

MINUTE

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Infrastructure Committee
Council Chamber, Town Hall, Lerwick
Tuesday 16 June 2009 at 10.00am

Present:

A S Wishart	L Angus
L F Baisley	J Budge
A J Cluness	A T J Cooper
A G L Duncan	E L Fullerton
F B Grains	I J Hawkins
R S Henderson	J H Henry
A J Hughson	W H Manson
C H J Miller	F A Robertson
G Robinson	J G Simpson
C L Smith	

Apologies

A T Doull	R C Nickerson
J W G Wills	

In Attendance (Officers):

D Clark, Chief Executive
G Greenhill, Executive Director Infrastructure Services
S Cooper, Head of Environment and Building Services
I Halcrow, Head of Roads
M Craigie, Head of Transport
B Robb, Management Accountant
A Hughes, Assistant Accountant
D Williamson, Building Services Manager
J Molloy, Planning Implementation Officer
D Marsh, Trading Standards Manager
C Medley, Head of Housing
M Finnie, Capital Programme Service Manager
N Clubb, Contract Manager
L Gair, Committee Officer

Chairperson:

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

Circular:

The circular calling the meeting was held as read.

Declarations of Interests

Mr A S Wishart declared an interest in item 18.

Minutes of Meeting

The minutes of the Infrastructure Meeting held on 5 May 2009, having been circulated, was confirmed.

Attendance at External Meetings

None

45/09 **Fair Isle Air Strip – Request for Grant Assistance**

The Committee considered a report by the Head of Transport, attached as Appendix 1, and approved the recommendations on the motion of Mr J Budge, seconded by Mr A T J Cooper.

46/09 **Development of Management Rules for Viking Bus Station**

The Committee considered a report by the Executive Director – Infrastructure Services, attached as Appendix 2 and approved the recommendation on the motion of Mr L Angus, seconded by Mr C L Smith.

47/09 **Appointment of Members to the SIC Nuclear Policy and KIMO Co-Ordination Groups**

The Committee considered a report by the Environmental Liaison Officer, attached as Appendix 3.

Members noted that the report did not make reference to whether the appointments were for substantive or substitute members. Mr G Robinson moved that Dr J W G Wills, who is currently a substitute member on the Kimo Co-ordination Group, be approved as a substantive Member. After some confusion, Mrs L F Baisley explained that she and Dr Wills had been attending both meetings, and the report had been presented to formalise their attendance. Mrs I J Hawkins moved that Mrs L F Baisley be appointed as an additional member to both groups and that Dr J W G Wills be appointed as an additional member to the SIC Nuclear Policy Co-ordination Group. Mr W H Manson seconded.

48/09 **Shetland's Inter Island Public Transport Network**

The Committee considered a report by the Head of Transport, attached as Appendix 4.

The Head of Transport briefly introduced the report. Mrs L F Baisley said she was pleased to see the report but said she was disappointed that there was no transport forum in the North Isles. She also noted the comment in the report that “not much is known about the North Isles”. The Head of Transport advised that there had been a lot of consultation in the North Isles and it was discussed and decided not to carry out yet another consultation in that area. He said that a lot of general knowledge had been obtained during the STAG processes and the Transport Service did have a good understanding of the requirement for connections in the North Isles.

Mr L Angus congratulated officers on the document and said that there had been a perception that Shetland had a good transport service, but noted that there are huge gaps. He said that he would like to see Community Councils given a more prominent role where they wished to participate actively. Mr Angus said that the document was a benchmark for rural transport to develop.

Mr L Angus moved that the Committee approve the recommendations contained in the report, seconded by Mr G Robinson.

Mr A G L Duncan referred to paragraph 6.3 and 8.2 and in response to his queries, the Head of Transport advised that funding had been secured from the EU for responsive transport services. He said that securing funding for the implementation was dependent on how Shetland complied, but there were potentially large sums available. The Head of Transport advised that the Northern Periphery Programme funding for demand responsive transport infrastructure and call systems amounted to hundreds of

thousands of Euros. He assured Members that all options of funding in Europe would be identified, but added that the real challenge was ensuring that whatever was implemented was sustainable. Mr A S Wishart referred to paragraph 6.3 and added that details should be taken on board for the implementation plan.

Mr A T J Cooper advised that Delting Community Council was the first to provide transport, for pensioners to get their shopping. He said that they struggled to tender on their own and there were benefits in using transport services of the Council. Mr Cooper referred to the ticketing system and said that it was his desire to see a ticket that allowed travel on all modes of transport from Sumburgh to Unst.

