

MONDAY 11 February 2008

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

Members

Mr J Anderson	Mr E Knight
Mrs A Simpson	Mr W Spence
Mr D Ristori	Mrs K Fraser
Mr M Peterson	Mr A Johnson
Mr L Angus	Mr A Goudie
Mr R Leith	Mrs K Greaves
Mrs M Robertson	

Ex-Officio Councilors

Cllr C Miller left 8.40pm	Cllr A Cluness left 8.45pm
Cllr A Wishart left 8.45pm	Cllr J Henry left 8.45pm

In Attendance

PS G McCarthy, Northern Constabulary
Police Cadet J Mustard, Northern Constabulary
Mr M Craigie, Lead Officer – ZetTrans
Ms Emma Perring, Transport Strategy Officer, ZetTrans
Mr J Molloy, Implementation Officer, SIC Infrastructure Services
Mr Neil Riddell, Shetland Times Reporter
Mrs K Semple, Clerk to the Council

Chairman

Mr J Anderson, Chairman to the council presided.

08/02/01

Circular

The circular calling the meeting was held as read.

08/02/02

Apologies for Absence

Apologies for absence were received from Mr S Gordon and Cllr C Smith.

08/02/03

Minutes

The minutes of the meeting held on 14 January 2008 were approved by Mrs A Simpson and seconded by Mr L Angus

08/02/04

Business Arising from the Minutes

Mr L Angus stated the 125th Anniversary of the Town Hall on 30th July should be marked in addition to the Town Hall Booklet which was currently in production.

The Chairman suggested members should 'put on their thinking caps' and come up with some suggestions in time for the next meeting of Lerwick Community Council.

He asked the Clerk of the council to put the item on the March agenda.

08/01/10 Ms K Fraser noted that recently the gates to the Flower Park had been left open. She questioned if this had been in response to the letter written to Magnus Malcolmson, Sport and Leisure Services, Shetland Islands Council.

The Clerk to the Council stated she had not yet had a reply but would contact Mr Malcolmson and 'chase up' his response.

Mrs K Fraser suggested the fact the gates to the park were now open should be publicised along with their opening hours.

The Chairman asked the Clerk of the Council to write a letter of thanks to Mr Malcolmson, if indeed the gates were left open in response to the letter. He also asked the Clerk to ask Mr Malcolmson to publicise the Flower Park's opening hours.

There was no further business arising from the minutes.

08/02/05

Police Report

PS G McCarthy provided the following details of offences compared to those of the same time last year.

Crimes against the person - down from 31 to 12, of which 11 were detected
Crimes involving indecency - down from 16 to 15, of which 13 were detected
Crimes of dishonesty - down from 227 to 210, of which 137 were detected
Crimes of vandalism - down from 217 to 210, of which 96 were detected
Miscellaneous crimes - down from 687 to 635, with 617 detections
Traffic Offences - down from 555 to 546, with 546 detections

PS G McCarthy reported an overall detection rate of 86.2%, a 10% decrease in crimes compared to that of last year.

Mr M Peterson asked PS G McCarthy for details of the Police shift system, in particular how many officers were available at any one time during both week days and weekend.

Mr Peterson noted he saw Police presence at Hay's Dock on Sunday morning but not on the Street at the weekend.

PS G McCarthy stated the Police were constantly highly visible and noted the Police in Shetland worked within safe staffing levels. He explained staffing levels would fluctuate when a need occurred e.g. more staff would be needed at 2am on a Saturday morning as opposed to 2am on a Tuesday morning.

He went on to note that the force was under review and this included looking at a common shift pattern for the whole of the Northern Constabulary.

Mr M Peterson requested a copy of the safe staffing levels.

PS G McCarthy noted he would make one available for the next meeting of Lerwick Community Council.

Mrs K Greaves asked what the 'Crimes of Dishonesty' would cover.

PS G McCarthy explained the crimes included theft, shop lifting and house breaking.

Mr K Greaves asked the Sergeant if it was possible for him to report on the drug crimes separately.

PS G McCarthy replied the figures were supplied by the Criminal Justice Department and it would not be possible for the figures to be separated without considerable extra work.

He reported, however, that the Police had been very successful in combating drug related crimes and were continuing to do so.

Cllr A Wishart noted Police presence on the Street on Saturday had been highly visible.

Cllr C Miller agreed. She went on to state that on one occasion she had cause to call the Police and their response was excellent.

Mrs A Simpson also stated the Police were highly visible.

The Chairman noted he had heard of a 'near miss' on Commercial Street.

PS G McCarthy replied that in the area of the shop 'Ninian', Commercial Street a pedestrian had actually been struck by a car.

Mr D Ristori asked if the Police had any input regarding which roads should be designated as 20mph zones.

