

**MONDAY 21 May 2007**

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

**Present**

Mr J Anderson  
Mr R Anderson  
Cllr A Wishart  
Mrs K Greaves  
Cllr C Miller  
Cllr J Henry  
Ms K Fraser

Mr D Ristori  
Mr A Johnston  
Ms M Robertson  
Mr R Leith  
Mr W Spence  
Cllr E Knight

**In Attendance**

Acting Sergeant L Falconer, Northern Constabulary  
Mr S Cooper, SIC Infrastructure Services  
Mr G Wishart, Chairman, Gulberwick, Quarff & Cunningsburgh Community Council  
Mrs K Semple, Clerk to the Council  
Shetland Times Reporter

**Chairman**

Mr J Anderson, Chairman to the council presided.

07/05/01

**Circular**

The circular calling the meeting was held as read.

07/05/02

**Apologies for Absence**

Apologies for absence were received from Mr A Goudie, Mr M Peterson, Mrs A Simpson, Mr L Bisset, Mr S Gordon and Cllr L Angus.

07/05/03

**Minutes**

The minutes of the meeting held on 23 April 2007 were approved by Mr R Anderson and seconded by Cllr E Knight.

07/05/04

**Business Arising from the Minutes**

**07/04/08 Cllr** A Wishart noted that Mrs B Fullerton, NHS Shetland, did not comment on the running costs of a new hospital being 40 million, however she did state that without capital funding the running costs would be unaffordable.

**07/04/07 Cllr A Wishart** requested the sentence 'some of the land included in the proposal belonged to the Port Authority and it was earmarked for retail use' be amended to 'some of the land included in the proposal belonged to the Port Authority and it was earmarked for retail, commercial and industrial use'.

**07/04/07 Cllr E Knight** requested that the minute be amended to show he counter proposed the motion that 'in general the Zoning Proposals should be considered' on the basis that although a plan had to be considered he did not necessarily agree with the current one.

07/05/05

**Police Report**

Acting Sergeant L Falconer provided the following details.

5 positive drug turns, all reported to the Procurator Fiscal  
5 drink drivers caught and reported to the Procurator Fiscal  
6 people reported to the Procurator Fiscal for breaking the Alcohol Bye-law  
1 person detected using a mobile phone while driving and reported to the Procurator Fiscal

Thefts from unsecured motor vehicles around Lerwick were detected, a person charged and reported to the Procurator Fiscal.

A driver was charged and reported to the Procurator Fiscal for driving past the Lollipop Lady at the Sound School while she was still on the road.

Mrs K Greaves noted that often cars could be found parked on the pavement to avoid parking on double yellow lines and asked if this was illegal. Acting Sergeant L Falconer replied that it was illegal to obstruct pedestrians and was something the Traffic Warden could be tasked with dealing with.

Ms K Fraser stated she had heard there had been a problem with thefts from Guest Houses. Acting Sergeant confirmed there had been a problem but this was an isolated incident and someone had been remanded in custody and was due to appear in court.

The Chairman thanked acting Sergeant L Falconer for giving the report which ended at 7.15pm.

07/05/06

**Mr Steven Cooper, New Roundabout, Oversund Road**

Mr Steven Cooper, Infrastructure Services, Shetland Islands Council began his presentation by stating the plan was a combination of three projects, roundabout, landscaping and car parking. The advantage of combining all three would mean reduced disturbance and a saving on cost. He noted the proposed car parking area would fulfill a need which had been requested by the School Board for some time and landscaping a benefit to housing in the area.

Mr S Cooper stated the project would be put out to tender as one contract with the Shetland Amenity Trust doing the landscaping. He explained that

the stone walls from the 'planticrubs' in the Sandvien area would be taken down and used in the project to greater benefit as currently the 'planticrubs' were just full of weeds and litter.

The Chairman expressed concern with the Bridged Retention Basin/Swale area and thought it would have a lot of litter problems. Mr S Cooper stated that the maintenance of the area would be included in the Ground Maintenance Contract and possibly a Wetland Area could be created by Mr J MacKenzie, Shetland Amenity Trust. He explained the plan was to keep the design as maintenance free as possible with coloured stone and glass being used in the pavement and centre of the roundabout to form a 'Compass Rose'

Cllr J Henry stated that the project would help with traffic calming and the school was all in favour of the plan and felt it would make a tremendous difference to the area.

