be limited in order to preserve green space as an amenity for the area.

Site Number 043f
Location of Site – Lerwick Observatory
No objections

Site Number 114a
Location of Site – Gremista Industrial Estate
No objections

Site Number 114b
Location of Site – Kirkabister
No objections

Site Number 114c
Location of Site – Rova Head
Objections

No development 100m of MHWS (In Plan). Proposal form and highlighted map previously submitted to Heather Taylor, Planning Officer, SIC.

Site Number 114d
Location of Site – Rova Head
Objections

No development 100m of MHWS (In Plan). Proposal form and highlighted map previously submitted to Heather Taylor, Planning Officer, SIC

Site Number 114e
Location of Site – North Hoofields
No objections

Site Number 031o
Location of Site – Oxlee
Objections

No development 100m of MHWS (In Plan). Proposal form and highlighted map previously submitted to Heather Taylor, Planning Officer, SIC.

Site Number 031p
Location of Site – Ness of Sound
Objection

As noted by email to Heather Taylor, Planning Officer, SIC, on 21 March 2011 this area should be protected from development for agriculture; failing that, a recreational area.

Site Number 043a & 031q
Location of Site – Lower Sound
No objections

Site Number 031r
Location of Site – Seafield
Objections

No development 100m of MHWS (In Plan). Proposal form and highlighted map previously submitted to Heather Taylor, Planning Officer, SIC.

Site Number 031w
Location of Site – Anderson High School
No objections

Site Number 043b
Location of Site – Lower Sound
Objection

No development 100m of MHWS (In Plan). Proposal form and highlighted map previously submitted to Heather Taylor, Planning Officer, SIC.

Site Number 043c
Location of Site – Ness of Sound
Objection

No development 100m of MHWS (In Plan). Proposal form and highlighted map previously submitted to Heather Taylor, Planning Officer, SIC.

Site Number 043e
Location of Site – Nordavatn
No objections

Site Number 095
Location of Site – Lower Sound
No objections
(Action: Clerk of the Council)

11/07/11

Correspondence Continued

11.2 District Heating Scheme – Mr N Martin, District Heating Manager, SHEAP Ltd
Mrs A Simpson pointed out that the letter did not answer her question regarding when people living in the Lanes could be connected to the district heating scheme. She asked if SHEAP had any obligation to connect to residences in Lerwick's Lanes.

Mr E Knight, formally a director of SHEAP for four years, stated it was an amazing scheme. He praised members of the public both in and out with Lerwick for their patience while waiting for the opportunity to be connected.

He stated that those who did have district heating were subsidised by those who did not and he thought it unlikely that people living out with the town would have the opportunity to be connected.

He thought it a great pity that heat from the power station was not in use.

Mrs K Greaves asked if people living in the country could not be compensated by being offered grants for solar panels or something similar to be installed.

Mr S McMillan informed members that he had district heating. Initially the cost was around £1 per day, a good saving. Lately he found that the cost was more around £6 - £7 and was no longer cheap.

The Chairman noted the scheme made good use of waste, saving costs in having it transported from Shetland.

Mr S McMillan asked if there was any way to make use of the immense waste of heat from Sullom Voe, could it be transported to Lerwick.

The Chairman stated it would not be economically viable and it would be better for residences closer to Sullom Voe to benefit.

Mrs A Simpson wondered if SHEAP intended to connect the Lanes to district heating once the wind turbines were up and in use.

The Chairman noted he would be surprised if SHEAP did volunteer to connect the Lanes as it would be a logistical nightmare.

He asked the Clerk of the Council to write again to SHEAP and request specific information on when and if the Lanes will be connected to district heating.

(Action: Clerk of the Council)

11.3 Shetland Museum & Archives, External Maintenance Concerns – Mr J Moncrieff, General Manager, Shetland Amenity Trust

Noted

11.4 Small Events in King George V Playing Fields – Mr M Malcolmson, Leisure Facilities Officer, SIC

Noted

11.5 Bulky Waste Collection – Graeme MacDonald, Cleansing & Grounds Maintenance Officer, SIC

Noted

11/07/12 **Financial Report**

Noted

11/07/13 **Planning Applications**

13.1 2011/173/PCD Extension and Alterations to Residential Care Homes, Edward Thomason House & Taing House, Seafield Road, Lerwick

No objections

(Action: Clerk of the Council)

11/06/14 **Lerwick Applications June 2011**

PL 2011/182 To install 2 x CCTV cameras

Mrs K Greaves raised concern with regard to the privacy of residents and visitors of surrounding houses.

Mr S McMillan advised that the camera could only record one fixed point, the owners own driveway.

Mrs A Simpson added that neighbouring consent had been requested and given.

The Chairman asked the Clerk of the Council to write and ensure that the cameras would be installed in fixed position and trained only on the owner's property.

(Action: Clerk of the Council)

11/06/15

Any Other Business

11/06/07 Correspondence Item 7.1

Mr S McMillan stated that it may be perceived that there were enough litter bins but they were not in the correct places.

He suggested that the litter bin at the bus stop near the Tesco roundabout be moved a quarter ways up the car parking area.

The Chairman agreed to Mr S McMillan's suggestion and asked the Clerk to write back to Mr Jonathan Emptage, Cleansing Services Manager, SIC.

(Action: Clerk of the Council)

Eric Gray Centre – Open Invitation

The Chairman informed members that Connie Russell, Manager, Eric Gray Services would welcome any member who wished to visit the Eric Gray Centre and satellite base at ASN. He asked anyone interested to contact the Clerk of the Council who would advise them of the visiting hours.

Ms A Simpson informed members that she had visited Eric Gray Centre during the open day and she found Ms Russell to be very friendly. Although staff were doing their best, it was clear that a new building was needed before any new clients could be accommodated.

Letter of Thanks re Consultation on Proposals for Modernising HM Coastguard - Sophie Turner, Consultation Team, Maritime & Coastguard Agency

The Chairman read out a letter of thanks, from the Maritime & Coastguard Agency regarding the letter of support from Lerwick Community Council. The letter had arrived too late to be included in the agenda.

Noted.

There being no other competent business the meeting closed at 8.25pm.

MR J ANDERSON
CHAIRMAN
LERWICK COMMUNITY COUNCIL

NOT PROTECTIVELY MARKED

Class 1

- 1 Murder
- 2 Attempted Murder
- 3 Culpable Homicide
- 4 Serious Assault
- 6 Robbery and assault with intent to rob
- 7 Threats and Extortion
- 8 Cruel and Unnatural Treatment of Children
- 9 Abortion
- 10 Concealment of Pregnancy
- 11 Miscellaneous

Class 2

- 12 Incest
- 13 Unnatural Crimes
- 14 Rape
- 15 Assault with intent to rape or ravish
- 16 Indecent Assault
- 17 Lewd and Libidinous Practices and Indecent Exposure
- 18 Procuration and Other Sexual Offences

Class 3

- 19 Housebreaking
- 20 Opening Lockfast Places
- 21 Prevention of Crimes and Vagrancy
- 22 Theft
- 23 Reset
- 24 Breach of Trust and Embezzlement
- 25 Fraud (including Statutory Fraud)
- 26 Forgery and Uttering (excluding Currency Offences)
- 27 Bankruptcy
- 29 Clandestine Removal
- 30 Corruption
- 31 Other Crimes of Dishonesty

Class 4

- 32 Fire-raising
- 33 Vandalism, reckless damage and malicious mischief
- 34 Other Class 4 crimes