PS G McCarthy stated he believed it was decided by national legislation. He noted 20mph zones were usually reserved for roads in and around schools.

He pointed out that although the perception was that speeding was a problem in Shetland the majority of drivers complied with the regulations.

Mr M Peterson asked when we were likely to get a new Traffic Warden.

PS G McCarthy noted the situation had not changed since the last meeting and things were still under review.

He stated Police officers had issued some fixed penalties for parking offences.

The Chairman thanked PS G McCarthy for the report and Police Cadet J Mustard for attending the meeting.

PS G McCarthy and Polica Cadet J Mustard left the meeting at 7.15pm.

08/02/06

Mr M Craigie, Lead Officer, ZetTrans – Bressay Link Study

Mr M Craigie and Ms E Perring began their presentation by stating their aim was to give feedback on their current position and discuss the next steps to be taken.

The planning objective was to provide an affordable, efficient, flexible and sustainable transport link between Bressay and Mainland Shetland.

Ms E Perring noted it was important to have the correct objectives taking into account accessibility, safety, the environment and to promote economic growth. The link would also have to take into account transport timetables on mainland Shetland to ensure smooth connections.

The link had to be affordable to users, sustainable and efficient.

Ms E Perring stated any link would have an impact on the environment and would be assessed to minimise carbon emissions and disruption to the surrounding area.

The link should improve accessibility enabling equal opportunity for Bressay residents to enjoy the same services and facilities as other communities within Shetland and increase job opportunities.

Mr M Craigie noted in the initial consultation process a number of suggestions for a link had been put forward. The study was now going through a sifting process. Suggestions which would not be taken any further were helicopter, causeway and transporter bridge.

Link suggestions to be carried forward to the next stage are chain ferry; high level bridge; water taxi/passenger ferry; drill and blast bore tunnel; opening bridge and immersed tube tunnel.

Mr M Craigie explained the next step was to complete a broader appraisal drawing on technical expertise and using that expertise to undertake a detailed appraisal.

He stated that the full Part 1 STAG report will be available on line from Monday 18 February at <http://www.shetland.gov.uk/transport/bressaylink> and included the options to be taken forward to the detailed appraisal.

Mr E Knight enquired what regulations concerned the transportation of liquid fuels through a tunnel.

Mr M Craigie stated it could be done and would be looked at in parallel with any detailed proposal.

Cllr A Wishart noted in Faero tunnels were closed while dangerous loads went through. The transportation was controlled and usually took place at night or a quieter time.

Mrs K Greaves asked if the option of a tunnel would take into account accessibility if there was an accident, would it be wide enough?

Mr M Craigie noted the tunnel option would accommodate two lanes and a foot and cycle path.

Cllr A Wishart noted the results of studies showed there to be less accidents in tunnels than on highways.

Mr L Angus asked when the STAG process was likely to be complete.

Mr M Cragie replied they hoped to put it before the Council in April.

Mr E Knight again expressed his concern regarding the transportation of oil through a tunnel.

Cllr A Wishart stated the time spent in the tunnel travelling at 60mph would be only 58 seconds. He noted the STAG process, which began in 2003, deals with risk assessment questions. It is done in a precise matter and is very forensic.

The Chairman noted the Council and officials could surely be relied upon to make the correct decisions and 'cover all bases'.

He thanked Mr M Craigie and Ms E Perring for their presentation.

The presentation ended at 7.40pm.

08/02/07

Mr J Molloy, Implementation Officer, SIC Infrastructure Services – Town Centre and Waterfront Strategy Consultation; Culture Quarter and Waterfront Consultation; Town Centre Action Plan Consultation

Mr J Molloy thanked the Chairman for inviting him to the meeting of Lerwick Community Council.

He stated he had come to the meeting to get feedback on the documents and was happy to answer questions.

Mr Molloy pointed out the Town Centre Action Plan had gone out for public consultation and the other documents were dependant on the outcome regarding the tanks at North Ness.

Mr L Angus stated that since 1999 Lerwick Community Council had asked planning to include the whole of the Lerwick waterfront in the document with lack of success. He noted the document did not address important issues like coastal

erosion. He stated that the Chairman of the Planning Board had been advised of Lerwick Community Councils concerns for Sletts, the Knab and Sands of Sound.

Mr J Molloy stated they had a coastal engineer on their team who would look at any concerns.

Mr J Henry called for people to be realistic and said things had to be done in stages and should be split into three sections from Sands of Sound to Dales Voe.

The Chairman noted areas outwith the document brief like Sletts needed identified and tended to rather than concentrating solely on central Lerwick.

Mrs M Robertson stated not much could be done in relation to the three consultation reports until the issue over the oil tanks at North Ness is resolved.

Mr J Molloy noted the Town Centre could be concentrated on as it was outwith the 150m zone. He explained the restrictions reduced closer to town.