Mr Cooper also commented that paragraphs 4.12 and 4.20 should be progressed and asked that a progress report be provided every two cycles. The Chairperson advised that the Transport Strategy Officer was working on that matter and that he was happy for progress reports to be provided.

Mr J Budge referred to paragraph 6.6 and the use of school buses and queried what provision would be made to continue the service when schools were closed. He also previously raised the problem with wheelchair access on low floor buses in rural areas where passengers stepped off the bus on to a soft verge. He said that needed to be addressed.

Mrs E L Fullerton referred to paragraph 11 – Community Care. Mrs Fullerton highlighted some issues with regard to provision of transport to and from care centres and asked to have discussions with the Transport Strategy Officer on that point. Mrs Fullerton also referred to paragraphs 6.7 and 6.8 and said that an issue had been raised a year ago with regard to links between Weisdale and the Scalloway doctor's surgery. She said that this was an urgent issue and asked that a rationalisation of services be progressed quickly. The Chairperson suggested that through discussions with the Head of Transport and the Transport Strategy Officer, short term measures may be possible. The Head of Transport said that EU funding would be targeted as quickly as possible but that there were certain areas that could be addressed sooner within current resources.

Mr W H Manson referred to paragraph 6.29 and the Head of Transport confirmed that the 3-year tendering process for the North Mainland was intended to bring the contract into the 5-year cycle proposed. Mr Manson referred to the Brae interchange and said that people were spending some time there and suggested that facilities be provided to make that more comfortable. The Head of Transport noted Mr Manson's comments.

Mrs I J Hawkins spoke in support of Mrs Fullerton's comments and said that passengers travelling from Weisdale should not have to travel to Lerwick in order to get to the Scalloway doctor's surgery. Mrs Hawkins added that it was important to look at unmet need such as evening services between Scalloway and Lerwick.

Mr C L Smith referred to bus types and styles and said that it was not a statutory requirement across the UK and Shetland was exempt therefore the cost was not necessary at the time for the Council to provide low floor buses. He said that reassurance was needed that the Council will not jump the gun again when the 2012 regulations are introduced.

The Chairperson also thanked officers for the amount of work put into the document. He said that the transport budget amounted to £3.5m/year and there was a big

requirement for external funding.

49/09 **Bressay Transport Issues and Short-Term Measures**

The Committee considered a report by the Head of Transport, attached as Appendix 5.

Mrs C H J Miller provided Members with a detailed history of the transport services provided between Bressay and Lerwick since the 1970's. Mrs Miller said that in order for there to be a quality of life and the ability for residents to remain on Bressay it was dependent on political willingness. She said that had the Council policy for a bridge been progressed, it would have been built in 2007. She said that the STAG process highlighted social and economic hardship and that residents used the ferry 4 times more than any other island. Mrs Miller advised that residents were employed from Sumburgh to Sullom Voe and in order to access their doctor surgery, supermarket and leisure activities residents had to pay a lot to do that. She said that the demographics were changing, as young folk could not afford to stay on the Isle. She said that Bressay was a unique situation and required a unique resolution.

The Chairperson advised that the recommendation in the report was as a result of consultation with the Chair and Vice-Chair of the Bressay Community Council, Lerwick Port Authority with himself and Mrs I J Hawkins as Chair and Vice-Chair of Infrastructure Committee. He said that the recommendations were not easy to arrive at. The Chairperson said that although Bressay was close to Lerwick it did not have the same services that were available in other Islands and as a result four times more trips were made than any other area because they need the services Lerwick provides.

Mr J G Simpson said that he had been pushing to get a better fare structure for ferries since he came on the Council. He said that concessionary fares were available for passengers but there was a big variation between passenger and vehicle fares. He said that young people, at the lower end of the pay scale, were not staying in Whalsay as they could not afford to commute to work. Mr Simpson did not disagree with Mrs Miller but was not sure about the proposal and said that work was needed on better timetables and structures across the Ferries Service.

(Mr F A Robertson left the Chamber)

Mr R S Henderson agreed with Mr Simpson and stated that the cost of fares and fuel to commute to Lerwick was £160/month and stated that it was equivalent to a mortgage in Lerwick. He said that this discouraged young folk from staying in the Isles. Mr Henderson expressed his disappointment that the report had not been presented to the Inter Island Ferries Board before coming to the Infrastructure Committee.

Mrs Baisley said that Bressay was at a disadvantage because it was close to Lerwick and therefore not considered a remote Isle, but did not have the same services as other isles. She agreed also with Mr Simpson and Mr Henderson with regard to the cost of fares and cost of fuel. She said each Isle was unique and she was not opposed to the recommendations. Mrs Baisley referred to the ferry fares structure report that had been prepared last year, but had not been considered due to the increase in fuel costs. She suggested that it was perhaps time to review that report.

