

**MONDAY 6 DECEMBER 2010**

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

**Members**

Mrs A Simpson  
Mr W Spence  
Mr A Johnson  
Ms K Fraser

Mr J Anderson  
Mr D Ristori  
Mr J Stewart  
Mr A Henry **arrived 7.10pm**

**Ex-Officio Councilors**

None attended

**In Attendance**

Mrs K Semple, Clerk to the Council

10/12/01

**Election of Chairman**

The Clerk asked for nominations for Chairman. Mrs A Simpson proposed Mr J Anderson, seconded by Mr D Ristori. Mr J Anderson accepted and took the Chair.

10/12/02

**Election of Vice Chairman**

The Chairman asked for nominations for Vice Chairman. Mr D Ristori nominated Mrs A Simpson, seconded by Mr A Johnson. Mrs A Simpson accepted.

**Chairman**

Mr J Anderson, Chairman to the council presided.

10/12/03

**Circular**

The circular calling the meeting was held as read.

10/12/04

**Apologies for Absence**

Apologies for absence were received from Cllr C Smith, Mr L Angus and Cllr J Wills.

10/12/05

**Minutes**

The minutes of the meeting held on 8 November were approved by Mrs A Simpson and seconded by Mr W Spence.

10/12/06

**Business Arising from the Minutes**

**10/11/08 Presentation – Community Drugs Project, Gill Hession**

The Chairman advised that Ms Gill Hession requested that it be noted that the information she gave on page 5 of 8, paragraph 3 of the minute was incorrect.

£1,000,000 of heroin would normally be about the size of 5-6 bags of sugar. However because heroin is twice as expensive in Shetland the volume would be half as much.

She further advised 1 gram of heroin would cost £50 in Glasgow or London but would be £100 in Shetland.

**10/11/15 Brae Court**

The Chairman advised that he was verbally informed by Irvine Contractors that Brae Court was so named because the croft originally at 13 South Road was named 'Brae Cottage'.

**10/11/14 Steps at Matchbox**

Mr D Ristori questioned if the steps, which had been reinstated at Matchbox were in the correct place.

The Chairman advised that originally the steps were a little further south. However, at a site meeting between himself, Cllr L Angus, Mr I Halcrow, Head of Roads and Mr G Greenhill, Executive Director, Infrastructure Services, it was agreed that moving the steps slightly would give improved access.

**Proposed Ex-Whalers Memorial**

The Chairman advised that planning permission for the memorial had been granted.

**Traffic Warden**

Mrs A Simpson advised that she had heard that the Traffic Warden had resigned.

Mr A Johnson confirmed that this was the case and advised that Cllr A Duncan, Member for Shetland South, had suggested that in order to save on costs the position should not be replaced.

The Chairman asked the Clerk of the Council to write to Chief Inspector D Bushell, Shetland Area Commander, Northern Constabulary, and enquire when the vacant position will be advertised.

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

10/12/07

**Area Commanders Monthly Report – October 2010**

Noted

10/12/08

**Police Report**

PS B Gray was unable to attend the meeting but later emailed the Clerk with the following crime analysis for November 2010/2011 compared to that of the same time last year.

Class 1 - Crimes against the person – Up from 11 to 22, all detected  
Class 2 - Crimes involving indecency – Down from 17 to 10, with 5 detections  
Class 3 - Crimes of dishonesty – Up from 263 to 281, of which 180 were detected  
Class 4 – Crimes of vandalism – Down from 189 to 124, of which 55 were detected  
Class 5 - General Crimes – Down from 125 to 109, all detected  
Class 6 - Miscellaneous crimes – Down from 341 to 252, with 237 detections  
Class 7 - Traffic Offences – Up from 336 to 398, with 391 detections

10/12/09

**Draft Paths Core Plan – Jonathan Duncan, Outdoor Access Officer, SIC**

Mr J Duncan, Outdoor Access Officer, SIC was unable to make his presentation due to severe weather conditions; he asked for it to be scheduled for a later date.

