

MONDAY 12 April 2010

At a meeting of LERWICK COMMUNITY COUNCIL held in Chambers, Town Hall, Lerwick, at 6.30pm

Members

Mrs A Simpson	Mr J Anderson
Mr W Stove left 8.00pm	Mr A Henry
Mr D Ristori arrived 6.50pm	Mr A Johnson
Mr W Spence	Mr E Knight
Mr R Leith	Ms K Fraser
Ms K Greaves	Mr L Angus

Ex-Officio Councilors

Cllr J Henry	Cllr C Miller
Cllr A Wishart	Cllr J Wills arrived 7.00pm

Additional Co-opted Members

Ms Caitlin Watt

In Attendance

Mr Paul Clelland, Manager, Tesco Lerwick
Mr Kenny Lees, Store Development Manager, Property Services, Tesco
Ms H Budge, Head of Service, Schools, SIC
Ms Marianne Gordon, Graduate Placement, Blueprint for Education, Schools Service, SIC
Mr Ryan Taylor, Shetland Times Reporter
Mrs K Semple, Clerk to the Council

Chairman

Mr J Anderson, Chairman to the council presided.

10/04/01 **Circular**

The circular calling the meeting was held as read.

10/04/02 **Apologies for Absence**

Apologies for absence were received from Mr J Thomason.

10/04/03 **Minutes**

The minutes of the meeting held on 8 March 2010 were approved by Ms K Fraser and seconded by Mr L Angus.

10/04/04 **Business Arising from the Minutes**

10/03/14 Mr J Anderson advised that now the weather had improved, he could be more proactive in seeing the steps at the Matchbox were reinstated.

10/03/14 Mr J Anderson stated he had spoken to Mr M Malcolmson, Leisure Facilities Officer, SIC about the benches which were discussed at the last meeting and they would be now attended to.

10/04/05

Tesco Extension – Mr Paul Clelland, Manager, Tesco Lerwick

Mr P Clelland gave a power point presentation to show the plan for the proposed Tesco extension and to illustrate the changes to be made to the layout of the current shop floor and store.

He stated the new fruit and vegetable area would be considerably larger as would the area for meat and poultry, dairy, fresh and chilled foods, all to meet the high demand.

The area for Wines and Spirits would be doubled; frozen food and bakery sections extended and a significant increase would be given to the baby and health and beauty sections which were "currently under stress".

A new line of Asian and Chinese foods would be brought in, with more space made available for seasonal goods.

He advised that 2 ½ aisles were to be set aside for non food items, which had been "a bone of contention" and explained these items would be small electrical products and items for the home.

An area for clothing for men, women and children was planned; also an additional 9 checkouts, six of them self-scan.

The store area would also be improved and extended and new double deck trailers, each with the capacity to hold 65 cages, had been purchased allowing staff to check incoming goods much faster.

Mr P Clelland stated permission had been received for a 1,000 sq foot 'chill' to be built, this would allow staff to re-stock faster.

He advised the current staffroom was far too small, even for the existing staff which had risen from a headcount of 78 to 120, a new staffroom to seat 36, complete with a kitchen was planned along with a training room to accommodate 12.

A printer room had also been incorporated into the plans, allowing marketing material to be produced on site, cutting down postal costs.

Mr D Ristori arrived 6.50pm

Mr L Angus enquired as to the time scale of the project.

Mr P Clelland replied it was hoped construction would be completed the second week in July followed by three or four weeks to configure internals and completed by 16 August.

Mrs K Greaves asked if any further thought had been given to including a café.

Mr P Clelland replied it was not Tesco policy to include a café in stores of less than 50,000 sq feet, unless there was a clear demand. He further explained that Tesco cafes were run by a third party operator, large franchises such as Starbucks or Costa and there had been no interest when sounding out these operators. He further advised there would have to be a trade off and sales area would be lost; he did not think it was the right thing to do.

Ms K Fraser asked for his comment on the criticism received regarding Tesco's intention to sell more non-food items than what was initially proposed.

