

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

Members

| | |
|---------------|---------------|
| Mrs A Simpson | Mrs K Greaves |
| Mr W Stove | Mr A Henry |
| Mr D Ristori | Mr A Johnson |
| Ms K Fraser | Mr G McGhee |
| Mr L Angus | Mr R Leith |
| Mr M Peterson | |

left 7.30pm

Ex-Officio Councilors

None Present

In Attendance

Louise Thomason, Shetland Times Reporter
Mrs K Semple, Clerk to the Council

Chairman

Mr J Anderson, Chairman to the council presided.

10/09/01

Circular

The circular calling the meeting was held as read.

10/09/02

Apologies for Absence

Apologies for absence were received from Mr W Spence, Cllr C Smith and Cllr J Wills.

10/09/03

Minutes

The minutes of the meeting held on 5 July 2010 were approved by Miss K Fraser and seconded by Mr R Leith.

10/09/04

Business Arising from the Minutes

Mr R Leith asked the Clerk of the Council to correct the minute from Mr R Leith, Shetland Times Reporter to Mr R Taylor, Shetland Times reporter.
(Action: Clerk of the Council)

10/07/16 Browns Road – Mr D Ristori asked the Clerk of the Council to correct the minute from "Mr D Ristori suggested the road should....", to "Mr D Ristori suggested the road could.....".
(Action: Clerk of the Council)

Knab Road and Breiwick Road Speed Humps

Mr L Angus advised that two speed humps at the lower half of Knab Road and two at the upper half of Breiwick Road only, had been approved by the Infrastructure Committee and recommended to full council.

He noted that the suggestion to continue the speed humps for the full length of Knab Road was turned down at the request of the Undertakers.

The principal objectors to the speed humps initially proposed in Breiwick Road were residents, who had raised concern at the increasing inconvenience to drivers who parked in Crescents.

Traffic Management Plan

Mr L Angus stated he hoped Lerwick Community Council would support and contribute to Shetland Island's Council Traffic Management Plan for Lerwick.

10/09/05

Area Commanders Monthly Report – July 2010

Noted

10/09/06

Police Report

PS B Gray noted the following crime analysis for August 2010 compared to that of the same time last year.

Class 1 - Crimes against the person – Up from 7 to 19, with 17, detected
Class 2 - Crimes involving indecency – Down from 12 to 10, with 4 detections
Class 3 - Crimes of dishonesty – Up from 169 to 217, of which 154 were detected
Class 4 – Crimes of vandalism – Down from 110 to 82, of which 40 were detected
Class 5 - General Crimes – Up from 67 to 72, all detected
Class 6 - Miscellaneous crimes – Down from 232 to 158, with 150 detections
Class 7 - Traffic Offences – Down from 242 to 241, with 235 detections

Cyclists on Pavements

PS B Gray advised that cycling on the pavement was not an offence; he stated the main offence was dangerous or careless cycling and each scenario had to be judged on its own merits.

Mrs A Simpson asked if it was an offence for people to cycle in the pedestrianised areas of Commercial Street.

PS B Gray replied that it was not, in general, but the area may be covered with a by-law. He advised he would investigate to see if a by-law was in place.

(Action: PS B Gray)

Mr R Leith stated that earlier this year, whilst driving, he found himself behind a group of 32 cyclists, cycling at low speed uphill at the Brig O' Fitch; he advised the cyclists caused chaos as they could not be overtaken safely. He asked the Sergeant if there were any restrictions or laws were in place to deal with this type of issue.

PS B Gray replied that it could be construed as careless cycling; however, it could be debated upon for hours with cyclists arguing they were as much entitled to use the road as motorists.

Mr B Stove asked if the Sergeant would also check if there were by-laws with regard to cycling at the Knab, Sletts and behind Clickimin Loch.

(Action: PS B Gray)

Ms K Fraser stated it would be better to encourage safe cycling rather than look for by-laws to prohibit cyclists.

Mr B Stove advised he was asking the Sergeant to check if there were any by-laws in place for clarity only.

Viking Bus Station

Mr D Ristori asked about the recent vandalism at the Viking Bus Station.

PS B Gray stated a door had been vandalised and he had investigated the incident that morning.

Mr D Ristori asked the Sergeant to clarify vandalism.

The Sergeant stated vandalism was deliberate damage, a coward's crime.

He advised that 95% of the youths were well behaved and it was about finding the right balance. He stated that there was no major issue at the Bus Station, the area was patrolled regularly and it was unfair to chase the youth's away unnecessarily.

Staney Hill Road

The Chairman asked if anything could legally be done to prohibit vehicles using the Staney Hill Road.

PS B Gray replied that it was classed as a public road and no one had a right to close it; the situation would be different if it was a private road.

Mr L Angus noted Lerwick Community Council had paid for the road to be improved.