Mr G Robinson said that the cost of travel was a wider issue than described. He said that the point made by Mr Henderson regarding the cost of fuel also related to the

West side and stated that it cost £8/day from Bressay, but fuel cost was more to travel to the West side.

In response to a query from Mrs F B Grains, the Head of Transport advised that the post bus was removed, as the Council had not agreed to pay £10,000 requested by Royal Mail.

Mr C L Smith said that the previous agenda item indicated that transport was being looked at for country areas and that this was a separate issue. Mr C L Smith moved that Members approve the removal of ferry fares on the Bressay service for a period of 6 months, as previously done on Bluemull Sound.

The Head of Transport advised that a short trial period would not yield sufficient useful information. He said that normally a period of 2-3 years would be required to see what effect a change had made.

Mr A S Wishart moved that Members approve the recommendations contained in the report, seconded by Mr G Robinson.

Mrs C H J Miller asked the Chairperson if he would consider making two slight changes to his motion. She asked that the monthly ticket be reduced to £30 and make the 20 journey ticket unlimited for cars.

The Chairperson said that the recommendations had been well thought through and his motion would remain.

Mr Simpson said that he was not happy and was concerned that other Isles would be side stepped. Mr Simpson moved as an amendment that the report be taken back to look at the wider picture. Mr R S Henderson seconded.

The Head of Transport advised that work on this study was already underway to adopt a network wide approach. He said that it was part of the day-to-day work of the service and further reports would be presented soon.

Mrs C H J Miller gave notice of a further amendment.

(Mr F A Robertson returned to the Chamber)

After summing up, voting took place with a show of hands and the results were as follows:

Amendment (Mr J G Simpson)	4
Motion (Mr A S Wishart)	12

Mrs C H J Miller withdrew her notice of further amendment.

50/09 **Bressay, Whalsay and Bluemull Sound Transport Links – Priority and Strategy for Delivery**

The Committee considered a report by the Head of Transport, attached as Appendix 6.

Mr J G Simpson said that it appeared that the process was no further ahead for Whalsay. He said that the existing terminal was deteriorating and he was concerned that if the terminal in Whalsay did not go ahead soon it would leave the Island without

a link.

Mr J S Simpson moved the recommendations contained in the report, seconded by Mrs L F Baisley.

51/09 **NorthLink Consultation on Summer and Winter Sailings**

The Committee considered a report by the Head of Transport, attached as Appendix 7.

Mr L Angus said that he had mixed emotions about the proposal and that he was suspicious that this was a prelude to the Scottish Government directing the service through Orkney. He said that the Scottish Government had previously been inflexible to suggested variations and was concerned that this was a pilot to wider ambitions. He said that he did not want Shetland's mainland link going to Scrabster.

Mr G Robinson said that he had studied the tender document and while NorthLink goes to Orkney it was not a key part of the document. He said that it was an arrangement that NorthLink put to the Scottish Government. He said that it was not set in stone and not part of the contract. Mr Robinson said that he presumed that if a winter sailing were given up, the ferry would stay in at Lerwick or Aberdeen overnight. Mr Robinson said that during periods of bad weather, it might be 3 days before a service is provided. He also questioned who would use the service, and commented on the standard of the road between Scrabster and Inverness. Mr Robinson said he felt that Shetland had a lot more to lose if the proposal was to go ahead.

The Chairperson said that the purpose of the report was to gather comments to feed into the survey. He advised that it had been presented to the Shetland External Transport Forum and to ZetTrans and it was likely that more than one sailing would be taken away.

The Head of Transport advised that this was a NorthLink proposal and comments would be made to them.

Mr C L Smith said that the biggest issue was the capacity and cabins, and if travelling through Orkney there would be no need for a cabin. He said that Shetland could not afford to lose sailings in the winter as it provided a reliable cargo service in bad weather. He was also concerned that if it was agreed to, the Scottish Government would say that we didn't need the sailings anyway and they may be lost forever.

Mrs E L Fullerton said that the proposal should be fought and said there seemed to be a fixation with running to Orkney. She said that Shetland should not be a trade off with Orkney and that there was no need for another link to Orkney. Mrs Fullerton said that with the dry-dock timetable and reduced winter sailings there would only be a small period remaining for winter sailings.

Mrs I J Hawkins said that this was a lifeline service that also provided a service for tourists and was concerned that the proposal was for NorthLink's own benefit. She said that there was a need to be wary.

