

MONDAY 15 October 2007

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

Present

Mr J Anderson	Cllr E Knight
Mrs A Simpson	Mr W Spence
Cllr A Wishart	Ms M Robertson
Mr R Leith	Mr J Henry
Mr D Ristori	Mrs K Greaves
Cllr C Miller (left 8.15pm)	Mr A Johnson

Additional Co-opted Member

Mr A Goudie

In Attendance

PS G McCarthy, Northern Constabulary
Mr M Craigie, Lead Officer, ZetTrans
Ms E Perring, ZetTrans
Cllr A Duncan, Councilor, Shetland South
Mrs K Semple, Clerk to the Council
Mr N Riddle, Shetland Times Reporter

Chairman

Mr J Anderson, Chairman to the council presided.

07/10/01

Circular

The circular calling the meeting was held as read.

07/10/02

Apologies for Absence

Apologies for absence were received from Ms K Fraser, Mr M Peterson, Mr R Anderson, Mr L Bisset, Mr S Gordon and Cllr L Angus.

07/10/03

Minutes

The minutes of the meeting held on 17 September 2007 were approved by Ms M Robertson and seconded by Mrs A Simpson.

07/10/04

Business Arising from the Minutes

07/09/13 Ms M Robertson enquired when Mr Craig Nicolson, Capital Programmes, Executive Services Department, Shetland Islands Council would be making his presentation regarding the proposed new Anderson High School.

The Clerk to the Council replied that Mr Nicolson had agreed to make his presentation at the next meeting of Lerwick Community Council.

07/10/05

Police Report

PS G McCarthy provided the following details of offences compared to those of the same time last year.

Crimes against the person - down from 22 to 8, of which 7 were detected
Crimes involving indecency - up from 9 to 15, of which 12 were detected
Crimes of dishonesty - up from 133 to 150, of which 87 were detected
Crimes of vandalism - down from 119 to 132, of which 61 were detected
Miscellaneous crimes - down from 413 to 411, of which 384 were detected
Traffic Offences - down from 355 to 306, all detected

PS G McCarthy reported that their detection rate of 83.9% was the best in the force but there was a 3% increase in crimes compared to that of last year.

Alcohol Bye-law - 32 people were charged with bye-law offences and were each given a fixed penalty of £40.

The Chairman asked PS G McCarthy where most of the Bye-law offences had taken place.

PS G McCarthy replied that all but one of the offences took place on Commercial Street.

Mr Eddie Knight enquired if it was illegal to sell tobacco to those under the age of 18.

PS G McCarthy stated it was illegal to supply anyone under the age of 18 with tobacco but he was unsure if it was an offence to be in possession of tobacco up to the age of 18. He agreed to report the law on the possession of tobacco at the next meeting of Lerwick Community Council.

Mr E Knight noted he had heard from the Angling Association that there had been incidences of heavy netting. He asked if the Police were aware of the situation and what could be done.

PC G McCarthy stated there was one Officer within the force who was dedicated to dealing with wildlife crimes including the setting of nets who would look into any situation which was reported.

Mrs K Greaves asked if the crime figures reported were for the whole of Shetland.

PS G McCarthy replied that they were. He stated that it would not be feasible to break the figures down for each area within Shetland.

Cllr C Miller asked PS G McCarthy if he felt the Alcohol Bye-law was working.

He replied that it was another tool to address anti-social behavior and acted as a deterrent.

Mrs A Simpson asked how things were progressing regarding CCTV.

PS G McCarthy replied things were at the tendering stage and the submitted tenders would be whittled down to two.

Cllr C Miller noted Planning Department, Shetland Islands Council had been consulted regarding the proposed positioning of the cameras.

PS G McCarthy concluded his report at 7.15 and the Chairman thanked him for attending the meeting.

07/10/06

ZetTrans – Bressay Link Study

Mr M Craigie, Lead Officer, ZetTrans stated the purpose of ZetTrans was to undertake intensive consultations with businesses and the public over the prospect of a fixed link to Bressay.

He explained a joint working group was formed involving representatives from ZetTrans, Shetland Islands Council, Lerwick Port Authority and Bressay Community Council as a monitoring body to report back to, not a decision making group.

Mr M Craigie noted the whole process was in accordance with Scottish Transport Appraisal Guidance (STAG), mandatory if the project is to be supported by funding.

He explained that the initial consultation involved asking members of the public for their opinion through constant face to face meetings, questionnaires, consultations and telephone interviews.

Mr M Craigie explained questions were designed to provoke discussions and encourage people to look at the bigger picture. He wanted people to talk about their concerns, how they could be resolved and how their lives on the island would be affected.

Mr K Greaves enquired if the possibility of building a causeway was considered.

Mr M Craigie stated the option was considered in 1999, would feature in the current process and would not be excluded until there was a reason to exclude.

Cllr A Duncan, asked any costs had been looked at for the causeway option and if so what was the outcome.

