

MONDAY 10 MAY 2010

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

Members

Mrs A Simpson
Mr L Angus
Mr W Spence
Mr R Leith

Mr J Anderson
Mr A Henry
Mr E Knight
Ms K Fraser

Ex-Officio Councilors

Cllr C Smith

Cllr J Wills

In Attendance

Ms Heather Taylor, Development Plans, SIC
Mr J Goddard, Financial Controller, Shetland Charitable Trust
Mr Ryan Taylor, Shetland Times Reporter
Mrs K Semple, Clerk to the Council

Chairman

Mr J Anderson, Chairman to the council presided.

10/05/01

Circular

The circular calling the meeting was held as read.

10/05/02

Apologies for Absence

Apologies for absence were received from Mr W Stove, Mr M Peterson, Mrs K Greaves, Mr A Johnson, Mr D Ristori and Mr J Thomason.

10/05/03

Minutes

The minutes of the meeting held on 12 April 2010 were approved by Mr L Angus and seconded by Mr A Henry.

10/05/04

Business Arising from the Minutes

Co-option

Mr L Angus asked if anyone had shown an interest in becoming a co-opted member of Lerwick Community Council.

The Chairman advised Mr G McGhee had shown keen interest and Mr P Moar was thinking about the possibility.

Proposed Viewpoint at Knab

The Chairman advised that due to bereavement there was a delay in receiving a quote from Tom Jamieson. However, he hoped to have a quote in time for the next meeting of Lerwick Community Council.

Former Hockey Pitch

Cllr L Angus stated that according to legal advice, there was no legal impediment to building the proposed New Eric Gray Centre on the site.

10/05/05 **Area Commanders Monthly Report – April 2010**

A copy of the above report will be included in the next agenda for comment.

10/04/06 **Police Report**

PS B Gray noted the following crime analysis for April 2010/2011 compared to that of the same time last year.

Class 1 - Crimes against the person – Down from 4 to 1, with 1 detections
Class 2 - Crimes involving indecency – Down from 2 to 1, with 1 detections
Class 3 - Crimes of dishonesty – Down from 44 to 33, of which 18 were detected
Class 4 – Crimes of vandalism – Up from 24 to 26, of which 18 were detected
Class 5 - General Crimes – Down from 17 to 13, 12 detected
Class 6 - Miscellaneous Crimes – Down from 57 to 33, with detections
Class 7 - Traffic Offences – Up from 36 to 38, with 36 detections

Mr L Angus asked for a breakdown of the crime classifications.

PS B Gray stated the following:- Class 1 - Non sexual; Class 2 - Involving Indecency; Class 3 - Dishonesty; Class 4 – Fire Raising & Vandalism; Class 5 – Other Crimes; Class 6 Miscellaneous and Class 7 – Road Traffic Crimes.

Mr L Angus voiced concern that a house in Lovers Loan had been broken into and thought it was a very sad sign of the times that residents would have to show more vigilance with regard to their property.

He noted that according to the report, the principal crime involved road traffic offences.

PS B Gray advised the police took a very pro-active approach and were successful in ensuring the speed limit was adhered to, particularly around schools. He stated that it was about creating a balance and educating the public; he advised the system seemed to be working well.

Mr R Leith asked the Sergeant if he felt the police were “getting on top of things”, in relation to drug related crimes.

The Sergeant replied that during April the drug dogs were deployed on 28 occasions; approximately 830 people were scanned and 20 vehicles and 1 house searched. Two positive indications came from the searches.

Ms K Fraser asked when the Traffic Warden would begin working.

PS B Gray replied the newly appointed warden was currently being trained and would commence work soon. He also noted there would be publicity to make drivers more aware of what they could and could not legally do.

Mr R Leith enquired as to how things were progressing with CCTV.

The Sergeant stated that although the cameras were working, and had been put to good use, there were problems with the system. He advised he would ask Community Safety Sergeant, J Beeston to attend the next meeting of Lerwick Community Council to give full update with regard to CCTV.

The Chairman thanked the Sergeant for giving the report, which concluded at 7.20pm

10/05/07 **Shetland Local Development Plan – Heather Taylor, Development Plans, SIC**

Ms H Taylor, Development Plans, SIC gave a power point presentation and explained that the aim of the Main Issues Report was to stimulate debate and discussion on the main planning issues facing Shetland both in the long and short term.

