



## **REPORT**

**To:**           Infrastructure Committee  
              Services Committee  
              Executive Committee

**27 November 2007**  
**29 November 2007**  
**4 December 2007**

**From:**       Head of Finance  
              Executive Services Department

**Report No: F-033-F**

### **GENERAL FUND REVENUE MANAGEMENT ACCOUNTS 2007/08 FOR THE PERIOD 1 APRIL 2007 TO 30 SEPTEMBER 2007**

#### **1. Introduction**

- 1.1 The purpose of this report is to advise Members of the financial position on the Council's general fund revenue accounts including support and recharged ledgers for the first six months of 2007/08.

#### **2. Links to Corporate Priorities**

- 2.1 This report links to the Council's corporate priorities, defined in its Corporate Plan, specifically in relation to reviewing financial performance relative to the Council's financial policies.

#### **3. Background**

- 3.1 The general fund revenue management accounts are presented to Executive Management Team (EMT) on a monthly basis to enable EMT to monitor the Council's overall financial position.
- 3.2 This is the half-year monitoring report to Members for 2007/08 and covers the period 1 April 2007 to 30 September 2007. Only controllable items of expenditure are included, on the basis that recharges for central services and financing costs and income are not controllable in terms of spending decisions. Thus expenditure items include employee costs, property costs, transport, grants and other running costs, and income comprises of fees and charges, grants and rents.
- 3.3 For information, all appendices show the Annual Budget, Year to Date Budget, Actual and Variance. It is the Year to Date variances, which are referred to within this report, the Year to Date figures include income and expenditure from 1 April 2007 to 30 September 2007. An estimation of when spending will occur or income is to be received is made on each

budget and a spend profile is set which determines the Year to Date Budget, i.e. for salaries an equal charge each month is expected so the budget will show in this report 6/12ths of the Annual budget in the Year to Date budget, for other items this is not so straightforward and these will either be based on past spending patterns or on a 1/12<sup>th</sup> basis across the year. The Year to Date Variance shows how actual activity has varied from the planned budget. Appendix 1 shows expenditure and income by service area and by type. Appendices 2 shows the same data by cost centre activity.

#### **4. Overall Financial position on General Fund revenue (including support and recharged ledgers) at 30 September 2007**

4.1 The General Fund revenue management accounts is £0.706 million more than budget (see Appendix 1). This is after savings of £2.7m have been built into the 2007/08 budgets to reach the approved draw on Reserves of £5 million and a large profiling error on Community Care. Removing this error the General Fund would be £0.950m underspent. Attached, as Appendix 2 is a more detailed cost centre listing of spend to date for information grouped by Education and Social Care (Appendix 2a), Infrastructure Services (Appendix 2b) and Executive Services (Appendix 2c).

#### **5. Analysis of Education and Social Care Service Activity as at 30 September 2007**

5.1 The Education and Social Care Department spent £1.095m more than expected for the period. This includes a large profiling error on Community Care income of £1.656m, once that is removed there is an underspend of £0.561m. Some significant differences over planned activity are set out below.

##### **5.1.1 Additional Funding**

There are profiling errors on additional funding grants which require to be sorted amounting to £0.317m across the schools service.

##### **5.1.2 Schools**

Overall spend on schools is running under budget £0.287m, primary schools are under by £0.252m, secondary schools under by £0.110m.

##### **5.1.3 Community Care**

Overall net spend is £0.326m over the approved budget. The service has a target deficit budget by £1.3M for the year, which the Council expected to secure through vacant posts. On current activity, the service is on target to meet the deficit set by the Council.

##### **5.1.4 Children's Services**

Underspending on grants and salaries has resulted in Children's Services under budget by £0.242m.

##### **5.1.5 Social Care Training**

The social care training programme has not been progresses as fast as was originally intended leading to an underspend of £0.370m.

#### 5.1.6 SCOFÉ

The College has an adverse variance due the timing of the receipt of external funding not matching the budget profile.

### **6. Analysis of Infrastructure Service Activity as at 30 September 2007**

6.1 The Infrastructure Department spent £0.634m less than expected for the period. Some significant differences over planned activity are set out below.

#### 6.1.1 Environmental Rova Head Disposal

Higher than anticipated income £0.248m received from additional waste flows and drill cuttings. This is offset by reduced Processing Shed income due to waste flows being passed through landfill.

#### 6.1.2 Environmental Health Repairs Notice

This is an accrual on expenditure £0.243m for which income will be received in 2007/08 which will net this expenditure to zero. This is not a real variance.

#### 6.1.3 Transport

Ferries transport is underspent on Fuel £0.108m and the Shetland Transport Partnership is underspent on External Consultants £0.099m.

### **7. Analysis of Executive Service Activity as at 30 September 2007**

7.1 The Executive Department is over the budget by £0.283m than expected for the period after corporate savings of £1.3m have been included. Some significant differences over planned activity are set out below.

#### 7.1.1 Savings Required Across the Council

Part of the £2.7m savings mentioned in paragraph 4.1 lies on a Finance cost centre (£1.3m), this still has to be met from savings across the Council either from general underspending on activities and vacancies.

#### 7.1.2 Housing Rent Rebate Income and Expenditure

There is a timing difference between the receipt of income and the payment of rebates which has resulted in an underspend of £0.145m.

#### 7.1.2 Asset Services

Property costs are below budget by £0.240m mainly on electricity and maintenance due to outstanding bills.

## **8. Action Plan to resolve budget variances**

- 8.1 Budget Responsible Officers (BRO's) have been actively encouraged to review the profiles on their budgets, identify and deal with any miscodings and action appropriate virements so that period variances do not obscure the real financial position. Management Accountancy will continue to provide advice and training to assist BROs to manage their budgets.

## **9. Financial Implications**

- 9.1 The general fund revenue management accounts for the first half of 2007/08 (including support and recharges) is £0.706m over the budget for that period. This is after savings of £2.7m, which have been taken into account in the budget for the first 6 months. To ensure that the savings are achieved by the end of the year there is a need for Budget Responsible Officers to carefully manage their budgets.
- 9.2 Any underspend against budget will reduce the draw on reserves, conversely, any overspend will increase the draw on reserves, which will reduce the amount available for use in future years.

## **10. Policy & Delegated Authority**

- 10.1 This report is being presented to the Services and Infrastructure for information and comment and Executive Committee in terms of its remit for financial policy and monitoring. The Committees may make comment to Council where necessary but the report is presented to Council for information.

## **11. Recommendation**

- 11.1 The Services, Infrastructure and Executive Committees are asked to consider this report and make comment to Council where necessary. Thereafter, I recommend that the Council note the report and any comments from the Committees.

Report No: F-033-F  
Ref: Accountancy/HKT

Date: 16 November 2007



## **REPORT**

**To:**           Infrastructure Committee  
              Services Committee  
              Executive Committee

**27 November 2007  
29 November 2007  
4 December 2007**

**From:**       Head of Finance  
              Executive Services Department

**Report No: F-034-F**

**HOUSING REVENUE ACCOUNT/HARBOUR ACCOUNT/RESERVE FUND  
REVENUE MANAGEMENT ACCOUNTS 2007/08  
FOR THE PERIOD 1 APRIL 2007 TO 30 SEPTEMBER 2007**

### **1. Introduction**

- 1.1 The purpose of this report is to advise Members of the financial position on the Council's Housing Revenue Account, Harbour Account and Reserve Fund for the first 6 months of 2007/08.

### **2. Links to Corporate Priorities**

- 2.1 This report links to the Council's corporate priorities, defined in its Corporate Plan, specifically in relation to reviewing financial performance relative to the Council's financial policies.

### **3. Background**

- 3.1 The revenue management accounts for funds other than the General Fund are presented to Executive Management Team (EMT) on a quarterly basis to enable EMT to monitor the Council's overall financial position.
- 3.2 This is the second monitoring report to Members for 2007/08 and covers the period 1 April 2007 to 30 September 2007. Only controllable items of expenditure are included, on the basis that recharges for central services and financing costs are not controllable in terms of spending decisions. Thus expenditure items include employee costs, property costs, transport, grants and other running costs, and income comprises of fees and charges, grants and rents.

3.3 For information, all appendices shows the Annual Budget, Year to Date Budget, Actual and Variance. It is the Year to Date variances, which are referred to within this report, the Year to Date figures include income and expenditure from 1 April 2007 to 30 September 2007. An estimation of when spending will occur or income is to be received is made on each budget and a spend profile is set which determines the Year to Date Budget, i.e. for salaries an equal charge each month is expected so the budget will show in this report 6/12ths of the Annual budget in the Year to Date budget, for other items this is not so straightforward and these will either be based on past spending patterns or on a 1/12th basis across the year. The Year to Date Variance shows how actual activity has varied from the planned budget. Appendices 1, 3 and 5 show expenditure and income by service area and by type. Appendices 2, 4 and 6 shows the same data by cost centre activity.

#### **4. Housing Revenue Account Financial Position at 30 September 2007 (SERVICES COMMITTEE)**

- 4.1 The Housing Revenue Account (HRA) revenue for the first six months is over budget by £0.036m (see Appendix 1). Attached, as Appendix 2 is a more detailed cost centre listing of spend to date for information. There are two main areas where variances are occurring.
- 4.2 Firstly income, there are two areas where income is less than anticipated. Rents (£0.240m) is less than budgeted for the period due to the timing of the rents fortnight not matching the management accounts period end. This will even out over the year. Supporting People funding is no longer to be allocated to the Ladies Drive Hostel on the HRA (£0.055m) but is now to be used for Outreach Services on the General Fund.
- 4.3 Secondly, property costs is underspent by £0.255m, this is mainly due underspends on maintenance budgets £0.162m due to the timing difference between the budget profile, the completion of works and the charging by the Housing DLO to the HRA. The other main variance is an underspend on void rents (£0.070m).
- 4.4 The outturn on the HRA is expected to be within budget.

#### **5. Harbour Account Financial Position at 30 September 2007 (COUNCIL)**

- 5.1 The Harbour Account (P&H) revenue for the first six months is over budget by £0.370m for the six months (see Appendix 3). Attached, as Appendix 4 is a more detailed cost centre listing of spend to date for information. There are two main areas where variances are occurring.

- 5.2 The most significant variance is on towage dues at Sullom Voe (£0.486m) and Harbour Dues (£0.098m), which have not been realised. The other main variance is on jetties and spur booms (£0.277m) where expenditure has been incurred at a faster than budgeted rate under the maintenance contract. This contract is wholly funded by BP and will have no impact at the year-end.
- 5.3 It is difficult to predict the outturn on the Harbour Account at this stage, as the oil throughput is outwith the control of the Council. However, the latest prediction is that the outturn on the Harbour Account will be within the budget with careful management.

## **6. Reserve Fund Financial position at 30 September 2007 (INFRASTRUCTURE & EXECUTIVE COMMITTEE)**

- 6.1 The Reserve Fund for the first six months is over budget by £0.005m (see Appendix 5). Attached, as Appendix 6 is a more detailed cost centre listing of spend to date for information. There are two main areas where variances are occurring.
- 6.2 The most significant variance under Environmental Services is an outstanding accrual for income £0.478m in relation to Private Sector Housing Grant income which has yet to be received but once it has been will net off the variance to zero. Under Finance Services the graduate placement and modern apprentice schemes were underspent due to a change in how they were recharged, profiles have now been amended, this is not a real underspend. Under Asset Service, the variance on the NAFC is due to an underspend on maintenance where it is difficult to predict the exact timing of spending. The underspend on Economic Development Unit is mainly on grants which are demand led (£0.485m). The main projects are Renewable Energy, Economic and Tourism Infrastructure.
- 6.3 It is anticipated that the outturn on the Reserve Fund will be under budget.

## **7. Action Plan to resolve budget variances**

- 7.1 Budget Responsible Officers (BRO's) have been actively encouraged to review the profiles on their budgets, identify and deal with any miscodings and action appropriate virements so that period variances do not obscure the real financial position. Management Accountancy will continue to provide advice and training to assist BROs to manage their budgets.

## **8. Financial Implications**

- 8.1 It is expected that the Housing Revenue Account and Reserve Fund will be within the budget set for 2007/08. On the Harbour Account this is more difficult to predict as it depends on the level of throughput at

Sullom Voe which is outwith the Council's control. At this stage it is predicted that it will be within the budget with careful management.

