

MONDAY 11 OCTOBER 2010

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

Members

Mr J Anderson
Mrs A Simpson
Mr D Ristori
Mr L Angus

Mr A Johnston
Mr W Spence
Ms K Fraser
Mr A Henry

Ex-Officio Councilors

Cllr J Henry

Cllr A Wishart

In Attendance

Robert Sinclair, Head of Capital Programmes, SIC
Shetland Times Reporter
Mrs K Semple, Clerk to the Council

Chairman

Mr J Anderson, Chairman to the council presided.

10/10/01

Circular

The circular calling the meeting was held as read.

10/10/02

Apologies for Absence

Apologies for absence were received from Mrs K Greaves, Mr G McGhee, Mr E Knight, Cllr J Wills, Cllr C Smith and Mr M Peterson

10/10/03

Minutes

The minutes of the meeting held on 6 September 2010 were approved by Mr L Angus and seconded by Mr A Henry

10/10/04

Business Arising from the Minutes

10/09/07 Proposed Knab Viewpoint

Mr L Angus advised that the order for the Interpretive Panels had been placed. It was agreed "the panels would be left largely as they were" and a third, stainless steel plaque was to be specially made noting the viewpoint was commissioned and paid for by Lerwick Community Council.

10/09/06 Vandalism, Viking Bus Station

Mr D Ristori passed photographs to the Chairman which showed the extent of vandalism to windows, on four separate occasions, at the Viking Bus Station.

The Chairman asked for the photographs to be taken to the next meeting of Lerwick Community Council in order for the concern to be discussed when a member of Northern Constabulary was present.

10/09/13 Play Areas, Quoys

Mr D Ristori put forward a suggestion that one large area of land at Longland could be developed as a recreational area rather than two or three smaller parks.

The Chairman asked the Clerk of the Council to write to Mr M Malcolmson, Leisure Facilities Officer, SIC and ask for the long term plans for the area at Longland.

(Action: Clerk of the Council)

He also drew members' attention to **item 10.4** in the agenda which noted that planning permission for further development in the area included the provision of two informal/recreational areas within the development and an area to the north of the site reserved as a green corridor.

Mr L Angus advised that an area of land had been set aside between the phases, on the seaward side, near the roundabout for recreational purposes.

He stated that parents had requested an area of ground for recreational purposes, not equipped, just a safe area of ground for children to play.

10/09/08 - Item 8.5 & 8.6 Staney Hill Road

Ms K Fraser asked how the situation was regarding the removal of the padlock on the barrier at the foot of Staney Hill Road.

The Chairman read out the following email from Jonathan Duncan, Outdoor Access Officer, SIC which arrived too late to be included in the agenda;

Dear Ms Semple,

Austin Taylor, my line manager, has asked that I contact you re. your ongoing enquiries into the road barrier at the Staney Hill track, in my capacity as Outdoor Access Officer for the Council.

With reference to your conversation with Austin Taylor on 5th October, I can confirm the following:

The Staney Hill track forms part of a Core Path. Specifically, CPPL06, which heads up the track, south through the hill towards the reservoir, joins the main road back into town, and towards clickimin where it terminates. Core Paths Plans were introduced by Part 1 of the Land Reform (Scotland) Act 2003. The purpose of the Plan is to designate a system of paths to provide the basic framework of routes (which are) sufficient for the purpose of giving the public reasonable access throughout their area (and which will) link into and support wider networks of other paths and routes.

This department of the Council did not install the barrier at the foot of the hill, and is not the owner of either the barrier or the padlock attached to it. No members of staff currently working in this department know who was involved in the installation of the barrier, who the owner is, or who is responsible for it's upkeep.

The Council would have no objection if the padlock were to be removed and the barrier lowered because access to the Core Path will continue to be available through the self-closing gate which is sited within close proximity to the barrier, which was installed (and is maintained) by the Council. The Council cannot, however, remove the padlock because (as stated above) it is not the owner, and it's existence has no effect on our duties in relation to the Core Path.

I hope that this helps to clarify our position on the matter.

Regards,

Jonathan Duncan.

The Chairman asked the Clerk of the Council to write to Mr C Gair, Traffic Engineer, Roads, SIC and ask if he could provide clarification as to the ownership of the barrier and padlock.

(Action: Clerk of the Council)

10/09/13 Yellow Lines – Sletts

Mrs A Simpson stated she did not 'stress the need for double lines' but noted the need for parking to be prohibited.

The Chairman advised he had spoken to George Leask, Design Engineer, Roads, SIC and would write to Ian Halcrow, Head of Service, Roads, SIC confirming that parking restriction in the corner would be beneficial and also bollard to stop vehicles parking on the pavement.

(Action: Chairman)

10/10/05

Area Commanders Monthly Report – August 2010

Noted

10/10/06

Police Report

PS B Gray was unable to attend the meeting but later emailed the following crime analysis for September 2010 compared to that of the same time last year.