Mr M Craigie replied that in terms of the current process, he couldn't answer but all options would be correctly appraised and carried forward to their conclusion.

Mr E Knight stated the cost of keeping the current Ferry system going had a huge effect on the economy and the costs accounted for 20% of our Council Tax. He felt that the sooner a fixed link to Bressay was built the better and noted that either a tunnel or bridge would improve the harbour area and open up the North of Bressay for industrial development.

Cllr A Wishart noted his agreement with Mr E Knight and stated the financial projection over the next 50-60 years proved the current system to be prohibitive and bad news for the Island.

Cllr C Miller stated that people had to be realistic and look at what is best for all. She explained Bressay's population had reduced by 40 over the last 4-5 years, not helped by the fact it costs 20% more to build in Bressay.

Mrs K Greaves noted families did not find it easy to make use of leisure facilities as the trip over on the Ferry cost £10 alone.

Cllr A Wishart stated Bressay was the most deprived island in Shetland, their close proximity to Lerwick ruling them out from having a Leisure Centre or other facilities most communities take for granted.

Cllr A Wishart explained Bressay residents were concerned they would lose their Primary School but noted it was just as likely there would be a greater need for one.

Cllr C Miller noted a Transport and Development Forum had been formed to control development in Bressay. Industry was to be kept to the North of the Island away from residential areas and road and transport issues were being considered and a bus time table put in place.

The Chairman stated the option of a tunnel where the approaches were created within new finger piers could potentially provide new deep water berthage for liners and the like. This could be a twofold solution as not only would it provide a link, income would be generated from the berthage and employment would be created.

Mr A Goudie asked what consideration would be given to those who would lose their jobs once a fixed link was established.

Mr M Craigie replied that all gains and losses would be taken into consideration during the consultation process.

He noted that both this week and the next ZetTrans would be looking at all the feedback and it would be discussed at meetings at the Bressay Hall and in Lerwick to ensure they were 'getting it right'. If getting a positive response the information would be given to the 'Bressay Link Group' and the information used to develop, set objectives and reappraise.

Mr M Craigie stated the information gleaned will be made available on Shetland Islands Council website and soon ZetTrans would have its own website. He went on to say a decision would be made for March 2008, funding would be sought and it was hoped work could begin as soon as possible after that date.

The Chairman thanked Mr M Craigie for his presentation which concluded at 8.10pm.

Cllr Caroline Miller left the meeting at 8.15pm.

Correspondence

7.1 SIC Infrastructure Services – Harrison Square Loading Bay

Noted

7.2 SIC Infrastructure Services – Affordable Housing Policy

Noted

7.3 Dr Calum MacKenzie – Access to foreshore, Twageos Road

Mr E Knight supported the idea of a 'Kissing Gate' being installed to alleviate the problem being suffered by Dr MacKenzie. Mrs A Simpson seconded the motion.

Mrs K Greaves voiced her concern over the prospect of a Kissing Gate being installed as it would hinder the passage of anyone with a pram or pushchair.

The Chairman asked the Clerk to the Council to write to Mr Iain McDiarmid, Head of Service, Planning Department, Shetland Islands Council to see if it would be legal to install a gate. He also asked the Clerk to write to Mr Neil Hutcheson, Infrastructure Services and ask if there were any 'Kissing Gate's' which also allowed ease of access to people with prams or pushchairs.

7.4 Mrs H J MacKenzie – Lerwick Cemetary Garden

Mr E Knight stated the pond used to be freshwater and in the first year after development he had added some frogspawn. Aquatic plants had been added the second year but after that the area had not been maintained and the water was now stagnant.

The Chairman asked the Clerk to the Council to write to Mr Jim Grant, Infrastructure Services, Shetland Islands Council to inform him of the situation and ask him to check the possibility of a blocked duct or drain at the pond.

7.5 Gulberwick, Quarff and Cunningsburgh Community Council – Housing Zoning Maps – Local Protection Areas

Cllr C Miller stated it was not a satisfactory situation that landowners were often unaware that their land had been designated an area for protection and precluded from building on. She stated that the Planning board would need to address the situation and make landowners fully aware of the situation.

The Chairman asked the Clerk to the Council to write to Bessie Barron, Planning Department, Shetland Islands Council voicing concern. He requested that Bessie Barron also be asked to supply the plans highlighting the areas of protection agreed during her presentation June 2007.

7.6 Mr & Mrs Thomson – Objection to proposed multiple occupancy house – 89 St Olaf Street

The Chairman asked the Clerk of the Council to write to Mr & Mrs Thomson and sympathise with them but state that planning permission is not needed as there is no change of use to the property.

7.7 SIC Legal & Administration – Community Council By-Elections 2007/08

The Chairman stated Lerwick Community Council was required to advertise the available Lerwick Community Councilor position twice before Alan Goudie, co-opted member could be upgraded to a full member with voting rights.

