

**MONDAY 14 September 2009**

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 W Stove    | Mr R Leith   |
| Mr D Ristori  | Mr A Johnson |
| Mr W Spence   | Ms K Fraser  |
| Mrs A Simpson | Mr L Angus   |
| Mrs K Greaves |              |

**Ex-Officio Councilors**

|              |              |
|--------------|--------------|
| Cllr J Wills | Cllr J Henry |
|--------------|--------------|

**In Attendance**

Ms June Porter, Community Learning & Development Officer, SIC  
Mr Colin Gair, Traffic Engineer, Roads SIC  
Mr Craig Nicolson, Senior Project Manager, Capital Projects, SIC  
Mr Jeff Goddard, Financial Controller, Shetland Charitable Trust  
Shetland Times Reporter  
Mrs K Semple, Clerk to the Council

**Chairman**

Mr J Anderson, Chairman to the council presided.

09/09/01

**Circular**

The circular calling the meeting was held as read.

09/09/02

**Apologies for Absence**

Apologies for absence were received from Mr M Peterson, Cllr C Miller and Mrs M Robertson.

09/09/03

**Minutes**

The minutes of the meeting held on 13 July 2009 were approved by Mr L Angus and seconded by Mr D Ristori.

09/09/04

**Business Arising from the Minutes**

There was no business arising from the minutes.

09/09/05

**Minutes**

The minutes of the 'Special Meeting' held on 23 July 2009 regarding the proposed Viking Energy Wind Farm were approved by Mr L Angus and seconded by Mr D Ristori .

09/09/06 **Business Arising from the Minutes**

Mrs K Greaves stated that she had visited Wind Farms on the mainland whilst on the Learning Journey arranged by Viking Energy and would pass her written comments to the Clerk of the Council.

The Chairman asked the Clerk to include the comments in the next agenda.  
**(Action: Clerk of the Council)**

09/09/07 **Police Report**

PS B Gray did not attend the meeting but emailed the crime analysis for August compared to those of the same time last year.

Class 1 - Crimes against the person – Up from 6 to 7, 7 detected  
Class 2 - Crimes involving indecency – Up from 11 to 12, with 8 detections  
Class 3 - Crimes of dishonesty – Up from 129 to 169, of which 117 were detected  
Class 4 – Crimes of vandalism – Down from 149 to 110, of which 29 were detected  
Class 5 - General Crimes – Down from 90 to 67, with 67 detections  
Class 6 - Miscellaneous crimes – Down from 257 to 232, with 214 detections  
Class 7 - Traffic Offences – Up from 234 to 242, with 236 detections

09/09/08 **Ms June Porter, Community Learning & Development Officer, SIC – Local Service Delivery Groups**

Ms J Porter, Community Learning & Development Officer, SIC advised Local Service Delivery Groups (LSDG's) have now been established in 6 of the 7 localities across Shetland, leaving Lerwick, Bressay and Gulberwick to form the last piece of the jigsaw. Groups are made up of representatives from health, Community Councils, local government, local community organisations, and the voluntary and independent sectors and are at various stages in their development.

Each LSDG aims to:

- Establish ongoing dialogue with community groups and members of the local community;
- Assist communities to articulate their needs and aspirations;
- Ensure communities are listened to and their needs are reflected in local plans and corporate strategy;
- Give high priority to identifying and contacting hard to reach groups and individuals;
- Find different ways of working to meet needs;
- Develop joined up action plans to address identified needs;
- Where possible, implement local solutions to local problems.

Ms Porter stated Interested parties can get involved by participating in a launch event "Planning for the Future" which will take place Wednesday 23 September 2009, between 2.00 – 4.30pm in the Town Hall, Lerwick.

Ms K Fraser advised she would try to attend the event.

Mrs K Greaves stated she hoped that Local Service Delivery Groups would be pro active and do more than just talking. She advised that she had continuously come up against closed doors and brick walls when trying to get allotments established in the Lerwick area.

Ms J Porter advised the LSDG's would hear issues and assist in making community projects work, whether to discuss things with the correct people, arrange training or gather information on what the needs were.

Mrs K Greaves asked if the forums were open to members of the public.

Mrs J Porter replied essentially yes, all members of the community could be involved and have their say.

Mrs K Greaves asked if LSDG's would have been able to assist her in setting up allotments.

Ms J Porter replied that they would.