Class 1 - Crimes against the person – Up from 8 to 20, of which 19 were detected
Class 2 - Crimes involving indecency – Remained the same at 11, with 4 detections
Class 3 - Crimes of dishonesty – Up from 199 to 239, of which 163 were detected
Class 4 - Crimes of vandalism – Down from 136 to 104, of which 42 were detected
Class 5 - General Crimes – Down from 89 to 85, all detected
Class 6 - Miscellaneous crimes – Down from 271 to 185, with 172 detections
Class 7 - Traffic Offences – Up from 268 to 294, 289 detected

10/10/07

Siting of Proposed New Eric Gray Centre - Robert Sinclair, Head of Capital Programmes, SIC

The Chairman welcomed Mr R Sinclair, Head of Capital Programme, SIC to the meeting.

Mr R Sinclair advised that four sites were originally considered, Kantersted, the site of the old Archives, Sands of Sound and North Clickimin, three were discounted for various reasons and Kantersted was thought most suitable and from a service point of view, the best.

Ms K Fraser asked exactly where the proposed new Eric Gray Centre was to be built.

Mr R Sinclair stated it would be close to the entrance of the existing car park, which would also be used. He explained the could not build in the lower half of the site as it was too close to the 5m contour.

Mr W Spence noted that other building work had taken place below the 5m contour.

Mr R Sinclair advised he was aware of this but they had to adhere to the rule.

Mr W Spence argued that there was no rule, only a guideline.

Mr R Sinclair replied that from a planning perspective they had to build away from the 5m contour but added there were other reasons for their decision.

The Chairman asked why the Hockey Pitch was chosen as opposed to the Equestrian Park.

Mr R Sinclair replied that it was more accessible and better from a service point of view. He stated that if the Equestrian Park was chosen the sea road would have to be widened and a new road created.

The Chairman asked if the Equestrian Park was owned by SIC.

Mr R Sinclair replied that it was.

The Chairman asked if, after the new Eric Gray Centre was built, an equal amount of space would be given back for community use.

Mr R Sinclair stated there was nothing specific in the report and he was not aware of any plans to do so.

He advised a report had been put to the Services Committee and full Council and it was the settled will of the Council to move ahead through normal channels.

Mrs A Simpson asked what would be done with the existing Eric Gray Centre.

Mr R Sinclair replied that nothing specific had been earmarked.

Mr L Angus advised that an alternative site south was not deemed feasible due to costs incurred in widening the road and demolishing dry stane dykes. He stated the other sites were discounted for technical reasons and that this conclusion had been reached by both Mr Sinclair and his predecessor.

He stated that the chosen site at Kantersted would allow services to be shared, keeping running costs down. He advised plans had been ongoing since 1999 and if there was an alternative he would like to see it pursued but each time a different site was reviewed it was discounted on technical grounds.

Cllr A Wishart advised that it would be helpful if the reasons why alternative sites were deemed unsuitable were made more available to the public.

He noted that as Mr R Sinclair advised, the proposal had to go through the planning process and Lerwick Community Council could make any views known at that point.

The Chairman stated the plans should not be site constricted and enquired if the option was looked at to remove Seafield Road, between the Hockey Pitch and the existing centres, from the picture and build on the area in a southerly direction giving one true campus rather than having a main road running between buildings.

Mr R Sinclair stated he was uncertain what the Chairman meant and noted a map or drawing would be helpful.

He advised that the reasons for discounting the other areas considered for building the New Eric Gray Centre were available in a public document.

He went on to detail that the site of the Old Archives was discounted as the height of any new building would have to match the height of existing structures, meaning any new build would have to be single storey and therefore not large enough, North Clickimin was discontinued both due to uncertainty regarding the proposed new Anderson High and the proximity to the old town dump and Sands of Sound because of loss of services and a protected corridor to Ness of Sound.

Mr W Spence suggested that needs may have changed since 1999 and asked if it was not worth looking to see if the required services could be built on the existing site.

Mr R Sinclair replied this could not be done as there was nowhere to decant.

Mr L Angus stated the existing site was looked at but there simply was not enough space which was why it was deemed necessary to move in the first place.

Ms K Fraser stated it seemed a shame that a Brownfield site could not be identified and noted the chosen site was one of the few areas in Lerwick which could be suitable for allotments.

The Chairman stated that if the decision was made, it would be appropriate to identify a similar sized site which could be developed into a recreational space, even if the current site was demolished, landscaped and returned to its natural state.

Mr R Sinclair reaffirmed alternatives had been considered and everything had been done as even handed as possible.

He advised he hoped to have the design developed within one year for submission for planning permission but would confirm this by email.

The Chairman thanked Mr R Sinclair for attending the meeting to discuss the concerns.

Mr R Sinclair left the meeting at 7.40pm.

10/10/08 **Clinical Strategy Development, NHS Shetland – David Wagstaff, Project Manager**

At the request of Mr Wagstaff the above presentation was postponed.

10/10/09 **Areas Which May be Suitable for Developing as Viewpoints**

As Mrs K Greaves had requested the item to be on the agenda, the Chairman asked for it to be held over until the December meeting of Lerwick Community Council when she would be present.