Mr A T J Cooper said that the contract would be coming to an end in 2012 and that in response to the proposal, a clear message should be given. Mr Cooper moved that Members agreed that the current service should stay as it was, seconded by Mr C L Smith.

Mr Cooper suggested that the proposal should also be presented to the General Industry – Tourism Panel as part of the consultation.

52/09 **20 MPH Speed Limits at Schools – Progress Report, June 2009**

The Committee considered a report by the Road Safety Engineer, attached as Appendix 8, and approved the recommendations contained in the report on the motion of Mr L Angus, seconded by Mr C L Smith.

The Head of Roads, in response to queries regarding the sign at Sound School, explained that two speed limits converged at the same point namely 40 to 30 and 30 to 20, which required a more sophisticated sign. He advised that he had been in discussions with suppliers and had received a price for them to come to Shetland and it was hoped that the sign would be working before the schools returned after the summer break.

Mr Budge said that the Council should not be paying for the supplier to come to Shetland to fix the sign. The Head of Roads agreed.

Mr C L Smith said that the speed limit should be made a permanent 20mph, following further explanations, the Chairperson accepted the reassurances that the sign would be fixed by the end of the summer holidays.

Mrs I J Hawkins queried when the sign at Scalloway would be wired, the Head of Roads said that he would find that information out and respond to her later.

Mrs C H J Miller referred to the permanent speed limit at Bressay and queried why no road humps were being provided. She explained that during school time road users know to slow down but, in the evenings children use the play and football areas, and she was concerned that road users would not be as vigilant in the evening. She said that road humps would address that concern as it would slow traffic down automatically. Mrs Miller suggested that road traffic should be observed in the evening. The Head of Roads said that Engineers would have another look at the section of road.

Mrs E L Fullerton said that Mrs Miller made a good point and advised her of a similar situation at Hamnavoe School and said that it had been addressed quickly and offered her thanks for the work carried out.

(Mr W H Manson left the Chamber)

53/09 **Scottish Scambusters and Illegal Money Lending Unit Projects**

The Committee considered a report by the Service Manager – Trading Standards, attached as Appendix 9 and approved the recommendations contained in the report on the motion of Mr G Robinson, seconded by Mrs E L Fullerton.

54/09 **Temporary Funding Request for Planning Service**

The Committee considered a report by the Executive Director, Infrastructure, attached as Appendix 10.

Mr L Angus advised that a similar request had been made by Social Care Services to the Services Committee and the request was met with opposition.

(Mr W H Manson returned to the Chamber)

Mr Angus said that he was not sure why there were so many staff in planning not dealing with applications and if there was a shortage of planners nationally the Council should be using employees from non-essential areas of the service.

Mr F A Robertson explained that each section was dealing with its own particular expertise and explained that they were working on Heritage Development Plans, reviewing the Local Plan which was a legal requirement on top of which there were major projects that had to be processed. Mr Robertson provided a detailed explanation of the level of work being handled by the Planning Service and advised that the Scottish Government acknowledged that Scotland required 50 additional planners. He said that the Council was dealing with bigger and more complex applications, as well as normal applications, than any other local authority. He said it was important not to hold up the building economy of Shetland.

Mr F A Robertson moved that the Committee approve the recommendations contained in the report, seconded by Mr G Robinson.

Mrs I J Hawkins referred to paragraph 3.5 and said that the performance figures stood at 34% and year on year that affected the public as well as morale of the department and felt that more staff were needed to address this.

Mr L Angus moved as an amendment that the Committee should not approve the recommendations and that information should be provided on why non-urgent work is not redeployed to meet the demands. He said that he did not accept that the planning department was being asked to evaluate bigger projects than other local authorities and that social care have the same statutory obligations to meet. Mr Angus advised that 37 elderly people were waiting for care that could not be provided. He said that he did not feel that 6 staff was needed to work on projects such as heritage. Mr Angus reminded members that based on a decision of the last Council extra planning staff were appointed for the Lerwick and Gulberwick Development Plan which had not progressed as expected. Mr A G L Duncan seconded.

Mr A T J Cooper stated that a significant amount of money was being requested and as it was not funded it would be taken from the reserve fund. He said that he was amazed that the Head of Finance had not commented in the report and that the Chief Executive had no adverse comments. Mr Cooper said that he would like both the Head of Finance and the Chief Executive to be present at the Council meeting to justify their decision to allow the report to go forward.

Mr W H Manson queried whether, with the view that a decision was required urgently, it would be possible for the information requested by Mr Angus to be presented to the next Council meeting.

Mr Manson gave notice of a further amendment.

