

# MINUTE

‘B’

**Infrastructure Committee**  
**Council Chamber, Town Hall, Lerwick**  
**Tuesday 27 November 2007 at 10.00am**

**Present:**

A S Wishart	L F Baisley
J Budge	A J Cluness
A Doull	A G L Duncan
C B Eunson	E L Fullerton
F B Grains	R S Henderson
J H Henry	A J Hughson
W H Manson	C H J Miller
R C Nickerson	F A Robertson
J G Simpson	C L Smith

**Apologies:**

L Angus	A T J Cooper
I J Hawkins	G Robinson

**In Attendance (Officers):**

S Cooper, Head of Environment & Building Service  
M Craigie, Head of Transport  
I Halcrow, Head of Roads  
M Dunne, Service Manager – Environmental Health  
S Pearson, Service Manager – Safety and Risk  
J Grant, Waste Service Manager  
D Manson, Lead Environmental Health Officer  
L Moar, Food Hygiene Officer  
C Albutt, Management Accountant  
L Gair, Committee Officer

**Chairperson:**

Mr A S Wishart, Chairman of the Committee, presided.

**Circular:**

The circular calling the meeting was held as read.

**Declarations of Interests**

Mr R C Nickerson declared a pecuniary interest in item 8 as a Consultant for KIMO.

**Minute of Infrastructure Committee – 16 October 2007**

The Minutes of Infrastructure Committee were approved on the motion of Mr J H Henry, seconded by Mr A S Wishart.

**Members Attendance at External Meetings**

Mr A G L Duncan & Mr C L Smith	Police & Fire Board, 22 November 2007, Inverness
--------------------------------	--

Mr C L Smith	Children's Panel Advisory Committee Training, 6-7 November 2007, Aberdeen.
--------------	--

Mr Smith said he had spoken to the voluntary members who advised him that some of the cases they were involved in had a lasting affect on them, and there was no support for them. Mr Smith asked whether the Council provided support that could be extended to the Members of the Children's Panel. The Chairman said that this would be looked into.

The Highlands and Islands Reserve Forces and Cadets Association - Inverness

Mrs C H J Miller

Council's Budgets and Manifestos Meeting – 10-12 November, Edinburgh.

50/07 **Housing Revenue Account/Harbour Account/Reserve Fund  
Revenue Management Accounts 2007/08  
For the Period 1 April 2007 to 30 September 2007**

The Committee considered a report by the Head of Finance (Appendix 2).

The Head of Environment and Building Services advised that whilst the budget showed a deficit through the year, it would balance out at the year end.

Mrs E L Fullerton moved that Members approve the recommendations in the report, Mr W H Manson seconded.

51/07 **Cheyne Crescent, Lerwick : Proposed Double Yellow Lines**

The Committee considered a report by the Network Manager (Appendix 3).

The Head of Roads tabled an additional letter received from a resident.

Mrs C H J Miller said that as Councillor for the area, she had made a site visit. She said that parking in Lerwick was difficult, and likely to get worse and that in these circumstances, it was the best of a bad situation. Mrs C H J Miller moved that Members approve the recommendations in the report, Mr A J Cluness seconded.

52/07 **Road Safety Advisory Panel – Reconstitution**

The Committee considered a report by the Service Manager – Safety and Risk (Appendix 4).

Mrs E L Fullerton asked for reassurances that the panel was not duplicating the work of the Community Safety Partnership, and that the remit does not cross over. She said that the Partnership met regularly and she was concerned that Officer time and commitment would be a cost to the Council.

The Service Manager – Safety and Risk said that the Community Safety Partnership had a wider remit, and the initiatives detailed were a step down from the Partnership.

The Chairman advised that the Road Safety Advisory Panel was a statutory requirement, and although there were links, there were a lot of initiatives covered by the Panel. He said that the reporting system should be through the Infrastructure Committee.

Mr R C Nickerson moved that the Committee approve the recommendations in the report, seconded by Mr J G Simpson.

The Chairman drew attention to paragraph 7.1.3 and asked for nominations to the Panel from the North Isles and Shetland South wards. The following nominations were made and the following Members were duly appointed:

Mr R S Henderson	North Isles Ward
Mr J Budge	Shetland South Ward

53/07 **Food Hygiene Inspections – Informing the Public**

The Committee considered a report by the Service Manager – Environmental Health (Appendix 5).

Mrs C H J Miller said that she was concerned and said that naming and shaming was not necessary when the Council have other powers. She said she was not sure that this was the right thing to do in a small place like Shetland, and that having plaques on doors would do nothing for the economy and tourism in Shetland. The Service Manager – Environmental Health advised Members that the purpose of the proposal was to improve information for the public. She said that at the moment the public were unaware of the hygiene standards of an establishment, and this would improve consumer choice. The Service Manager – Environmental Health said that this would ensure that businesses meet existing legal requirements and where businesses were meeting those standards they would be awarded with a green light or a top star. She advised that pilots of this scheme were in progress across the UK and the schemes had proven to have a greater impact than inspections, adding that the conditions often slipped within a business within 6 months of enforcement action having been taken.