- 8.2 Any underspend against budget will reduce the draw on reserves, conversely, any overspend will increase the draw on reserves, which will reduce the amount available for use in future years.

## **9. Policy & Delegated Authority**

- 9.1 This report is being presented to the Services and Infrastructure for information and comment; and Executive Committee in terms of its remit for financial policy and monitoring. The Committees may make comment to Council where necessary but the report is presented to Council for information.

## **10. Recommendation**

- 10.1 The Services, Infrastructure and Executive Committees are asked to consider this report and make comment to Council where necessary. Thereafter, I recommend that the Council note the report and any comments from the Committees.

Report No: F-034-F

Ref: Accountancy/HKT

Date: 16 November 2007





## **REPORT**

**To: Infrastructure Committee**

**27 November 2007**

**From: Network Manager  
Roads Service  
Infrastructure Services Department**

### **CHEYNE CRESCENT, LERWICK: PROPOSED DOUBLE YELLOW LINES**

#### **1 Introduction**

- 1.1 This report has been prepared following the receipt of objections to the proposed traffic order titled "Shetland Islands Council (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No. 4) Order 2007." This order, if made, would introduce parking prohibitions on Cheyne Crescent and various other roads throughout Lerwick.
- 1.2 A recommendation is made that the Committee approve the making of the above Order in its entirety.

#### **2 Links to Council Priorities**

- 2.1 Key Aims of the Council's Local Transport Strategy include:
  - Reduction of social exclusion,
  - Improved safety for all road users, and
  - Promotion of better health and fitness.
- 2.2 Objectives include:
  - Improve facilities for disabled access.
  - make improvements to the road network in order to support gains in safety, environmental, accessibility, integration or economic terms.
- 2.3 This report links to the following priorities of the Council's Corporate Plan:
  - Internal Transport, with continued improvements to roads included within this,
  - Social Justice, helping to reduce inequalities and injustice, and
  - Community Safety, working with partners to address and respond to safety issues concerning communities.

### 3 Background

- 3.1 The Shetland Islands Council made the “SIC (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) Order 2001” in October 2001. The existing parking restrictions throughout Lerwick were consolidated under this one Order. They were also rationalised so that all single yellow lines indicate no parking between 8am to 6pm, Monday to Friday and all double yellow lines indicate no parking at any time. This was done to make enforcement of the restrictions easier and to make the meaning of the yellow lines easier for the public to understand.
- 3.2 The opportunity was also taken, with this initial order, to introduce additional restrictions on a number of streets. The order has also been varied on three occasions with more lines being added and some removed as a result. The last variation prior to the promotion of the above order was made in 2004. Since then it has become apparent that new yellow lines are needed in the following locations:

- |                 |                               |
|-----------------|-------------------------------|
| • Burgh Road    | • Haldane Burgess Crescent    |
| • Anderson Road | • Cheyne Crescent             |
| • Union Street  | • North Ness Road             |
| • Nederdale     | • Robertson Crescent          |
| • Browns Road   | • Annsbrae, South Hillhead    |
| • Oversund Road | • Montfield Hospital Accesses |
| • Longland      | • A970 North Lochside         |
| • Sandwall      | • Tarland                     |
| • Kirkland      | • Swarthoull                  |
| • Ronald Street | • Glenfarquhar                |

A number of these locations have been included in this list following alterations to the road layout but the majority were added following requests from members of the public. The inclusion of Cheyne Crescent in the order falls within the latter category.

- 3.3 A number of complaints have been received from two residents of Cheyne Crescent regarding cars parked in the Cheyne Crescent cul-de-sac and the obstruction to traffic, both vehicular and pedestrian, that this can cause. The complaints, which were made by telephone call, were particularly concerned with access to the end of the cul-de-sac where a disabled resident has his home. Cars parked in the cul-de-sac have on occasion prevented taxis etc from getting within a distance that he can comfortably walk. In spring this year “Keep Clear” road markings were provided along the front of the garages in an attempt to prevent their obstruction and also to gain some space in the cul-de-sac for vehicles to turn and manoeuvre. This measure has improved the situation for the garages but according to the original complainants the situation in general has not improved. Therefore, the decision was taken to promote the introduction of double yellow lines on the cul-de-sac by including it in the latest variation order.

## 4 Consultation

4.1 The consultation process required by legislation began with the draft order and plans being sent to the following parties for their comments:

- Emergency services
- Lerwick Community Council
- Local Council Member
- Haulage Company Representatives

The only comment received at this stage was from Councillor Angus when he asked for lengths of road at Ronald Street and Glenfarquhar to be included in the proposed order.

4.2 The next stage was to advertise the Notice of Proposal for the amended order in the Shetland Times and post it on site so as to give the general public an opportunity to object. This was done on Friday 21 September 2007. Copies of the amended order were also sent out, at this time, to the interested parties/organisations (see Appendix 1).

4.3 Two letters of objection were received to the proposed order at this stage from the Reeves family and Mr Robert Geddes, both resident at the Cheyne Crescent cul-de-sac. The reasons given for the objections are that:

- as I am a retained fire fighter the prohibition of parking immediately outside my house would increase my response time;
- finding parking on the street is already a problem;
- the nearest parking spaces are several streets away;
- the yellow lines would only move the parking problems to adjacent streets;
- the cul-de-sac has never been highlighted by the Fire Service as having access problems.

In my replies, which sought to have the objections withdrawn, I made the following points:

- the cul-de-sac is too narrow for cars to park and leave sufficient road width for access ;
- there are sufficient parking spaces nearby on the north end of Gilbertson Road.

Their letters and my replies are attached in Appendix 2. These were the only objections so the yellow lines that are proposed for the other lengths of road listed in paragraph 2.2 are unopposed.

4.4 A letter of support for the Cheyne Crescent proposals was also received from Ms R A MacDonald, a resident in the cul-de-sac at number 7. Her concerns and reasons for supporting the proposals are similar to those voiced by the original complainants. Ms MacDonald's letter and my reply are also enclosed in Appendix 2.

- 4.5 The Reeves family and Mr Geddes have not replied so I must assume that they wish their objections to stand: hence the need to refer the matter to this Committee for decision.

## **5 Conclusion**

- 5.1 The inconveniencing of drivers wishing to park in the area is unavoidable if these restrictions are introduced. However, the current situation with vehicles parking at the end of the cul-de-sac and along its north side means that traffic trying to reach the end of the road is often obstructed.
- 5.2 The nearest alternative parking is in the “main part” of Cheyne Crescent although as it only has room for 11 parking spaces it is likely that the yellow lines would significantly increase parking pressure in the Crescent. Were the “main part” to be full the next location is the north end of Gilbertson Road some 200 metres from the cul-de-sac. I would argue that this is not an unreasonable distance to the numerous available spaces that have recently been observed there at various times of day.
- 5.3 Having considered that the Council in its role as roads authority has a duty to ensure adequate clear width is maintained on public roads to allow free passage of traffic I think that the Order should be made, in its entirety, and that parking should be prohibited in the Cheyne Crescent cul-de-sac. I am of the opinion that the advantages to be gained by the complainants and Ms MacDonald outweigh the disadvantages to the residents that objected to the proposals.

## **6 Financial Implications**

- 6.1 The funds required for the road markings and traffic signs would be met from the Traffic Management Capital Rolling Programme. The estimated cost, if the order is made in its entirety, is approximately £2,500.

## **7 Policy and Delegated Authority**

- 7.1 The Infrastructure Committee has full delegated authority to act on all matters within its remit and for which the overall objectives have been approved by the Council, in addition to appropriate budget provision as described in Section 12 of the Council’s Scheme of Delegation.

## **8 Recommendations**

- 8.1 I recommend that the Infrastructure Committee agree to the making of the “Shetland Islands Council (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No 4) Order 2007” or, if the Committee are so minded.

- 8.2 Approve the said Order with the modification that there shall be excluded the provision for double yellow lines at the cul-de-sac at Cheyne Crescent stated in paragraph (e) on page 3 of the draft Order.

Report Number: RD-10-07-F



Head of Service: Ian Halcrow  
**Executive Director: Graham Spall**

Mr Robert Geddes  
9 Cheyne Crescent  
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If calling please ask for  
**Neil Hutcheson**  
Direct Dial: 01595 744882

Our Ref: NH/NS/R/E3/11  
Your Ref:

Date: 09 November 2007

Dear Mr Geddes

**SIC (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No 4)  
Order 2007**

Thank you for your letter of 10 October 2007 regarding the above proposed Order and in particular the double yellow lines that may be introduced on the Cheyne Crescent cul-de-sac.

These yellow lines were proposed following a number of complaints from two residents. They were concerned that cars parked along the road were preventing vehicular access to the end of the cul-de-sac. A letter of support for the proposals has since been received from another resident in which he states that parked vehicles have, on occasion, blocked access to his front gate. The letter goes on to say that these vehicles have hampered refuse collection and could be problematic for an ambulance or other emergency service vehicle.

I understand their concerns as the road width in this part of Cheyne Crescent is only 4.8 metres. A car parked adjacent to the wall on the north side of the road takes up half this width leaving only 2.4 metres for vehicles to pass. While this carriageway width is well below the standard we would require in a new development it is sufficient to allow a car through. However, larger vehicles would find this limited width difficult or even impossible to negotiate. A reversing vehicle would also find it very difficult and due to the lack of turning space in the cul-de-sac I imagine that vehicles often have to reverse in this area.

Were the yellow lines to be introduced there would be sufficient space for 11 cars to park on the main part of Cheyne Crescent. This combined with 3 disabled spaces and 16 garages or off-street parking spaces gives a total of 30 parking spaces in the crescent. This is obviously much less per household than would be found in a new development. I have no doubt that at times finding parking is difficult and that the proposed lines will not help this situation. Despite this on Wednesday 7 November, 5 of the 11 spaces were free at 5.30pm. The 3 cars parked in the cul-de-sac at this time, if moved to the main part of Cheyne

Crescent, would still have left 2 spaces. The following night only 2 of the 11 spaces were free, with 5 cars parked in the cul-de-sac this would have resulted in an overspill of 3 cars. These could easily have been accommodated in the north end of Gilbertson Road where 7 spaces were available on its west side and 5 more on the single yellow line running along its east side.

The Council in its role as Roads Authority has a duty to ensure that an adequate clear width is maintained on public roads to allow the free passage of traffic and to aid access by emergency and service vehicles. Therefore, having given this matter due consideration I am of the opinion that the introduction of yellow lines is appropriate and I will be recommending this course of action to the meeting of the SIC, Infrastructure Committee to be held on 27 November 2007.

I am obliged under the roads legislation to seek the withdrawal of all objections to a traffic regulation Order. Please inform Neil Hutcheson, at the above address, if you wish to withdraw your objection. Should I receive no response prior to 21 November 2007 I will assume that you wish your objection to stand. Your letter would then be included in the report to the Infrastructure Committee so that they are aware of your concerns when deciding whether or not to make the Order.

Yours sincerely

Head of Roads

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**SHETLAND ISLANDS COUNCIL  
(VARIOUS ROADS, LERWICK)  
(PROHIBITION AND RESTRICTION OF WAITING)  
(VARIATION No. 4)  
ORDER 2007**

**SHETLAND ISLANDS COUNCIL** in exercise of their powers under Sections 1 to 4 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended, and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Paragraph 20 of Schedule 9 to the said Act, hereby make the following Order:-

1. Citation

This Order may be cited as the “Shetland Islands Council (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No. 4) Order 2007”, and shall come into operation on .....2007.

2. Effect of Order

The “Shetland Islands Council (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) Order 2001” as varied by the “Shetland Islands Council (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No. 1) Order 2002”, the “Shetland Islands Council (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No. 2) Order 2004” and the “Shetland Islands Council (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No. 3) Order 2004” shall have effect as if:-

In Schedule 1

The item 1. A970 i) was deleted and substituted with:-

- “i) That length of the west side of the A970 Lochside, commencing at a point 35 metres south of its junction with Bruce Crescent and proceeding in a generally north-easterly direction to a point 25 metres north-east of the said junction, a total distance of 60 metres or thereby.”