Mr P Clelland explained their initial plans were based on a limited understanding of what customers wanted. An analysis of the demand of existing non-food items,

which was currently overtrading, and increased demand for what is in Tesco stores on the mainland had made them understand better what was wanted.

Mr R Leith asked if Tesco still supported local suppliers.

Mr P Clelland responded that an extended space was to be given over to both LFT and JK Mainland products; he advised that sales of JK Mainland products had doubled since Tesco took over; they were still looking for a bread supplier and were still in negotiations with the dairy.

He reiterated they were happy to use as many local suppliers as they could get on board and, as well as stocking products for Valhall brewery locally, he hoped to get their products into other Scottish Tesco stores.

Mr W Stove stated that all he could see was good news and noted he would be delighted if a petrol station was planned.

Mr P Clelland stated it was their aspiration to sell fuel but it could not be done on the existing site and other places in town would have to be looked at, if someone was willing to sell. He explained it was difficult for Tesco management on the mainland to understand what an emotive subject it was and the benefit it would bring to the store. He advised there was a "comments procedure (at Tesco) which he would encourage more people to use".

Ms K Fraser asked if there were any plans to ease traffic with the use of shopper buses or home deliveries.

Mr P Clelland advised there were a number of shopper buses already. He explained that on the mainland Tesco.com had a separate warehouse for home deliveries so there were no immediate plans to provide the service.

Cllr J Wills arrived 7.00pm

Cllr J Henry asked if there were any plans to provide a bus shelter for shopper buses.

Mr P Clelland replied Tesco had agreed to SIC building a bus stop, even though it was taking away some of their land.

Cllr A Wishart asked Mr P Clelland if he was confident that the proposed plans would comply with Planning, SIC.

Mr P Clelland advised that that was his understanding. He stated he took pride in listening to customers and explained the plans were a reflection on what customers wished to see and staff needs.

He stated it was humbling to see the progress made by staff during the annual morale survey and the changes to the store would cement that.

Mr J Anderson asked if a period of closure was planned.

Mr P Clelland advised Tesco would remain open throughout and although it would not be easy, they were confident they would manage the disruption well.

Mr J Anderson noted he had spoken to a few people about Tesco's plans and without exception they were all happy.

Mr P Clelland advised Tesco had acted in good faith on behalf of their customers and found attitude to be overwhelmingly positive.

Cllr J Wills declared an interest as a lifelong member of the Co-op and stated that unless Tesco was in breach of planning permission, and it would seem they were not, there was nothing which could be done except to wish them the best of luck.

Mr J Anderson wished the project well and hoped all would go well with as little disruption as possible.

The Chairman thanked Mr P Clelland for his presentation which concluded at 7.05 pm.

10/04/06 **Area Commanders Monthly Report – March 2010**

Noted

10/04/07 **Police Report**

Acting Sergeant Dave Sweeny noted the following crime analysis for February 2009/2010, already received at the March meeting of Lerwick Community Council.

He later email the following crime analysis for March 2009/2010 compared to that of the same time last year.

Class 1 - Crimes against the person – Up from 17 to 18, with 17 detections

Class 2 - Crimes involving indecency – Up from 21 to 35, with 30 detections

Class 3 - Crimes of dishonesty – Down from 295 to 370, of which 255 were detected

Class 4 – Crimes of vandalism – Down from 330 to 270, of which 112 were detected

Class 5 - General Crimes – Down from 224 to 154, all detected

Class 6 - Miscellaneous Crimes – Down from 615 to 460, with 427 detections

Class 7 - Traffic Offences – Up from 507 to 521, with 515 detections

Mr L Angus asked if the Sergeant could provide a breakdown of offences relating to drugs.

Acting Sergeant D Sweeny replied he did not have the figures to hand but would pass the enquiry on to the Chief Inspector.

Mr L Angus asked if there were truth in the story there were 500 registered Heroin addicts in Shetland.

The Sergeant replied he would be very surprised at that figure; he stated there were a small number of habitual offenders.