She stated the options and alternatives put forward in the report came as a result of dialogue with service and infrastructure providers, in Shetland, during Stakeholder Workshops held in July and August 2009.

Ms H Taylor advised the consultation would also be used to ask landowners to provide details of sites over 1.25 acres that they wish to be considered as future development sites. Sites most desirable would be those suitable for housing, employment, retail or community uses over the next 5-20 years in order for a 'landbank' of sites to be built to help develop the proposed plan. She advised the views of the community would be consulted throughout the process.

She stated the main issues for discussion were, **Issue A**, A Spatial Strategy for Shetland's housing in the short to medium term; **Issue B**, A Spatial Strategy for Shetland; **Issue C**, The future use of key public sites in Lerwick; **Issue D**, Providing for the Cost of Housing Development; **Issue E**, Parking Provision for New Development; **Issue F**, Protection and Enhancement of Economic Growth and Development Opportunities; **Issue G**, Protection of Existing Employment and Retail Sites against change of use; **Issue H**, Shetland's Agricultural Land; **Issue I**, Furthering the Conservation of Biodiversity and **Issue J**, Planning for an ageing population.

Ms H Taylor stated the Main Issues Report gave a range of alternative options on these issues and, as required by the government, the preferred options were identified. She advised that all options carried equal weight and stressed that the report was to stimulate debate and not policy.

Cllr J Wills expressed concern that the Shetland map displayed during the presentation indicated that only a small area of Shetland was highlighted as a Geopark when in fact it was the whole of Shetland.

Ms H Taylor replied she was aware of that fact but the Report was just an overview.

Also referring to the power point presentation and map Mr L Angus stated he was unclear what was meant by 'decentralising new development away from the central area' when the north mainland held the largest industrial developments.

Ms H Taylor advised the questionnaire which accompanied the Main Issues Report was there to collect the ideas and concerns like the ones expressed by Cllr J Wills and Mr L Angus.

The Chairman asked if an individual could point out an area of land which had the potential for development or say if they themselves had land which could be developed.

Ms H Taylor replied that they could, but it had to be deliverable.

Cllr J Wills noted there seemed to be a lack of logic with regard to the Main Issues Report and asked what was wrong with the current policy.

Ms H Taylor replied the current system could be kept provided links were put in place in order to follow government legislation.

Cllr Wills stated he disliked the use of the word 'Holistic' within the report and thought it should be taken out; he asked Ms H Taylor if she knew what it meant.

She replied it meant "the whole approach".

Cllr J Wills asked why the report could not just say that, and stated plain language should be used.

He raised concern that the report indicated construction projects should be encouraged within the central mainland and expressed alarm with regard to the suggestion that the holding point's policy be abandoned. He stated that businesses would make their own decisions, guided by economics and advised Shetland housing was "all over the place" and "that was how we liked it".

Ms Taylor reiterated that these concerns were exactly the kind of feedback that needed to be recorded in the questionnaires.

Mr L Angus stated he knew of no other council in Scotland with a zoning policy. He stressed that flexibility must be introduced and stated the problems incurred by the Western Isles was an example of what we did not want to happen to Shetland.

He expressed concern at the proposed policy to create a scale of mandatory development contributions for the development of housing and suggested it could prevent or hinder development.

The Chairman enquired what the charge would be.

Ms H Taylor replied the details had not been worked out as the issue had not been agreed on.

Mr L Angus stated that for individuals the charges for connecting to water and electricity was already exorbitant and he would not like to see individuals dissuaded from building in rural Shetland.

Ms H Taylor urged members to complete the questionnaire and advised the final consultation would be held in Sound Hall from 6.30-9.00pm on Thursday 27 May.

She stressed the Main Issues Report contained ideas, not policy, and "feedback was needed in order to get things right."

Ms H Taylor's presentation concluded at 8.00pm; however she remained at the meeting throughout the following presentation.