After item 5. Burgh Road a) iii) there were inserted the words:-

- “iv) commencing at a point 10 metres north of its junction with the projected kerbline on the north side of Union Street and proceeding in a southerly direction to a point 10 metres south of its junction with the projected kerbline on the south side of Union Street;”

After item 5. Burgh Road b) iii) there were inserted the words:-

- “iv) commencing at a point 7.5 metres north of its junction with the projected kerbline on the north side of the north access to Montfield Hospital and proceeding in a southerly direction to a point 12.5 metres south of its junction with the projected kerbline on the south side of the north access to Montfield Hospital;
- v) commencing at a point 10 metres north of its junction with the projected kerbline on the north side of the south access to Montfield Hospital and proceeding in a southerly direction to a point 12.5 metres south of its junction with the projected kerbline on the south side of the south access to Montfield Hospital.”

The item 16. Ronald Street b) was deleted and substituted with:-

- “b) Those lengths of the east side of Ronald Street as follows:
  - i) commencing at its junction with the south side of the Hillhead and proceeding in a generally south-westerly direction for a distance of 99 metres or thereby.”

After item 17. Haldane Burgess Crescent b) there were inserted the words:-

- “c) That length of the east side of Haldane Burgess Crescent commencing at a point 10 metres north of its junction with the projected kerbline on the north side of Anderson Road and proceeding in a southerly direction to a point 10 metres south of its junction with the projected kerbline on the south side of Anderson Road;
- d) That length of the west side of Haldane Burgess Crescent commencing at a point 10 metres north of its junction with the projected kerbline on the north side of Anderson Road and proceeding in a southerly direction to a point 10 metres south of its junction with the projected kerbline on the south side of Anderson Road.”

After item 18. Anderson Road a) ii) there were inserted the words:-

- “iii) commencing at a point 10 metres west of its junction with the projected kerbline on the west side of Haldane Burgess Crescent and proceeding in an easterly direction to a point 10 metres east of its junction with the projected kerbline on the east side of Haldane Burgess Crescent.”

After item 18. Anderson Road b) ii) there were inserted the words:-

- “iii) commencing at a point 10 metres west of its junction with the projected kerbline on the west side of Haldane Burgess Crescent and proceeding in an easterly direction to a point 10 metres east of its junction with the projected kerbline on the east side of Haldane Burgess Crescent;
- iii) commencing at a point 10 metres west of its junction with the projected kerbline on the west side of Robertson Crescent and proceeding in an easterly direction to a point 10 metres east of its junction with the projected kerbline on the east side of Robertson Crescent.”

After item 22. Cheyne Crescent d) there were inserted the words:-

- “e) the entire perimeter of the Cheyne Crescent cul-de-sac commencing at its junction with Cheyne Crescent and proceeding in an easterly direction for a distance of 52 metres or thereby.”

After item 28. Union Street a) ii) there were inserted the words:-

- “iii) commencing at its junction with Burgh Road and proceeding in an easterly direction for a distance of 10 metres or thereby;”

After item 28. Union Street b) ii) there were inserted the words:-

- “iii) commencing at its junction with Burgh Road and proceeding in an easterly direction for a distance of 10 metres or thereby;”

The items 44. Road Serving North Ness a) and b) were deleted and substituted with:-

“44. North Ness Road

- a) That length of the west side of the public road serving the North Ness commencing at its junction with the mini-roundabout on Commercial Road and proceeding in a generally northerly direction for a distance of 187 metres or thereby.
- b) That length of the east side of the public road serving the North Ness commencing at its junction with the mini-roundabout on Commercial Road and proceeding in a generally northerly direction for a distance of 179 metres or thereby.”

After item 46. Oversund Road b) there were inserted the words:-

- “c) Those lengths of the north side of Oversund Road as follows:

- i) commencing at its junction with the west side of Swarthoull and proceeding in a generally westerly direction to its junction with the east side of Kirkland;
  - ii) commencing at its junction with the west side of Tarland and proceeding in a generally north-westerly direction to its junction with the east side of Sandwall;
- “d) Those lengths of the south side of Oversund Road as follows:
- i) commencing at a point 50 metres east of its junction with the projected kerbline on the east side of the east Longland junction and proceeding in a generally westerly direction to a point 10 metres west of its junction with the projected kerbline on the west side of the said junction;
  - ii) commencing at a point 70 metres south-east of its junction with the projected kerbline on the east side of the west Longland junction and proceeding in a generally north-westerly direction to a point 10 metres north-west of its junction with the projected kerbline on the west side of the said junction.”

The item 58. Nederdale was deleted and substituted with:-

- “a) That length of the access road to the garages at the frontage of Numbers 5 and 6 Nederdale commencing at its junction with the main access road through the south part of Nederdale and proceeding in a south-easterly direction for a distance of 18 metres or thereby;
- b) That length of the main access road through the south part of Nederdale commencing at its junction with the projected kerbline on the east side of the road referred to in paragraph a) above and proceeding in a north-easterly direction for a distance of 10 metres or thereby.”

After item 59. Further Education College, Gremista there were inserted the words:-

“60. Robertson Crescent

- a) That length of the east side of Robertson Crescent commencing at its junction with Anderson Road and proceeding in a southerly direction for a distance of 10 metres or thereby;
- b) That length of the west side of Robertson Crescent commencing at its junction with Anderson Road and proceeding in a southerly direction for a distance of 10 metres or thereby.

61. Browns Road

- a) That length of the north west side of Browns Road commencing at its junction with the North Ness Road and proceeding in a south-westerly direction for a distance of 10 metres or thereby;

- b) That length of the south east side of Browns Road commencing at its junction with the North Ness Road and proceeding in a south-westerly direction for a distance of 10 metres or thereby.

#### 62. Annsbrae

- a) That length of the west side of the access road leading to the garages at Annsbrae commencing at its junction with South Hillhead and proceeding in a southerly direction for a distance of 43 metres or thereby;
- b) That length of the east side of the access road leading to the garages at Annsbrae commencing at its junction with the South Hillhead and proceeding in a southerly direction for a distance of 34 metres or thereby.

#### 63. Montfield Hospital Accesses

- a) That length of the north side of the north access to Montfield Hospital commencing at its junction with Burgh Road and proceeding in a westerly direction for a distance of 12 metres or thereby;
- b) That length of the south side of the north access to Montfield Hospital commencing at its junction with Burgh Road and proceeding in a westerly direction for a distance of 12 metres or thereby;
- c) That length of the north side of the south access to Montfield Hospital commencing at its junction with Burgh Road and proceeding in a westerly direction for a distance of 8 metres or thereby;
- d) That length of the south side of the south access to Montfield Hospital commencing at its junction with Burgh Road and proceeding in a westerly direction for a distance of 8 metres or thereby.

#### 64. Glenfarquhar

- a) That length of the east side of the Glenfarquhar road commencing at its junction with Ronald Street and proceeding in a southerly direction for a distance of 8 metres or thereby.

#### 65. Longland

- a) That length of the west side of Longland commencing at its west junction with Oversund Road and proceeding in a south-westerly direction for a distance of 10 metres or thereby;
- b) That length of the east side of the west Longland junction commencing at its west junction with Oversund Road and proceeding in a south-westerly direction for a distance of 10 metres or thereby;

- c) That length of the west side of the east Longland junction commencing at its east junction with Oversund Road and proceeding in a south-westerly direction for a distance of 10 metres or thereby;
- d) That length of the east side of the east Longland junction commencing at its east junction with Oversund Road and proceeding in a south-westerly direction for a distance of 10 metres or thereby.

#### 66. Sandwall

- a) That length of the east side of the Sandwall road commencing at its junction with the north side of Oversund Road and proceeding in a north-easterly direction for a distance of 10 metres.

#### 67. Tarland

- a) That length of the west side of the Tarland road commencing at its junction with the north side of Oversund Road and proceeding in a north-easterly direction for a distance of 10 metres.

#### 68. Kirkland

- a) That length of the east side of the Kirkland road commencing at its junction with the north side of Oversund Road and proceeding in a north-easterly direction for a distance of 10 metres.

#### 69. Swarthoull

- a) That length of the west side of the Swarthoull road commencing at its junction with the north side of Oversund Road and proceeding in a northerly direction for a distance of 10 metres."

The lengths of road referred to in the said Order of 2001 as varied by subsequent Orders and as varied hereby are all shown coloured red on the amended plan, Drawing No. TO/L/312 (2007), annexed and signed as relative hereto.

### 3. Savings Provisions

The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any Regulations made or having effect as if made under the Road Traffic Regulation Act 1984, or by or under any other enactment.

Made and enacted at Lerwick by Shetland Islands Council on the ..... day of Two Thousand and Seven.

.....  
Executive Director of Infrastructure Services

## **STATEMENT OF REASONS**

- 1) To maintain and enhance road safety by preventing obstructions to visibility at junctions and near bends in the road.
- 2) To ensure an adequate clear road width is provided to allow the free flow of traffic and aid access by emergency and service vehicles.





Head of Service: Ian Halcrow  
**Executive Director: Graham Spall**

Mr R A MacDonald  
7 Cheyne Crescent  
Lerwick  
Shetland

Roads  
**Infrastructure Services Department**  
Gremista  
Lerwick  
Shetland  
ZE1 0PX

Telephone: 01595 744866  
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Roads@shetland.gov.uk  
www.shetland.gov.uk

If calling please ask for  
**Neil Hutcheson**  
Direct Dial: 01595 744882

Our Ref: NH/NS/R/E3/11  
Your Ref:

Date: 09 November 2007

Dear Mr MacDonald

**SIC (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No4)  
Order 2007**

Thank you for your letter of 18 October 2007 regarding the above proposed order and in particular the double yellow lines that may be introduced on the Cheyne Crescent cul-de-sac.

The consultation period for this traffic order is now complete with two letters of objection received from residents. Therefore, unless these objections are withdrawn in the meantime, the matter will be reported to the meeting of the SIC, Infrastructure Committee on 27 November 2007. A copy of your letter will be included in the report so that the Committee are aware of your opinion when deciding whether or not to approve the yellow lines.

Should you have any queries regarding the procedures described above please contact Neil Hutcheson at the above address.

Yours sincerely

Head of Roads  
[HL11090702.doc]



Head of Service: Ian Halcrow  
**Executive Director: Graham Spall**

Mr and Mrs Reeve  
11 Cheyne Crescent  
Lerwick  
Shetland  
ZE1 0NS

Roads  
**Infrastructure Services Department**  
Gremista  
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If calling please ask for  
**Neil Hutcheson**  
Direct Dial: 01595 744882

Our Ref: NH/NS/R/E3/11  
Your Ref:

Date: 09 November 2007

Dear Mr and Mrs Reeve

**SIC (Various Roads, Lerwick) (Prohibition and Restriction of Waiting) (Variation No 4)  
Order 2007**

Thank you for your letter of 19 September 2007 regarding the above proposed Order and in particular the double yellow lines that may be introduced on the Cheyne Crescent cul-de-sac.

These yellow lines were proposed following a number of complaints from two residents. They were concerned that cars parked along the road were preventing vehicular access to the end of the cul-de-sac. A letter of support for the proposals has since been received from another resident in which he states that parked vehicles have, on occasion, blocked access to his front gate. The letter goes on to say that their parked cars have hampered refuse collection and could be problematic for an ambulance or other emergency service vehicle.

I understand their concerns as the road width in this part of Cheyne Crescent is only 4.8 metres. A car parked adjacent to the wall on the north side of the road takes up half this width leaving only 2.4 metres for vehicles to pass. While this carriageway width is well below the standard we would require in a new development it is sufficient to allow a car through. However, larger vehicles would find this limited width difficult or even impossible to negotiate. A reversing vehicle would also find it very difficult and due to the lack of turning space in the cul-de-sac I imagine that vehicles often have to reverse in this area.

Were the yellow lines to be introduced there would be sufficient space for 11 cars to park on the main part of Cheyne Crescent. This combined with 3 disabled spaces and 16 garages or off-street parking spaces gives a total of 30 parking spaces in the crescent. This is obviously much less per household than would be found in a new development. I have no doubt that at times finding parking is difficult and that the proposed lines will not help this situation. Despite this on Wednesday 7 November, 5 of the 11 spaces were free at 5.30pm. The 3 cars parked in the cul-de-sac at this time, if moved to the main part of Cheyne

Crescent, would still have left 2 spaces. The following night only 2 of the 11 spaces were free, with 5 cars parked in the cul-de-sac this would have resulted in an overspill of 3 cars. These could easily have been accommodated in the north end of Gilbertson Road where 7 spaces were available on its west side and 5 more on the single yellow line running along its east side.