Mr K Greaves also felt the roundabout would assist in traffic calming and thought the plans looked good but expressed her concern over the possibility of drivers driving over the roundabout and asked if this would be possible. Mr S Cooper explained the roundabout would be raised about a foot higher than the road and they would work to get a balance to avoid any visual obstruction.

Mr R Anderson expressed his concern over the proposed roundabout and felt that drivers coming into town may be at a disadvantage having to give way to drivers from the right, resulting in a queue of cars waiting to get into town.

Cllr Wishart noted there did not seem to be any problem with cars getting into town using the roundabout at the Co-op.

Ms K Fraser asked how long the project would take to complete. Mr S Cooper replied that subject to planning permission work was due to begin in August and should be finished by the turn of the year and the landscaping would begin next spring.

Mr R Anderson noted his concern regarding the lack of footpaths for children getting to school safely and felt a road crossing should be included. Mr S Cooper replied there were four paths from the compass area and there would be a path from Nederdale to the Lollipop Lady. Mr S Cooper said he would, however pass Mr R Anderson's concerns on to the Roads Department, Shetland Islands Council.

Cllr J Henry noted that the plan had been before the School Board and had met with their approval.

Mr R Anderson again expressed his concern over the safety of children and his surprise that the plan met with the approval of the School Board. Mr R Anderson stated we would just have to 'wait and see'.

The Chairman thanked Mr S Cooper for his presentation which ended at 7.40pm

07/05/07

## Correspondence

### **7.1 Lidl – Potential Opportunities, Lerwick, Shetland**

Noted

### **7.2 SIC Infrastructure Services – Planning Application 2006/453/PCO**

Noted

### **7.3 Scottish Water – Lack of Treatment Capacity at Lerwick**

The Chair stated that Joanna Peebles, Community Liaison Officer, Scottish Water confirmed Dr J Hargreaves and accompanying Scottish Water delegates would be unable to meet with the LCC during their visit but Ms Peebles would be at Duncan House Tuesday and Wednesday of this week to discuss concerns anyone may have.

Cllr J Henry noted his intention to meet with Ms Peebles as a number of people had expressed their concern to him over the change in the taste of their drinking water. Cllr J Henry felt the problem must be resolved and the situation explained more satisfactorily to the public.

### **7.4 Waterwatch Scotland – Meeting 27 June 2007**

Noted

### **7.5 SIC Infrastructure Service – Planning Applications**

The Chairman noted the letter from Ian McDiarmid, Infrastructure Services, which stated that the decision to stop the advertising of planning applications in the Shetland Times was mainly financial and unlikely to be re-introduced.

The Chairman felt it was still of public interest to have all planning applications advertised and suggested that perhaps it should be those applying for planning permission who should pay the advertising charges as this already seemed to be the case for certain planning applications which still must be advertised.

Mr R Leith proposed that subject to legislation all but the most minor planning applications should be advertised and at the expense of the applicant.

There was no seconder to this proposal.

### **7.6 Scottish Executive – Planning Appeal, Judane Shetland Ltd, Lower Blackhill**

Mr R Anderson noted he was very glad to see the letter from Mr D Russell, Principal Inquiry Reporter, Scottish Executive as the content of the letter highlights the great extent as to how the planning department is 'getting it wrong'.

Mr R Anderson stated that the planning department had to listen to Mr D Russell and that with his letter; Mr D Russell has 'driven a horse and cart through their policies'.

Mr R Leith agreed with Mr R Anderson and stated that the planning department must stop looking at things in such a negative manner.

07/05/08

### **Financial Report**

Mr R Anderson inquired if the Clerk to the Council was any further forward in making savings on running costs.

The Chairman confirmed that over £400 per year would be saved on insurance costs due to the cancellation of part of a policy which was duplicating buildings cover. The Chairman noted both he and the Clerk to the Council were looking at other ways to save on running costs.

07/05/09

### **Financial Assistance**

#### **9.1 Bells Brae Primary School – To develop ‘Working Garden’**

Mrs K Fraser proposed the project be awarded £348 to cover the costs of completing their project. This was seconded by Mr R Anderson.

