

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

Present

Mr R Anderson	Mr A Johnston
Cllr L Angus	Mr J MacLeod
Cllr G Feather	Mr T Nicolson
Ms K Fraser	Mr M Peterson
Cllr J Henry (arrived 8.20pm)	Mr P Scarsbrook
Cllr J Irvine (arrived 8.25pm)	Cllr W Stove

Additional Co-opted Member

Mrs A Simpson

In Attendance

PS G McCarthy, Lerwick Police Station
Mr J Robertson, Shetland Times
Miss C Duncan, Clerk

Chairman

Mr T Nicolson, Chairman of the Council, presided

05/02/01 **Circular**

The Circular calling the meeting was held as read.

05/02/02 **Apologies**

Apologies for absence were received from Mr J Anderson, Mr L Bissett, Mr I Bruce, Cllr A Cluness, Mr J Ogg and Ms B Wishart.

05/02/03 **Minutes**

The minutes of the meeting held on 17 January 2005 were approved on the motion of Mrs A Simpson and seconded by Mr R Anderson.

Ms K Fraser questioned whether the previous meeting had been quorate at the end, as there were only 5 full members present. The Chairman confirmed that, as the Community Council currently had 15 full members and a meeting needed one third of those to be present, the meeting had been quorate.

05/02/04 **Business Arising**

4.1 Financial Statement

Mr R Anderson reported that he had recently attended a meeting of the ASCC, where the amount of balance that can be carried over from one financial year to the next had been discussed. He had suggested that it would be fair and equitable to carry "£1000 or 10%, whatever is the greater amount". Under current regulations, Lerwick Community Council can carry over £1000 which is 2.3% of its funding,

whereas when Fetlar Community Council, for example, carries over £1000 it is 14% of its funding. Everyone at the meeting agreed this was a good idea but it has to be discussed further at the SIC/ASCC Liaison Group, although no-one anticipated a problem with this proceeding further.

4.2 West Baila/Punds Road

Cllr G Feather passed on a letter he had received from the Shetland Islands Council and stated that the contractor had carried out the work required and the road had now been adopted by the Shetland Islands Council.

4.3 CED Area

Mr R Anderson asked if it had been ascertained what this stood for. The Chairman confirmed it meant "Community Economic Development Area".

05/02/05

Police Report

PS McCarthy reported it had been a busy month, not so much the volume of incidents but the seriousness of them, and they had required the assistance of specialist units from the mainland on three occasions. These were two fatal road collisions outwith Lerwick and a sudden death in the town.

535 incidents

118 in Lerwick Town Centre area

14 thefts

8 detected

10 vandalism

2 detected

12 drug searches

2 positive results

6 drink drivers

1 positive result

There had been a number of housebreakings - with regard to the break in at the Staney Hill Shop, a youth had been reported to the Children's Panel. Another had been reported to the Children's Panel for break ins to the Queens Hotel. PS McCarthy asked if the Lerwick Community Council had any authority to write to the owners of the Queens Hotel advising them to increase their security, as, despite the number of break ins they had experienced in the last few weeks, security was still lax, with another door being found insecure by officers on patrol just the previous evening.

The Chairman replied that he did not they had authority but felt a letter from the Police to the owners would suffice.

PS McCarthy confirmed that they would be writing to them to advise them. He added he had no update on the proposed CCTV system but hoped to be able to report developments at the next meeting.

Mr R Anderson confirmed that the members had received a letter from the Community Safety Partnership so they were now more aware of who was doing what.

The Chairman expressed concern at the increased number of break-ins, which he thought was very troubling. He felt the local drug culture contributed to the situation. He was also concerned at the number of windows continuing to be broken at weekends along Commercial Street. He commented on the recent assistance required from Inverness, and especially at the length of time roads had been closed while investigations were on-going. He understood this was a timeous

process but wondered if there was any way of lessening the inconvenience to the public.

PS McCarthy stated that there had only been 3 vandalisms reported in the Lerwick Town Centre area, so it was not as bad as it may be perceived.