The Council in its role as Roads Authority has a duty to ensure that an adequate clear width is maintained on public roads to allow the free passage of traffic and to aid access by emergency and service vehicles. Therefore, having given this matter due consideration I am of the opinion that the introduction of yellow lines is appropriate and I will be recommending this course of action to the meeting of the SIC, Infrastructure Committee to be held on 27 November 2007.

I am obliged under the roads legislation to seek the withdrawal of all objections to a traffic regulation Order. Please inform Neil Hutcheson, at the above address, if you wish to withdraw your objection. Should I receive no response prior to 21 November 2007 I will assume that you wish your objection to stand. Your letter would then be included in the report to the Infrastructure Committee so that they are aware of your concerns when deciding whether or not to make the Order.

Finally, I have discussed the possibility of constructing a driveway at your house with the Housing Service. They do not encourage this unless the resident has a disability which severely impairs their mobility.

Yours sincerely

Head of Roads

[HL11090706.doc]

**Road Safety Advisory Panel – Reconstitution**

**1 Scope of the Advisory Panel**

- 1.1 The Panel will be established for the purpose of consultation with interested external parties and co-ordinating efforts within the Council to improve road safety.
- 1.2 The Panel will examine all alternatives and suggestions put to it regarding road safety and advise on preferred options. This will include consideration of and giving guidance on prioritisation of initiatives and appreciation of links to other plans and strategies such as the Community Safety Strategy, the Health and Community Care plan, etc.
- 1.3 The Panel will give guidance on, help develop and review updates of Shetlands Road Safety Plan.

**2 Membership of the Advisory Panel**

- 2.1 The Panel will be chaired by the Vice Chairperson of the Infrastructure Committee. The Chairman of the Infrastructure Committee will be an ex officio member.
- 2.2 The following Spokespersons shall be appointed to the Panel:
  - a) Transport
  - b) Education, Children and Young People
  - c) Planning
  - d) Environment
- 2.3 To provide Shetland wide representation, a Member should be appointed by the Infrastructure Committee for each Ward not represented at 2.1 or 2.2 above. That would require a Member to be appointed to represent the North Isles and Shetland South.
- 2.4 A representative of each of the following services be appointed to the Panel:
  - a) Safety & Risk
  - b) Community Safety
  - c) Roads
  - d) Education
  - e) Transport
- 2.5 The following organisations should each be invited to provide a representative:

- a) Northern Constabulary
- b) NHS Shetland
- c) Shetland Childcare Partnership
- d) Any organisation or group representing any category of road user.

2.6 In line with other advisory panels, representatives of other bodies or groups may be consulted or asked to attend meetings of the Panel.

### 3 Remit of the Advisory Panel

3.1 The panel will meet as required to monitor Road Safety in Shetland. If considered necessary, the panel will recommend updates or amendments to the Road Safety Plan.

3.2 The panel will give advice as to proposed revisions to the Road Safety Plan, and will make recommendations to the Infrastructure Committee via a report by the appropriate Officer.

### 4 Reporting Mechanism

4.1 The Panel is purely advisory and has no executive powers. Any proposals or recommendations from the work of the panel must be referred by report to the Infrastructure Committee or the Service Committee.

### 5 Duration

5.1 The advisory panel will have a life for the duration of this Council only and will then be disbanded. The Infrastructure Committee can decide to disband it earlier if it considers that it no longer serves a useful purpose.



## **REPORT**

**To: Infrastructure Committee**

**27<sup>th</sup> November 2007**

**From: Service Manager - Safety and Risk  
Legal & Administration  
Executive Services**

**LA-083-F**

### **Road Safety Advisory Panel – Reconstitution**

#### **1. Introduction and Background**

- 1.1 Local Authorities are under a statutory duty to provide a Road Safety service. This service includes education training and publicity (ETP) programmes and, where appropriate undertaking specific engineering schemes, with enhancing Road Safety as a theme. Most commonly Road Safety Officers (RSOs) take responsibility for the ETP programme and Road Safety Engineers (RSEs) plan, design and install the safety engineering schemes. In 2003 the Resources Committee approved the re-establishment of a Road Safety Advisory Panel (Infrastructure Min Ref 26/03 and SIC Min Ref 138/03).
- 1.2 Following the setting up of the new Council, it is necessary to reconstitute the panel along broadly similar lines as before, whilst recognising the revised Council structure.
- 1.3 A separate panel to discuss Road Safety matters is needed to enable the specialist constituent members to be represented. Representation should be extended to ensure officer links with current plans and strategies such as the Community Safety Strategy, the Health and Community Care Plan and to take account of the engineering aspects of Road Safety.
- 1.4 Using existing partnership arrangements with Police and NHS Shetland, the panel would add value by increasing the emphasis on educating children and communities, and constructing the building blocks for greater awareness and responsibility in adult life. Delivery of Road Safety is by way of the 4 'E's' which are:

Enforcement	-	Police
Engineering	-	Roads Service
Education	-	Road Safety, Safety & Risk
Encouragement	-	Road Safety, Safety & Risk

- 1.5 The Road Safety Officer is responsible for developing, reviewing and reporting on the Road Safety Plan. Co-ordination of the Road Safety Advisory Panel and interaction with the different agencies who have an interest in Road Safety is also a key task. These agencies include Northern Constabulary, Shetland Health Board, Shetland Childcare Partnership and Road Safety Scotland.

## **2. History**

- 2.1 Local authorities are under a Statutory Duty to provide Road Safety Services. The Road Safety Panel was set up in 1996, and since that time has provided the necessary consultation and partnership working opportunities to facilitate a number of initiatives.
- 2.2 Responsibility for Road Safety matters lies with Safety and Risk Services, whilst engineering matters are the responsibility of Roads Service. The Panel assists in identifying improvements to the built environment and exists as a means to ensure key participants pull together in terms of their priorities.
- 2.3 It has become customary for the Road Safety Panel to be a basis of input into the development of the Road Safety Plan prior to being submitted to Council. The Plan very much dictates implementation but also serves as a useful tool to monitor progress and instruct priorities.

## **3. Proposals**

- 3.1 It is proposed that the Road Safety Advisory Panel be reconstituted with one Member from each electoral ward, representatives from outside organisations, and appropriate officials, as described in appendix 1;
- 3.2 An important function of the Road Safety Advisory Panel is to consult with interested external parties, and to coordinate efforts within the Council to improve Road Safety. Terms of Reference are set out in Appendix 1.

## **4. Financial Implications**

- 4.1 The Panel proposed is advisory only, without any budget or budgetary authority.
- 4.2 The costs relating to running the Panel will include reimbursement of legitimate expenses by Council Members of the Panel as an approved duty (Scheme of Approved Duties – Section 3.2(10)).
- 4.3 Funding for initiatives shall be met from within existing budgetary limits and/or sourced through external routes such as the Scottish Executive.

## **5. Links to Corporate Priorities**

- 5.1 The terms of this report will assist the Council in achieving its corporate priorities in relation to community Safety



## **6. Policy and Delegated Authority**

- 6.1 The Infrastructure Committee has delegated authority for the functional areas of roads and transportation, and has authority to determine the role, remit and membership of Advisory Panels, as described in Section 12 of the Council's Scheme of Delegation.
- 6.2 The Chairman of Panel will be consulted by the Road Safety Officer and the Executive Director - Infrastructure and the Executive Director – Education and Social Care for their respective interests on matters of priorities, meeting targets and deliverables.

## **7. Recommendations**

- 7.1 I recommend that the Infrastructure Committee:
  - 1) approve the establishment of a Road Safety Advisory Panel;
  - 2) consider the membership, remit and reporting mechanism of the Advisory Panel proposed in appendix 1 and approve it, with or without amendment; and
  - 3) appoint Members to the Advisory Panel to represent the North Isles and Shetland South wards.

Report no: LA-83-F

8 November 2007

Our Ref: SP/LAG





## **REPORT**

**To: Infrastructure Committee**

**27 November 2007**

**From: Service Manager - Environmental Health  
Environment and Building Services  
Infrastructure Services Department**

### **FOOD HYGIENE INSPECTIONS- INFORMING THE PUBLIC**

#### **1 Introduction**

- 1.1 The purpose of this report is to seek Members approval to develop a local scheme for improving the information available to the public in relation to the hygiene and management standards of local food premises.

#### **2 Links to Corporate Priorities**

- 2.1 The effective delivery of the Environmental Health function ensures delivery of key Corporate Plan objectives: Health Improvement.

#### **3 Background**

- 3.1 Since the Freedom of Information (Scotland) Act 2002 came into force Councils have been expected to make information it holds more readily available to the public. Many local authorities have found that Food Hygiene was an area that was of particular interest to the public. Authorities across the UK began to develop schemes to improve the information available to consumers on the standards of premises providing food to the community. International research undertaken has shown that compliance with hygiene standards significantly improved once the results of inspections became public. These schemes have also been linked to a reduction in food borne illnesses.
- 3.2 There are a number of pilots being undertaken across Scotland aiming to provide clear information to the public and drive up standards in food premises. There are two main approaches being adopted - a scoring system which gives either stars, traffic lights or a numerical value for the level of compliance with food law which is displayed in the premises, alternatively authorities have published Food Hygiene inspection reports on the internet.

- 3.3 The “Scores on the Doors” style approach is more accessible as it is easily understood but premises may not display poor scores. Publishing scores on the Council’s Website can counter balance this. It is a rather simplistic approach and the scoring system will need to be developed so that it covers the range of establishments inspected, is capable of being audited and officers will need to be trained to ensure consistency of scoring. The alternative option is far less accessible to the general public as the Food Hygiene Inspection reports can be complex and contain legislative phrases. There is a danger that a phrase in a report may be interpreted to be worse than the officer intended, however this approach is easy to implement and would be most cost effective as there is no need to produce certificates or window stickers.
- 3.4 Whilst it is not essential that the Council carry out any scheme currently, the evidence from the pilots suggests it is more effective than inspections and enforcement activity alone. It is also anticipated that in the long term this approach will become standard good practice or even a legal requirement. If Members wish to see a similar approach taken in Shetland, consultation with all food businesses will be undertaken before a final scheme is adopted.
- 3.5 It is proposed that, subject to consultation, the scheme be implemented in April 2008. Scores or Inspection Reports will be published after the next programmed inspection is carried out, this will mean that lower risk premises will take sometime before they are “scored”.
- 3.6 It must also be noted that both the score and the inspection report is a snapshot of the hygiene of the premises on the day of inspection. Premises will not be reinspected just because they have responded to the result of the previous inspection and improved conditions, as staffing resources could not cope with carrying out additional inspections on top of the statutory annual programme.
- 3.7 The score or inspection report is made up of the Officer’s opinion of the hygiene, structure and confidence in management in a premises on the day of inspection. Whilst premises may be able to improve cleanliness or replace defective structures, if they are only doing this in response to a poor inspection report or score, it is unlikely to alter the confidence in the management of the premises as this takes into account the history of compliance within the premises. The score will remain unaltered until the next scheduled inspection. The final scheme will be developed with an appeal and complaints procedure so that any business aggrieved by the outcome of the inspection will be able to detail their concerns about the inspection process, which will be reviewed by the Service Manager Environmental Health.
- 3.8 The Food Standards Agency has supported these schemes across the UK and has taken legal advice about the possibility of defamation charges from businesses aggrieved by poor scores or reports. It must be recognised that there will be some premises in Shetland who will receive poor reports and the potentially negative impact of this on the business that publishing this data will have must be weighted against

the rights of the consumer to know that the food that they eat is safely prepared as well as the duty on the authority to undertake activity to reduce food borne illness. This approach, if combined with sufficient publicity and consultation, should reduce the need for enforcement as market forces will improve standards within premises and force those that do not currently respond to advice, guidance and enforcement to improve their standards in order to keep their customers.