The Chairman clarified Lerwick Community Council paid for the regulation of the road and Planning, SIC, paid for the surfacing.

Ms K Fraser enquired if normal rules of public roads applied, was there a speed limit on the road.

PS B Gray replied if there were no speed signs changing the limit then it would be a 30mph zone. He advised that if the road was open to the public all legislation would be in place, the only difference being Road Tax, if the road was not maintained by the local authority.

He advised that there was legislation in place to deal with motorists who used the road carelessly.

The Chairman thanked Sergeant PS B Gray for his presentation.

PS B Gray left 7.30pm.

Mr M Peterson left 7.30pm.

10/09/07

Proposed Knab Viewpoint

Interpretation Panels - Drafts

Mr L Angus stated it had taken a long time to get to this stage but he was certain all planning issues had been resolved and Lerwick Community Council was now in a position to proceed if members were in agreement.

Ms K Fraser stated that as Lerwick Community Council was covering full costs the LCC crest should be larger and feature more prominently.

The Chairman agreed and suggested the Shetland Amenity Trust logo should be removed altogether and replaced by a more prominent Lerwick Community Council crest.

He asked members to read the draft text for the interpretive panels in detail and report back the next meeting of Lerwick Community Council if they thought any additions or amendments should be made.

The Chairman advised he had secured two quotes for the works, one considerably cheaper than the other. He advised funds would have to be set aside to cover the costs for blacktop for the cheaper of the two quotes, but it would still be more competitive.

(Action: Clerk of the Council)

Correspondence

8.1 Tesco Concern – Request for LCC’s Support - Lerwick Town Centre Association

The Chairman stated events had overtaken the letter since it had been written and asked members how they wished to respond.

Mr L Angus stated Lerwick Town Centre Association should be given the full support of Lerwick Community Council but it would be improper to enter into a debate between LTCA and other traders.

The Chairman asked the Clerk of the Council to write and express Lerwick Community Council’s full support of the development of Lerwick Town Centre in order to maintain the vitality and viability of the town.

(Action: Clerk of the Council)

**8.2 SIC (Breiwick Road, etc., Lerwick) (20mph Speed Limit) Order 2010 and Breiwick Road and St Olaf Street, Lerwick: Traffic Calming Proposed Road Humps – Neil Hutcheson, Engineer, Roads, SIC
(Two Letters)**

Discussed during Business Arising from the Minutes item 10/09/04

8.3 Proposed Parking Provision-Garden, 17 Knab Road – SIC (Various Roads, Lerwick)(Prohibition & Restriction of Waiting)(Variation No.6) Order 2010 Neil Hutchinson Engineer, Roads, SIC

Mr L Angus advised there had been considerable improvements in the garden by the residents and the bushes had been cut back.

He stated that the speed humps, accompanied by the parking restrictions, were really the only realistic measures to take; he noted that it appeared any motorist used the road for all day parking rather than the service users at Annsbrae.

8.4 Obstruction, Tables & Chairs on Commercial Street - Neil Robertson, Engineer, Roads, SIC

The Chairman asked the Clerk of the Council to write to Mr Neil Robertson, Roads, SIC and request that he writes to Mr Gary Marshall, Manager, Osla’s, advising him of the time restrictions in place for putting tables and chairs on Commercial Street.

(Action: Clerk of the Council)

8.5 Ownership of where barrier is sited, Staney Hill Road – Mr Eric Peterson, Tait & Peterson

Noted

8.6 Request for Traffic Restriction signs, Staney Hill Road – Neil Hutcheson, Engineer, Roads, SIC

Ms K Fraser stated it was a sorry state of affairs when motorists on a road, not needed for traffic, were causing problems for pedestrians on a popular footpath.

The Chairman, referring to the email from Tait & Peterson included in the agenda, stated that Mrs Borland, the landowner, would have no objection to the padlock being removed so that motorists would have to leave their car to open the barrier. He explained that the barrier was weighted and would automatically close after being opened; the padlock is currently pinning it open.

The Chairman suggested that with the landowner’s permission, the solution may be to erect sign at the Hoofields end of the road warning road users of a barrier ahead.

Mrs A Simpson agreed that this would be worth a trial.

Mr L Angus raised concern at the prospect of Lerwick Community Council cutting off the padlock when it was not their property.

The Chairman asked the Clerk of the Council to write to Mr I McDiarmid, Head of Service, Planning, SIC and ask them to remove the padlock and copy the letter to Mrs Borland.