With regard to the road closures, there was obviously going to be a delay in getting specialists on the scene when they were arriving from south. A specialist can take between 2-4 hours collating evidence at the scene and he has attended cases where he has been there for up to 7 hours. Alternative routes were available in both the recent cases and although they weren't as good as the regular routes they still allowed traffic to progress. Both the cases dealt with unlawful killing, where someone had lost their life through the actions of another, and, while he understood it was inconvenient to motorists to be diverted along alternative routes or face delays, they had a job to do and would take as long as was required to do so.

Mr R Anderson asked how long it took the Procurator Fiscal to decide whether or not to prosecute an offender.

PS McCarthy replied that it was a varying timescale. Some common crimes could be brought to prosecution at any time and there was no timescale. For other statutory offences, proceedings had to commence within 6 months of the date of the offence. It could then take 2-3 years to bring the suspect to court. For drugs offences, it was 12 months. If it was a judicial complaint and the offender was held in custody, proceedings had to begin within 110 days.

Cllr L Angus noted off the total reported incidents, 20% + were in the Lerwick Town Centre area. He wondered if these mainly occurred at nights and weekends.

PS McCarthy replied that he didn't have the information to hand but from experience the greatest likelihood was that they were committed on Friday and Saturday evenings.

05/02/06

Pedestrianisation of Commercial Street

The Chairman invited PS McCarthy to stay for discussion of pedestrianisation of Commercial Street. He was interested in the feelings of the Community Council members on the subject and their views or opinions on extending the area concerned. At present vehicles, except for disabled users, were banned from Commercial Street between 11am and 6pm, with deliveries to shops to be done before 11am.

Mr J MacLeod stated that he felt it was not working with too many motorists continuing to drive over Commercial Street. The situation was certainly an improvement but it was a long way from becoming a pedestrianised area.

The Chairman agreed that most motorists don't look at the signs and it was down to their ignorance that cars continued to be on Commercial Street.

PS McCarthy said that no motorists had been charged with failing to obey prohibition, and no pedestrians had been injured as a result of motorists. They had received a letter complaining about "boy racers" on the street and drivers had been warned. Motorists were generally not being stopped so they were getting away with driving in the area. He would support a complete ban of all vehicles except disabled users between 9am and 6pm but understood that this was not practical for shop keepers in the area.

The Chairman agreed that an early morning ban would be a problem for shop keepers. He felt the traffic warden and the police should take a more pro-active approach at stopping drivers from using Commercial Street between 11am and 6pm.

PS McCarthy noted that the traffic warden did not have authority to deal with moving traffic, only stationary traffic.

The Chairman suggested including the south end of Commercial Street in the ban, from Church Road to the Market Cross. He noted that previous debate of the issue had decided that this area would be left until it was seen how Commercial Street coped.

Cllr L Angus said this could cause problems for people needing to collect parcels or use other facilities at the Post Office.

PS McCarthy agreed that this would be a problem, but he thought it would be a good way of stopping young motorists doing "tours" around the town at lunch times from using the Market Cross as part of their route.

Mr P Scarsbrook noted that there were possible plans to move some of the post office delivery services to a new custom-built site at Garthspool but that Post Office Counters would have to remain on Commercial Street.

Mr R Anderson was in favour of monitoring the flow of traffic in the area. He felt the parking spaces outside the Royal Bank of Scotland were very essential for Post Office customers and disabled drivers. He asked, on behalf of Mr J Anderson who had been called away and was unable to attend the meeting, if the item could be included on a future agenda for further discussion.

The Chairman agreed to do this, as he thought the general feeling was to leave it as it was at the moment and look at it again in the future. He thanked PS McCarthy for attending the meeting, and he left at 7.30pm.

05/02/07

Naming Thoroughfares

The Chairman distributed maps of the Quoys development to members from the SIC Infrastructure Department which indicated the three new unnamed thoroughfares within the development. It is proposed to call the main tributary road *Quoys Road*, with the two secondary roads called *Sundhamar* and *Fjallberg*.

Ms K Fraser had no objections to name Quoys Road, as the road was known locally as this already, however, she did object to the trend of using "pseudo-Viking" names. She felt Shetland was becoming a suburb of Bergen and thought that more names of Shetland origin were needed.