Mrs E L Fullerton said she had the same concerns as Mrs Miller, and noted that this scheme would be carried out within budgets, and suggested that instead of creating additional work, the service should be looking for savings. She said that the food industry should be supported instead of increasing bureaucracy, and said that if there was a problem with an establishment, the “jungle drums” would sound and the public would become aware. Mrs Fullerton said that until this became a legal requirement, and the pilot was complete, the Council should not increase bureaucracy.

Mr R C Nickerson agreed stating that good practice should be awarded rather than bad, and moved that the Committee approve recommendation 7.1.1 and 7.1.2 be amended to take consultation forward but not in terms of the “scores on the doors” scheme, and 7.1.3 be removed. In seconding, Mrs E L Fullerton asked that 7.1.2 include that proper consultation be carried out with the food industry and that the feedback be brought back to the Committee. Mr Nickerson agreed to include this within his motion.

The Service Manager - Environmental Health said that under the Freedom of Information Act, the service received requests for hygiene reports for Schools and Hospitals and said that processing the FOI requests took more time and effort, and the new scheme would mean that the information would be available to the public. She added that as the Service were already inspecting and enforcing food hygiene and the scheme would be a bolt on to that and would be less time consuming than processing FOI requests. The Service Manager – Environmental Health added that the pre-consultation was to inform establishments and allow them time to comply with it before their next inspection. She added that it was always the intention to work with the food industry but stated that the “scores on the doors” would be more effective than inspections alone.

Mr C L Smith said that when working with food, hygiene was paramount. He said that he was not into naming and shaming, either but noted that ratings were commonly used for accommodation and said that he had no problem with the same being used when rating the food industry.

In response to a query from Mr J G Simpson, the Service Manager – Environmental Health advised that public halls were inspected, but that the majority of halls complied and she had no concerns on that issue. With regard to regattas she advised Members that events were regulated under the Entertainment License regulations, adding that support and advice was given and wash hand basins provided if necessary. The Service Manager - Environmental Health said that inspections were carried out on the day if an Officer was in the area.

54/07 **Housing Grants – Reserve Fund and Fuel Poverty**

The Committee considered a report by the Service Manager – Environmental Health (Appendix 6).

Mr J H Henry expressed his concerns with regard to the number of households in fuel poverty, and said that he worried that the Council was not committing enough money to the grant scheme.

Mr R C Nickerson said that he was concerned that the grant scheme was to go through the capital programme, and said that it should be funded from the reserve fund. Mr Nickerson referred to an earlier meeting and said he understood that it was to be removed from the capital programme and said he was disappointed that the earlier minute had not recorded that intention.

Mrs E L Fullerton said that it was debateable whether Government money would be available, and asked whether the Shetland Charitable Trust would be able to assist. Mrs Fullerton drew attention to the fourth sentence in paragraph 3.3 and asked that this sentence be removed to ensure it was fair to everyone. She said that someone who chose to live in their family home should be supported. The Service Manager – Environmental Health advised Members that there was concern that a single occupant, living in a 5-bed house fell into fuel poverty due to the size of the house rather than low income, and that it was a personal choice to remain in the property.

In response to a query from Mr W H Manson, the Service Manager – Environmental Health advised that the Council's Fuel Poverty Strategy had been prepared in order to meet the Scottish target, and it was reported that this had consistently failed. She advised that she had been campaigning for money to achieve the targets set and had given advise and been lobbying on the high cost of fuel in Shetland. Mr W H Manson said that research had shown that the development of children had suffered when brought up in a home where there was fuel poverty. He said that the strategy would start the process, but never solve the problem and means testing was necessary to ensure households in most need got it first.

Members discussed the size of property issue further and the Service Manager – Environmental Health said that assessment of a property calculated the use of fuel required to heat the whole property, and that as suggested by a Member when people are in fuel poverty they do always heat the house adequately. The assessment therefore calculates the cost associated with implementing an adequate heating regime in the entire property rather than being fully based on the actual fuel bills paid by the household.

In response to a query from Mrs L F Baisley the Service Manager – Environmental Health advised that the public were advised of the grant scheme through the Hjaltland One-stop-shop, Citizens Advice Bureau and Health Visitor referrals.

Mr R C Nickerson moved that the Committee approve recommendation 7.1.1 and 7.1.2 but that recommendation 7.2 be replaced with a recommendation to the Council that the fuel poverty grant scheme be funded by the Reserve Fund and not the Capital Programme. In addition the fourth sentence of paragraph 3.3, regarding eligibility criteria, and which referred to the size of the property being larger than the occupants need, be removed. Mrs C J H Miller seconded and the Committee concurred.

The Head of Environment & Building Services advised that the implementation of the grant scheme would be 1 April 2008.

Mr F A Robertson said that this situation existed because of a generation of older properties that had no insulation. He said that if the fabric of all properties was improved it help to eliminate the problem.

55/07 **Abandoned Vehicles**

The Committee considered a report by the Service Manager – Environmental Health (Appendix 7).