Mrs M Robertson enquired how long it would take to resolve the issue over the oil tanks.

Cllr A Cluness things were currently under negotiation. Joint appraisal between Shetland Islands Council and Lerwick Port Authority deemed the answer in the long run to be to move the tanks.

He stated he was hopeful a resolution would be reached soon but how quick the tanks could be moved was another matter.

Mr J Henry stated that Cllr F Robertson, Chairman of Planning, Shetland Islands Council should be invited to a meeting of Lerwick Community Council to discuss the issue.

The Chairman asked what had happened to the Lerwick Local Plan. He stated Planning appeared to be neglectful of the need for housing and services in Lerwick and felt these issues needed be addressed as priority.

Mr L Angus stressed Lerwick Councilors should press planning to complete the Lerwick Local plan at the earliest possible date.

He stated Lerwick Community Council needed to be consulted, areas like Sands of Sound protected and areas for recreational space taken into account.

Mrs K Greaves also stressed the need for housing in Lerwick and agreed planning should treat the situation with some urgency.

The Chairman stated that although he did not wish to detract from Mr J Molloy's three consultation documents, it was somewhat 'putting the cart before the horse'.

The Chairman thanked Mr Molloy for attending the meeting and his presentation which concluded at 8.00pm.

08/02/08

Staney Hill Shop – Proposed Change of Use

The Chairman displayed a petition filled out by more than 200 people in the Staney Hill area who wished the property at 41 Norstane Lerwick, be kept as a grocer shop.

The property which was a grocery shop for 25 years from 1978 is currently unoccupied and planning permission is being sought for change of use to office premises.

Cllr Caroline Miller declared an interest as a member of the Planning Board.

Mr A Goudie stated the property had been a shop ever since it was built. He explained local residents were surprised to see the application for change of use and strongly objected.

Mr E Knight asked if Lerwick Community Council had a valid reason to object to the change of use.

Mr L Angus stated that Lerwick Community Council did not have to object themselves but could put forward the objections of the residents in the area.

The Chairman noted that if the residents in the area had supported the shop as consumers it probably would not have had to close.

Mr A Goudie again stressed he would like to see the property kept as a shop but would rather see a change of use than the property lie empty.

Mr M Robertson asked if the residents had raised a formal objection against the change of use.

Mr A Goudie answered that they had.

The Chairman proposed that a letter be written in support of the residents' desire to keep the property open as a shop but stress it would be better occupied than lie empty.

Mr A Goudie noted the area was continuing to develop and grow and would benefit from a shop.

Mrs M Roberston asked if Lerwick Community Council could show their support in a general way.

Mrs A Simpson agreed the Council should express sympathy.

The Chairman asked the Clerk of the Council to write to the planning department in support of the residents and object on the grounds of loss of amenity to the neighbourhood.

However it should be stated it would be better for the premises to be changed for office use rather than lie unoccupied.

The Chairman asked for a copy of the letter to be sent to Ingrid Sandison, Lerwick North Local Residents.

08/02/09

Correspondence

9.1 ZetTrans – Bluemill Sound STAG Study

Noted

9.2 Up Helly Aa – Hosts & Hostesses, Gilbertson Park – Grant Application Letter

The Chairman asked the Clerk of the Council to write to Mrs Linda Simpson, Up Helly Aa Hosts and Hostesses.

He asked the Clerk to request that Mrs Simpson first approach other bodies who may assist in their application for funding e.g. Shetland Islands Council or Lottery Fund.

9.3 SIC Infrastructure Services – Rights of Ways-Anderson High School

Mrs M Robertson stated she had spoken to residents in the Knab area, where she herself resides, to ask if anyone was aware of any right of way currently in use.

One area currently and constantly in use as a right of way is the road between 21 and 23 Knab Road and 29 Knab Road. The right of way 'track' passes the corner of the garage at 25 Knab Road and heads towards the school. The 'track' further splits

into four, three 'tracks' leading to back entrances at the school and one on to Gressay Loan.

Mrs M Robertson noted that the track has been used constantly and was still being used by 40-50 people per day. She stated people used the track peaceably and openly mostly through the week but also at weekends.

She noted she was unaware of any others in that area in current use.

9.4 ASCC/NHS Shetland – GP Opening Hours

The Chairman asked the Clerk of the Council to write to Michelle Manzie, Acting CHP Manager, NHS Shetland noting Lerwick Community Councils support to any possibility of an evening and weekend surgery.

9.5 Larry Cluness – Norstane, Voderview and Staneyhill – Footpath Link Proposal

The Chairman noted the landowner would have to be contacted to see if they were willing for a permanent footpath to be constructed.

Cllr A Cluness stated the land was owned by Shetland Islands Council and confirmed the current walkway was basically a sheep track.