10/12/10

**Tesco – Supporting Documents re Application, 2010/404/CLP, to SIC to extend Opening Hours**

**10.1 Location Plan**

Noted

**10.2 Application**

Noted

**10.3 Hours of Opening – Certificate of Lawfulness for Proposed Use – Tesco Stores Ltd., South Road, Lerwick**

The Chairman noted it did not appear that Tesco had to request Planning Permission to extend their opening hours but had done so in order to formalise the situation.

Ms K Fraser stated that it seemed Planning, SIC had no jurisdiction over Tesco's opening hours and raised concern that it appeared Tesco could expand both business and opening hours at will and no one could do anything about it.

The Chairman suggested that it appeared the current situation may have originally been brought about by an administrative oversight on the part of Planning, SIC.

Ms K Fraser stated that Tesco was a very large store and already open long hours. She noted it was getting to the stage that it was "out of balance with the rest of town" and could not see any real justification for the request to extend opening hours.

Mr J Stewart stated that advertisements placed on the Ferries advised the public of Tesco's opening hours and potential customers could therefore stay on the Ferry, in comfort, until just before the store opened for business.

Ms K Fraser asked if a letter could be written to clarify if Planning, SIC had no jurisdiction over Tesco's opening hours.

The Chairman stated it was his opinion that the letter submitted by Tesco, proposing to increase store opening hours by one hour, either side of the day had been written to get over the ambiguity and "split the difference" between current opening times and those advertised on their main signs.

He asked if anyone had any objection to Tesco's request to extend their opening hours.

Ms K Fraser moved that the application should be objected to as the current opening hours were long enough.

Mr D Ristori seconded Ms K Fraser's motion.

The Chairman made a counter motion for no objection to the application.

This was seconded by Mr J Stewart

The members voted:

Motion to object - 3 votes.

Counter motion for no objection - 5 votes.

The motion to raise no objection was approved.

The Chairman asked the Clerk of the council to write to Mr R MacNeil, Planning Officer, SIC and enquire why there was ambiguity over condition 29 of the original store consent.

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

10/12/11

### **Correspondence**

#### **11.1 Padlocked barrier, foot of Staney Hill – Mr M Anderson, GB & AM Anderson**

Ms K Fraser stated she was happy there was no objection to the removal of the padlock.

The Chairman raised concern that Lerwick Community Council may be held responsible if the barrier were to inadvertently close causing damage or injury.

He asked the Clerk of the Council to make copies of the letters received from landowners GB & AM Anderson, Solicitors for landowner, Mrs Boreland and from Shetland Islands Council and send with a covering letter to Mr I Halcrow, Head of Roads, Shetland Islands Council requesting that Shetland Islands Council take responsibility for removing the padlock and erecting appropriate signage to advise the barrier is in the closed position. He asked a copy of the letter and documents to be forwarded to Cllr Iris Hawkins, Member for Shetland Central

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

**11.2 Retaining wall between Commercial Street and the Esplanade – Alan Jarden, Building Standards Manager, SIC**

The Chairman noted that the sudden change in weather conditions had brought about a delay in the proposed pointing to the wall.

**11.3 Notice of By-Election**

The Chairman stated there were six vacant seats on Lerwick Community Council and asked members to bring the vacancies to the attention of anyone who may be interested in becoming a member of Lerwick Community Council.

He hoped that former members Mr E Knight and Mrs K Greaves may be interested in renewing their membership to the Council

**11.4 Breiwick Road 20mph speed limit and traffic calming Scheme – Neil Hutcheson, Engineer, Roads, SIC**

The Chairman noted the proposed road humps had been greatly reduced from the first proposed order and now only two road humps were planned; one 60 meters west of the junction between Breiwick and Knab Road and the second 135 meters of the said junction.

Mr D Ristori stated he was pleased to see a 20mph speed limit was planned for the area of road highlighted in red on the map supplied, No. P10/2010.