Class 5

- 35 Crimes against the state
- 36 Crimes against Public Order
- 37 Prevention of Terrorism Acts
- 38 Explosives
- 39 Crimes against Public Justice (non-court)
- 40 Crimes against Public Justice (court)
- 41 Conspiracy
- 42 Sacrilege
- 43 Wrecking Piracy and Hijacking
- 44 Offensive Weapons
- 45 Drugs

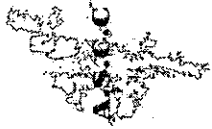
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Class 6

- 46 Aliens and Immigration Offences
- 47 Betting Gaming and Lotteries
- 48 Disorderly Conduct
- 49 False/Hoax Calls
- 50 Brokers (Licensed) and Auction Acts
- 51 Children
- 52 Offences Involving Animals/Plants
- 53 Crossbow Offences
- 54 Energy
- 55 Keeping and Supply of Explosives
- 56 Firearms, Miscellaneous Offences
- 57 Fisheries
- 58 Game Laws
- 59 Harbour Acts
- 60 Obscene Material and Sex Shop Offences
- 61 Drunkenness
- 62 Offences by Licensed Persons
- 63 Other Offences Against Liquor Licensing Laws
- 64 Labour Laws
- 65 Mines Acts
- 66 Shops Acts
- 67 Social Security Offences
- 68 Merchant Shipping Acts (not elsewhere class'd)
- 69 Naval Military and Air Force Laws
- 70 Parks etc
- 71 Pawnbrokers, Dealers, Firearms Offences
- 72 Pedlars Act & Off Against Certificates Issued by Local Auth
- 73 Civic Government (S) Act 1982 & Similar Provisions
- 74 Public Health and The Environment
- 75 Medical
- 76 Railways
- 77 Registration Acts
- 78 Revenue and Excise Offences (Excluding Vehicle and Drugs)
- 79 Bicycles
- 80 Offences Relating to Pedestrians
- 81 Offences relating to roads and road works
- 82 Stage and Hackney Carriages Regulations
- 83 Trespass Acts etc
- 84 Consumer Protection
- 85 Post Office, Telecommunications & Data Protection
- 86 Other Offences

NOT PROTECTIVELY MARKED



Association of Shetland Community Councils

Market House, 14 Market Street, Lerwick, ZE1 0JP

If calling ask for:
Kate Massie, Administration Assistant
Direct Dial: 01595 743906
email: asce@shetland.org

4th July 2011

Mr James Anderson
Chairman
Lerwick Community Council
66 Breiwick Road
Lerwick

Dear Mr Anderson

Model Scheme for the Establishment of Community Councils

Please find enclosed the following documents:

- Draft Minute ASCC/SIC Joint Liaison Group Meeting 15/10/10
- Model Scheme for the Establishment of Community Councils
- Report from Mr Jan Riise, Head of Service, SIC Legal & Admin

As you will see from the enclosed documents it was agreed at the JLG meeting in October 2010 that ASCC undertake a review of our Member's views as to whether they wish to adopt the Model Scheme published March 2009 or retain the Model Scheme and Code of Conduct already used by Shetland Community Councils.

As Mr Riise states in his report "*We should bear in mind that the potential objective of the review was to bring into line those Councils whose schemes were substantially deficient. The scheme in place in Shetland seemed to meet or exceed most of the standard requirement from the outset.*"

Essentially I need your Community Council to say whether or not they wish to adopt the aforementioned Model Scheme or to continue with the Model Scheme currently in place.

To enable me to deliver a report at the next JLG meeting, which it is hoped will take place early September 2011; I would be grateful if you could discuss this at your next Community Council meeting and forward the outcomes to me.

8.

If you require further information please do not hesitate to be in touch.
Thank you for your assistance with this and I look forward to hearing from you.

Yours sincerely

Kate Massie
Administration Assistant

cc Mr Jim Gear, ASCC Chairman
Mr Laurence Odie, ASCC Vice Chairman
Mr Jan Riise, Head of Service SIC Legal & Admin
Mrs A Cogle, Administrative Services Manager, SIC Legal & Admin
Mrs C Hughson, Executive Officer, Voluntary Action Shetland (VAS)
All Community Council Clerks

Encl

Association of Shetland Community Councils/Shetland Island Council Joint Liaison Group (ASCC/SIC JLG)

Minute of a meeting of the ASCC/SIC JLG held on Friday 15th October 2010 at 11.30pm in the Conference Room, Market House, Lerwick

Present

ASCC Members

Mr J Gear, ASCC Chairman (JLG Chairman)
Mr Bobby Hunter, ASCC Vice Chairman
Mr Donald Robertson – South Mainland
Mr Jim Anderson – Lerwick
Mr Robert Nicolson – West Mainland
Mr Dan Thomson – North Isles

SIC Members

Convenor Sandy Clunness (JLG Vice Chairman)
Cllr Bill Manson – Shetland North
Cllr A Hughson – Shetland Central
Cllr A Duncan – Shetland South
Cllr C Smith – Lerwick South

In Attendance

Mrs C Hughson, Executive Officer, Voluntary Action Shetland
Mrs A Cogle, Service Manager – Admin, SIC Legal and Admin
Mr P Peterson, Policy Manager, SIC Communications Team
Ms H Tait, Service Manager - Management Accountancy, SIC Finance
Ms A Hughes, Assistant Accountant, SIC Finance
Mrs K Massie, ASCC Administration Assistant (note taker)

The Chairman welcomed everyone to the meeting and apologised for his slight lateness due to delay of his flight from Foula.

JLG/10/01

APOLOGIES

Apologies for absence were received from Cllr Gary Robinson, Community Cllr Mr John Priest, Community Cllr Mr Addie Doull and Mr Jan Rise, Head of Service, SIC Legal and Admin.

JLG/10/02

MINUTES OF THE PREVIOUS MEETING

The minute of the meeting held on Friday 4th September 2009 were approved.

Proposed – Mr Jim Anderson, seconded – Mr Donald Robertson.

JLG/10/03

MINUTE OF ASCC MEETING HELD ON 17/04/10

The minute of the ASCC meeting held on 17th April 2010 was noted by the Members.

JLG/10/04

MODEL SCHEME OF ESTABLISHMENT OF COMMUNITY COUNCILS

Mrs Anne Cogle circulated a memo to the Members.

In the memo Mr Jan Rise pointed out that the adoption (or otherwise) of Scotland Model Schemes had been discussed on several occasions by both ASCC and JLG Members. He went on to say that he had difficulty identifying wide enthusiasm for amendment in the few areas where there are differences proposed between the schemes we have already in place, including the Code of Conduct for Shetland Community Councillors, and those proposed on the mainland. We should bear in mind that the potential objective of the review was to bring into line those Councils whose schemes were substantially deficient. The scheme in place in Shetland seemed to meet or exceed most of the standard requirements from the outset. Very few Local Authorities across Scotland have adopted all of the provisions of the model documents, some have made partial changes and a large number are not taking forward any review to implement changes at this time.

Mr Rise concluded that SIC is not currently under any pressure to take this matter forward and is of the view that SIC has a range of other priorities at the moment and would not be justified in giving this significant attention in the near future. What Mr Rise would propose is that the ASCC undertake a review of their member's views as to which elements of the scheme, from their perspective, would merit change and depending on the result we could then take that forward to SIC as a request for modification to the SIC scheme and any supporting documents. SIC can then proceed based on a proposal that has universal or at least majority support from our major stakeholders, the Community Councils themselves, and that of the ASCC whose role it is to bring forward such a consensus if it can be found among their members.