#### **4 Financial Implications**

- 4.1 This proposal will be implemented as part of the existing inspection programme of the Environmental Health service, whilst there are likely to be costs associated with consultation, promotion, providing certificates and updating the website, this will be managed within the existing budget. Rejecting requests to revisit premises that have acted on inspection reports until their next visit is due will ensure that there are no additional resource requirements for the scheme.

#### **5 Policy and Delegated Authority**

- 5.1 The Infrastructure Committee has full delegated authority to act on all matters within its remit and for which the overall objectives have been approved by the Council, in addition to appropriate budget provision as described in Section 12 of the Council's Scheme of Delegation.

#### **6 Conclusions**

- 6.1 Research has indicated that a "Scores on the Doors" approach improves standards in food premises and reduced food borne illnesses more than inspection and enforcement alone. This approach will ensure better information is available to the public, ensuring they are able to make more informed choices about where to eat or buy food. The Service Manager Environmental Health will undertake full consultation on the options for an information scheme with the industry and develop a scheme for implementation as part of the annual Food Hygiene inspection programme in April 2008, if Members approve the principle of the scheme.

#### **7 Recommendation**

- 7.1 I recommend that Infrastructure Committee :

- 7.1.1 Consider the proposal to implement an information programme for Food Hygiene for the Public; and if, so minded,
- 7.1.2 Instruct the Service Manager - Environmental Health to undertake consultation with the food industry as to whether they would prefer "Scores on the Doors" approach or the publication of hygiene reports in order to inform the public on the standards found on the last inspection of the premises;

7.1.3 Authorise the Service Manager - Environmental Health to implement the preferred scheme in April 2008 as part of the annual inspection programme.

Report Number : ES-28-07-F



## REPORT

**To: Infrastructure Committee**

**27 November 2007**

**From: Service Manager- Environmental Health  
Environment and Building Services  
Infrastructure Services Department**

### **Housing Grants - Reserve Fund and Fuel Poverty**

#### **1 Introduction**

- 1.1 When considering the report to Infrastructure Committee on 28th August 2007 Grant funding for assisting householders in Fuel Poverty, Members requested a scheme be developed to address Fuel Poverty. This report presents the Infrastructure Committee with proposed Grant Criteria which will enable such assistance to be offered if funding is made available for the scheme through the Capital Programme.

#### **2 Links to Corporate Priorities**

- 2.1 The effective delivery of the Private Sector Housing function ensures delivery of a key Corporate Plan objective: Health Improvement and Social Justice.

#### **3 Background – Fuel Poverty**

- 3.1 Fuel Poverty is a term applied to a household who spends more than 10% of their net income on household fuel to maintain a satisfactory heating regime. The income used in the assessment includes Housing Benefit or Income Support for Mortgage Interest despite this not being income which can be spent on fuel.
- 3.2 There are around 25% of households (around 2,500 homes) in Shetland, which are in fuel poverty, this is almost double the Scottish average of 13%, the majority of these households are in the private sector. Fuel Poverty is a complex equation, which balances a combination of the cost of fuel, the amount of fuel used in a household, the geographical and metrological conditions against income. The Council has produced a Fuel Poverty Strategy to meet the Scottish Target of eliminating, as far as is reasonably practicable fuel poverty in Scotland by 2016.

- 3.3 It is proposed that under a Fuel Poverty Grant, 100% of the works should be funded at a property up to a maximum of £10,000. Applicants who have a repairing obligation (Owner occupied and some private tenants) will be required to evidence that they are in fuel poverty by providing details of income and fuel usage. Officers from the Council's Energy Unit will undertake a SAP (Standard Assessment Procedure) assessment of the premises, determine whether the applicant is in Fuel Poverty and specify the works to be completed to improve the efficiency of the property. The applicant will not be eligible for assistance if their Fuel Poverty is due to under occupation where the size of the property is larger than the occupants housing need. In order to target the grant effectively the applicants who are in most severe fuel poverty will be processed first as some householders who have sought grant assistance are known to spend over 20% of their income on household fuel.
- 3.4 The eligible works will include insulation to walls and ceilings, heating through the provision of heat pumps and replacement windows where necessary. The applicant will be expected to maximise other grants for insulation and heating through national schemes before being eligible for assistance on the Fuel Poverty Grant. The applicant will also be able to claim a grant from the Energy Saving Trust for 30% of the cost of installing a heat pump, which will reduce the grant required. The applicant will have the opportunity to use the Hjalmland One Stop Shop to seek quotes, complete application forms and oversee the works.
- 3.5 It is proposed that the applicant would require a referral to Citizen's Advice for a benefits check to ensure that they receive their full entitlement of benefits, as increasing income is the most effective intervention against fuel poverty. It is also proposed that all properties will be reassessed after the completion of works to determine the improvement in SAP rating of the property and to assess the effectiveness of the works in relation to the fuel poverty status.

#### **4 Financial Implications**

- 4.1 As there are estimated to be 2250 properties in fuel poverty, it is proposed that the scheme should aim to assist 25-30 properties a year with a grant of up to £10,000, a budget of £250,000 per year has been applied for through the Capital Programme Review Team priority points system to enable the scheme to proceed. It is not yet known whether the scheme will be considered a priority through this process.

#### **5 Policy and Delegated Authority**

- 5.1 The Infrastructure Committee has full delegated authority to act on all matters within its remit and for which the overall objectives have been approved by the Council, in addition to appropriate budget provision as described in Section 12 of the Council's Scheme of Delegation.



## **6 Conclusions**

- 6.1 It is recognised that the most effective way to improve the private sector housing stock and tackle fuel poverty in Shetland is to target funding to those in greatest financial need. Fuel Poverty inherently includes a means test in its definition and the grant approvals can be prioritised by severity of Fuel Poverty. Proactively tackling fuel poverty through targeted funding of a complete energy efficiency package, combined with benefits assessment will significantly improve the health and well being of those suffering deprivation in the community.

## **7 Recommendations**

- 7.1 I recommend that the Infrastructure Committee;
- 7.1.1 Decide whether the eligibility criteria set out in 3.3-3.5 should be applied to a fuel poverty grant scheme subject to funding being made available through the Capital Programme Review Team priority pointing exercise; and
  - 7.1.2 Subject to 7.1.1 authorise the Environmental Health Manager or her nominee, to finalise the implementation of the grant scheme in line with the standard grant procedures.
- 7.2 It is important for members to note that this is only a framework for applying the scheme should the funding be agreed through the capital prioritisation process.

Report Number: ES-30-07-F





## **REPORT**

**To: Infrastructure Committee**

**27 November 2007**

**From: Service Manager Environmental Health  
Environment and Building Services  
Infrastructure Services Department**

### **Abandoned Vehicles**

#### **1. Introduction**

- 1.1 The purpose of this report is to seek Members approval to alter the approach currently being taken to address abandoned and nuisance vehicles in Shetland.

#### **2 Links to Corporate Priorities**

- 2.1 The effective delivery of the Environmental Health function ensures delivery of key Corporate Plan objectives: Protecting the Environment.

#### **3. Background**

- 3.1 The Refuse Disposal (Amenity) Act 1978 places a duty on local authorities to remove abandoned vehicles from land in the open air or roads within their area. There is no precise legal definition that describes abandoned vehicle, though in terms of the Act a vehicle will be deemed to be abandoned where a person leaves the vehicles in such circumstances or for such a period that it may be deemed to be abandoned, unless the contrary is shown. A vehicle can only be classed as abandoned when an authorised officer from the local authority or police force has identified it as such. A vehicle can be deemed to be abandoned when it fulfils some or all of the following criteria:

- It is no longer in a road-worthy condition
- It is in such a place as to cause aggravation or danger to others
- It has no valid tax disc on display, is being kept on a road whilst registered with a SORN (Statutory Off Road Notification) declaration (however, a vehicle may be abandoned even with a valid tax disc or SORN)
- The vehicle or its contents are having a negative impact on the local environment and the visual amenity of a community
- It is in such a place and condition that it attracts the unwanted attention of vandals and anti-social behaviour

- There is evidence that the vehicle has not been moved for a considerable amount of time
  - The owner or keeper cannot be identified, or fails to respond to a legal notice.
- 3.2 In order to dispose of an abandoned vehicle, the Council must serve a notice by fixing it on the vehicle detailing the intention to dispose of the vehicle. The notice period where a vehicle has no residual value is 24 hours. Where the vehicle is classed as having some residual value, the statutory notice period is 7 days. If a vehicle is still taxed it must be stored until the tax expires. Where an abandoned vehicle is on private land, the statutory notice period is 15 days. The local authority can also consider prosecuting a vehicle owner for the offence of abandoning a vehicle, if found guilty they will be liable for a fine of up to £2500 and/or three months in prison.
- 3.3 The Council receives around 100 reports of abandoned vehicles each year. The current approach to dealing with abandoned cars has been to only deal with untaxed vehicles, on public land or where the landowner requests the removal of the vehicle. If a vehicle is on a current SORN it is not removed, despite the fact that the location declared on the SORN is not the location of the vehicle. Notices are served stating that the vehicle will be removed by sticking it on the windscreen. If the notice expires and the vehicle has not been moved then the Amenity Trust is requested to remove the vehicle. The Council has not attempted at any point to recover its costs despite there being provisions in the legislation to charge for uplift, storage and disposal.
- 3.4 Having reviewed the options available to the Council it is proposed that a more proactive approach to addressing the issue will be implemented. Vehicles will continue to be issued with a notice and uplifted when they are untaxed on public land (or on the landowners request). If they are on a SORN but the location is falsely declared then this will be reported to the Northern Constabulary to pursue relevant Traffic Offences; If the Vehicle on a SORN still doesn't move after approaches from the Police, it will be issued with a 7 day notice and uplifted as an abandoned vehicle.
- 3.5 It is also proposed that Environmental Health will start to use the 15 day notice to address the accumulations of abandoned vehicles around Shetland which are on private land and untaxed or unSORNed. Environmental Health will start to address the vehicles, which negatively impact on the Environment by negotiating with Landowners to remove these vehicles. The vehicles cannot be removed without the landowner's agreement.
- 3.6 It is also proposed that Environmental Health will raise invoices to the last registered keeper for £300 for every abandoned vehicle uplifted and disposed of where abandoned on public land or where the landowner requests removal. It may be appropriate for Members to decide to waive the charge where negotiations are entered into to clear private land of abandoned vehicles as the charge may result in the landowner, if they are the last keeper of the car, refusing to allow it to be disposed of. As stated if a landowner refuses to allow a vehicle to be removed from private land, it cannot be uplifted.

- 3.7 The proposed alterations to the way that abandoned vehicles are addressed will place more onus on the registered keeper to arrange satisfactory disposal of a vehicle. The Amenity Trust will remove vehicles free of charge when contacted by the owner. It is recognised that some people will continue to abandon vehicles despite the threat of costs for disposal and it is very difficult to trace owners and to pursue payment, however the current approach does not penalise irresponsible behaviour, despite there being an alternative free disposal route.

#### **4. Financial Implications**

- 4.1 This proposal will be implemented a part of the existing Environmental Health service, whilst there are likely to be costs associated with tracing past owners and attempting to claim disposal and uplift costs, this will be managed within the existing budget. Whilst the number of abandoned vehicles currently uplifted would suggest an increased income to the service of around £30,000 realistically charging for disposal and uplift should reduce the numbers of abandoned vehicles. It is also unlikely that all charges raised will be paid and many vehicles are untraceable if the person abandoning it removes the Vehicle Identification Number.

#### **5. Policy and delegated authority**

- 5.1 The Infrastructure Committee has full delegated authority to act on all matters within its remit and for which the overall objectives have been approved by the Council, in addition to appropriate budget provision as described in Section 12 of the Council's Scheme of Delegation. However, the Committee does not have authority to alter policy or approve the introduction or removal of charges for services therefore a decision of the Council is required.

#### **6. Conclusions.**

- 6.1 The Council has been uplifting around 100 abandoned vehicles free of charge annually, it is proposed that the Council amends the approach by begin to charge the last registered owners in order to encourage more responsible disposal through the Amenity Trust, collecting vehicles on SORNs where they are not kept at the place stated on the SORN by working in partnership with the Northern Constabulary and also to start to seek that vehicles abandoned on private land are uplifted through negotiations with landowners where they are detrimental to the environment.