Mr A Johnston said the names were not Norwegian and Hamar was a Shetland word.

Mr R Anderson wasn't sure if they were Norwegian or not, but felt that the Sound Community Association should have some input in the naming of the roads.

Ms K Fraser suggested using the time-honoured tradition of naming streets after local people, which had not been used for a considerable time. She felt the names suggested were bland and meaningless, and would like to see memorable people in

Shetland's 20th century history being honoured, following public consultation. She suggested Vagaland and Ratter (John Ratter) as notable people in the fields of poetry and photography in Shetland.

Following a vote, it was agreed to suggest this to Shetland Islands Infrastructure Services Department, subject to approval by Sound Community Association.

05/02/08

Community Safety Strategy 2005-2010

The Chairman suggested all members complete the questionnaire in their own time. Cllr L Angus stated that he felt they hadn't listened to the public in the past and hoped they would take on board the views of the public following this exercise.

05/02/09

Scottish Water

The Chairman distributed maps of the Lerwick area which indicated areas due for repair work, to start in March. He reported that he had met recently with Ms S Nield of Scottish Water to discuss the proposals, which would mainly affect the Hillhead and surrounding areas. He stated that the quality of the water in these areas as present was dire and the work was a much needed improvement.

Cllr W Stove reported that the work in Gilbertson Road had been delayed until after the Island Games in July.

The Chairman stated he had stressed to Ms Nield the importance of the Island Games and the need for as little disruption as possible at that time. The engineers would be using new equipment which would alleviate the requirement for as much digging. The inconvenience to drivers was regrettable but the work was very necessary. There would also be work starting soon for the connection of District Heating in Mounthooly Street.

Mr J MacLeod pointed out that the contractors Lanes for Drains were carrying out work in Lerwick at the moment. He had received a complaint that they were not being compliant with safety standards. They were working on roads with no cones or signs around them to warn motorists. He felt this was not satisfactory work practice. It was agreed to write to the Shetland Islands Council Roads Department to point out the concerns.

05/02/10

Correspondence

10.1 Sound Primary School - Thanks Noted

10.2 CCTV Feasibility Study Noted

10.3 Footpath at Westerloch

Noted. Mr R Anderson stated he was not happy with the use of a slurry seal.

The Chairman noted that there was a problem with a lack of funding and the need for work to be done before the Island Games started, so practically the slurry seal was the only option available at the moment. He hoped the Recreational Trust would find a suitable affordable option in the future to put in place a more permanent replacement after the Games had been.

10.4 Gulberwick, Quarff and Cunningsburgh Community Council

Noted. The Chairman noted that the flagstones around the Market Cross had been successfully replaced 2 years ago and hoped the Shetland Islands Council could

now move ahead with confidence to replace the ones on the rest of Commercial Street. He suggested writing to them, asking them to pay particular attention in ensuring Commercial Street was as safe as possible for pedestrians in the meantime.

10.5 Lerwick Town Centre - A Way Forward

It was agreed that this was something that had needed addressing for some considerable time. A lot of the waterfront area in Lerwick was in need of improvement. The Chairman urged any members who were available to attend the meeting to do so.

10.6 Sewer - Sletts Footpath

Mr R Anderson agreed that, as he had raised the matter in the first place, he would visit the site and draft a letter to the Shetland Islands Council, reporting his findings.

10.7 Town Hall Guide

Ms K Fraser and Mrs A Simpson volunteered to meet with the Economic Development Department to progress the updating of the Guide.

05/02/11

Financial Report

Mr R Anderson suggested that whatever money was left over at the end of March should be committed towards assisting the cost of CCTV provision after the feasibility study had been completed.

Ms K Fraser asked if the Community Council had agreed in favour of CCTV. She suggested a debate to establish whether or not they were in favour.

The Chairman agreed that it would be discussed after the receipt of the feasibility study report and that it may prove to be too expensive to support.

Mr R Anderson suggested it be an agenda item for the next meeting. This was agreed.

Cllr L Angus accepted the financial report, seconded by Mr R Anderson.