(Action: Clerk of the Council)

8.7 Local Development Plan Newsletter – In response to request for update

Noted

8.8 Hoofields Redevelopment – Response to LCC Concerns that the design of the road potentially sterlises further development of the area – Janet Barclay Smith, Planning Officer, SIC

Noted

8.9 Music Tuition, Introduction of Charges – Matthew Moss, Quality Improvement Mgr, Schools Service, SIC

Noted

8.10 Road Salt – Stockpile at Rova Head – Ian Halcrow, Head of Roads, SIC

Noted

8.11 Roundabout, Gremista Junction – Mike Finnie, Service Manager, Capital Programme Service, SIC

Noted

8.12 Bench Request, Outside Esplanade Toilets – Paul Wishart, Chairman, LOTDA

The Chairman stated options had been agreed upon for the placement of four benches.

Mr D Ristori advised the benches were to be positioned outside Don Leslie's, the foot of Water Lane, with a view of Bain's Beach and two outside Harry's.

8.13 Brown's Road – Email from Mr D Ristori & response, Mr I Halcrow, Head of Service, Roads, SIC

The Chairman noted the response was just as expected.

Mr D Ristori stated he had doubts whether the current road could cope with the additional traffic generated once Mareel and the new council offices were open for business.

8.14 Proposed siting of new Eric Gray Centre on former Hockey Pitch, Seafield – Mr Billy Smith

The Chairman noted that some of the suggestions put forward by Mr Billy Smith were very good and asked for comments.

Mr L Angus stated that Shetland Islands Council had offered a generous grant to the Equestrian's to assist them finding an alternative site more suitable for their needs.

The Chairman asked if the park currently used for horses was freed up, could it be considered as a possible site for the new Eric Gray Centre.

Mr L Angus replied that he was unsure, he was aware the "technical people" had had a meeting and taken up the point but still favored the former Hockey Pitch as the most suitable site. He advised that to change the site now would lead to a complete redesign after eight years gestation; he added that the design was largely based around sharing facilities.

The Chairman stated he could see no technical reason why the building had to go on the site of the former Hockey Pitch and not on the Equestrian site. He enquired if there was a swell of opinion that the New Eric Gray Centre should not be built on the former Hockey Pitch and suggested it should go out for formal consultation.

Mr L Angus stated there were difficulties relating to using other sites including vehicular access; planning restrictions surrounding dry stone dykes and the road would have to be widened.

Mr L Angus advised that Mr B Smith's comments had been taken seriously and Mr R Sinclair, Head of Capital Programmes, SIC had tried to address his concerns.

The Chairman asked the Clerk of the Council to write to Mr R Sinclair and invite him, or a member of his project team, to make a presentation at the next meeting of Lerwick Community Council in order for the issue to be discussed further.

(Action: Clerk of the Council)

8.15 Fixed Penalty Notices Issued, 2008 to Date – Maggie Dunne, Environmental Health Manager, SIC

There was concern among members that dog fouling continued to be an issue in Lerwick.

Areas noted were King Haakon Street, Gilbertson Road and Harbour Street.

The Chairman asked the Clerk of the Council to write to Ms M Dunne, Environmental Health Manager, SIC to advise her of the problem areas.

(Action: Clerk of the Council)

8.16 Grant Thanks – Shetland Junior Netball Development Group

Noted

8.17 Grant Thanks – Sail Training Shetland 2010

Noted

8.18 Community Council Election 2010 Timetable

Noted

10/09/09

Traffic & Parking Orders

9.1 SIC (Haldane Burgess Crescent, Lerwick) (Parking Place for Disabled Person's Vehicle) Order 2010

No objections

9.2 SIC (St Olaf Street, Lerwick) (Parking Place for Disabled Person's Vehicle) Order 2010

No objections

The following order arrived too late to be included in the agenda but was brought to the meeting for discussion:-

SIC (Voderview, Lerwick) (Parking Place for Disabled Person's Vehicle) Order 2010

No objections

10/09/10

Financial Report

Noted

10/09/11

Planning Applications

11.1 2010/273/PCD – Construction of 2 no storey and a half dwellinghouses, Plot 4 and 6 Pegasus Place, Lerwick by Garriock Bros Ltd

No objections

(Action: Clerk of the Council)

11.2 2010/283/LBC – Removal of ground and first floor windows and replacement with double glazed windows to match those removed, 9 Commercial Street, Lerwick by D Skene

No objections

(Action: Clerk of the Council)

10/09/12

Lerwick Applications August 2010

Noted

10/09/13

Any Other Business

SIC Commercial Street, Lerwick – Maintenance Works to Flagstone Surfacing 31 August 2010 - NH/AT/R/B3/1

The Chairman read out a letter which arrived too late to be included in the agenda but was brought to the meeting for discussion.

The letter advised that an area of flagstone on Commercial Street, to the north of its junction with Irvine Place, is to be repaired between 6 September 2010 and 5 November 2010.

Mr R Leith raised concern that the repair to the flagstones seemed to be an annual event and he hoped the work would be done correctly this time.