#### **7. Recommendations.**

- 7.1 I recommend that the Infrastructure Committee recommend to the Council:

7.1.1 to alter the approach taken in the past to removal of abandoned vehicles and if so minded approve the approach set out in paragraphs 3.4 3.5 and 3.6; and

7.1.2 to waive the payment of uplift and disposal charges where the registered keeper is the landowner in order to enable

Environmental Health Officers to negotiate the removal of abandoned vehicles which are detrimental to the environment.

ES-31-07-F



## **REPORT**

**To: Infrastructure Committee**

**27 November 2007**

**From: Service Manager - Environmental Health  
Environment and Building Services  
Infrastructure Services Department**

### **FIRTH AND MOSSBANK SEWAGE SYSTEM UPDATE**

#### **1 Introduction**

- 1.1 The purpose of this report is to inform Members of the successful efforts of the Firth and Mossbank Residents in seeking that Scottish Water progress improvement to the defective sewage system servicing their properties.

#### **2 Links to Corporate Priorities**

- 2.1 The effective delivery of the Environmental Health function ensures delivery of key Corporate Plan objectives: Health Improvement and Protecting the Environment.

#### **3 Background**

- 3.1 The residents of Firth and Mossbank had been raising concerns about the defective sewage system since 2002 with Scottish Water and the Shetland Islands Council. They had experienced regular blocked sewers, overflowing manholes and sewage discharges over the last three years.
- 3.2 When it was clear that the situation appeared to be deteriorating rather than improving, the Residents finally called a meeting of the Housing Department, Environmental Health, Scottish Environment Protection Agency (SEPA), elected Members, Community Councillors and the MSP.
- 3.3 At this meeting residents set out the difficulties that they had had with engaging with Scottish Water. SEPA and Environmental Health agreed to undertake a drainage investigation of the worst hotspots for leakages and identified that the drainage system was not fit for purpose and in some areas there were significant Public Health and Environmental issues. The statutory agencies began to put pressure on Scottish Water, including using enforcement notices, which combined with the continued approaches of the Residents resulted in Scottish Water commissioning a full survey and report on the condition of the drainage system. The survey

identified that significant areas of the drainage system required immediate rectification and the rest needed to be renewed over the next 8 years.

- 3.4 At a meeting in 13<sup>th</sup> October 2007 Scottish Water confirmed to the Multi Agency Group, formed by the Residents, that the work to address the worst conditions had been scheduled to start in February 2008 and the renewal of all the sewers in the area would be included in the Capital Investment Programme for 2010-2014. The focused efforts of the Residents, in seeking a solution to the concerns of their community, have been successful.

#### **4 Financial Implications**

- 4.1 Officers will continue to support the Residents by attending meetings and monitoring Scottish Water's progress throughout the project and ensure that Scottish Water maintain contact with the community to ensure that any inconvenience arising from the works is effectively managed. There is no anticipated impact on Council Budgets from the programme of remedial works to the drainage system.

#### **5 Policy and Delegated Authority**

- 5.1 The Infrastructure Committee has full delegated authority to act on all matters within its remit and for which the overall objectives have been approved by the Council, in addition to appropriate budget provision as described in Section 12 of the Council's Scheme of Delegation.

#### **6 Conclusion**

- 6.1 The successful resolution to the drainage problems at Firth and Mossbank is a credit to the efforts of the residents affected by the issues. They have sought support from various agencies but have maintained the lead role. They finally managed to secure a guaranteed time bound improvement programme from Scottish Water.

#### **7 Recommendation**

- 7.1 I recommend that the Committee note the result of the Residents efforts and Scottish Water's planned programme for remedying the defective drainage system.

Report Number : ES-29-07-F





## **REPORT**

**To: Infrastructure Committee**

**27<sup>th</sup> November 2007**

**From: Service Manager - Safety and Risk**

**LA-084-F**

### **Provision of the Road Safety Function**

#### **1. Introduction and Background**

- 1.1 This report advises Members of the range of activities being undertaken by the Road Safety offensive. Members may also benefit from the information contained in Report no. LA-083-F entitled "Road Safety Advisory Panel – Reconstitution" which was submitted to Infrastructure Committee on 27<sup>th</sup> November 2007.
- 1.2 The position of Road Safety Officer (incorporating School Travel Plan Co-ordinator) has been wholly funded since 2004 through 2 separate, equally split, Scottish Government grants. The total cost for the provision of a Road Safety Officer, including operational budget, is currently £30,000 per annum.
- 1.3 There is a Statutory obligation (Road Traffic Act 1988 (section 39)) on Local Authorities to provide a Road Safety Service and that this service should include Education, training, and publicity programmes (ETP), and engineering programmes (see appendix 1) and responsibility for the first 2 of these lies within Safety and Risk Services due to its obvious synergies and overlaps with the work being carried out by the remainder of the Unit, namely Occupational Health and Safety, Risk Management, and Insurance.
- 1.4 This funding allowed for one full time equivalent staff member to concentrate on the 'Education and Encouragement' elements of the 4 E's that collectively make up the Road Safety offensive for the Shetland Community. There is however a possibility that should the external funding be reduced or discontinued this post will become vulnerable and the extent of the service will need to be considered at that time. The situation will be clearer in the next few weeks when the details of the Scottish Government settlement is known.
- 1.5 The 'Education and Encouragement' element focuses on those areas that are not within the remit of either the Roads service (Engineering) or the Police (Enforcement) and deals with raising awareness and educating the community in the safe use of roads from all perspectives, i.e. driver, passenger, pedestrian, cyclist, etc. (See appendix 2)
- 1.6 The initiatives that have been developed and carried out by the Council since 2004 aim to change the attitudes of all road users but, clearly, this is not something that can happen over night and, as such will always be required. For this reason the Road Safety operational plan includes a wide range of initiatives

that collectively stretch from cradle to grave, (see Appendix 3) to ensure that Road Safety education and encouragement is something that is ever present with each of us throughout the various stages of our lives. Although the question of funding for next year still requires clarification, we intend to follow through on the programmed work subject to any modifications Members may wish to make.

- 1.7 In addition to delivering services to the community, the Road Safety Officer has also managed to attract a range of funding from outwith Shetland to augment that which is available locally. The breakdown for externally acquired additional operational funding for the last 4 years is as follows:

Year	Funds acquired	Purpose
2004/05	£2,500	To provide 7 cycle racks and 2 cycle stands at Schools
2005/06	£300	To provide 1 cycle rack for a school
2006/07	£15,550	To provide 2 cycle shelters, 5 cycle racks and cycle kits
2007/08	£7,900	To provide 2 cycle shelters, publishing information leaflets, and 15 all weather suits for use

## 2 Financial Implications

- 2.1 There are no financial implications associated with this report.

## 3. Links to Corporate Priorities

The terms of this report will highlight what the Council undertakes in achieving its corporate priorities in relation to, the Road Safety aspects of Community Safety.

## 4 Policy and Delegated Authority

- 4.1 The Infrastructure Committee has delegated authority for the functional areas of roads and transportation, as described in Section 12 of the Council's Scheme of Delegation.

## 5. Recommendations

- 5.1 I recommend that the Infrastructure Committee note the content of this report.

Appendices :

- 1 Road Safety Provision -The Background
- 2 Road Safety Initiatives (summary)
- 3 Road Safety For All Ages – Chart
- 4 Road safety Statistics

Report no: LA-84-F

8 November 2007

Our Ref: SP/LAG

## **Road Safety Provision**

### **The Background**

The Department for the Environment Transport and the Regions published a “Road Safety Good Practice Guide” in 2000 (DETR, 2000).

This was to support Government national targets on reducing road accident casualties. “Tomorrows Roads – Safer for Everyone “ (DETR 2000) gives specific targets for reduction in casualties by 2010. Using the average figures for 1994-1998 the new targets seek

- A 40% reduction in the number of people killed or seriously injured
- A 50% reduction in the number of children killed or seriously injured and
- A 10% reduction in the slight casualty rate expressed as the number of people slightly injured per 100 million vehicle kilometres.

The function of local government is to support and achieve these targets. Legislation such as seat belt fitting (1967) and wearing (1983), drink driving legislation (1967) and traffic calming schemes (1980s onwards) have been a vital tool in re-education the public about the importance of road safety. Legislation aimed at increasing road safety such as a ban on hand held mobile phone use came into force February 2007.

Local Authorities are under a statutory duty to provide a Road Safety service. This service includes education training and publicity (ETP) programmes and, where appropriate undertaking specific engineering schemes, with enhancing Road Safety as a theme. Most commonly Road Safety Officers (RSOs) take responsibility for the ETP programme and Road Safety Engineers (RSEs) plan, design and install the safety engineering schemes.

Many organisations and individuals have a responsibility for Road Safety. This includes individual road users (motorists, pedestrians, motorcyclists, pedal cyclists and equestrians, special needs) and those in local and national government (Scottish Government, government agencies, local authorities the police, health education, public transport, commercial companies, charities and special interest groups).

### **The Role of the Road Safety Officer**

In general terms, Road Safety Officers are involved in education, training and publicity (ETP) and encouragement programmes. These approaches help to change road users attitudes and behaviour. Programmes should be aimed at children, young people, new drivers, older drivers and any and all who use roads, pavements and transport systems. Road Safety education in schools can be planned to complement other topics in the National Curriculum. Training programmes are mostly targeted at specific types of road user or age group. They are designed to develop practical road use skills for example cycling and walking. ETP programmes often involve a combination of the above approaches and may involve RSOs working together with other outside bodies such as community councils, police and health board.

The Scottish School Travel Advisory Report was published by the Executive on 18<sup>th</sup> February 2003. The conclusions recommend that a modal shift on the school journey

in Scotland and increased non-car based school travel should be encouraged and funded by the Scottish Government.

Although the precise duties are for each Local Authority to decide, a general synopsis would be as follows:

- Working with schools, parents, school board members to put a travel plan in place for all schools
- Promote best practice in individual schools, building on links already made.
- Promote the health and environmental benefits of active school travel choices, in conjunction with active primary school co-ordinators
- Co-ordination of school travel work across all relevant local authority departments

Support Road Safety Scotland initiatives such as Junior Road Safety Officers (to support travel choices) and Scottish Cycle Training Scheme (to promote safe cycling to school).

### **Monitoring and Evaluation**

Every fatality is regrettable and clearly casualty reduction figures are important but in an area with a small population it is often difficult to demonstrate any significant reduction in statistics without skewing the figures to a point whereby they provide little useful information. This may well be the case in terms of the government's targets for 2010.

The School travel plan co-ordinator will work closely with the Road Safety Officer. The work of the co-ordinator will impact across local authority Departmental remits. Which management area should have lead responsibility is a matter for each authority to decide although a routine contact with the Executive is anticipated.

## Road Safety Provision

### Education And Encouragement Initiatives (Safety and Risk)

**Children's Traffic Club Scotland** – This involves distribution of a series of booklets that raise awareness for children aged 3-5 and is sent directly to Child's home. The Road Safety Officer gives presentations as required. Shetland Uptake for January to July 2007 is 56.6%.

**Junior Road Safety Officers** – Encourages Children involved to learn about the importance of Road Safety in a fun way. Every primary school is encouraged to appoint 2 junior Road Safety Officers from P6/7 for a one year period. The aim of the scheme is to empower children to highlight Road Safety issues within their school. This year we have 16 schools participating with 46 JRSO's.

**Cycle Training** – Practical on-road cycle training for children aged 10 upwards complemented by classroom based activities available to all schools. This year we have had 227 pupils complete the Scottish Cycle Training Scheme.

**Street Sense** – A new approach to teaching Road Safety aligned with the Health Education 5-14 national guidelines. It includes a series of 5 packs spread over 9 years with the aim of ensuring that all children receive a minimum amount of Road Safety Education at School. This year we have distributed one folder to each class in Shetland, to make it easier for the teacher to find and use the resource.

**S1/S2 and S3-S6** A new resource for this age group is being developed by Road Safety Scotland.

### **Crash Magnets**

This is a new resource introduced last year to all secondary schools for use in the PSE (personal & social education) classes. It is aimed at the age groups 14-18yrs to discourage Speeding, Drink Driving etc but it also discusses these issues so as to enable them to cope with peer pressure and highlight the consequences of their actions.