Mrs A Simpson asked for an example of how LSDG's had assisted the public in Whalsay, the first area in Shetland to establish a LSDG.

Ms J Porter replied an arrangement had been secured to allow more shared access to the swimming pool between the community and the school. She added that in theory the arrangement could have been made without the assistance of the LSDG but the group had removed blocks that had previously not allowed the shared access to happen.

Mrs A Simpson asked if there was a cost involved in providing the service.

Ms J Porter advised there was no budget and the scheme was run within existing resources.

The Chairman questioned the wisdom in incorporating Gulberwick, Lerwick and Bressay together as their needs were so diverse.

Ms J Porter stated both Gulberwick and Bressay looked to Lerwick for much of their service needs but stressed the individual needs of each area would be recognised.

Mrs K Greaves stated she had come up against brick walls when investigating the possibility of community buses.

Mrs J Porter advised Mrs K Greaves she could help her tomorrow and resolve her questions and suggested Mrs K Greaves came to see her.

Cllr J Wills declared he was not keen on the scheme stating LSDG's were superficially attractive, had no budget, no power, was a duplication of what was already there and gave confusion and false hope. He noted there was enough layers of government already.

Ms J Porter replied she respected Cllr J Wills opinion.

Ms K Fraser asked who took the initiative to call meetings.

Ms J Porter replied she had been tasked to do so, in the meantime.

The Chairman asked what would happen if no enthusiasm for LSDG meetings was shown.

Ms J Porter replied it was a possibility but they would be going with the process. However, she recognised there was no point 'flogging a dead horse' and if there was no support the scheme would be looked at in different ways.

Mrs K Greaves stated she could see the benefit of the scheme if the public were made aware it existed.

The Chairman advised he was unsure if LSDG's was the best way forward.

Ms J Porter stated she understood but 'they can but try'.

The Chairman thanked Ms J Porter for her presentation which concluded at 7.45pm.

09/09/09

**Colin Gair, Traffic Engineer, Roads, SIC – To discuss area between TSB & Harbour House and the Pedestrianisation of Commercial Street**

Mr C Gair, Traffic Engineer, Roads, SIC thanked the Chairman for inviting him to make his presentation.

Referring to the area between TSB and Harbour House he advised three options had been tabled. The first was to tidy the area and keep as existing with very little change; the second was to remove the through route creating a public square, an idea put forward by Lerwick Town Centre Association, although this proposal had issues concerning the loading and unloading of goods to the rear of Conochies and may lead to the revision of traffic orders; third was the parking option whereby parking spaces would be provided, accessed directly from the Esplanade.

Mr C Gair advised a note of caution to the last option as it may cause conflict as the Pier car park was directly opposite.

Mr L Angus noted there was a constant cry for additional car parking spaces and was against anything which restricted footfall on the street. However, he advised parking spaces where cars had to reverse out onto the main road should be avoided.

Mr L Angus understood the unloading of newspapers to Conochies would be a factor but pointed out the process would only take about twenty minutes each day. He suggested the illegal parking in the area should be formalised and the parking bays in front of the chip shop kept with a time restriction of 15 minutes imposed.

He also stated letters should be written to both the Police Authority and Shetland Islands Council insisting a Traffic Warden is provided, even if only on a part-time basis.

The Chairman asked the Clerk of the Council to write to Northern Constabulary and Shetland Islands Council and strongly put forward Lerwick Community Council's request for a Traffic Warden.

**(Action: Clerk of the Council)**

Cllr J Wills stated his preference was option two where the loading area would be preserved and suggested a lockable bollard be installed.

Mr L Angus stated he was not happy with the plans for the bus stop and felt current bus stop area should be preserved.

The Chairman asked if a 'shark tooth' could be installed in option two instead of a lockable bollard.

Mr C Gair advised a 'shark tooth' mechanism could not be installed in a pedestrianised area but stated the idea of a lockable bollard was feasible.

Mr W Spence advised that if traffic reversing from the parking areas in option three was regarded as a potential hazard due to the Pier parking opposite, surely having a bus parking on the road would be a hazard, particularly when cars overtook.

He stated that the planned pavement was far too wide and could see no problem with the current layout.

Ms G Greaves noted she agreed with Mr L Angus and advised the town had to be friendly to all and consider people who had to drive into town from outlying areas or had limited time to tend to their business.

The Chairman also agreed with what had been said about the bus stop and stated all bus stops should be off the public road wherever possible.