The Members discussed Mr Rise's comments and agreed that ASCC should proceed with review of the model scheme and related documents.

Action: Kate Massie

Mrs Cogle gave an update on Community Council elections and told Members that there would be a review of the CC election scheme in 2011.

JLG/10/05

COMMUNITY COUNCIL BUDGETS

The Chairman said that SIC had implemented changes to Community Council budget without any prior consultation with ASCC and he pointed out that this was in breach of the conditions of the Shetland Compact, which SIC had signed up to.

Ms Hazel Tait said that they would change the process for the next financial year to ensure that if there were any proposed changes to the Community Council budgets there would be consultation with all relevant parties. The Chairman said that proposal should have been put to the JLG. Both Ms Tait and Mr Sandy Cluness agreed to this and apologised for not consulting with Community Councils and ASCC about the change made to CC budgets and grant application forms.

Mr Bobby Hunter pointed out that SIC must adhere to the ideal of the Shetland Compact he also asked if the level of cuts was necessary. Ms Tait said that SIC had quite a substantial gap to close to meet budget requirements.

Mr Anderson said that in some cases CC budget had been cut by 40% and he wondered if any actual savings had been made with cutting the CC budgets. He said there did not appear to be any cuts made within the SIC departments. He also asked if there had been an impact analysis done prior to the cuts being made.

Mr Andrew Hughson said that there had been cuts made to Scalloway College budget. Mr Bill Manson said SIC have made savings of 30% on some of their budgets which includes school closures.

Mr Cluness said that SIC are looking at making further cuts and it might be an idea for ASCC/SIC JLG to meet sometime in February 2011. Mr Anderson said that if SIC were contemplating more cuts they must take into account the cuts already made to the CC budgets for 2010/11. The Chairman pointed out that CCs in Shetland have staffing costs i.e. employing a clerk; he also said that it was SIC who set up the ASCC Scheme and they must remember that CCs provide good value for money. If the work which is carried out by CCs was done by SIC it would cost more as more staff and departments would be required. Mr Dan Thomson said that the cost of employing a clerk would probably rise. Ms Tait said that there would be no salary increase in the next year.

Mr Anderson would like to see three year budget allocation. Ms Tait said that this is something the SIC are working toward but they have to get things "sorted" this year and next year before three year budget allocation could be considered.

JLJG/10/06 LOCAL SERVICE DELIVERY GROUP (LSDG)

Mrs Hughson said that this item was discussed at the ASCC meeting on 2nd October and the general consensus of Members at that meeting was that LSDGs should cease.
Mr Manson said that the feeling in North Mainland was the same, although support could be offered to other areas in Shetland that find LSDG are working.

12pm – Mr Manson left the meeting.

Mr Cluness said that LSDG were probably meant for larger regions than Shetland.

Mrs Cogle said that SIC will refer this item to the Policy Unit. ASCC/SIC JLG will await the outcome.

Action: Kate Massie & Anne Cogle

JLJG/10/07 AOCB

JLJG/10/07.1 Community Council Elections

Mrs Cogle circulated the Notice of Poll and press release on the upcoming CC Elections.

There were no questions from the Members.

Mr Bobby Hunter said that he thought the elections had been poorly advertised. Mrs Cogle said she will take that on board. Mrs Cogle went on to say that all issues raised regarding the CC Election scheme are being looked at and considered for review.

JLJG/10/07.2 Equalities Act

The following information was circulated to members – *Most of the Equality Act 2010 on 1st October 2010. Some of the duties in the Act apply to Community Councils in Scotland. In particular there is intended to be a new Public sector equality duty regarding socio-economic inequalities – the "general duty" – which will apply to any organisation carrying out public functions with regard to those functions. In addition, public authorities can be listed at schedule 19 of the Equality Act and those that are will be subject to the duty for all their functions.*

Further specific duties can be placed on public authorities to enable the better performances of the general duty. Scottish Ministers intend to make some additions to the list of bodies covered by the general duty, and impose further specific duties on some Scottish public authorities.

The Scottish Government is consulting on detailed proposals for the draft regulations and orders relating to the public sector duty:

- *The list of Scottish public authorities to be made subject to the general duty*
- *The list of Scottish public authorities to be made subject to specific duties*
- *The content of the specific duties, which are intended to enable the better performance of the general duty*
(<http://www.scotland.gov.uk/Publications/2010/09/13/0948278/0>) *it is inviting written responses to be submitted to it by 26th November 2010.*

SIC will keep ASCC informed about Equalities Act and update them on any action that will be required by Community Councils.

JLG/10/08

DATE OF THE NEXT MEETING

The date of the next meeting will be scheduled when there is relevant business and once scheduled the date will be circulated to the Group.

The Chairman thanked everyone for attending.

The meeting closed at 1.05pm

MODEL SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS IN SCOTLAND

1. Introduction

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government etc. (Scotland) Act, 1994, which produced the current system of unitary local authorities, made provision for the continuation of community councils. Under the legislation, every local community in Scotland is entitled to petition their local authority to establish a community council in their area.

The Model Scheme for Community Councils in Scotland is designed to enable the establishment of community councils across Scotland to provide a common minimum basic framework governing their creation and operation.

2. Statutory Purposes

The statutory purposes of community councils established under the Model Scheme are set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -

"in addition to any other purpose which a community council may pursue, the general purpose of a community council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable"

3. The Role and Responsibilities of Community Councils

The general purpose of community councils is to act as a voice for their local area. This will involve them articulating the views and concerns of local people in their area on a wide range of issues of public concern and make representations to their local authority, other public sector bodies and private agencies on matters within their sphere of interest.

It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the community council will have in place, in consultation with the local authority, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sectors of the community.

Community councils have a statutory right to be consulted on planning applications. Licensing matters and any other matters may also be jointly agreed between community councils, the local authority and other public sector and private agencies.

Community councils may carry out other activities that are in the general interests of the communities they represent, provided these activities fall within the objects of their Constitution and the terms of the Council's Scheme for the Establishment of Community Councils.

There should be mutual engagement in the establishment of working relationships with the local authority and other agencies.

In carrying out their activities community councils must at all times adhere to the law, the terms of the Council's Scheme for the Establishment of Community Councils and the Community Councillors' Code of Conduct.

Each community council is required to adopt a Constitution, based upon the Model Constitution (Appendix I), which has been produced for national use, together with Model Standing Orders (Appendix II), to encourage and maintain consistency for all community councils and to facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. The community council's Constitution is required to be approved by the local authority.

Community councils have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad spectrum of opinion and interests of all sections of the community. In order to fulfil their responsibilities as effective and representative, community councils shall: -

- Inform the community of the work and decisions of the community council by posting agendas and minutes of meetings in public places, such as libraries and notice boards and, subject to the provisions contained within the Data Protection Act 1998, provide contact details of community council members.
- Agendas and draft minutes of community councils' meetings must be presented to the local authority within 14 days from the date of that meeting and be circulated to community council members, relevant elected members and other interested parties.
- Seek to broaden both representation and expertise by promoting the Associate Membership of the community council of persons for specific projects/issues.