### **Drink Driving**

This campaign is split into two campaigns. We send out posters and beer mats during the summer and again to coincide with the ACPOS festive campaign at Christmas.

### **Skid Car**

Following this successful initiative a few years ago we tried to obtain funding to have an event this year. We were unsuccessful this year but we will try again in subsequent years.

### **School Travel Plans**

A school travel plan is a document that states how the school would like to discourage car use to their school. It details statistics of how pupils currently travel and how they wish to travel to school, this then gives an indication of measures they should implement to encourage either cycling, walking or whatever. They then state what they need to assist them in this process. We currently have 19 completed travel plans, 6 schools are in the process of completing theirs and the remaining 8 have not started the process yet.

**The Dims** – A resource to promote the wearing of seat belts involving a mock up car carrying a family of dummies known as the Dims family. The car travels down a track and at the point of stopping the Dims without their seatbelts will hit the windscreen. The same demonstration is then carried out with seatbelts fixed in order to demonstrate the significant difference to the passengers on impact. We have a small clip of this resource on our web pages.

**Theatre in Education** – Road Safety Scotland organise for a theatre company to visit Shetland every three years to put on their current shows.

**Young Drivers** – Pass Plus is a practical driving course comprising 6 different modules and is subsidised the Council. To take part in the scheme, a new driver must sit these courses within one year of passing their test. As well as improving their driving skills, successful completion of the Pass Plus scheme will normally attract a significantly reduced insurance premium for a young driver insuring their own car.

**Under 10 Cycle Safety** – This is new initiative aimed at the under 10's who are currently too young to undertake the Cycle Proficiency programme. This year we have visited 287 pupils from P1-5.

**Safer Routes to Schools** – This initiative involves a variety of options that aim to ensure that the routes taken to school are safe, for example Walking Buses are escorted groups of children in orderly lines walking to school together. Walking buses are in place in Mossbank and Ollaberry with Bell's Brae planning to set up their own Walking bus.

**Street Feet Resource** – This is a Child pedestrian training scheme aimed at Nursery and P1-3. This resource contains mats which look like roads, pavements and buildings. We have provided road crossing training to 100 pupils so far this year.

**School Crossing Patrol Training** – We have trained all School Crossing Patrol Officers which included a meeting to go over the regulations as well as on the job training where required.

**Road Safety Presentations** A range of ad hoc presentations available on request at community events.

**Road Safety Scotland** – Providers of the majority of the Road Safety materials and initiatives delivered to schools and community groups. A

variety of the materials provided by the RSS can be used in an interesting way in schools/nurseries for example gym cards which encourage road safety based activities concentrating on stopping, moving, etc. and Travel Pack which are a free resource including a Road Safety tape, highway code, etc.

**Intelligent Road Sign** – Operating 2 intelligent road signs. Roads engineer deploys the signs where organisations have expressed Road Safety concerns. Schools in particular have requested the sign to track and evaluate vehicle speeds.

**Campaigns coming up** – Be Safe Be Seen Campaign Sept 2008  
Winter Safety Campaign Nov 2008  
Anti Drink Driving campaign Dec 2008

### **Engineering Initiatives (Roads Service)**

**Site Investigation** - This involves analysing accident information from the police to identify junctions or sections of road with an above average number of crashes. These crashes are then studied to seek common factors and to try to identify measures that can be taken to reduce the likelihood of future accidents at that location. Measures taken may involve improved signing, clearer road markings, improved visibility or may require larger scale engineering works. Sites treated include the Bretto Bends, Girlsta junction area and the Gott/ Veensgarth staggered junctions onto the A970.

**Route Action Plan** - similar to Site Investigation, but over a longer length of the road. The main aim of studying a section of road as part of route action plan is to ensure a consistent and clear message is being given to drivers using the road. Measures may include providing extra signs or road markings, or may sometimes involve removing verge markers or signs to provide a consistent standard and clear message to drivers. A recent example of such are the changes to the road markings on the A970 North out of Lerwick. We are currently studying the A968 Voe to Toft Road, and in particular the Dales Lees section.

**Mass Action Plan** – similar measures as used in Route Action Plans are applied to similar sites or locations throughout the road network. For example high friction grip surfacing at pedestrian crossings and major rural junctions, consistently providing verge markers to the outside of bends, chevrons at tight bends.

**Routine Maintenance** - it goes without saying the maintaining signs, road markings and the road itself is important for road safety.

**20 Mph Speed Limits at Schools** - our accident record around schools is very good, but with the assistance of Scottish Government funding, a mixture of different 20 mph speed limits have been introduced at a number of schools.

Part time limits have been introduced at Whiteness and Weisdale and at Cunningsburgh schools with permanent 20 mph speed limits at Bells Brae and Sound School. That programme is continuing, with a view to a programme that will eventually cover all schools in Shetland.

**Cycling, Walking and Safer Streets** - again with the Scottish Government assistance, we have undertaken various improvements to pedestrian routes, including Safer Routes to Schools as identified above. Some of this funding has also been used to install cycle racks or shelters acquired by the Road Safety Officer.

**Traffic Regulation Orders (including Speed Limits)** - various traffic orders improve road safety, for example parking restrictions, speed limits, one-way streets etc. The need for these may be identified from our own assessment, or from discussions with the police or community groups.

### **Enforcement Initiatives (Police)**

**ACPOS Initiatives.** Participation in regular ACPOS ( Association of Chief Police Officers Scotland) initiatives . These initiatives are generally national and themed in light of national trends. The subjects covered vary from rural driving enforcement and educative campaigns to cycle safety. Local emphasis is encouraged in light of trends identified in certain areas or pertaining to identifiable population sectors. Amongst these campaigns are the likes of both summer and winter (festive) drink driving enforcement with regular statistical feedback being provided to the Scottish Government.

**Rural Roads initiatives.** These campaigns, linked as above, concentrate on legislative enforcement especially in regard to rural roads usage. A wide range of offences tend to be detected in this respect.

**Drink driving.** Enforcement of legislation in this respect. Patrols, both motor and foot are briefed to be alert to this type of offence at all times. It forms one of the forces' priority objectives.

**Winter driving campaign.** This aspect relates to the standard of motor vehicles and their maintenance in the run up to adverse driving conditions, (Ice/snow etc) Principal features include stop checks on vehicles. Deficiencies detected are generally dealt with by way of advice backed by formal action should remedial action not be taken. The opportunity to give advice as regards to driving techniques in adverse conditions is also taken as appropriate during these checks.

**Speed checks.** Regular speed checks are conducted throughout the isles using hand held laser and radar speed measuring devices. These checks are linked to information as regards traffic flow and speed data gained from the SICs' placement of its' Intelligent Road Sign. Again this aspect relates to the Forces' priority objectives.



**Patrol Activities.** As part of the polices' role in the community, patrol work features heavily. Patrol routes are frequently determined by reference to the National Intelligence Model of policing. This model relates to linking information (intelligence) received from a variety of sources to the choice of areas subject to concentrated activity. As part of the information gathering process, reference is made to volume of reports/complaints and accident stats as well as discussion with partner agencies. The patrols make use of police powers provided by legislation but aspects other than Road Traffic often also arise. Eg. Routine stop check of a vehicle leading to the suspicion of drug involvement. Use then of Drugs enforcement legislation can lead to drugs offences being detected, such is the interchangeability of police activities. The deterrent value of hi-visibility patrols is extremely difficult to quantify but information suggests that the effect is considerable.

**Operation Legitimate.** This aspect is a local initiative which results in everyone who receives a period of disqualification from holding or obtaining a driving licence on conviction in court being sent a letter which categorically states the terms of their disqualification. It has been found in the past that some people were under some misapprehension as to various perceived exemptions to their disqualification. In actual fact there are none. This is made patently clear in the letter.

**Liaison.** Regular liaison with partners takes place on an almost daily basis and police have the opportunity to make representations in a wide range of forum. These forum range from the informal to the formal. This liaison has been instrumental in facilitating closer working and understanding between police and partners. This partnership approach displays benefits not only in regard to road safety issues but in the full spectrum of Community Safety.

**Safer Shetland Action Line.** This local facility enables people to contact police by varying means to report matters, anonymously if desired. A significant number of calls have been received via the Action Line which have bearings on road safety issues. The use of the information gleaned links to previously mentioned initiatives.



Road Casualties - Shetland				
Year	Fatal	Serious	Slight	Total
1983	3	39	37	79
1984	4	25	44	73
1985	2	42	65	109
1986	3	20	51	74
1987	4	32	57	93
1988	6	33	63	102
1989	0	40	88	128
1990	1	34	61	96
1991	2	29	65	96
1992	3	12	51	66
1993	2	29	52	83
1994	5	20	45	70
1995	4	20	80	104
1996	1	21	49	71
1997	5	21	53	79
1998	0	21	65	86
1999	0	18	49	67
2000	4	6	38	48
2001	3	13	34	50
2002	2	13	25	40
2003	2	5	42	49
2004	1	6	40	47
2005	3	12	56	71
2006	1	11	42	54
<b>Aver. 1983-1990</b>	<b>2.9</b>	<b>33.1</b>	<b>58.3</b>	<b>94.3</b>
<b>Aver. 1991- 2000</b>	<b>2.6</b>	<b>19.7</b>	<b>54.7</b>	<b>77.0</b>
<b>Aver. 2001 to date</b>	<b>2.0</b>	<b>10.0</b>	<b>39.8</b>	<b>51.8</b>
<b>Aver. 2002 - 2006</b>	<b>1.8</b>	<b>9.4</b>	<b>41.0</b>	<b>52.2</b>
(Last 5 whole years)				

Casualty Results with Targets				
		KSI <sup>(1)</sup>	Child KSI <sup>(2)</sup>	Slight <sup>(3)</sup>
<b>Average 1994-98</b> (Baseline for target reductions)		<b>23.6</b>	<b>3.6</b>	<b>58.4</b>
1999		18	3	49
2000		10	0	38
2001		16	2	34
2002		15	5	25
2003		7	0	42
2004		7	1	40
2005		15	0	56
2006		12	0	42
<b>Average 2002 - 2006</b>		<b>11.2</b>	<b>1.2</b>	<b>41.0</b>
(Last five whole years)				
<b>Target for 2010</b>		<b>14.2</b>	<b>1.8</b>	<b>52.6</b>

**Government Targets for casualty reduction by the year 2010:-**

1. To reduce by 40% the number of people killed or seriously injured (KSI) in road crashes.
2. To reduce by 50% the number of children killed or seriously injured in road crashes.
3. To reduce by 10% the number of people slightly injured in road crashes per 100 million vehicle kilometres.

Accidents by Age of Driver								
Age Group	16-19	20-24	25-29	30-39	40-49	50-59	60-69	70+
Percentage of Population	7.9	5.8	7.2	17.7	18.7	17.4	12.5	13.0
Percentage of Accidents	16.4	12.5	10.2	18.4	15.3	17.3	6.8	3.1
Ratio	2.08	2.16	1.42	1.04	0.82	0.99	0.54	0.24
While drivers under 25 years old account for about 30% of accidents, 50% of serious accidents (KSI) involved casualties under 25 years old.								
Population percentages based on 2004 data: Shetland in Statistics								
Accident figures are based on the 7 year period 2000 to 2007								
KSI – Accident in which someone is killed or seriously injured								

Injury Accidents by Speed Limit	
Unrestricted (60mph)	68%
50mph	1%
40mph	5%
30mph or less	26%
75% of KSI accidents occurred on unrestricted roads	

Accidents by Number of Vehicles Involved		
	All Accidents	KSI Accidents
Single Vehicle	51%	69%
Two vehicles	45%	22%
Three vehicles or more	4%	9%

Accidents by Vehicle Type	
Car	76%
Powered Two-Wheeler	6%
Cycle	2%
HGV	11%
PSV	2%
Taxi	2%
Agricultural Vehicle	1%
HGV – Any goods vehicle over 3.5 tonne GVW	



## **REPORT**

**To: Infrastructure Committee**

**27 November 2007**

**From: Head of Transport**  
**Infrastructure Services Department**

### **BRESSAY LINK STAG APPRAISAL – PROGRESS REPORT**

#### **1. Introduction**

- 1.1. This report updates Members on progress on the process of STAG appraisal of the Bressay Link that is being carried out by ZetTrans.