Cllr J Wills agreed it would be helpful to have a further breakdown of the crime analysis to separate the drugs related crimes as it would assist in separating facts from rumour.

The Sergeant replied drug and alcohol fuelled crimes were recorded as such, as full details of each crime was logged. He explained considerable effort would have to be made to extract the information but would pass the request on.

Mr R Leith noted he raised concern at the March meeting of Lerwick Community Council regarding the collapse of a gentleman outside The Wine Shop, Commercial Street; the man had been taken away in a taxi whilst two police officers looked on; the gentleman had subsequently died whilst en route to The Ness.

He asked why the officers did not intervene.

Acting Sergeant D Sweeney replied the police could only act in terms of legislation; if the legislation was not there, then they could not act.

He advised he was aware of the case but could not go into specifics or provide information as it was in the hands of the Procurator Fiscal and any information would have to come from his office. However, he advised he could confirm the police were there and they dealt with the situation in the correct manner.

Ms K Greaves commented on the statistics for the crimes of indecency and asked if there was anything in particular which "pushed it up".

The Sergeant explained crimes of indecency varied from incest to "placing a hand on a bottom" and could not comment specifically.

Cllr J Henry commented on recent disruption by youths at the Viking Bus Station.

The Sergeant stated the police had worked with the attendant at the station and the issue had been successfully addressed. He advised SIC had brought out new legislation for the bus station and anyone acting unruly could be asked to leave or, if necessary, prosecuted.

He further explained police officers would mingle with the youths and ask them "to move along".

Ms K Greaves asked how vandalism was controlled.

Acting Sergeant D Sweeney stated crimes of vandalism were analysed and patrols were directed on foot or in unmarked cars to problem areas. He explained that there was not much vandalism on the Street anymore and most involved minor, petty vandalism such as scratched cars or broken wing mirrors, but it all had to be logged as vandalism.

The Chairman thanked the Sergeant for giving the report, which concluded at 7.30pm

10/04/08

Blueprint for Education – Ms H Budge, Head of Service, Schools Service, SIC and Ms Marianne Gordon, Graduate Placement, Schools Service, SIC

Ms H Budge, Head of Schools, SIC advised she had met with pupils, staff, parents and Community Councils in most areas.

Thirty-one out of thirty-three schools had been visited; she had not chosen to go to Fair Isle or Foula as there would be very little change to either school.

She advised that all information had been made as accessible as possible; booklets regarding the Consultation Plan and Options had been produced, a summary for Community Councils and in addition information from nearly all meetings attended could be found on the SIC website www.shetland.gov.uk by clicking on Education then Blueprint for Education.

Ms H Budge stated that she met with Community Council's once she had visited the schools in their area and advised that all information from this meeting would be taken back and noted, even though it was out with the consultation period.

Mr J Anderson referred to the document entitled Stage 1 Consultation – Community Councils Summary. He noted that the pupil numbers had fallen by 500 and enquired as to the current number of pupils.

Ms H Budge replied the current figure was approximately 4,000.

Mr R Leith, referring to the same document, commented on the high average cost per pupil.

Ms H Budge advised £5,000 was the Scottish average per pupil in Secondary education and stated Anderson High School pupils were just above that. She noted that the high cost of maintaining some of the smaller, more rural schools significantly pushed up the Shetland average cost per pupil in both primary and secondary education.

Cllr J Wills enquired as to what was regarded as reasonable travelling time to school for both primary and secondary pupils.

Ms H Budge replied there were no statutory guidelines but it was considered that just less than one hour for primary children and just over one hour for secondary children was reasonable.

Cllr J Wills asked if that meant around two hours travelling time each day.

Ms H Budge stated that it did.

Cllr J Wills noted that ideally the travelling time should be half of what was currently regarded as reasonable for both primary and secondary school children.

Ms H Budge stated it was not distance but time taken stopping and starting that was considered and any further details would have to be worked out before going to statutory consultation.

Cllr C Miller asked for the criteria for receiving accommodation in the hostel.

Ms H Budge replied it held North Isles and Sandness pupils, who could return home each weekend, and pupils from the remote islands who returned home every third weekend.