- Make particular efforts to encourage young people and other under-represented groups to attend/participate in community council meetings and to ensure equality of opportunity in the way the community council carries out its functions.
- Maintain proper financial records and present financial reports at community council meetings. An example of a standard format for community councils' financial record-keeping is featured in the Guidance Notes accompanying the Model Scheme.
- Inform the local authority of any change in membership (resignations, Associate Membership, etc.) and circumstances, as soon as is practicable.

4. **Community Council Areas within Local Authority Areas**

The local authority has produced a list of named community council areas and a map or maps that define their boundaries. The list of community areas is attached as Appendix III to the Scheme.

5. **Membership of Community Councils**

There shall be minimum and maximum membership numbers of elected community councillors in a community council. Due to the diverse nature of local authority areas, where there may be areas of sparse population relative to geographical disposition, such as island communities, each local authority may set its own formula for the definition of a minimum and maximum number of community council members in any community council area.

The minimum age to stand for election as a community councillor is 16 years. Qualification for membership is by residency within the specific community council area. Community councillors and candidates for community council membership must also be named on the electoral register for the community council area in which they reside. There shall be provision made for non-voting Associate Membership for purposes as defined by each community council. For example, for persons under 16 years of age. Such persons will not be counted in terms of meeting a quorum, or towards the total number of community council members.

Elected members of the local authority and members of the Scottish, United Kingdom and European Parliaments are entitled to become *ex-officio* members of community councils, with no voting rights. A broad outline of the remit and responsibilities of each of these institutions is featured in the Guidance Notes accompanying the Model Scheme.

6. **Establishment of Community Councils under the Model Scheme**

Upon the local authority's revocation of its existing Scheme for the Establishment of Community Councils and decision to make a new Scheme, it shall publish a Public Notice, which shall invite the public to make suggestions as to the areas and composition of the community councils. Thereafter, a consultation process shall be undertaken prior to its formal adoption by the local authority.

7. **Community Council Elections**

Eligibility

Candidates wishing to stand for election to a community council must reside in the local area and be named on the Electoral Register for that area. The same criteria shall apply to voters in a community council election.

Sixteen and 17 year-olds residing in the community council area and named on the Electoral Register for that area are also entitled to both stand for the community council and vote in any election. A supplementary electoral register may be compiled in circumstances relative to 16 and 17 year-olds and for new residents.

Any community council member who no longer resides within that community council area is deemed to have resigned from that community council.

Any individual who is elected to serve on this local authority, or the Scottish, UK or European parliament shall be ineligible to remain a community councillor, or to stand for election to a community council. Such persons, upon taking office, become *ex-officio* members of the community councils contained in whole or in part of their electoral constituency.

Nominations and Elections

The first elections to be held under the Scheme shall be held on a date to be determined by the local authority.

Subsequent elections will be held on a four-yearly-cycle, outwith local government election years, on dates to be determined by the local authority. Where the number of established community councils exceeds a level to be determined by the local authority, elections for a proportion of the total number of established community councils within the 4-yearly cycle may be arranged. Should community councils' election cycle fall in the year of Scottish local government or parliamentary elections, the electoral proceedings will be held in the following year.

The local authority will administer all elections.

Returning Officer

The local authority will appoint an Independent Returning Officer. The Independent Returning Officer must not be a current elected member of that community council nor intending to stand for election to that community council.

Nominations

Individuals seeking election to a community council require to be nominated by a proposer and seconder, both of whom must be on the Electoral Register for that community council area. Nominations require to be submitted with the candidate's consent. Self-nomination is not permitted.

A nomination form should be completed, the style of which will be described within the Guidance Notes. Nomination forms require to be submitted on the date set down in the election timetable. No nomination forms submitted after that date will be accepted.

Process

On the expiry of the period for lodging nominations:

1. Should the number of candidates validly nominated equal or exceed **HALF**, but be less than or equal to the total maximum permitted membership as specified for the community council area in Appendix IV of the Scheme, the said candidates will be declared to be elected and no ballot shall be held.
2. Should the number of candidates validly nominated exceed the total maximum permitted membership as specified for the community council area, arrangements for a Poll shall be implemented. At the Poll, each voter shall be entitled to vote for candidates up to the number of vacancies on the community council.
3. Should the number of candidates elected, be below **HALF** of the total maximum permitted membership, as specified for the community council area, no community council will be established at that time. However, that does not preclude the local authority from issuing a second call for nominations for a community council area failing to meet the minimum membership requirement within 6 months of the closing date for the registration of the first call for nominations.

Method of Election

Elections will be based on whole local authority areas or devolved administrative areas, as deemed appropriate. Ideally, elections will take place across whole local authority areas at one time. However, large local authorities may need to take an incremental approach to elections across their area, over a specified period of time or cycle. Community councils shall be elected on a simple majority basis.

Filling of casual places/vacancies between elections

Casual vacancies on a community council may arise in the following circumstances:

- When an elected community council member submits her/his resignation;
- When an elected community council member ceases to be resident within that community council area;
- When an elected community council member has her/his membership disqualified (Clause 9).

Should a vacancy or vacancies arise on a community council between elections, it shall be a requirement that the community council undertake appropriate election arrangements, in consultation with the local authority. Filling a vacancy can be undertaken either through the process of an interim election or by co-option. However, should circumstances arise that lead to the number of elected community councillors falling below **HALF** of the maximum permitted membership, the local authority shall be informed and shall undertake arrangements for an interim election to be held, as described within the Guidance Notes.

Co-option to Community Councils

Co-opted members must be eligible for membership of the community council as detailed in Section 5 of the Community Council Scheme. They must be elected onto the community council by a two-thirds majority of the elected (general and interim) community councillors present and voting. Such co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections (general and interim). Notice of any proposed co-option procedure is required to be intimated to all of that community council's members at least 14 days prior to the meeting when the matter will be decided.

The number of co-opted members may not exceed a **THIRD** of the current elected (general and interim) community council membership. Should the ratio of co-opted to elected community councillors become greater than one third, due to any circumstances, an interim election process shall be triggered.

Additional Memberships

Associate Members

Associate members may be appointed by a community council where there may be a need for individuals with particular skills or knowledge. These individuals do not have voting rights. Associate members may serve for a fixed period as determined by the community council or for the term of office of the community council that has appointed them. Associate members may also include representation from other constituted local voluntary organisations.

Ex-Officio Members

Local Authority Councillors, MPs, MSPs and MEPs whose wards or constituencies fall wholly or partly within the geographical area of the community council area shall be deemed ex-officio members of the community council. Ex-officio members shall have no voting rights on the community council.

8. Equalities

Recognition should be given to the contribution of everyone participating in the work of the community council. Community councils must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

9. Disqualification of Membership

Membership of a community council is invalidated should a community councillor's residency qualification within that community council area cease to exist. If any member of a community council fails to attend any community council meeting, with or without submitting apologies, throughout a period of 6 months, the community council may terminate their membership. At the discretion of individual community councils, a period of leave of absence for community council members may be granted at any meeting of the community council.

10. Meetings

The first meeting of a community council following a community council election, will be called by an Independent Returning Officer approved by the local authority and will take place within 21 days of the date of the election, or as soon as practicable thereafter. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing community council.

The frequency of meetings will be determined by each community council, subject to a minimum of one annual general meeting and 6 ordinary meetings being held each year. The annual general meeting shall be held in a month of each year to be determined by the local authority.

The quorum for community council meetings shall be one third of the current voting membership of a community council, or 3 voting members, whichever is the greater.