Mrs E L Fullerton agreed with Mr Angus' comments and said that if £200,000 was available from the reserve fund, half should be used in Social Care. She added that some of the projects listed had already been approved such as AHS and Mareel. Mrs Fullerton said that that the report had been thrown out by Employees JCC because it was presented too late and that other projects should be put on hold and staff redeployed.

The Executive Director, Infrastructure advised that a report had been provided at the budget setting process. He said that his report was an assessment of what is known

and commented that although projects had been approved, there was much more yet to be done by the planning service, including building standards he said that the planning process ran on for a considerable time. He said that it was not possible to redeploy staff from other areas and added that building would not continue if there was no local plan, adding that the Council had to comply with legislation.

The Executive Director, Infrastructure advised that he had not realised that the report had to go to the Employees JCC and that he had since apologised to the Unions for the lateness of the report. He said that fundamentally the figures showed that the service was not coping and to delay this further would impact on the economy of Shetland. He said it was important to ensure that they had the right planners so that investment opportunities were not lost.

After summing up, voting took place with a show of hands and the results were as follow:

Amendment (Mr L Angus)	8
Motion (Mr F A Robertson)	10

Mr W H Manson withdrew his notice of further amendment.

(Mr A J Cluness, Mr C L Smith and Mr W H Manson left the Chamber)

55/09 **Lerwick Town Centre Business Improvement District (BIDs)**

The Committee considered a report by the Implementation Officer, Planning, attached as Appendix 11.

Mr L Angus referred to paragraph 3.2 and expressed his concerned at the level of support required. Mr Angus said that he would not like to see the Council taking the lead. He said that he wanted a vibrant town centre but said that the public vote with their feet and supermarkets had taken business away from the town centre. He said that he would not want a full time member of staff working on this. Members agreed.

(Mr W H Manson returned to the Chamber)

The Implementation Officer, Planning advised that the investing and promotion would be led by the businesses involved. He said that the report was asking for administration support to get the scheme in place so that they can go to businesses.

(Mr C L Smith returned)

Mr A G L Duncan said that he would like to see proprietors cleaning out their rones and said that water running down their walls was not a good image to present to tourists. He also referred to Appendix A and the last bullet point on page 5 and said that Lerwick should take pride in itself.

Mr L Angus said that he was happy to note the report as long as it was self managed and self funded and officers should monitor it.

The Chairperson requested that a follow up report be provided in 3 cycles.

56/09 **Council Estate – Condition Survey**
Building Maintenance – Service Improvements

The Committee noted two reports by the Building Services Manager, attached as Appendix 12 and 13.

The Chairperson said that agenda items 12 and 13 would be heard together and asked that the Chief Executive meet with all officers involved to bring a full report, to the next meeting, encompassing both reports. Members agreed.

57/09 **A971 Haggersta to Cova – Report on Progress, May 2009**

The Committee noted a report by the Network and Design Manager, Roads, attached as Appendix 14.

Mrs F B Grains asked what progress had been made with land acquisition. The Head of Roads advised that it was essentially out of his hands and had been passed to the District Valuer to discuss with the landowners. He said that the deadline given to the District Valuer was 31 August 2009. He said that he hoped for an agreement to be reached, but that a Compulsory Purchase Order (CPO) would be pursued if that did not happen.

Mrs I J Hawkins said that it looked like progress had been made but the CPO should be progressed as soon as possible.

58/09 **Whalsay Link – Progress Report**

The Committee noted a report by the Head of Transport, attached as Appendix 15.

Mr J G Simpson said that the plan presented could work and that he had never been happy with having two harbours into Whalsay. He said that the Council should press ahead and get on with consultation.

The Chairperson advised that a public meeting would be held on 7 July 2009.

59/09 **Minutes of Infrastructure and Environment Forum – 24 April and 26 May 2009**

The Committee noted the minutes of the Infrastructure and Environment Forum held on, attached as Appendix 16.

60/09 **Minutes of ZetTrans – 1 June 2009**

The Committee noted the minutes of the ZetTrans meeting held on 1 June 2009.

In order to avoid the disclosure of exempt information, Mr A S Wishart moved, and Mr G Robinson seconded, to exclude the public in terms of the relevant legislation during consideration of agenda item 18.

(Mr A S Wishart declared an interest in the following item and left the Chamber. Mrs I J Hawkins duly took the Chair)

61/09 **Inter-Island Air Services Contract 2009 – 2013**

The Committee considered a report by the Head of Transport.

Mrs C H J Miller moved that the Committee approve the recommendations contained in the report, seconded by Mr A T J Cooper.

The meeting concluded at 11.55am.

A S Wishart

Chairperson