In response to a comment from Mr J G Simpson, the Service Manager – Environmental Health advised Members that vehicles could be removed from private land with the consent of the landowner. She advised that as part of the general cleanup, they would be approached, and would have the vehicles removed free of charge, which she hoped would help to get their agreement.

Mrs C H J Miller said that this was a good report and there had been an increase in uptake of disposing. She said that there was a particular problem in Bressay, which was due to the cost involved. Mrs C H J Miller moved that the Committee approve the recommendations in the report. Mrs E L Fullerton seconded.

56/07 **Note of Environment Forum – 17 October 2007 and 13 November 2007**

The Committee confirmed the minutes of the Environment Forum meetings held on 17 October 2007 and 13 November 2007. (Appendix 8).

57/07 **Firth and Mossbank Sewage System Update**

The Committee noted a report by the Service Manager – Environmental Health (Appendix 9).

The Service Manager – Environmental Health advised Members that this was an ongoing problem due to blockages, which had resulted in sewage overflow into the street and gardens. She advised that a meeting had been held with the Community Council, residents and Scottish Water where it was agreed that a full survey would be carried out. The Service Manager – Environmental Health said that the survey showed that 500 metres was defective and needed immediate repairs. She advised that the costing from Scottish Water for the work, due to begin in February, was £800,000 with a subsequent phase to start in a second programme to renew the full system.

Mr W H Manson said that it was a shame that residents had to wait so long, and paid tribute to the residents and Mr A T J Cooper as Chairman of the Community Council.

Mrs E L Fullerton agreed and said that more people power would be seen from other areas in the future.

58/07 **Provision of the Road Safety Function**

The Committee noted a report by the Service Manager – Safety and Risk (Appendix 10).

The Service Manager – Safety and Risk introduced the report and tabled at the meeting an updated Appendix 2. The Chairman said that he was impressed with the enthusiasm of the children for the Junior Road Safety Officer scheme.

In response to a concern, the Head of Roads said that he would look at the possibility of road markings or signs at blind dips as well as blind summits.

Mrs L F Baisley asked if it would be possible to introduce a system for drivers to use their headlights as in Scandinavian countries and asked if a local byelaw was possible to cover the period from when the clocks changed in winter months. Members discussed the matter at length and it was noted that it was a national requirement in Norway and Sweden and it was part of a vehicle specification that the lights come on when the engine was started. For Shetland to achieve the same would require a national legislation and Members agreed that a letter be sent to the MP and MSP on the matter.

Mr A J Cluness said that the report had been presented because of the recent fatal road traffic accidents and said that all agencies were working together to prevent road traffic accidents. He said that the USA and Scandinavia had lower speed limits and drug levels and said there was no reason for Shetland not to have a local voluntary campaign in the meantime and seek national legislation. The Committee concurred.

The Service Manager – Safety and Risk said that she would include the use of headlights in the winter campaign that her service would be running and in response to a suggestion the Head of Roads agreed to look into the possibility of providing illuminated “switch your lights on” signs on the main roads out of Lerwick.

In response to queries, the Service Manager – Safety and Risk advised Members that the 15 all weather suits purchased with external funding was used for cycle training and that bikes were also available for use by pupils who did not have their own, in order that they were not excluded. The Service Manager – Safety and Risk also advised that all driving instructors were invited to attend the Road Safety Advisory Panel, but they did not always attend.

Following further discussion, the Chairman confirmed that a letter to Shetland’s MP and MSP reflecting the comments of Mrs Baisley and Mr Cluness.

(Mrs C J H Miller, Mr J Budge and Mr J H Henry declared an interest as Members of the Lerwick Port Authority)

59/07 **Bressay Link STAG Appraisal – Progress Report**

The Committee noted a report by the Head of Transport (Appendix 11).

Mr A G L Duncan referred to paragraph 5.2 and asked if the figures included all legal costs and asked for an explanation to the substantial increase between the years 2002/03 and 2003/04. The Head of Transport advised that the figures did include the

legal costs and advised that in 2001/02 the Council approved the project and in 2002, 2003 and 2004 the increase was due to the consents process and detailed design and the consultations fees for the expertise and designs provided. He said that there was a current process of negotiation going on and there would be further additional costs for this year.

Mr A J Cluness said that a lot of work was going on for Bressay and elsewhere and that he looked forward to the findings of ZetTrans.

Mr A G L Duncan asked a variety of questions regarding the funding and progress of the project over the years.

Mrs E L Fullerton said that this was a good report and commented positively on the work now being undertaken.

**On the motion of Mr A S Wishart, seconded by Mr C L Smith, the Committee resolved, in terms of the relevant legislation, to exclude the public during consideration of the following items of business.**

60/07 **Landfill Gate Fee – Drill Cuttings**

The Committee considered a report by the Waste Services Manager.

Mr W H Manson moved that the Committee approve the recommendations in the report. Mr C L Smith seconded.

The meeting concluded at 11.20am

CHAIRPERSON