Mr A Goudie enquired if it would be worth asking Magnus Malcolmson, Sport and Leisure Services, Shetland Islands Council if a footpath could be constructed in conjunction with the proposed upgrading of the park at Staneyhill.

The Chairman asked Cllr A Cluness if there would be provision in the Council's budget for a footpath.

Cllr A Cluness replied that 'he did not think so'. He also suggested a survey of the area intended for a footpath would be required.

The Chairman stated the construction of a footpath would be supported by Lerwick Community Council. He noted his intention to contact Magnus Malcolmson, with regard to the possibility of a footpath being created and the costs involved.

He hoped his discussion with Mr Malcolmson would enable him to have the required details in time for the next meeting of Lerwick Community Council in March.

9.6 SIC Infrastructure Services – Community Council Consultations

Noted

9.7 Anne Cogle, SIC Legal & Admin/ASCC – CC's & Data Protection Act

The Chairman nominated the Clerk of the Council as their 'data controller'.

This was seconded by Mrs A Simpson.

9.8 SIC Infrastructure Services – Tod's Steps

Noted

08/02/10

Financial Report

Noted

08/02/11

Financial Assistance

No applications received

08/02/12

Planning Applications

12.1 2008/19/PCD - Demolish existing garage and erect dwellinghouse, Bells Road

Mrs M Robertson expressed concern that another house on Bells Road would only add to the traffic congestion in the area.

The Chairman stated he did not think that one more house in the area would cause any additional traffic problems.

Mrs M Robertson asked if the possibility of additional traffic problems were taken into concern when planning applications were considered.

Mr L Angus replied that all implications were considered.

The Chairman asked the Clerk of the Council to advise Planning that Lerwick Community Council had no objections to the build. However it was hoped that due consideration had been given to any increase in traffic another household may bring.

12.2 2008/26/PCD - Change use from retail (Class1) to office (Class4), Stoney Hill Shop, 41 Norstane, Lerwick

Objection raised on the grounds of loss of amenity to local residents. However it is agreed it would be better for the premises to be occupied as an office rather than lie empty.

12.3 2008/32/PCD - Change use of existing storage building and yard to plant and tool hire business, Hay & Co Buildbase, Freefield, Lerwick

No objections.

12.4 2008/34/PCD – Erect flatted development (13 one bed units & 2 two bed units) Site of North Star and Mooney's Wake

The Chairman noted it seemed the application had come up against the problem of being within the exclusion zone of the tanks at North Ness.

Mr D Ristori stated that in light of the problem an objection should be raised.

The Chairman stated due to the need for this type of housing, the application should be supported and Planning could sort out the problem over the exclusion zone.

Mrs A Simpson noted it would be a splendid use of the building.

No objections.

08/02/13

Any Other Business

Mr M Peterson noted no action had been taken following a letter sent to Somerfield regarding the poor state of repair of the walls surrounding their property.

The Chairman asked the Clerk of the Council to find a copy of the original letter sent and 'chase them up'.

Mr Peterson stated Northlink Ferries now required photo ID from any passenger travelling to and from Aberdeen. He questioned the need for this when photo ID was not required when travelling to and from the mainland by air.

He stated that like many people, he did not have photo ID and felt the requirement to have it for Ferry travel unnecessary.

Mrs M Robertson agreed it seemed unnecessary and felt it discriminated against people on low income who could not afford a passport.

The Chairman asked the Clerk of the Council to write to Mr J Linklater, Customer Services Manager, Northlink Ferries and ask them to consider any form of ID rather than just photo ID.

He asked the Clerk to forward a copy of the letter to ZetTrans.

The Chairman noted a ditch had been dug to the side of the footpath at the rapids, Knab. He asked the Clerk of the Council to write to Magnus Malcolmson, Sport and Leisure Services, Shetland Islands Council and ask the ditch be extended the length of the footpath to alleviate the problem of lying water.

The Chairman advised the intention of Scottish Water to replace pipework from Somerfield to the top of Mounthooly Street and the length of Lochside using the 'open cut' system.

Mr W Spence enquired how long the project would take.

The Chairman replied that he was not in a position to say. He explained that although it would take longer than slip-lining, it was to preserve the internal diameter of the pipe which slip-lining would reduce.

Mr L Angus enquired if an alternate route for the pipe could be taken in order to avoid the upheaval the works would cause.

The Chairman stated he had asked the same question however, it would appear that Scottish Water intended to go ahead with their plans.

He asked the Clerk of the Council to invite Mr S MacConnachie, Customer Operations Team Manager and request he attend next month's meeting to better explain their plans.

The Chairman thanked members for attending the meeting.

There being no other competent business the meeting closed at 9.05pm.

MR J ANDERSON
CHAIRMAN
LERWICK COMMUNITY COUNCIL