An outline for the content of business that community councils should adhere to when holding ordinary, special and annual general meetings is contained within the Model Standing Orders.

11. Liaison with the Local Authority

In order to facilitate the effective functioning of community councils, the local authority has identified an official to act as a Liaison Officer with community councils. 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.

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.

Community councils shall provide copies of their agendas and minutes within prescribed timescales to the Council via the local authority's named official.

12. Resourcing a Community Council

The financial year of each community council shall be provided for in the constitution of each community council and shall be from **(to be determined by the local authority)** to **(to be determined by the local authority)** in each succeeding year to allow for the proper submission of audited statement of accounts to the community council's annual general meeting on a specified date.

The Annual Accounts of each community council shall be independently examined by at least two examiners appointed by the community council, who are not members of that community council. A copy of the independently examined statement of accounts/balance sheet shall be forwarded immediately thereafter the statement is approved at the community council's annual general meeting, to a named official of the local authority.

The named official may, at their discretion and in consultation with the Council's Chief Financial Officer, require the community council to produce such records, vouchers and account books, as may be required.

Each community council shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions.

Each community council shall be eligible to apply for grants for suitable projects through the local authority's grant system.

The local authority may provide an initial administrative grant to community councils to assist with the operating costs of the community council. The grant shall be fixed at a minimum flat rate of £ (to be determined by the local authority) with an additional minimal -p. (to be determined by the local authority) per head of population.

The local authority shall determine any additional support services/resourcing, such as: photocopying and distribution of community council minutes, agendas and free lets of halls for community council meetings, to suit local requirements. The local authority will review the level of annual administrative grant and other support to community councils following each local government electoral cycle.

The local authority's Liaison Officer shall facilitate advice and assistance to community councils and arrange for the establishment of a training programme for community councils on the duties and responsibilities of community council office bearers, the role of community councils, the functions of the local authority and other relevant topics.

13. Liability of Community Council Members

A national scheme of insurance liability cover has been arranged. The insurance liability cover becomes effective upon the local authority advising the insurance underwriter of the establishment of a community council.

14. Dissolution of a Community Council

The terms for dissolution of a community council are contained within the Model Constitution.

Notwithstanding these terms, should a community council fail to hold a meeting for a period of 3 consecutive prescribed meeting dates, or its membership falls below the prescribed minimum for a period of 3 consecutive prescribed meeting dates (during which time the community council and the local authority have taken action to address the situation), the local authority shall take action to dissolve that community council.

MEMO

To: Anne Cogle

From: Head of Legal and
Administration

If calling please ask for
Jan R Riise
Direct Dial: 744551

Date: 14 October 2010

Medium: Paper
Your Ref:
Our Ref: JRR/SS

Attendance at ASSC/SIC Joint Liaison Group

Attendance on Friday

Anne, as discussed, I cannot attend this meeting because of a meeting of the Council's Extended Management Team which was superimposed on my diary and has to take precedence. I am grateful that you have agreed to attend in my stead, even though that compromises your hoped-for leave arrangements. Please tender my apology prior to and at the meeting.

Finance

This is, of course, a burning issue for Community Councils and our Head of Finance. Given the rescheduling of the management team meeting, and the Council's own issue with budgets for this year and on into the future, Graham Johnston will also be required to address the Management Team. It is inconceivable that Graham Johnston will himself be able to attend the ASSC meeting. It may be that Kate has already made arrangements directly with Finance for alternative attendance, but I do not know that is the case and I should be grateful if you would ensure that she takes this matter up with Graham Johnston, immediately.

Position Regarding Elections

You will be able to give an update on the candidature following the close of nominations, at Friday's meeting. It is clear to me on looking at the provisional position that some Community Councils and / or communities have been more receptive than others in terms of the nomination process so that there is in these cases a sufficiency of candidates for the available seats. In other cases vacancies will necessitate the running of a by-election in February next year, which will, as with previous years, hopefully result in further candidates coming forward to fill any vacant seats. If not, in terms of our scheme, Community Councils can then proceed to co-opt. For some of those Community Councils with limited numbers of candidates who will be declared as Community Councilors formally on 18th November, there may be a need for them to be mindful of the need for full attendance to avoid problems with attaining a quorum whenever they meet. I am conscious that between 18th November and February, there may, in any event, be relatively few meetings of Community Councils given the Christmas and New Year holiday period etc.

Be aware that discussion of Conduct of Election issues arose at the last ASSC meeting and the liaison group might receive an outcome from the debate held then regarding any amendments that the association might wish to see in relation to the conduct of elections –

counter signature of nomination forms being but one example. That takes me neatly on to the next item.....

Adoption (or otherwise) of Scotland Model Schemes

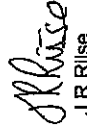
This item keeps coming up although on each occasion when I have addressed the association on the subject there seems to have been little appetite for change. In spite of the chair inviting contributions from members on issues of common interest, I have had difficulty identifying wide enthusiasm for amendment in the few areas where there are differences proposed between the schemes we have already in place, including the Code of Conduct for Sheilard Community Councilors, and those proposed on the mainland. We should bear in mind that a potential objective of the review was to whip into shape Councils whose schemes were substantially deficient before this review process was commenced. Our schemes seemed to meet or exceed most of the standard requirements from the outset.

You have also surveyed the uptake of a majority of Local Authorities across Scotland. As I understand it, very few have adopted all of the provisions of the model documents, some have made partial changes and a large number are not taking forward any review to implement changes, at this time.

I conclude that Sheilard Islands Council is not currently under any pressure to take this matter forward. I am of the view that the Council has a range of other priorities at the moment that would not justify giving this significant attention, in the near future.

What instead I would propose is that the association undertake a review of their member's views as to which elements of the scheme, from their perspective, would merit change and depending on the result we could then take that forward to the Council as a request for modification to the Council scheme and any supporting documents. We can then proceed based on a proposal that has universal or at least majority support from our major stakeholders, the community councils, themselves, and that of the Association whose role it is to bring forward such a consensus if it can be found among their members.

On my behalf, I should be grateful if you would make it clear to those present at Friday's meeting that in the absence of such an initiative from the Association that it will be extremely difficult for us to justify given this matter our attention in the foreseeable future.


J R Riise

CODE OF CONDUCT FOR COMMUNITY COUNCILLORS

Key Principles of the Code of Conduct

The general principles upon which this code of conduct is based are:

Duty

You have a duty to uphold the law and act in accordance with the law and public trust placed in you. You have a duty to act in the interests of the Community Council and the communities served by it, and a duty to be accessible to the public of the area which you have been elected to serve and to represent their interests conscientiously.

Selflessness

You have a duty to take decisions solely in terms of the public interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.

Accountability and Stewardship

You are accountable for your decisions and actions in public. You have a duty to consider issues on their merits, taking account of the views of others, and you must ensure that the Community Council uses its resources prudently and in accordance with the law.

Openness

You have a responsibility to be as open as possible about your decisions and actions.

Integrity and Honesty

You have a duty to act honestly. You must declare any private interests and take steps to resolve any conflicts arising in a way that protects the public's interest.

Leadership

You have a duty to promote and support these principles by leadership and example, and to maintain and strengthen the integrity of the Community Council.

Respect

You must treat with due respect and courtesy all other Community Councillors and all Community Council employees and the role they play and people with whom you have dealings in respect of Community Council business.