11.1 Financial Statement

The Chairman noted that the Financial Statement for the Lerwick Community Council Charitable Trust should be available later this week.

Mr R Anderson questioned the lack of income from the Town Hall booklets.

Mr J MacLeod confirmed that last year the Shetland Islands Council bought up the remainder of the stock.

Mr R Anderson queried point 9 - Contingent Liability. The Chairman confirmed that the Clerk, Mrs M MacLeod, had mistakenly believed that she did not have to pay National Insurance as she already paid the full amount at her main employment. This was being addressed at this time.

05/02/12

Financial Assistance

The Chairman noted that there was currently a balance of approximately £6000 left. There was also Committed Expenditure of £3000 which had been earmarked for publicity material to advertise the work of the Community Council.

Ms K Fraser stated that there had been no candidates for the recent election and perhaps if the Community Council had raised its profile there would've been interest in the vacancy. She suggested making up flyers before the next election to distribute to all households in Lerwick.

Mr J MacLeod suggested annually publishing a table of grants awarded and their recipients in the Shetland Times so that the public could see who was getting them. He noted this was already reported each month in the editorial of the paper, but felt an advert would be more noticeable and would raise awareness of the types of groups eligible for grant assistance.

Cllr W Stove noted that the next Shetland Island Council election was due to be held in November 2006.

Following discussion, it was agreed to return the £3000 committed expenditure to the remaining balance of £6000 to use in the allocation of grant assistance.

12.1 Lerwick Marina Users Association

Cllr L Angus expressed an interest, being a member of the Association. He said all other marinas in Shetland had been built with the assistance of the Shetland Island Council Charitable Trust, with the exception of the Lerwick Marina, which has to pay an annual berthing charge to Lerwick Port Authority and charge its members a fee for the cost of berths. There was currently a large waiting list for berths in the marina, at an annual cost of £4000 each. Lerwick Community Council had previously awarded a grant for creating a public slipway, but now the Marina users needed assistance to install electricity to the pontoons.

The Chairman stated that the marina was currently run by volunteers and he felt that the Community Council should reward people who put in an effort whenever they can. He proposed £4000.

Mr J MacLeod moved to refuse the application. He felt it was a small group of the community who had use of the marina and that the rest of the community should not subsidise a "rich man's hobby".

This was put to the vote. The Chairman's motion to grant £4000 won by 5 votes to 4.

12.2 Lerwick Town Centre Association - Christmas Lights

The Chairman confirmed that this application had been supported in the past.

Cllr J Irvine moved to award £500. This was seconded by Mr J MacLeod.

12.3 Lerwick Town Centre Association- Floral Baskets

The Chairman commented that they enhanced the Commercial Street area in the summer and raised the profile of the town centre. He moved to award £1000 to the project, seconded by Cllr W Stove.

12.4 Sandveien Neighbourhood Centre

The Chairman noted that this application was to assist in creating a sports play area at the rear of the centre, on the site where there used to be a multicourt.

Cllr W Stove stated an interest as an observer and the local councillor for the area. He stated there were a lot of youngsters gathering in the area, who were not just from the Sandveien or Norderdale areas but from other parts of the town. Hopefully creating the sports area would alleviate the problem.

Mr R Anderson noted that there had been problems with broken glass when the old multicourt had been in use. He asked what surface was proposed for the new area.

Cllr W Stove confirmed it would be a plastic surface, similar to what was in place at the Scalloway park.

The Chairman noted that funds were getting low and suggested either drawing money from the Charitable Trust or holding the applications to the next financial year.

Cllr L Angus confirmed there was no urgency for considering the Skatepark's application as a site had yet to be agreed. He moved to grant £2000 to the Sandveien sports area. This was seconded by Mr P Scarsbrook.

Mr J MacLeod moved to grant the balance held by the Lerwick Community Council at the end of the financial year to the project. This was seconded by Ms K Fraser.

Cllr L Angus moved to remove his previous motion, on the agreement of Mr R Anderson. He noted that the Shetland Bereavement Service was not a Lerwick based group therefore it should be confirmed with them that they had contacted all other Shetland Community Councils for grant assistance. He suggested deferring a decision on their application till after March.