#### **2. Links to Council Priorities**

- 2.1. Although this study directly addresses the corporate priority of Internal Transport, the study will consider the benefits of various options in relation to integration with the plans of Council services and other organisations, the environment, economy, safety, accessibility and social inclusion in the context of Bressay, Lerwick and the rest of Shetland.

- 2.2. The Shetland Transport Strategy aims and objectives include: -

**FL1:** *ZetTrans supports the principle of developing fixed links between Shetland Mainland, and the main offshore islands of Bressay, Yell, Unst and Whalsay.*

**FL2:** *ZetTrans and SIC are committed to undertaking a 'Bressay Link' STAG assessment examining future options for a link to Bressay, considering a range of options including the continued operation of a ferry service, and the development of fixed links in the form of a bridge or tunnel.*

**FL3:** *In the short-term, ZetTrans proposes to commission a study to confirm the robustness of business cases for fixed links between Yell and Unst (Bluemull Sound), Shetland Mainland and Yell (Yell Sound), Shetland Mainland to Whalsay and Shetland Mainland and Bressay, with particular emphasis on agreeing with regulatory bodies the appropriate standards and specifications that would apply.*

- 2.3. The Council approved the construction of a bridge to Bressay (min ref 90/03).

### **3. Background**

- 3.1. Report No. IFSD-03-07-F to the Infrastructure Committees on 19 June 2007 gave details of a proposed approach to carrying out STAG appraisal of the link between mainland Shetland and Bressay.
- 3.2. The STAG appraisal process is now well underway and is expected to be completed in March 2008.

### **4. Progress**

- 4.1. Since the last meeting of the Infrastructure Committee the Bressay Link Group has held a routine monthly meeting and the minutes of the meeting are available in the Members room.
- 4.2. The principal matter on the agenda of the meeting was to discuss the draft consultation report produced as the conclusion of the first stage of the STAG process. This report is available in the Members room and the Executive Summary is attached to this report as Appendix 1.
- 4.3. To enable those that have been involved in the consultation process to review the findings several actions have been undertaken.
  - Feedback meeting in Bressay on 30 October
  - Feedback meeting in Lerwick on 1 November
  - Draft consultation reports issued to every household in Bressay
  - Draft consultation reports issued to every consultee
- 4.3.1. With each copy of the report a feedback form was included to allow consultees to comment on the content of the report. The deadline for return of feedback forms was 16 November 2007.
- 4.3.2. The purpose of the report is to ensure that every point raised is captured and included in the STAG process.
- 4.4. During this stage of the process there has been a lot of information gathered with regard to the issues that are important to the community of Bressay and stakeholders in Lerwick and further afield in Shetland.
- 4.5. However, there is felt to be a gap in information relating to strategic issues and in this respect it has been decided to hold a strategic workshop to address this and develop draft objectives on 22 November. Appendix 2 lists those invited to the workshop and the agenda for the day.
- 4.6. This necessitates the pushing back of the stages from option generation onwards. However, it is not envisaged that this will affect the overall timescale.
- 4.7. The next stages will be: -
  - Strategic workshop – 22 November 2007

- December: Option Generation; Initial Sifting of options; Broad appraisal of options
- Early January: Second round of consultation
- Mid January: Detailed Appraisal
- Reporting the outcome of the STAG process – Towards the end of March 2008

4.8. The next progress report to the Infrastructure Committee will provide Members with details of the objectives set and the initial options being developed.

## 5. Cost of the Bressay Project Prior to the STAG Appraisal

5.1. At the last meeting of the Infrastructure Committee Members requested that the cost of the Bressay project since first being discussed be reported to the next meeting (min ref 48/07).

5.2. I have broken the costs down into each of the financial years since the initial feasibility study in 1999.

	£
Financial year 2000/01	159.00
Financial year 2001/02	20,166.41
Financial year 2002/03	60,872.44
Financial year 2003/04	659,213.10
Financial year 2004/05	322,144.65
Financial year 2005/06	274,135.08
Financial year 2006/07	420,515.08
Total to date	1,757,205.50

## 6. Financial Implications

6.1. The current Council policy is to provide a high level fixed bridge at the point of Scatland within a capped budget of £19m. (Min Ref 3/01) (Min Ref 15/03)

6.2. Costs associated with the work detailed in this report are to be met from existing budgets (GCY 7553 1760 £100,000)

## 7. Policy and Delegated Authority

7.1. The Council decided to pursue a fixed link option to Bressay (min. ref. 3/01). Delivery of this project is delegated to the Infrastructure Committee as part of its remit in Section 12 of the Council's Scheme of Delegation.

7.2. Once approved, the Shetland Transport Strategy will be a statutory document and the Council, as required under the Transport (Scotland) Act 2005, must perform its functions which relate to or which affect, or are affected by transport consistently with the transport strategy.

## **8. Recommendations**

8.1 I recommend that the Infrastructure Committee note this report.

Report No. TR-21-07-F



## **Appendix 1 – Executive Summary of First Stage Consultation Report**

### **EXECUTIVE SUMMARY**

This report sets out the problems associated with the current transport link between Bressay and Mainland Shetland and the opportunities in the future that the link should address.

This information has been obtained from a consultation exercise carried out with the Bressay community, businesses and services, and from businesses and services operating on Mainland Shetland, as well as from individuals and representatives elsewhere in Shetland.

The issues and opportunities will provide the foundations for setting objectives that the transport link will need to address. These objectives will be used to appraise various transport options.

#### **Current Service**

- The service is described as reliable and relatively unaffected by weather. The service is felt to be frequent and the journey short
- It is centrally located, making it convenient
- It provides a social hub

#### **Issues Associated With The Current Link**

##### Accessibility

- Heavy reliance of Bressay on Lerwick and Mainland for employment, services, leisure and learning
- Examples of restricted access to opportunities available on the Mainland
- Length of daily service restricts early morning and late evening needs and limited Sunday service
- Lack of accessibility for those residents without access to a vehicle and unable to walk to the ferry, e.g. to health services
- Lack of integration between the ferry service and bus services on the Mainland
- Lack of promotion of service, for example to visitors

##### Current Fare Levels

- The overall cost to travellers in general is high, which has to be paid despite necessity of using the service to access most opportunities
- Additional business costs (Bressay and Mainland based) particularly freight/ machinery, not readily passed on to customers
- To what extent would reducing fares and amending the timetable alleviate current problems? Would it be sufficient to enable Bressay to be a sustainable community in the long-term?

##### Business Constraints

- Loss of time planning and waiting for ferry, with direct and indirect impacts on businesses operating from Bressay and other Shetland businesses using service
- Belief that Bressay is not currently conducive to business expansion or new development: e.g. restricts visitors choosing to stay on Bressay

- Previous debate was detrimental to harbour developments

#### Service Delivery

- Ageing population and difficulties in being able to provide adequate services: residents are not getting the service they need or equality of community care
- Difficulty of accessing Bressay out-of-hours, unless able to call an emergency
- Still gaps in knowledge to be addressed across the breadth of services provided to or accessed by Bressay. Specific consultation event being arranged

#### Long-term Impacts

- Lack of economic development opportunities on the Isle and the high costs of accessing employment, services, recreation and learning may be accelerating an ageing and possibly declining population
- To what extent is this a Shetland-wide issue?
- Is the current service sustainable?
- Unresolved decision about a fixed link, resulting in other aspects of the community's development not being addressed and house sites seldom available

#### **Opportunities For The Future**

- Need for an affordable, efficient, flexible transport link for the long-term

#### Economic Development

- A fixed link could provide opportunities to sustain the community
- A fixed link could provide opportunities for housing: the land is seen to be desirable
- A fixed link could provide opportunities for economic development:
- Existing Bressay businesses could expand
- New business could become established
- There is the potential for harbour developments, although there are no immediate requirements to do so
- Knock-on benefits to Mainland businesses of economic growth and house building
- This would have to ensure LPA would be able to continue to 'manage, maintain, and regulate the Port and Harbour of Lerwick, including the undertaking to improve and deepend the harbour area' in interests of industries operating in harbour, and ensure their business potential can be achieved
- Are there constraints on the economic development of Lerwick at the current time, and/or would opening up Bressay for development have a negative impact on Lerwick?
- In terms of potential economic growth, there is a need to consider the impact of fixed links on local marine engineering companies that receive regular work from SIC ferries
- Employment based on Bressay is heavily reliant on the ferry.

- To what extent would tourism (locals and elsewhere) be improved or disadvantaged by a fixed link: a fixed link could provide greater circulation of people and more convenient access for those with a car, but the novelty of accessing an island could be lost.

#### Social and Health Impacts

- A fixed link could lead to a loss of island identity and associated social benefits, such as knowing everyone in the community; feeling and being safe; and using the ferry as a social hub.
- More people living on Bressay could lead to improved social interaction
- Importance of understanding the health impacts of different options (e.g. currently opportunities for walking).

#### Accessibility

- Would a fixed link improve or exacerbate social exclusion? At the moment people who access the ferry can easily get by foot to central Lerwick, this may not be the case with a fixed link, depending on location and frequency of public transport. Yet the ferry (particularly the cost) currently prohibits access to employment and opportunities. The Isle status of cars means private transport is cheaper now than it would be with a fixed link and people can drive without a full license: some older people do not have a full license and may not take a test.

#### Environmental Impacts

- Importance of understanding: for example, how would carbon emissions change? How would sheep and cattle be affected? Importance of retaining remote biologically diverse areas of the island

#### Long-term Financial Sustainability

- What would be the impact of doing nothing?
- In terms of Shetland's finances: how sustainable is the inter-island ferry service in the long-term compared to fixed links?

#### Strategic Direction

- There is a need for robust plans to be in place: for land use (including wildlife protection) and service delivery. At the moment there is a lack of knowledge about the plans of the Council and other services if there is to be a fixed link. For example: land use planning (industrial and/or housing), long-term planning of service delivery, the school estate, and roads, for example.
- There are housing shortages in central areas of Shetland: to what extent could a fixed link to Bressay assist with this? How could it be planned for? To what extent, if any, is it already being addressed through developments outwith Lerwick? What would the impact be on the current population drift to central areas and the Council's commitment to decentralisation?
- If a large amount of capital expenditure is going to be spent on the transport link then it is important all the potential benefits are pursued in terms of savings in delivery of services, and housing, industry and harbour developments

- Other areas of Shetland may be better suited to have a fixed link/the first fixed link.
- There will be impacts on other areas of Shetland and other projects if funding is used for this project.

### **Suggested Options**

- Retain *Leirna* with different shift and crew configuration, running more hours, more efficiently, possibly re-engine
- Bridge: plans are in place, iconic, restrictions on harbour, environmental impacts
- Lift Bridge: iconic, access for vessels
- Swing Bridge
- Tunnel: reliable, less restrictions on harbour (limit to depth able to dredge to), lower maintenance costs, have brought benefits to Faroe, some people unable to use, unable to walk across. Combine with cruise ship pier?
- Chain Ferry: low costs, reliable, no restrictions on harbour
- Causeway, possibly with tidal generators and/or marinas
- Fixed link and centrally located passenger ferry
- Fixed link allowing berthing for cruise ships
- If fixed link: leave room for utilities; must be able to transport artic lorries (16-17ft) and emergency services at all times; provision for chemicals to be transported; retain linkspan for Skerries ferry.

## **Appendix 2 – Strategic Workshop, 22<sup>nd</sup> November**

### Outline

Introduction and Overview

Issues Arising from the Study

Strategic Themes and how they relate to the Bressay Link

Setting Strategic Objectives for the Bressay Link

### Invitees

Bressay Community Council

Community Economic Development Trust

HIE Shetland

Hjaltland Housing Association

Lerwick Port Authority: Chief Executive and Deputy Chief Executive

NHS Shetland

Shetland Council of Social Service

SIC:

Cllr Wishart

Cllr Hawkins

Housing and Capital Programmes

Finance

Roads

Planning

Environmental Services

Transport, including Ferries (and representative from Bressay ferry crew) and Transport Operations

Organisational Development

Education and Social Care, including Schools, Community Care and Children's Services, Community Learning and Development

SEPA

SNH

Visit Shetland