Staneyhill Housing Development – Mr J Goddard, Financial Controller, Shetland Charitable Trust

Mr J Goddard, Financial Controller, Shetland Charitable Trust advised Shetland Leasing and Property Development Ltd (SLAP) had purchased a good piece of land at Staneyhill, 72 acres, the majority of which is currently classified as Zone 4 within the current Local Development Plan.

He stated that areas classed as Zone 4 could not be developed unless and overriding community benefit could be shown. He went on to advise that as Chairman of Hjaltland Housing Association he knew there were over 700 people on the housing list with probably a further 700 in need of housing but not on the list as they knew they had no chance of receiving housing.

He advised SLAP first planned to see where housing could be developed on the Staneyhill site as soon as possible, and then get the rest of the area zoned for housing.

He stated that cash for the development would not come from SLAP unless it could make a profit and "Shetland Islands Council would need to use their own money if they were to make it happen."

He stated SLAP was the developer and if SIC were unable to find finance, someone else may

Mr J Goddard stated that, through exercise, they asked Housing, SIC, what kind of houses they would like to see built. They were advised two bedroom Bungalows with strong roof trusses would be the preferred option as it offered flexibility, allowing the future development of the internal roof area into an additional one or two bedrooms. Some of the houses would also be developed into 'flats'.

Mr L Angus advised the Housing Working Group was keen to see mixed developments.

Mr J Goddard stated there had been discussions with Planning, SIC and Roads, SIC to see if existing roads could be utilised and concern was raised regarding the volume of construction traffic during development.

He stated much of their plans depended on what would happen regarding the proposed new Anderson High and suggested they could work together and costs could be shared.

He advised a well thought out plan would be needed if the whole site was to be developed and the cost would likely be over 30 million over more than 10 years.

Mr J Goddard stated he needed to know what would happen regarding the proposed new Anderson High School in order to allow things to fit together, but not to get ideas set in stone. He noted it would be interesting to see how things would fit in with the Main Issues Report.

Ms K Fraser raised concern that if the whole of the area was to be developed for housing, the beautiful views over Lerwick would be lost to the general public. She stated the area was heavily used for leisure and by walkers and there should be careful consideration given to protecting the views. She advised any development of the area would need to be done sensitively.

Mr L Angus agreed with Ms K Fraser's views; he stated the chronic need for housing was akin to immediate post war but it did not mean housing should be provided at any cost.

Mr J Goddard stated he would like to see a sensible development and trees planted in a similar style to the ones planted by Shetland Amenity Trust at Quoys. He advised it all came down to money and stated that there needed to be a balance and developers could not do just what they want.

The Chairman noted it was clear from the proposals the site would be noticeably less developed than Lochside or Quoys.

Mr J Goddard's presentation concluded at 8.20pm.

Addressing Ms H Taylor, Mr L Angus enquired why the Knab was listed as an area available for development when it was zoned for educational purposes only.

He moved to support the idea that the area should be retained for educational purposes only.

Mr E Knight seconded the motion.

(Action: Clerk of the Council)

Cllr J Wills stated that if the site was developed for housing it would create problems as it was perceived that 100 homes would create an additional 1600 traffic movements each day.

Ms K Fraser advised we should keep an open mind and be flexible as it would be a long time before the site became available.

Cllr J Wills noted the area could possibly be developed for tourist accommodation, light industrial use or office use and noted there was nothing to stop the college from moving to the current AHS site in the future.

Ms H Taylor stated she would relay these concerns to her colleagues.

She advised that one of the options in the Main Issues Report was to move away from zoning and it was up to people to decide what should be done; even a combination of zoning and allocation could be considered.

Cllr C Smith stated it would be best to dispense with zoning as inevitably you have to argue with policy.

Cllr J Wills enquired what the difference was between zoning and allocation.

Ms H Taylor replied that with allocation individual people came forward with land they have to develop and it would be checked for suitability. She explained zoned areas, in conjunction with the Planning Department, SIC was planned by Community Councils.

The Chairman asked if, like zoning, there would be areas set aside for education, leisure and protection.

Ms H Taylor replied if allocation was agreed upon, the finer points would be looked at then.

Ms K Fraser asked how the allocation system would work.

Ms H Taylor replied that if the decision was made to go down that route, they would develop a set of criteria, which would have to be met. Things taken into consideration would be infrastructure, agricultural land, proximity to schools etc.