(Action: Clerk of the Council)

10/10/10 **Correspondence**

10.1 Odours – Area of Freefield Pharmacy and Globe Butchers – Jacqueline Sutherland, Complaints Manager, Scottish Water

Mr L Angus stated he was happy to see there was a resolution to what had been an unpleasant environmental hazard.

10.2 Crumbling Masonry, Grand Hotel, Lerwick – Gordon Greenhill, Executive Director, Infrastructure Services, SIC

Noted

10.3 Crumbling Rock Face, Fort Charlotte – Gavin Douglas, Regional Works Manager, Historic Scotland

Mr L Angus stated he was surprised to note Historic Scotland had stated the rock face was not their responsibility when they consolidated the rock facing and removed a lot of the plants in order to protect the integrity of the stone.

The Chairman noted he was pleased with Historic Scotland's response to the concerns of Lerwick Community Council.

10.4 The Provision of Outdoor Recreational Areas – Large Scale Developments, Hannah Nelson, Development Plans Manager, Infrastructure Services, SIC

This letter was discussed previously under 'Business Arising from the Minutes'.

Mr L Angus added that an action group made up of mothers would be "keeping the pressure on".

10.5 Chairs and Tables on the Public Road – Neil Robertson, Engineer, Roads, SIC

The Chairman noted he hoped that Mr G Marshall, Manager, Osla's would apply for permission to put tables and chairs outside the premises.

10.6 Laurence Smith, Lerwick Town Centre Association – Tesco Concern

The Chairman stated that events had superseded the letter since it was written.

Ms K Fraser noted it may be worth finding out how often Planning, SIC check on Tesco to ensure they are keeping within their planning conditions.

Mr L Angus stated there was no breach of planning permission, no impropriety and the only recourse Lerwick Town Centre Association had was to take the issue up with the ombudsman, if they believed the process was flawed.

He further stated that he did not see how Lerwick Community Council could do anything as they did not have a locus in it and noted members of the public who discussed Tesco with him, did so positively.

Cllr A Wishart stated he would contact Planning, SIC in order to clarify the situation.
(Action: Cllr A Wishart)

10.7 Request for Assistance with Planning Application – Mr G Fraser, Vice-Chairman, Ex-Whalers Association

Members agreed to assist the Ex-Whalers Association as requested in their letter.
(Action: Clerk of the Council)

10/10/11 **Application for Premises Licence**

11.1 Application for Variation of Premises Licence - Monty's Bistro and Bar

No objection
(Action: Clerk of the Council)

10/10/12 **Tri-Annual Detailed Financial Report**

Noted

10/10/13 **Planning Applications**

13.1 2010/358/PCD – Proposed temporary change of use of land for crushing and screening operations for a twelve month period, Hoofields, Lerwick

No objection
(Action: Clerk of the Council)

13.2 2010/362/PCD – Erect thermal storage tank, Lerwick Power Station, Gremista

No objection
(Action: Clerk of the Council)

10/10/14 **Lerwick Applications – September 2010**

Noted

10/10/15 **Any Other Business**

Lerwick BID

At the request of Mr L Smith, Lerwick Town Centre Association, the Chairman asked if members would be willing to complete and return a questionnaire which would be distributed by the Lerwick Community Council Clerk.

All members attending the meeting agreed to this request.

Cllr A Wishart declared an interest.
(Action: Clerk of the Council)

Steps at Matchbox House

Mr L Angus referred to the site meeting both he and the LCC Chairman had had with Mr G Greenhill, Executive Director, Infrastructure Services and Mr I Halcrow, Head of Roads, SIC in the spring of this year and Mr Greenhill's subsequent agreement that SIC would replace the steps **(10/05/16)**.

Mr L Angus stated he contacted Infrastructure Services as there was no sign of the work being undertaken, he was not encouraged by the response.

The Chairman asked the Clerk of the Council to write to Mr G Greenhill, Executive Director, Infrastructure Services, SIC and ask when the work to reinstate the steps would begin

(Action: Clerk of the Council)

Old Cemetery Dyke

Mr L Angus raised concern at the safety of the old cemetery dyke and stated that most notably a bulge could be detected on the Lover's Loan side. He noted memorials built into the wall could cause difficulties with the repairs.

The Chairman asked the Clerk of the Council to write to Mr G Greenhill, Executive Director, Infrastructure Services, SIC with regard to the concern.

(Action: Clerk of the Council)

Wall Dividing Commercial Street and Esplanade

Mr D Ristori raised concern with regard to the condition of the wall running from The Fort Chip Shop towards Baroc.

He displayed some photographs which highlighted several large cracks and was anxious that the wall may be unsafe.

The Chairman asked the clerk of the Council to write to Mr G Greenhill, Executive Director, Infrastructure Services, SIC, note the concern raised and include the photographs with the letter.

(Action: Clerk of the Council)

Proposed Knab Viewpoint

The Chairman stated he was hopeful work would be well underway by the November meeting of Lerwick Community Council.

The Chairman thanked members for attending the meeting.

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

MR J ANDERSON
CHAIRMAN
LERWICK COMMUNITY COUNCIL