The Chairman advised the DLO now had the correct specification and tar would be put between the joints to keep them water proof.

Quoys Viewpoint

Mr D Ristori stated the views from the top of Quoys were spectacular and coach loads of tourists were often driven up to enjoy the view.

He suggested a telescope could be placed in the area and a viewpoint and turning point created.

Mr R Leith supported the suggestion and suggested benches could be installed so people could use it as a picnic area.

Mr L Angus advised the road was unadopted and private property.

The Chairman noted that there may be other areas more appropriate; he stated that residents may not appreciate coach loads of tourists being encouraged to the area.

Mrs K Greaves suggested that members may wish to gather ideas and put them forward as suitable viewpoints at the next meeting of Lerwick Community Council.

The Chairman agreed with Mrs Greaves suggestion.

Yellow Lines - General

Mr A Henry noted that some yellow lines were being worn away in Commercial Street and throughout the town.

The Chairman advised that back in February 2010, Mr I Halcrow, Head of Service, Roads, SIC had advised a programme of road markings would take place during the spring and summer when it was dry.

The Chairman asked the Clerk of the Council to write to Mr I Halcrow again and ask when he thought the programme of road markings would be completed.

(Action: Clerk of the Council)

Yellow Lines – Sletts

Mrs A Simpson stressed the need for double yellow lines at Sletts, along the length of the new sea wall. She noted that vehicles parked by the sea wall caused the clear view of the road to be obstructed.

The Chairman suggested a bollard may also be appropriate.

He asked the Clerk to write to Mr I Halcrow, Head of Service, Roads, SIC.

(Action: Clerk of the Council)

Sewage Smells

Mrs K Greaves reported there had been a strong smell of sewage in the area of Freefield Pharmacy.

Mr D Ristori agreed and noted a strong sewage smell could also be detected in the area of Globe Butchers.

The Chairman asked the Clerk of the Council to write to Mr I Burnet, Scottish Water with regard to the concerns.

(Action: Clerk of the Council)

Presentation Request

Ms K Fraser asked if Jill Hessian, Manager, Shetland Community Drugs Project, could be invited to make a presentation at a meeting of Lerwick Community Council.

The Chairman asked the Clerk of the Council to contact Ms J Hessian and invited her to make a presentation at the November meeting of Lerwick Community Council.

(Action: Clerk of the Council)

Crumbling Building

Mr R Leith reported that early one morning he saw the night porter at the Grand Hotel sweeping up concrete. When he enquired had happened he was advised

that the concrete facing from the bottom of a bay window had come loose and dropped to the ground outside the shoe shop. The fallen concrete left a fracture measuring approximately 48" X 6" X 1" and could have had fatal consequences.

Mr R Leith advised he had reported the matter to Building Standards but was unaware if the incident had been investigated.

The Chairman asked the Clerk of the Council to write to Mr G Greenhill, Executive Director, Infrastructure Services, SIC and ask for information with regard to the buildings safety, following the report by a concerned member of the public to Building Standards six weeks earlier.

He asked that a copy of the letter be sent to Mr S Cooper, Head of Service, Environment and Building Service, SIC.

(Action: Clerk of the Council)

Fort Car Park – Crumbling Cliff

Mr D Ristori advised a slab of stone had come off the cliff face below the fort and damaged a friend's car; photographs had been taken indicating the damage.

The Chairman asked Mr D Ristori to take the photographs to the Lerwick Community Council office.

He asked the Clerk of the Council to write to Historic Scotland advising them of the incident and include the photographs with the letter.

(Action: Clerk of the Council)

Play Areas

Mr L Angus stated tenants at Quoys were attempting to negotiate with Hjalmland to provide a park or recreational area where children could play safely.

He stated the tenants were not looking for a fully equipped play area but just an area where children could play safely.

He raised concern that there seemed to be no requirement for developers to include play areas for children when planning large scale developments.

He advised the closest play park for children residing in Quoys and Sundhamar was Nederdale.

The Chairman asked the Clerk of the Council to write to Mr Magnus Malcolmson, Leisure Facilities Officer, SIC and ask if it would be possible for Shetland Islands Council to identify a site in the area which can be taken over by SIC for recreational purposes.

(Action: Clerk of the Council)

Mr L Angus reiterated that the developer should be expected to include a play park or recreational area within their developments. He suggested a letter ought to be written supporting the principal that this requirement should be insisted upon.

The Chairman asked the Clerk of the Council to write to Mr Ian McDiarmid, Head of Service, Planning, SIC with regard to the issue.

(Action: Clerk of the Council)

Mrs K Greaves stated she understood there was now a requirement to include space for allotments in new developments.

The Chairman asked the Clerk of the Council to enquire if this was the case in her letter to Mr I McDiarmid.

(Action: Clerk of the Council)

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