She explained there would be a consultation process and planning conditions would still have to be met, almost like planning permission in principal.

The Chairman stated his fear was that it would simply be a development of the old zoning plan.

Ms H Taylor replied zoning gave an idea if a development would, or would not be given planning permission. She agreed there were similarities between allocation and zoning but allocation was more specific and would work well. She stated the major difference was that allocation was deliverable whereas zoning was not.

The Chairman advised that he appreciated what Ms H Taylor was saying but stated the current system for Lerwick worked and just needed updating.

Ms H Taylor advised all comments should be written in the questionnaire provided and members could comment as individuals.

Ms K Fraser stated she had already completed a questionnaire and it was fair to say there was not a lot of space for detail, but it was a starting point.

Mr L Angus, commenting on Issue C, noted views were asked for "Now" with regard to land at Staney Hill, Knab and The Ness of Sound. He stated the document was not specific enough and it should have identified exactly what land was being referred to.

The Chairman asked if there was a timescale with regard to the new plan and would Lerwick Community Council be kept updated and consulted for future comment.

Ms H Taylor replied it was hoped the New Local Plan would be ready by Autumn 2012.

Cllr J Wills noted the timescale was unacceptable, the consultation protracted and thinking woolly. He thought the Main Issues Report was endless waffle and ill informed.

He stated he was tired of it and asked what was wrong with the Lerwick plan.

Cllr L Angus advised zoning had been reviewed a few years ago and was deemed a failure in public consultation.

Ms A Simpson asked if the consultation workshops were well attended.

Ms H Taylor replied it varied, but they were well attended on the whole.

The Chairman asked if a representative from planning could attend a meeting of Lerwick Community Council, with a Lerwick map, and allow members to mark on the map, for example, areas for housing, protection and education.

Ms H Taylor stated she would take the comments back to planning and advised the document was just the "big picture" and not site specific, as yet".

Cllr C Smith stated it was unfair to "shoot the messenger" and suggested a letter to planning from the Chairman may be appropriate.

Ms A Simpson agreed with the suggestion.

The Chairman thanked both Ms H Taylor and Mr J Goddard for attending the meeting and their presentations.

They both left the meeting at 8.40pm

10/05/08

Correspondence

8.1 Litter Concern - 2010/5/PCD-Change of use from retail to restaurant & takeaway, The Garret, Esplanade, Lerwick - Johnny Wiseman, Planning Officer, Development Management, SIC

Noted

8.2 Blocked Drain at 2 Sands of Sound, Lerwick - Jacqueline Sutherland, Complaints Manager, Scottish Water

Noted

8.3 Proposed Museum Closures, October to end of March - Hazel Sutherland, Executive Director of Education & Social Care, SIC

The Chairman stated a full response should be received directly from Shetland Amenity Trust in time for the June meeting of Lerwick Community Council.

8.4 St Magnus Episcopal Church - Grant Thanks

Noted

8.5 Surfacing & Surface Dressing Programmes - Ron Beardsley, Roads, SIC

Noted

8.6 Islesburgh Drama Group Needs Your Support - Jennie Atkinson, Project Co-ordinator, Islesburgh Drama Group

Members agreed a letter of support should be written.

(Action: Clerk of the Council)

10/05/09

Applications for Premises Licenses

9.1 Application for Variation of Premises License – Tesco Store, South Road, Lerwick

No objections

(Action: Clerk of the Council)

10/05/10

Traffic & Parking Orders

10.1 SIC (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No.6) Order 2010

Mr E Knight stated a letter regarding the proposal had only been sent to the manager at Annsbrae on 23 April 2010, giving very little notice.

He advised there were 60 clients at Annsbrae, 7 who lived there permanently, and 30 staff, all requiring parking facilities. He suggested maintaining the current parking provision and creating a one way system.

The Chairman suggested if the system was one way there was more likelihood that drivers would speed.

Mr E Knight replied that that was not necessarily so.

Ms K Fraser asked how anyone knew that the parking area would only be used by people connected with Annsbrae.

Cllr J Wills agreed with Ms K Frasers concerns and suggested a sticker system could be used for cars specifically associated with Annsbrae.