He asked the Clerk to the Council to write to Valerie Nicolson, Headmistress, Anderson High School and extend an invitation for a male and female 6th year pupil to be nominated to sit on the council.

7.8 Grant thanks – Shetland Blues Festival 2007

Noted

7.9 Grant thanks – Mr & Mrs Ramsay

Noted

07/10/08 **Approve Financial Statements for year end 31 March 2007 - LCC**

Approved Chairman

Seconded Mrs A Simpson

07/10/09 **Approve Financial Statements for year end 31 March 2007 – LCCCT**

Approved Chairman

Seconded Mr J Henry

07/10/10 **Financial Report**

Noted

07/10/11 **Financial Assistance**

No applications received

07/10/12 **Planning Applications**

No planning applications were received by Lerwick Community Council. However the Chairman was aware Scottish Co-op, North Road, Lerwick had requested planning permission to increase their shop floor space without improving their goods access or parking area.

The Chairman asked the Clerk to the Council to write to Mr Iain McDiarmid, Head of Service, Planning Department, Shetland Islands Council and object on the grounds that although Scottish Co-op wished to increase their floor area they did not intend to improve their goods access or improve parking facilities in their already overcrowded car park.

Cllr A Wishart asked the Clerk to the Council if a reply had ever been received from Scottish Co-op to the letter from Lerwick Community Council with regard to their delivery access **07/03/13**.

The Clerk replied that despite the letter and several follow up calls no response had been received.

07/10/13 **Any Other Business**

Mr A Goudie noted his concern that the Staney Hill Shop had been closed for almost two years after being repossessed and was now on the market with the possibility of being changed into residential rather than retail use.

He stated there was a strong local wish for it to be kept as a shop.

Cllr A Wishart noted the great difficulty shop owners had in keeping their business viable and stated the previous owners struggled to keep the

business going before selling it on to the people who eventually had the shop repossessed by the bank.

Mrs Averil Simpson asked if any decision had been made regarding Craigielea stating it had been lying empty for some time now.

The Chairman asked the clerk to the council to write to Alan Rolfe, Assets and Properties, Shetland Island Council and enquire what the current plans are for Craigielea.

Mr R Leith stated Hamish Nichol, a member of the Lerwick Brass Band approached him and voiced concern that the Band would now be liable for the costs involved in setting up their Christmas Concert in aid of 'Age Concern' at Bells Brae School.

Previously the costs for the Janitor's was paid by the Education Department, Shetland Islands Council but as this would no longer be the case, the funds raised for 'Age Concern' would be greatly reduced

The Chairman asked the Clerk to the Council to send a Grant Application form to Hamish Nichol, Lerwick Brass Band, Sands of Sound and stated their request would be looked upon favourably.

Mr E Knight expressed concern at the quality of the replacement wall being built at the Bruce Hostel.

The Chairman agreed that the wall did not look substantial and asked the Clerk to the Council to write to Chris Medley, Head of Service, Housing and Capital Projects, Shetland Islands Council and voice the concerns of Lerwick Community Council.

Mr E Knight reported on his 'Learning Journey' to Wind Farms in mainland Scotland. He explained how he had visited Wind Farms at Eaglesham, Braes of Doune near Stirling and Farr, South of Inverness and spoken to the Community Councils to get some understanding of the impact the Wind Farms had on the local communities.

Mr E Knight stated that although there was no statutory requirement for communities to be paid for housing Wind Farms, payments had been received but with little negotiation from the communities. However, only one community felt the annual income was not enough.

He noted part of the designated area for the proposed Wind Farm in Shetland belonged to the Busta Estate therefore 50% of the income generated would go to Shetland Charitable Trust.

Mr E Knight stated the decision to go ahead with the Wind Farm was a community wide decision but the projected annual income of 18 million would be worth bearing in mind.

He said the 'Learning Journey' had been worthwhile but the proposed Wind Farm in Shetland was a whole different matter due to the scale and the biggest problem would be inconvenience to the travelling public during the building of the Wind Farm.

Mr E Knight also pointed out that for the most part the Wind Farms were hidden on the mainland where the proposed Shetland Wind Farm would be seen from most areas in Shetland.

Mrs K Greaves voiced her concern over the amount of concrete needed to support the proposed 168 giant Windmills and the disruption and damage to Shetland's landscape.

She stated that before making a firm decision the community should establish just how much of 'the pot' would be taken by the Government.

Mr D Ristori enquired how many jobs would the Wind Farm create.

Mr E Knight replied although a lot of work would be created during the setting up of the Wind Farm, only a small maintenance group of 4-5 would be needed when the Wind Farm was up and running.

The Chairman thanked all those who attended the meeting of Lerwick Community Council.

The meeting closed at 8.50pm.

MR J ANDERSON
CHAIRMAN
LERWICK COMMUNITY COUNCIL