Mr E Knight enquired as to why one high school was not viable for all.

Ms H Budge stated that taking into consideration the curriculum for excellence it was felt that two High Schools, Lerwick and Brae, were necessary.

Mr L Angus noted that a primary school in Lerwick had approaching 30 pupils in some classrooms where 25 was the recommended maximum.

He advised that the practice of allowing children from country areas to attend Lerwick Schools, by parental requests, had added 70 to the roll call, thus putting more pressure on to Lerwick Schools.

Mr L Angus also voiced concern that the smaller rural schools were being "propped up" at the expense of Lerwick Schools and noted the quality of opportunity and provision varied greatly from school to school.

He stated his point further by noting many smaller schools still required a full quota of staff and in one case in particular, one teacher for a class of two pupils.

Cllr J Wills remarked that the real cost of running schools was not the buildings but the staff.

The Chairman stated it was vexing to see that the class numbers in town were so much larger than their rural counterparts. He also noted that point 4 in the Blueprint principals "flew in the face of a single senior High School"

He asked if the outcome of the consultation would be known before plans for the proposed new Anderson High School were drawn up.

Ms H Budge replied they would report to Committee in June; plans for the proposed new AHS would not be made before that point and all the information would be fed in to future work on the proposed new AHS.

She advised statutory consultation would be carried out in September.

Cllr J Wills stated he had attended several meetings and it was his opinion significant savings could be made having two High Schools with 4 campuses, one in Brae and the other in Lerwick.

He added it would be better to bus teachers around, if necessary, rather than pupils; travel time for pupils minimised and education facilities maximised.

Mrs A Simpson asked if, under the Curriculum for Excellence, would all pupils have to attend High School in Town after S3.

Ms H Budge replied that would be the case.

The Chairman noted he was aware of concern among teachers that if secondary schools were downgraded their role as teachers would be devalued.

Ms H Budge agreed that it did put teachers in Orkney, Shetland and the Western Isles in a difficult position. She advised teachers had made their concern clear and it may affect recruitment and retention in a few years time.

Ms H Budge reiterated all comments would be taken on board and after the statutory consultation process Schools Service would submit a final proposal to Shetland Islands Council Service Committee and full Council outlining the final proposals for the future of education in Shetland.

Cllr A Wishart acknowledged the hard work involved in the consultation process.

The Chairman stated he would like to think it was not a viable option to close either Bell's Brae or Sound Primary School. He thought it may be a viable option to close Scalloway Junior High and turn it into a central Shetland Primary school.

He thanked Ms H Budge for her presentation which concluded at 8.25 pm and also Ms M Gordon for her assistance.

10/04/09 **Lerwick Community Council By-election 2010 – Two vacancies which may be filled by co-option**

It was proposed that Mr Paul Moar and Mr Patrick Robertson, both Lerwick residents, should be approached and asked if they would be interested in becoming a member of Lerwick Community Council.

Proposed – Mr D Ristori

Seconded – Mr L Angus

The Chairman advised he would contact both parties.
(Action: Chairman)

10/04/10 **Community Council Grant Offer Letter – Ms Amanda Hughes, Finance, SIC**
Noted

10.1 To Approve – Child Protection Policy Statement
Approved by all members

10.2 To Approve – Child Protection Procedure
Approved by all members

10.3 To Approve – Equal Opportunities Policy
Approved by all members

Code of Conduct

The above document, also relating to childcare was not included in the agenda but brought to the meeting for approval. Each member attending the meeting was given a copy of the document to view.

The document was approved by all members under the proviso the clerk added 'taking drugs' after 'avoid' at bullet point four.

(Action: Clerk of the Council)

10/04/11

Correspondence

11.1 Club XL – Mrs Averil Simpson, Vice Chairman, Lerwick Community Council

Noted

Mrs A Simpson advised that all but one of the Club XL students from the working trip to Cape Town had secured full time employment, highlighting the success of the project.