Mr L Angus advised he had seen the bus parked in the current bay for extended periods and noted that even now it created congestion.

He stated the short term parking bays had proved very successful and the opportunities for their creation should be increased.

Cllr J Henry also agreed an appropriate bus stop was needed.

Mr C Gair advised he would feedback Lerwick Community Council's comments regarding the bus stop and suggested it could be created in the area planned as a pick up and drop off zone.

Mr B Stove suggested a combination of option one and two with a bus lay-by should be a consideration.

Ms K Fraser opined too much was being made about the need for a bus lay by advised in reality very little disruption would be made to traffic. She thought the wide pavement looked good and plans for it should be preserved.

She stated option two was a waste of space as the area would be rarely used due to Shetland's weather conditions.

Mr R Leith advised many tourist buses used the current bus stop during the summer season and drivers often showed scant regard for other road users.

The Chairman asked Mr C Gair if he was satisfied with the responses he had heard to the three options.

Mr C Gair advised that he was and would make a draft order for Lerwick Community Council's comment.

**(Action: Mr C Gair)**

Mr D Ristori raised an issue regarding Mill Lane which runs between Da Wheel Bar and some flats. He stated that as the pavement was unbroken pedestrians were often unaware cars could drive over it and it was a potential danger.

The Chairman agreed and stated it was a particular danger to the visually impaired as the pavement surface did not alter to alert them.

Mrs A Simpson stated the issue had been raised at a previous meeting and although Shetland Islands Council had promised to do something, nothing had been done.

Mr D Ristori also suggested Garthspool Road should be made one way.

Mr C Gair advised the comments would be taken on board.

**(Action: Mr C Gair)**

Mr C Gair moved on to the subject of the possible Pedestrianisation of Commercial Street.

He proposed that due to the large number of vehicles contravening the traffic order by driving up Burns Walk to access the street, a removable bollard should be installed and the layout to parking modified to one similar to the rest of the Esplanade. He advised an objection to this proposal may be received from the Fort Chip Shop.

Mr C Gair went on to discuss the south end of Commercial Street.

He proposed driving on that area of the street should be restricted and the parking bays in the area outside Royal Bank of Scotland could be made into disabled bays only, removing the excuse for other car users to drive on that part of the street.

Mr L Angus advised any attempt to fully pedestrianise the area would be met by protest from the public, as had happened in the past.

The Chairman suggested a bollard could be placed at the far south end of Commercial Street making it a one way system.

Mr C Gair advised that he would be opposed to the idea, given the number of vehicles which would have to perform three point turns to vacate the area.

The Chairman stated there had been no notable problem to a one way system when the entrance to the south end of the Street was blocked for resurfacing.

Mr C Gair advised that few people had realised that area of the street could still be used, but when they did, problems did arise.

The Chairman asked why a blanket order to restrict drivers, 24 hours should not be drawn up.

Mr L Angus stated there would always be opposition to blanket pedestrianisation from the public, individual traders and Town Centre Association.

Mrs K Greaves raised concern at the proposal as members of the public often had to collect large parcels from the post office.

Mr C Gair advised vehicles could still drive through the street before 11.30am any day of the week.

The Chairman suggested that as the Post Office was open until 5.30pm from Monday to Thursday, perhaps vehicles could also be allowed access to the street after 5.15pm.

Mr G Angus noted the suggestion to restrict driving on the south end of Commercial Street between 11.30am-5.15pm may well be worth trialing for six months.

The Chairman noted he was quite happy with the proposals to install a bollard at Burns Walk and generally in favour of the idea to trial order the part pedestrianisation of the south end of Commercial Street.

Mr C Gair advised he would draft up a trial order for Lerwick Community Council's comment.

**(Action: Mr C Gair)**

The Chairman thanked Mr C Gair for his presentation which concluded at 8.35pm

09/09/10

**Mr Craig Nicolson, Senior Project Manager, Capital Projects, SIC – To discuss Planning Application 2009/228/PCD – Erect Office Accommodation, North Ness Business Park**

Cllr J Henry declared an interest as Chairman of Shetland Charitable Trust.

Mr C Nicolson, Senior Project Manager, Capital Projects, SIC advised the final design had been chosen from six submitted and was a total of 3,000 square meters over 3 storey's with two wings and mid-section.

The office accommodation was close to amenities including the bus station, Mareel and Museum.