#### **9.2 Lerwick Town Centre Association – Floral Basket Scheme**

Mr R Anderson proposed the scheme should be awarded the full £1,000 requested. This was seconded by Cllr E Knight.

07/05/10

### **Planning Applications**

#### **10.1 Change of use, 10 residential units, Old Judane Knitwear Factory**

Mr R Anderson enquired as to how many parking spaces would be provided for the residents

Cllr C Miller replied that there were plans to provide 14 parking spaces and a retaining wall similar in structure to the one around the Shetland Hotel. She stated that a path would be provided from the building to Holmsgarth Road as additional access for safety reasons and the existing steps would remain unchanged.

No objections.

#### **10.2 Erect 14 one bed and 2 two bedroom flats, Former Fish Factory, Grantfield.**

No objections.

#### **10.3 Erect 3 dwelling houses (in outline), Sands of Sound, Lerwick**

Mr W Spence expressed his concern at the possibility of developing a ‘green area’. He suggested that before we build on Lerwick’s ‘green areas’ all other possibilities should be investigated first.

Ms K Fraser stated the building of houses in the area would encroach more and more on the open space and spoil the beauty of the area.

Mr W Spence proposed the decision to grant planning permission be deferred until the report from the consultants appointed by the planning department is made public.

The Chairman pointed out that in doing so the applicant could appeal to the Scottish Executive, hence that a motion to refuse permission would be required if that was the consensus of the Council.

Cllr A Wishart expressed sympathy with the concerns of the Lerwick Community Council but stated a valid reason for objecting would have to be made.

Ms K Fraser moved to object on the grounds that it would be over development of a scenic area. This was seconded by Mrs K Greaves.

**10.4 Part demolition and extension, Harry's Department Store, Lerwick**

No objections

**10.5 Part demolition and extensions, Harry's Department Store, Lerwick**

No objections

07/05/11

**Any Other Business**

Mr G Wishart, Chairman, Gulberwick, Quarff and Cunningsburgh Community Council enquired as to when the Lerwick Community Council had their meetings in order to not cause difficulties for attending Councillors by choosing similar meeting dates.

Cllr J Henry stated Councilors tried to introduce themselves at new meetings but were hoping to split themselves up in order for at least one Councilor to be present at Community Council meetings.

The Chairman asked the Clerk to the council to write to Mr G Wishart with a list of the meeting dates for the rest of the year.

Ms K Fraser stated the Lerwick Community Council should begin marking open spaces for protection on the plans provided by Planning, and asked that it be put on the agenda.

The Chairman suggested the plans could be viewed by use of an overhead projector and Bessie Barron, Planning Department, SIC be invited to attend the meeting while the LCC went over things plan by plan.

Mr R Anderson stated a special meeting of the Lerwick Community Council be called with no other business to discuss other than protection of open spaces within the town as it was such an important issue.

Cllr C Miller noted there had been a meeting in Bressay regarding similar issues where the public had been invited to and it worked well.

The Chairman stated that Zones needed to be precluded from building and preserved as green areas and the public could possibly be invited to the meeting as there had particularly been objections from residents in the Sands of Sound and Norderdale to further development in their areas.

Cllr J Henry asked that New Members Packs be sent out to the newly appointed Councilors and stated that he was certain in previous years they had been sent from the Lerwick Community Council Office. The Chairman said he would investigate further.

Mr R Anderson asked the Clerk to the Council to write again to Magnus Malcolmson, Sport and Leisure Services over the situation regarding the Knab Dyke and ask for an update in time for the next meeting of the Lerwick Community Council.

The Chairman noted there was quite a litter problem at the top of Breiwick Road and asked the Clerk to the Council to write to Mr J Emptage, Cleansing Service Manager, Infrastructure Services and ask that a bin be provided for the area.

The Chairman also suggested the Neighbourhood Support Workers be asked to patrol the area during school lunch and break times and asked the Clerk to the Council to write to the Neighbourhood Support Workers, Environmental Health, and ask for their assistance.

The meeting closed at 8.20pm.

MR J ANDERSON  
CHAIRMAN  
LERWICK COMMUNITY COUNCIL