Code of Conduct

1. You must never canvass or seek gifts or hospitality which could give rise to a reasonable suspicion of influence on your part to show favour or disadvantage to any individual or organisation except
 - (a) isolated gifts of a trivial character including calendars and diaries, or
 - (b) normal hospitality associated with Community Council duties.
2. You must respect the Chair, your colleagues and any members of the public present during meetings.
3. You must comply with rulings from the Chair in the conduct of the business of the Community Council.
4. **Confidentiality** - proceedings and printed material are generally open to the general public. However, there may be times when you will be required to treat discussions, documents and other information in a confidential manner.
5. You may be appointed or nominated to a partner organisation by the Community Council or the Association of Shetland Community Councils as a member of another body or organisation. If so you will be bound by the rules of conduct of these organisations and must also continue to observe the rules of this Code in carrying out the duties of that body.

If you are appointed to represent the ASCC as a member of another body or organisation, e.g. SIC Forums, it is your duty to promote the views of all Community Councils represented by the ASCC.

6. You must not seek preferential treatment for yourself, your family, friends, colleagues or employees because of your position as a Community Councillor.
7. **Declaration of Interest** - Community Councillors may have significant non-financial interests and it is important that relevant interests such as memberships or holding office in clubs, societies and organisations are registered and described. In this context, non-financial interests are those which members of the public might reasonably think could influence your actions, speeches or votes in the Council.

If you have a financial or non-financial interest you must judge whether your interest is sufficiently relevant to the particular proceedings to require a declaration. Your declaration should be made as soon as practicable after the commencement of the meeting by way of an oral statement.

8. **Planning and Licence Applications** - As a Community Councillor, you will have to consider planning and licence applications. It is your duty to ensure that development decisions are properly taken and that parties involved are dealt with fairly.

If you have an interest, whether financial, non-financial or personal, in the outcome of a decision in a planning or licence application, or a planning agreement, you must disclose that interest and refrain from taking part in the decision.

Association of Shetland Community Councils

Community Council Scheme

The Shetland Islands Council Community Council Scheme 1996 defines the general purpose of a Community Council¹ and provides for the establishment of a Community Council for each of the following areas:

Aithsting and Sandsting
Bressay
Burra and Trondra
Delting
Dunrossness
Fetlar
Gulberwick, Quarff and Cunningsburgh
Lerwick
Nesting and Lunnasting
Northmavine
Sandness and Walls
Sandwick
Scalloway
Skerries²
Tingwall, Whiteness and Weisdale
Unst
Whalsay²
Yell

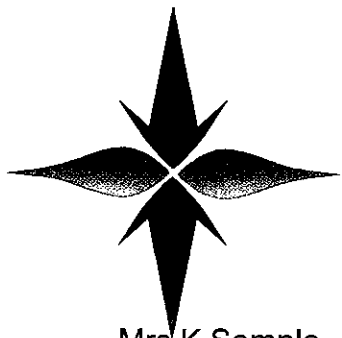
¹ Community Councils do not have statutory duties or powers: they are intended to act as a voice for their local community, representing the views of the community to local authorities and other public bodies operating in their area and otherwise to act to further the interests of their communities. They are essentially voluntary bodies established within a statutory framework. Community Councils are therefore able to take on a wide-ranging role, complementary to that of local authorities. *Per annex A, The Scottish Office Booklet 'Developing the Relationship between Local Authorities and Community Councils' August 1996.*

In addition to any other purpose which a Community Council may pursue, the general purpose of a Community Council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to such matters for which those authorities are responsible, and to take such action in the interests of that community as appears to be expedient and practicable. *Section 51(2). Local Government (Scotland) Act 1973.*

² Whalsay and Skerries became separate Community Councils in 2001.

8 Control of Finance

- 8.1 All monies raised by or on behalf of the Community Council shall be applied to further the objects of the Community Council and for no other purposes.
- 8.2 The Community Council shall cause to be kept all proper accounts of the finances of the Community Council.
- 8.3 ~~At least once per year all Community Council accounts shall be audited by a qualified accountant acceptable to the Director of Finance of Shetland Islands Council.~~ At least once per year all Community Council accounts shall be audited by an appropriately qualified independent examiner acceptable to the Chief Finance Officer of Shetland Islands Council. A list of approved examiners will be maintained by the Association of Shetland Community Councils (ASCC).
- 8.4 A copy of each year's audited accounts will, as soon as practicable after the work has been completed and approved by the Community Council, be supplied to Shetland Islands Council.



Shetland Heat Energy and Power Ltd

Mrs K Semple
Lerwick Community Council
1 Stouts Court
LERWICK
ZE1 0AF

Registered in Scotland No 181964
VAT Registration No. 723 8647 16
Marina Business Park
Gremista
Lerwick
Shetland
ZE1 0TA

Tel: 01595 697111
Fax: 01595 745150
Email: mail.she&p@shetland.gov.uk
Web: www.sheap-ltd.co.uk

If calling please ask for
Neville Martin
Direct Dial: 01595 697111

Our Ref: NM/wn/C2

Date: 21 July 2011

RECEIVED

29 JUL 2011

Dear Mrs Semple

RECEIVED

29 JUL 2011

Thank you for your letter of 5 July 2011.

At the last Board meeting on 13 June 2011, the consensus was that until the scope of potential expansion and conditions of any grants was known, it would not be possible to give any indication of where the priorities will be.

I will present your letter at the Board meeting on 29 August 2011.

Yours sincerely

Neville Martin
District Heating Manager



Registered Office:
22 - 24 North Road,
Lerwick,
Shetland,
ZE1 0NQ



Lerwick District
Heating Scheme

10.1

2

From: steven.pattie@shetland.gov.uk
Sent: 24 August 2011 12:43
To: clerk@lerwickcc.org.uk
Subject: 2011/182/PCD to install 2 no. CCTV cameras at 42 Haldane Burgess Crescent

Good afternoon Ms Semple,

I write in regard to recent telephone conversations and your letter in regard to the above planning application.

As discussed towards the end of last week at the time the application was allocated to me. Since this time I have taken the application into a planning team meeting to discuss the two issues of fixing the camera in place and restricting the views so not to operate over any neighbouring land.

We discussed the possibility of bracketing the camera in our team meeting or replacement camera with a fixed position camera, in order to negate against any movement by weather or manual means. To date I have not had the opportunity to go out to site, therefore I have not yet discussed this with the applicant but I will aim to do this over the next few days.

The other concern is in regard to the blocking out of any views into the neighbouring garden as the current area of view is slightly wider than the applicants garden area.

As discussed I will keep you up to date, as the application progresses. I will give you notice of any amendments with the application and any recommended conditions if appropriate.

I hope this covers everything you would like for discussion. If you require any further information please get back in touch.

Kind regards
Steven

Steven Pattie
Development Management Officer
Planning Service
Grantfield
Lerwick
Shetland
ZE1 0NT

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From: jonathan.c.duncan@shetland.gov.uk
Sent: 24 August 2011 15:55
To: clerk@lerwickcc.org.uk
Subject: RE: Response to Letter Required Please

Hi Katrina.

I apologise for the delay in getting back to you. I have been out of the office a lot lately during the best of the summer weather!

I had a look at the path that I assume that you refer to in you letter, that being the gravel path the crosses behind the gardens of several properties in Murrayston, and links up with the concrete steps up to Fogralea. The feeling in this department is that with budgets getting ever tighter, we are unable to commit funds to anything but the most pressing access issues. In this case there appears to be no clear access issue and therefore no responsibility to be borne by the access department.