He explained the exterior design was wood cladding and render to blend in with the Museum.

The design had been made flexible to allow, if necessary, the building to be split into nine separate sections. Bike lockers and showers had been included to promote an alternative means to getting to work.

Mr J Goddard, Financial Controller, Shetland Charitable Trust advised half a million pounds would be spent making sure the building got it's green points with an emphasis on insulation, water run-off and district heating.

The Chairman enquired what would happen to the large stone wall which currently surrounds the area.

Mr C Nicolson advised it would come down and be used in the sub-structure.

Mrs K Greaves raised concern that the road from the development on to the main road may not be sufficient for the road users when everyone leaves work at the end of the day.

Mr C Nicolson stated it would not be an issue due to the flexible hours of the staff.

Mr J Goddard advised the building of the new offices could potentially free up seven buildings, hopefully for housing stock, currently used as offices throughout the town.

Mrs K Greaves asked about the health and safety issue surrounding the oil tanks in the area.

Mr J Goddard responded that modification to the oil tanks was due this summer but it certainly would take place before the start of winter. He explained conditions were in place where no new buildings could be inhabited until the issue was dealt with.

Mr L Angus advised he had no criticism over the design but thought parking was oversubscribed for the whole of the North Ness.

Mr C Nicolson stated there was provision for 122 car parking spaces for their proposed development.

The Chairman noted that meant a shortfall of 15 spaces if the building was to accommodate 137 staff and no provision had been made for visitors to the building.

Mr C Gair advised parking provision went by floor space rather than staffing count.

CLlr J Wills stated the building had architectural merit and looked a good construction.

The Chairman agreed the building was well planned and stated he would be saddened if the proposed build was rejected solely due to lack of parking in the area considering it was near a bus station.

Ms K Fraser stated parking spaces were available behind Viking Bus Station and did not see a problem.

The presentation concluded at 9.25pm.

The Chairman thanked Mr C Nicolson and Mr J Goddard for attending the meeting and giving their presentation.

09/09/11

**Correspondence**

**11.1 Ness of Sound – Hannah Nelson, Development Plans Manager, Planning, SIC**

The Chairman asked the Clerk of the Council to write to G.B. and A.M. Anderson and ask if they have any plans for the area.

**(Action: Clerk of the Council)**

**11.2 Hospice Facility, Gilbert Bain Hospital – Sandra Laurenson, Chief Executive, NHS Shetland**

The Chairman asked the Clerk of the Council to write to Miss Sandra Laurenson and request a copy of the Strategy following its presentation to the Board in October 2009.

**(Action: Clerk of the Council)**

**11.3 Maintenance Works to Flagstone, Commercial Street, Ian Halcrow, Head of Roads, SIC**

Noted

**11.4 Proposed Shetland HVDC Connection, Ruth Liddicoat, Major Projects Liaison Manager, Scottish & Southern Energy**

The Chairman asked the Clerk of the Council to put the item on the next agenda.

**(Action: Clerk of the Council)**

**11.5 Grant Thanks – Peter Malcolmson, Chairman, Sound Common Grazings**

Noted

**11.6 Section 36 Application for the Proposed Viking Energy Wind Farm, Shetland – John Holden, Service Manager, Development Department, SIC**

The Chairman asked the Clerk of the Council to send Mr Holden a copy of the comments made to Marian Deeny, Energy Consents Officer, The Scottish Government by Lerwick Community Council.

**(Action: Clerk of the Council)**

**11.7 Construction of viewpoint area with seating and information boards, Gun Emplacement By Old Knab Cemetery, Knab Road, Lerwick – Richard MacNeill, Planning Officer, SIC**

Cllr J Wills moved the application should proceed as per the original plans.

This was seconded by Mrs A Simpson.

09/09/12

**Licensing (Scotland) Act 2005 – Applications for Premises Licenses – For Information Only**

Noted

**12.1 Information regarding 2005 Act – Brian Hill, Depute Clerk, Shetland Islands Area Licensing Board, SIC**

Noted

09/09/13

**SIC (Sandveien, Sound) (Parking Space for Disabled Person's Vehicle) Order 2009**

No objections.

09/09/14

**Approve Financial Statements for year end 31 March 2009 – LCC**

Mr L Angus moved to accept the Financial Statement.

This was seconded by Mrs A Simpson.



09/09/15 **Approve Financial Statements for year end 31 March 2009 – LCCCT**

Mr L Angus moved to accept the Financial Statement.