The Chairman advised that Ms Valerie Nicolson, Headmistress, Anderson High School would respond to the concerns raised by Lerwick Community Council once she had a meeting with Ms Christine Carter, Principal Teacher, Additional Pupil Support, Anderson High School.

It was hoped the letter would arrive in time for the next meeting of Lerwick Community Council.

Cllr J Wills suggested Club XL should be written to and invited to make a presentation at a meeting of Lerwick Community Council with regard to their working trip to New York.

The Chairman agreed to the suggestion.

(Action: Clerk of the Council)

11.2 Dog Fouling, Sandy Loch – Mr Steve Scott, Regional Community Manager, Scottish Water

Noted

Mr W Spence stated he had contacted Scottish Water on the Friday before Easter with regard to sewage overflowing onto the public highway from a blocked drain connecting his and his neighbours sewerage pipes.

He advised Scottish Water did some minor maintenance, on the day he reported the problem, giving only short term relief. He had to contact Scottish Water again the following day but it was the following Tuesday before an operative returned until to properly rectify the situation.

The Chairman asked the Clerk of the Council to write to Mr Ian Burnett, Scottish Water, Bullion House and ask for an explanation as to why the situation was not properly attended to for so long.

(Action: Clerk of the Council)

11.3 Dog Fouling, Sandy Loch & Invitation to Present – Ms Maggie Dunne, Service Manager, Environmental Health, SIC

Noted

11.4 Welcome to Shetland Sign – Johnathan Emptage, Cleansing Services Manager, SIC

Noted

11.5 Shetland Visitor 2010 – Mrs Jenny Henry, Publications Assistant, The Shetland Times Ltd

Noted

11.6 Shetland Stroke Support Group – Grant Thanks and Information Regarding the Group

Noted

11.7 Quoys Phase 3, Suggested Name “Groadians” – Mr Bryan Leask, Property Services Manager, Hjalmland Housing Association

The Chairman asked the Clerk of the Council to advise Mr Bryan Leask, Property Services Manager, Hjalmland Housing association that members approved of the suggested name “Groadians”.

(Action: Clerk of the Council)

11.8 Shetland Local Development Plan – Main Issues Report Consultation – Hannah Nelson, Development Plans Manager, SIC

Cllr J Wills stated there had been no public consultation and things were not being handled in a democratic manner.

The Chairman asked the Clerk of the Council to write to Ms Hannah Nelson, Development Plans Manager, SIC and request she make a presentation at the next meeting of Lerwick Community Council.

(Action: Clerk of the Council)

11.9 Da Voar Redd Up 2010 – Mrs C Carter, Admin Manager, Shetland Amenity Trust

Ms K Fraser noted it may be worthwhile to offer funding to assist Da Voar Redd Up in the future.

The Chairman asked the Clerk of the Council to write to Mrs C Carter, Admin Manager, Shetland Amenity Trust before Da Voar Redd Up 2011 and encourage her to apply to Lerwick Community Council for funding.

(Action: Clerk of the Council)

11.10 Da Voar Redd Up 2009 – Confirmation of Collections

Noted

11.11 Suggestion, Public Art on North Wall, Esplanade Toilets – Mr Paul Moar, Lerwick Resident

The Chairman asked the Clerk of the Council to write to Mr Jonathan Emptage, Cleansing services Manager, SIC and support the suggestion.

Members agreed to the suggestion that Lerwick Community Council could run a competition whereby school children should be invited to submit artwork and the design of winning entry used to decorate the wall.

Mr D Ristori and Mrs K Greaves offered their services as judges.

(Action: Clerk of the Council)

11.12 Concern, proposal to build on former hockey pitch, Seafield – Mr William Smith, Lerwick Resident

Mr L Angus stated a feasibility study identified and approved the site and all legal conditions were satisfied.

Mrs K Greaves asked if the legalities could be double checked.

Mr I Angus advised he would check into things but the information he had at the present time suggested all legal conditions were satisfied.

The Chairman stated he would request a set of the documents regarding the purchase of the fields by public subscription to which Mr W Smith refers.