Sorry that I cannot be of any assistance to you on this occasion. Please get back in contact if you feel that I may have not identified the area to which you were referring in your letter.

Regards,

Jonathan.

From: Clerk to Lerwick Community Council [<mailto:clerk@lerwickcc.org.uk>]
Sent: 18 August 2011 11:16
To: Duncan Jonathan C@Infrastructure Services
Subject: Response to Letter Required Please

Hi Jonathan

Footpath between Fogralea and Murrayston – Ref 2100-232/KS

I would appreciate your written response to my letter of 6 July 2011 regarding the above.

I attach a copy for your convenience.

Best regards

Katrina
Clerk
Lerwick Community Council

Tel: 07818 266876

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For more information please visit <http://www.messagelabs.com/email>

From: graeme.macdonald@shetland.gov.uk
Sent: 26 August 2011 12:59
To: clerk@lerwickcc.org.uk
Subject: Litter Bins at Lochside
Attachments: Lochside litter bin locations.jpg; Please take litter Home Sign.pdf

Hi Katrina,

Good to speak to you on the phone.

In answer to your letter dated 6 July 2011, the litter bins located in Lochside (See map attached) have been positioned at the bus stops as this is the locations people will congregate to catch a bus and the litter bin in question is actually sited at the end of the public foot path. I cannot place a litter bin on the highway ? it would need to be placed on a footpath or verge.


I understand the problem when there is a sports event on at the Clickimin pitch but people should be more responsible about littering. I will look at placing signs on the fence along this stretch of car parking space asking people to take their litter home, similar to the picture attached.

Regards

Graeme

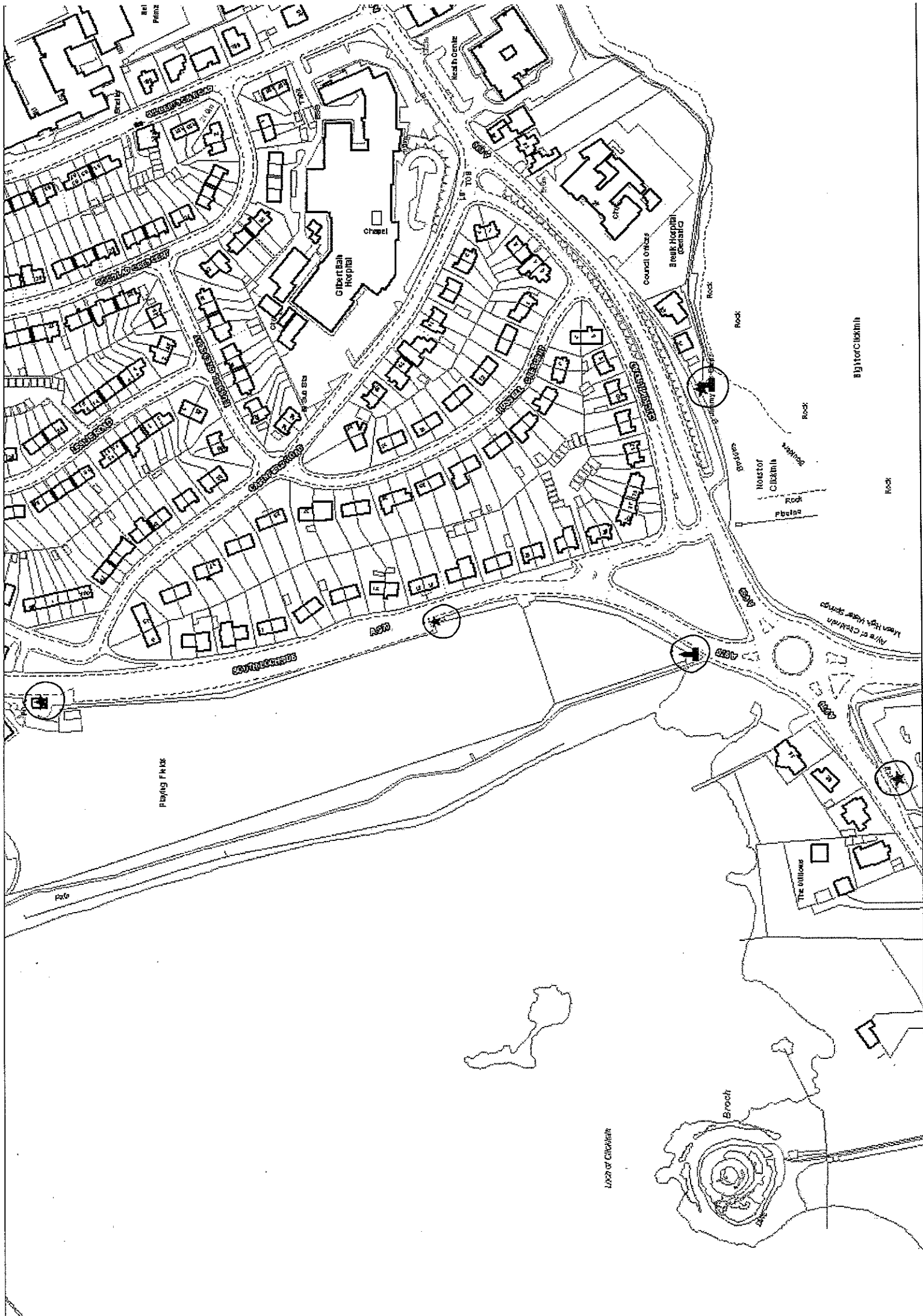
Graeme MacDonald
Cleansing & Grounds Maintenance Officer
Infrastructure Services
Grantfield
Lerwick
Shetland
ZE1 0NT

Tel: 01595 744889



Please
take your
litter home

10.4



Lerwick Community Council

Unaudited Financial Accounts

For the year ended

31 March 2011

To the members of Lerwick Community Council

As described on the balance sheet you are responsible for the preparation of the financial statements for the year ended 31 March 2011 set out on pages 2 to 6, and you consider that the community council is exempt from audit. In accordance with your instruction, I have conducted a limited review of these unaudited financial statements in order to assist you to fulfil your responsibilities. Based on my limited review, and the information and explanations supplied to me by yourselves, I consider that you have reasonably concluded that you have satisfied the requirements of your constitution.



Iain A. Charlton AICB
Charlton Bookkeeping Services
8 Tripwell
Brough
Whalsay
ZE2 9AP

24 August 2011



Income and Expenditure Account

for the year ended 31 March 2011

	Notes	2011		2010	
		£	£	£	£
Income					
SIC Grant			29,642		42,941
Profit from sale of booklets	2		18		125
			<u>29,660</u>		<u>43,066</u>
Expenditure					
Clerk's salary		9,036		8,967	
Stationery, photocopying & postages		920		642	
Telephone		595		603	
Rent, rates & insurance		3,944		3,953	
Heat, light & power		1,571		699	
Association of Shetland Community Council		160		200	
Grants, donations & projects	3	9,328		19,271	
Depreciation		1,208		1,208	
Audit & accountancy		1,174		1,028	
Room hire		317		300	
Office decoraton		-		995	
Miscellaneous expenses		857		311	
Merchandise adjustment		-		53	
			<u>29,111</u>	<u>38,230</u>	
Surplus/(Deficit) for year			<u>550</u>	<u>4,836</u>	

Balance Sheet

at 31 March 2011

	Notes	2011		2010	
		£	£	£	£
Fixed Assets	4		1,686		2,894
Current Assets					
Stocks		8,413		8,425	
Debtors		638		773	
Bank		19,724		16,296	
		<u>28,775</u>		<u>25,494</u>	
Current Liabilities					
Sundry creditors		3,085		1,692	
		<u>3,085</u>		<u>1,692</u>	
NET CURRENT ASSETS			25,690		23,802
NET TOTAL ASSETS			<u>27,376</u>		<u>26,696</u>
SPECIAL RESERVE	5		130		130
GENERAL RESERVE					
Balance brought forward		26,696		21,730	
Surplus/(deficit) for year		550		4,836	
Balance carried forward			<u>27,246</u>		<u>26,566</u>
			<u>27,376</u>		<u>26,696</u>

The committee acknowledge their responsibility for:

- (i) ensuring that the community council keeps proper accounting records
- (ii) preparing financial statements which give a true and fair view of the state of affairs of the community council as at the end of the financial year and of its profit or loss for the financial year in accordance with their constitution.