This was seconded by Mrs A Simpson.

The Chairman reminded the Clerk of the Council that Mr M Peterson had resigned his position on Lerwick Community Council Charitable Trust and asked the Clerk to arrange for his resignation to be noted on the Financial Statement.

**(Action: Clerk of the Council)**

09/09/16 **Financial Report**

Noted

09/09/17 **Financial Assistance**

**17.1 Islesburgh Pyrotechnics Display Club – Annual Fireworks Display 2009**

The Chairman declared a non-pecuniary interest.

Mr D Ristori moved £2,000 should be awarded to Islesburgh Pyrotechnics.

The motion was seconded by Mrs K Greaves.

**(Action: Clerk of the Council)**

09/09/18 **Planning Applications**

**18.1 2009/225/PCD – Change use of part of shop to café & take-away, Home Furnishing – Home Furnishing**

No objections.

Following a request from Mrs K Greaves and Mr W Stove the Chairman asked the Clerk of the Council to write to Mr J Wiseman, Planning Officer, SIC and request that proper provision is made in the area to contain litter which may be generated from the proposed café and take-away.

**(Action: Clerk of the Council)**

**18.2 Written Confirmation regarding extension to deadline – Application 2009/228/PCD**

Noted

**18.3 2009/228/PCD – Erect Office Accommodation, North Ness Business Park – Shetland Leasing & Property Ltd**

Mrs K Greaves asked for her concern regarding the road access to be noted.

No objections.

**(Action: Clerk of the Council)**

09/09/19 **Lerwick Applications July & August 2009**

The Chairman asked the Clerk of the Council to write to Richard MacNeill, Planning, SIC ask for copies of planning applications 2009/257/LBC and 2009/258/LBC and reserve the right to make comment.

**(Action: Clerk of the Council)**

09/09/20 **Any Other Business**

**Litter**

Mrs K Greaves raised the issue of litter around Lerwick and the lack of provision of litter bins.

Mr L Angus agreed with Mrs K Greaves concerns.

The Chairman asked the Clerk of the Council to extend an invitation to Mr J Emptage, Cleansing Service Manager, Environment & Building Services, SIC and Mrs M Dunne, Environmental Health Manager, SIC for one of the Neighbourhood Support Workers to attend the next meeting of Lerwick Community Council to discuss the issue.

**(Action: Clerk of the Council)**

Mrs A Simpson suggested an educational campaign could be put in place.

The Chairman agreed and stated the idea could be raised at the next meeting.

Mrs A Simpson enquired if results had been received following the wheelie bin trials.

The Chairman advised the trials had not yet taken place but results should be known by the next meeting of Lerwick Community Council and Jonathan Emptage could be asked during his presentation.

#### **Market Cross**

Mr R Leith asked when the damage made to the Market Cross would be repaired.

The Chairman asked the Clerk of the Council to write to Historic Scotland to voice the concerns of Lerwick Community Council and ask when the repairs will be undertaken.

**(Action: Clerk of the Council)**

#### **Welcome to Shetland Sign**

Mr R Leith noted the paintwork on the 'Welcome to Shetland Sign' had been poorly thought out as the white writing was lost on the white wall of the new public toilet building it had been placed in front of.

The Chairman asked the Clerk of the Council to write to Mr G Greenhill, Executive Director, Infrastructure Services, SIC and ask if he would consider arranging for the wording on the sign to be repainted an alternative colour to make it more visible.

**(Action: Clerk of the Council)**

#### **Coastal Erosion**

Mr L Angus asked if information could be sought regarding any progress that had been made concerning the issue of coastal erosion in the Lerwick area but in particular Sands of Sound and "Duke's Neb".

The Chairman asked the Clerk of the Council to write to Jonathan Duncan, Coastal & Flooding Engineer, Infrastructure Services, SIC and request a progress report.

**(Action: Clerk of the Council)**

#### **New Additional Co-opted Members**

The Chairman advised two sixth year students from Anderson High School had been nominated to sit on Lerwick Community Council as Additional Co-opted Members and would attend the next meeting of Lerwick Community Council.

**(Action: Clerk of the Council)**

The Chairman thanked members for attending the meeting.

There being no other competent business the meeting closed at 9.50pm.

MR J ANDERSON  
CHAIRMAN

LERWICK COMMUNITY COUNCIL