(Action: Chairman)

- 10/04/12 **Proposed Closure of Museum on Sundays from October to end of March**
It was agreed that if it was thought beneficial to close one day a week, consideration should be given to closing a day during mid-week, rather than at the weekend.
- Cllr L Angus advised Shetland Amenity Trust operated on a service level agreement with Shetland Islands Council.
- Cllr J Wills stated it was Shetland Islands Council who should be written to as the service was provided by Shetland Islands Council using Shetland Amenity Trust. He agreed that it was a bad idea to close at the weekend and any other weekday should be chosen.
- Ms K Greaves stated it could be a question of overtime wage payments made for Sunday working.
- The Chairman suggested closing evenings may be a consideration that would cut down on overtime costs.
(Action: Clerk of the Council)
- 10/04/13 **Applications for Premises Licenses**
No objections
(Action: Clerk of the Council)
- 10/04/14 **SIC (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No.6) Order 2010**
Objections were raised to the proposed parking restriction on Knab Road.
- Members agreed parking in Lerwick was limited enough and particular concern was raised with regard to visitors for Annsbrae who may otherwise have difficulty in finding a parking space nearby.
- Mr E Knight formally objected to the proposal.
- This was seconded by Mr D Ristori
- The Chairman asked the Clerk of the Council to write and advise Neil Hutcheson, Engineer, Roads, SIC of Lerwick Community Councils objection and enquire if staff at Annsbrae had been informed of the proposed order.
- (Action: Clerk of the Council)**
- 10/04/15 **Financial Report**
Noted
- 15.1 Grants/Projects 2009-2010**
Noted
- 15.2 Report Main Annual Running Costs 2009-2010 & Projected Costs 2010-2011**
Noted
- 15.3 Annual Grants & Projects 2009-2010 & Projected Costs 2010-2011**
Noted
- 10/04/16 **Financial Assistance**
None requests received

10/04/17

Planning Applications

17.1 2010/95/PCD Change use from agricultural land to a site for community allotments, car parking area, container and storage facility, Staney Hill Industrial Estate, Lerwick by Lerwick Allotment Association

Objection was raised on Health and Safety grounds due to the fact the entrance/exit to the allotments opened up on the main road, Ladies Drive.

Members suggested for safety an alternative entrance/exit to the allotments could be made on the access road to Staney Hill Industrial Site.

It was also proposed that any buildings; chalet, sheds, containers, etc, be kept to the south west end of the site to preserve the existing building line.

(Action: Clerk of the Council)

The following application arrived too late to be included in the agenda but was discussed at the meeting.

17.2 2010/108/PCD refurbish existing premises and erect single storey extension, 72 North Road, Lerwick by D.I.T. Construction Ltd

No objections

(Action: Clerk of the Council)

10/04/18

Lerwick Applications February 2010

Noted

10/04/19

Any Other Business

Drug Abuse Concern

Mrs A Simpson suggested a member of Shetland Alcohol and Drugs Action Team (SADAT) should be invited to make a presentation at a meeting of Lerwick Community Council.

(Action: Clerk of the Council)

Pond at New Cemetery

Mr E Knight stated that, thanks to Shetland Islands Council, the pond at the New Cemetery, which had been allowed to deteriorate over the years, had now been restored and new garden or remembrance made.

He advised that, along with his granddaughter, he had re-stocked the pond with tadpoles.

The Chairman asked the Clerk of the Council to write to Mr E Knight and thank him and his Granddaughter for supporting the restoration of the pond and re-stocking it with tadpoles.

(Action: Clerk of the Council)

LCC – Cut to Funding from SIC

Mr L Angus suggested that LCC would have to review who received funding. He suggested regular applicants are written to and asked to submit applications by a particular date to allow them to be considered together.

The Chairman agreed with the suggestion and stated it could be discussed further at the next meeting of Lerwick community Council.

The Chairman thanked members for attending the meeting.

There being no other competent business the meeting closed at 9.15pm.

MR J ANDERSON
CHAIRMAN
LERWICK COMMUNITY COUNCIL