10/12/12

**Traffic & Parking Orders**

**12.1 (Queens Place, Lerwick) (Parking Place for Disabled Persons Vehicle) Order 2010**

Mr J Stewart queried the logic in proposing a parking place for a disabled persons vehicle on a hill.

Mrs A Simpson noted that parking places for disabled persons vehicles were planned next to St Olaf's Hall.

The Chairman advised that the parking spaces to which Mrs A Simpson referred were specifically for those visiting St Olaf's Hall.

He stated the proposed parking place for a disabled persons vehicle in the order was for the resident of 6 Annsbrae Court.

There were no objections to the order but the Chairman asked the Clerk of the Council to comment that the proposed parking place was both on a steep incline and near a busy junction.

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

10/12/13

**Financial Report**

Ms K Fraser asked if it would be worthwhile advertising that Lerwick Community Council could be approached for grant funding.

The Chairman suggested advertising could wait until the beginning of a new financial year.

10/12/14

**Planning Applications**

**14.1 2010/410/PCD Change of use from an office into a dwellinghouse, 11 Hill Lane, Lerwick**

Ms A Simpson noted the application was retrospective as work had already begun.

No objections

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

10/12/15

**Lerwick Applications October 2010**

Noted

10/12/16

**Any Other Business**

**Blueprint for Education in Shetland - Discussion on Scalloway & Skerries Secondary Departments**

Referring to the proposed meeting of the Services Committee to be held 7 December 2010, in order to discuss the proposed closure of Scalloway and Skerries Secondary Schools, the Chairman stated he was contacted by Lesley Hutchison, Chairperson, Sound School Parent Council advising she had written to all Councillors pointing out that if they did not take the decision to close the secondary department of Scalloway School the reported loss of £250,000 would be taken out of the Lerwick Schools' budget. She stated Shetland Islands Council was living beyond its means and steps had to be taken, however unpopular, in order for parity for all.

The Chairman proposed a letter should be written to all Councillors stating closing any school department was not an easy decision but unless the correct decision was made there would be a detrimental impact on schools the length and breadth of Shetland.

He advised that along with existing cuts the additional loss of funds could mean composite classes in order to maximize class sizes which, in some cases, were already quite large.

He advised that the Sound School classrooms were so small, smaller desks had to be purchased for primary seven pupils in order to accommodate all the pupils.

The Chairman noted it was being claimed pupils at Scalloway School received a better education than AHS pupils, as indicated by exam results. However, the report did not take into account that the AHS exam results included those from the ASN department and if the ASN results were taken out of the equation the AHS pupils results were better.

Ms K Fraser stated the inefficiency of the system should be looked at as well as possible closures and perhaps resources could be shared.

The Chairman asked the Clerk of the Council to email all Councillors, prior to their meeting, and ask that they look at the "bigger picture" when making their decision regarding the proposed closure of Scalloway and Skerries Secondary Schools and the impact to education if a further £250,000 is removed from the Lerwick Schools budget.

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

**Uneven Surface**

Mr D Ristori noted it appeared the steps leading to the beach near Dennis Coutts' house were sinking causing a change in ground levels at the top of the steps. He suggested a line should be painted alerting members of the public to the possible trip hazard.

The Chairman suggested the change in levels was due to tarring on top of the road rather than the steps sinking.

**Parking Issue – Haldane Place**

Mrs A Simpson advised there were clear parking problems at Haldane Place. It was not unusual for motorists to be blocked in by other cars leading to the Police called in order to contact the offending motorist.

The Chairman asked the Clerk of the Council to write to Mr Ian Halcrow, Head of Service, Roads, SIC and raise concern to the parking problem in the whole of Queens Place.

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

The Chairman thanked members for attending the meeting.

There being no other competent business the meeting closed at 8.10pm.

MR J ANDERSON  
CHAIRMAN  
LERWICK COMMUNITY COUNCIL