The financial statements were approved by the executive committee on _____ and are signed on their behalf by:

Community Councillor



Notes to the Financial Statements

For the year ended 31 March 2011

1. Principal Accounting Policies

Basis of Accounting

The financial statements have been prepared on a cash accounting basis.

Shetland Islands Council Grants

No provision has been made in the financial statements for funds from the Shetland Islands Council other than those remitted to the Community Council by the balance sheet date.

Fixed Assets

Fixed assets are stated at cost. Depreciation is provided on all tangible fixed assets at rates calculated to write off the cost, less estimated residual value, of each asset evenly over its expected life, as follows:

Office equipment - over 4 years

Fixed Asset Funding

Funding received in respect of capital expenditure is credited to a deferred income provision and is released to income over the expected useful lives of the relevant assets.

Stocks

Stocks have been valued at the lower of cost or estimated net realisable value, on a first-in, first-out

2. Town Hall Booklets

	2011		2010	
	£	£	£	£
Sales		36		177
Purchases	-		-	
Opening stock	8,016		8,068	
	8,016		8,068	
Less Closing stock	7,999		8,016	
		17		52
		18		125

Notes to the Financial Statements (continued)

For the year ended 31 March 2011

3. <u>Grants, Donations and Projects</u>	2011 £	2010 £
Lerwick Boating Club	2,500	-
Electricity Clickimin Broch	1,172	1,764
Islesburgh Pyrotechnics	1,000	2,000
Sail Training Shetland Club XL	1,000	1,000
Floral Basket Scheme - LTCA	500	-
Clickimin Broch - repairs to lights	494	-
Artmachine - LCC Plaque @ Knab	366	-
Lerwick Garden Competition	352	342
Bunting and Banner Scheme	250	400
Shetland Junior Netball Group	167	-
Nautical Institute - Shetland Branch	150	-
Filsket Riding Club	125	-
ASCC Loan - Community Benefit Fund	100	-
Shetland Whalers Planning Application	80	-
Peerie Galley Shed rental	73	67
North Stoney Hill	-	3,000
Mr & Mrs Ramsey	-	2,769
Shetland Island Games Athletic Team	-	1,488
Lerwick T.A.	-	1,218
Lerwick Town Centre Association	-	1,000
Shetland Stroke Support Group	-	1,000
St Magnus Church	-	1,000
Repair of Sound peat hill road	-	650
Da Soond O' Shetland	-	500
Lerwick Allotments Association	-	500
Tunester exchange trip	-	500
Knab - planning fee	-	73
	<u>9,328</u>	<u>19,271</u>

Notes to the Financial Statements (continued)

For the year ended 31 March 2011

4. <u>Tangible Fixed Assets</u>	2011	2010
	Office Equipment	
	£	£
Cost		
Brought forward	4,833	3,998
Additions	-	835
Disposals	-	-
	<u>4,833</u>	<u>4,833</u>
Carried forward	4,833	4,833
Depreciation		
Brought forward	1,939	731
Charge for year	1,208	1,208
Disposals	-	-
	<u>3,147</u>	<u>1,939</u>
Carried forward	3,147	1,939
NET BOOK VALUE	<u><u>1,686</u></u>	<u><u>2,894</u></u>

5. <u>Special Reserve</u>	2011	2010
	£	£
This reserve represents the balance of peat road grants unspent at the balance sheet date.		
Balance brought forward	130	130
	<u>130</u>	<u>130</u>
Balance carried forward	130	130
	<u><u>130</u></u>	<u><u>130</u></u>

6. <u>Breakdown of funds</u>	Cash Funds	Stock	Fixed Assets	Total Funds
	£	£	£	£
General Reserve	19,724	8,413	1,686	29,823
Special Reserve	130	-	-	130
	<u><u>19,854</u></u>	<u><u>8,413</u></u>	<u><u>1,686</u></u>	<u><u>29,953</u></u>

7. At 31 March 2011, the Community Council had committed funds of £14,000 to the Knab Viewpoint, £1,000 to Sail Training Shetland and £920 to Shetland Ex-Whalers Association giving a total of £15,920.



LERWICK COMMUNITY COUNCIL

Financial Report as as 30 August 2011

	£	£
<u>INCOME</u>		
Balance as at 1 April 2011		18,729.01
SIC Grant 2011-2012		29,890.00
Sales - LCC Tie		11.50
Invoice 024		15.00
		<hr/>
		48,645.51
 <u>EXPENDITURE</u>		
Office Costs	3,370.74	
Employment Costs	3,496.92	
Administration	532.82	
Chambers	74.12	
Accountancy	240.00	
Misc.	42.00	
Grants/Projects	17,624.37	
		<hr/>
		25,380.97
		<hr/>
		23,264.54
		<hr/>
 <u>REPRESENTED BY</u>		<hr/>
		24,357.20
		<hr/>
 <u>Indication of Free Funds:</u>		
Main Annual Running Costs Forecast - £16,743.34		
Costs Remaining	9,028.74	
Annual Grants & Projects Forecast Costs - £4,200.00		
Payments Remaining	2,531.63	
 <u>Committed Funding:</u>		
North Staney Hill Community Association	2,215.00	
The Shetland Blues Festival	500.00	
Westerloch Residents Association	500.00	
LTCA (plus £750.00 already accounted for in Annual Grants & Projects)	1,250.00	
		<hr/>
		16,025.37
		<hr/>
Estimated Free Funds		7,239.17
		<hr/>

12.

Lerwick Planning Applications

July 2011-August 2011

Ref:	Address:	Proposal:	Date:	Applicant:
<u>PL2011/217</u> [files]	Holmsgarth Warehouse (North) Lerwick <u>Multimap</u> <u>Google Map</u>	Erect signage for streamline shipping group [comment on this planning application]	18/07/2011	Evan Ockendon
<u>PL2011/212</u> [files]	17 Anderson Road Lerwick <u>Multimap</u> <u>Google Map</u>	Erect extension at rear of property [comment on this planning application]	04/07/2011	Craig Redfern
<u>PL2011/210</u> [files]	4 Staney Hill Lerwick <u>Multimap</u> <u>Google Map</u>	Erect garden shed [comment on this planning application]	05/07/2011	Craig Edwards
<u>PL2011/199</u> [files]	3 Tarland Upper Sound Lerwick <u>Multimap</u> <u>Google Map</u>	Residential extension, alterations to driveway and access, and erection of garden room/shed [comment on this planning application]	01/07/2011	Mr I Slater