The Chairman agreed to this, and also to Mr MacLeod's suggestion of granting £2000 at present and awarding the balance left at the end of March to the project.

12.5 Shetland Bereavement Service

It was agreed they should confirm whether or not they had applied to all other Community Councils, and to defer decision until the next financial year.

12.6 Shetland Skatepark Association

It was agreed to defer decision until the next financial year.

05/02/13

Planning Applications

13.1 Erect Church, Lower Quoys Development Site, Sound

No objections

13.2 Erect Workshop/Class 4 Office, Staney Hill Industrial Estate

No objections

05/02/14

Any Other Business

14.1 Mill Lane

A complaint had been made to Mrs A Simpson that vehicles leaving the car park at the rear of the Mill Lane flats had to cross a pavement, risking the safety of pedestrians. It was agreed to write to the Shetland Islands Council Roads Department, expressing concern on behalf of the pedestrians.

14.2 Pensioners' Waiting Room

Cllr J Irvine stated that a number of people had expressed concern to him that the waiting room at the Old Tolbooth should be re-instated now that work on the building was nearly complete. Lerwick Port Authority had confirmed that they may

be able to make space available in Harbour House when its present occupiers moved to their new premises in Harbour Street.

The Chairman stated that he would contact Mrs Wilma Halcrow of Age Concern to see what could be done, and he would also speak to Lerwick Port Authority to see about the possibility of using Harbour House. Cllr J Irvine offered to assist him.

14.3 Future Primary Provision - Lerwick

Cllr L Angus stated that a decision had been made at a recent SIC meeting to consider the Future Primary Provision and the replacement of Bells Brae Primary School. He noted that this Community Council didn't get involved in the last review but felt they needed to this time round. They should take an active part in whatever task force was set up to look at the provision. He suggested writing to the Education Department to express an interest in being involved.

Cllr J Irvine suggested writing to find out when a group would be set up and note that the Community Council wanted to be involved from the outset.

The Chairman agreed to this, noting that there was confusion over what was actually happening at the moment.

14.4 Elections

Ms K Fraser noted that there had been no nominations during the recent election process and asked if it would be better to hold them at the same time as the Shetland Islands Council elections.

Cllr J Irvine said there had been extensive consultation with community councils over the matter in the past and felt it shouldn't be revisited. Unless all the community council agreed that they wanted things to change, he felt it should be left alone.

Mr R Anderson said he agreed with Ms K Fraser in this instance.

The Chairman stated that at present the Community Council was one full member short and, as there had been no interest from the members of the public, they should now go ahead and vote on one of the co-opted members

Mrs A Simpson agreed to stand, and Miss Duncan would contact the other co-opted members for their agreement. Voting slips would be made up and distributed at the next meeting so that a ballot can be held.

The Chairman stated he would like to revisit the subject of wards. At the moment all members were representatives of Lerwick. He would like to review whether they continue with the current system or revert to two members per SIC Ward. It was agreed to put it on the next agenda.

14.5 Quoys Development

Mr M Peterson raised concern at the ongoing rockbreaking at Quoys Development, as he had received complaints from residents in the area. The work started every day at 7.30am, including Saturdays. He suggested asking them to start at 8am and not at all at weekends.

Cllr L Angus noted that they couldn't do anything about it unless it had been written in to the planning consent as a condition, which it hadn't.

Cllr G Feather said he had recently visited the site and had been told that, apart from one anonymous phone call, the foreman had not received any complaints from residents in the area. He noted that blasting was due to commence shortly.

The Chairman noted that 90% of the work had been completed already and he felt there was nothing that could be done at this late stage.

14.6 Sands of Sound Road

The Chairman noted that the road at Sands of Sound was in a terrible state. There is a new house under construction at the end of it and large vehicles were currently using the road, although the owner did appear to have some sort of arrangement in place with the Shetland Islands Council for repairs to the road at the end of the building stage. He suggested writing to the SIC Roads Department to find out what the position was in relation to the road.

The meeting closed at 9.30pm.

MR T R NICOLSON
CHAIRMAN
LERWICK COMMUNITY COUNCIL