Mr I Angus stated that under the Road Traffic Act, this would not be allowed.

The Chairman suggested a waiting time of 1 hour be imposed.

Mr L Angus stated that they had been through this numerous times and there was no exception to the Road Traffic Act.

The Chairman asked the Clerk to again voice the objections of Lerwick Community council.

(Action: Clerk of the Council)

10.2 SIC (Hillhead, Lerwick) (Parking Place for Disabled Person's Vehicle) Order 2010

No objections

(Action: Clerk of the Council)

10/05/11

Financial Report

Noted

10/05/12

Discussion – LCC's approach to issuing grant funding following the 40% cut to funding to CC's from Shetland Islands Council

Members agreed to the proposal that each year, applicants for grants traditionally awarded on an annual basis should be advised their applications should be completed and returned for inclusion in the June agenda of Lerwick Community Council.

All other applications for funding will be gathered and discussed at Lerwick Community Council meetings in February, June and October.

Ms K Fraser suggested an advert should be taken out to make people more aware funding was available from Shetland Islands Council.

The Chairman agreed to the suggestion.

(Action: Clerk of the Council)

10/05/13

Financial Assistance

13.1 Filsket Riding Club

To be held over until the June meeting of Lerwick Community Council.

(Action: Clerk of the Council)

10/05/14

Planning Applications

14.1 2010/124/PCO – Erect dwelling house (in principle), Rear of 4 Burgh Road, Lerwick by Miss S Manson

No objections

(Action: Clerk of the Council)

14.2 2010/155/PCD – Change of use to ground floor of Bistro to Wine Bar (Retrospective), Monty's Bistro, Mounthooly Street, Lerwick by Mr R Smith

No objections

(Action: Clerk of the Council)

14.3 2010/148/PCD – Conversion with alterations of existing rear extension to 3, two bedroom flats with realignment of boundary wall to provide two additional parking spaces to Queens Place, St Olaf's Hall, Church Road, Lerwick by Westfish (Shetland) Ltd

Mr L Angus raised concern that the parking provision was inadequate for the proposed development.

The Chairman advised Lerwick Community Council had objected to the original application 2008/350/PCD which included an extension but not to the revised application 2009/319/PCD which did not include the extension.

He noted the current application included an additional two parking space.

There were no further objections.

(Action: Clerk of the Council)

10/05/15

Lerwick Applications April 2010

Noted

10/05/16

Any Other Business

The following document arrived too late for inclusion in the agenda but was brought to the meeting for consideration.

SIC (Breiwick Road, etc, Lerwick) (20mph Speed limit) Order 2010 & Breiwick Road and St Olaf Street, Lerwick; Traffic calming Proposed Road Humps

Mr L Angus stated the proposals were sensible.

The Chairman advised he had received representations from residents in the area who objected to the road humps due to safety concerns in the winter with snow.

He also noted traffic calming procedures were not being directed to the places in which they were most needed.

Cllr J Wills agreed with the proposed traffic calming measures.

The Chairman stated it was not the road restriction, but the speed humps that had raised concern.

Cllr C Smith stated he believed road humps were mandatory in areas with a permanent speed limit of 20mph.

Mr L Angus stated the problem with 20mph speed limits was enforcement and road humps helped to enforce this.

Cllr J Wills noted the road humps causing the concern in Breiwick road were situated across from house no's 52 and 64.

The Chairman asked the Clerk of the Council to write to Mr Neil Hutcheson, Engineer, Roads, SIC and raise objection to the two road humps on the grounds of safety during the winter months.

(Action: Clerk of the Council)

Road Safety

Cllr C Smith advised he had received concerns from a resident in King Harald Street regarding the safety of young children attempting to cross the road and had emailed the relevant department with the concerns.

Steps at the Matchbox

Cllr L Angus advised he been informed by Gordon Greenhill, Executive Director, Infrastructure Services, SIC that subsequent to the site meeting, with Ian Halcrow, Gordon Greenhill, LCC Chairman and himself, SIC had agreed to replace the steps.

The Chairman thanked members for attending the meeting.

There being no other competent business the meeting closed at 9.40pm.

MR J ANDERSON
CHAIRMAN
LERWICK COMMUNITY COUNCIL