

# MINUTE

‘A&B’

**Infrastructure Committee**  
**Council Chamber, Town Hall, Lerwick**  
**Tuesday 5 October 2010 at 10.00am**

**Present:**

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

**In Attendance (Officers):**

I Halcrow, Head of Roads  
M Craigie, Head of Transport  
J Grant, Waste Services Manager  
E Leach, Environmental Health Officer  
B Robb, Management Accountant  
P Peterson, Policy Manager  
L Gair, Committee Officer

**Apologies**

A T Doull	A G L Duncan
E L Fullerton (for lateness)	
C H J Miller	G Robinson
J W G Wills	

**Chairperson:**

Mrs I J Hawkins, 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 1 – “Landfill Tax – Requests for Funding”

**Minutes of Meeting**

The minutes of the Infrastructure Meeting held on 31 August 2010, having been circulated, was confirmed.

**Attendance at External Meetings**

Mr R C Nickerson	NFLA Scotland, Glasgow, 10 September 2010.
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F A Robertson	Planning Summer School, York University, 3-10 September 2010.
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**Mrs I J Hawkins announced that Shetland Islands Council had won a top award at SELECT’s Electro Technical Award ceremony in Glasgow last Friday. Mr W Spence,**

Plant Manager of the Energy Recovery Plant and Cllr G Robinson, Chairman of Shetland Heat Energy and Power were presented with the award for the Best Environmental Project by Craig Hill. The award was sponsored by Vaillant and relates to the outstanding success of the Energy Recovery Plant and District Heating Scheme. The scheme is recognised as demonstrating good use of waste by recovering energy and distributing hot water into the district heating system, providing both economical and environmental benefits. The Chairperson said that congratulations should be extended to everyone involved in winning the award.

83/10 **Landfill Tax – Requests for Funding**

The Committee considered a report by the Waste Services Manager, attached as Appendix 1.

The Waste Services Manager introduced the main terms of the report.

Mr A T J Cooper moved that the Committee approve the recommendations contained in the report, seconded by Mr C L Smith.

*(Mrs E L Fullerton attended the meeting)*

Mr A J Cluness said that as the fund becomes popular more and more requests will be received and there should be a level that grants are set at. He asked that a further report be provided which sets out the criteria that should be met and the level of grant that can be given.

In response to a query from Mrs L F Baisley, the Waste Services Manager advised that the funds come from the Landfill tax that would otherwise go to Customs and Excise. He explained that for every tonne put to landfill the producer has to pay £48, which will be increased to £56 in April, 5.5% of this sum can be used on community projects and can be paid to environmental bodies or trusts. The Council must give up to 10% of the cost of the project. The Waste Services Manager further advised that the sum available varies each year and depends on the volume of waste put to landfill, however it is expected that there would be approximately £23,000 available each year.

Mr A T J Cooper referred to paragraphs 3.4 and 3.5 and said that the report does not make it clear how the project fits into the criteria stated in the paragraphs and said that it was important that future reports demonstrate this in a clear manner. He also referred to the recommendations and said that 8.1 should be amended to approve the project listed in Section 5 and not 3.

Mr A J Cluness, with the support of his seconder, agreed and amended the motion to approve funding of the project listed in Section 5.

84/10 **Charges for Hire of Hooklift Containers and Hooklift Vehicle**

The Committee considered and approved a report by the Waste Services Manager, attached as Appendix 2, on the motion of Mr L Angus seconded by Mr C L Smith.

85/10 **Overview of Carbon Reduction Strategy**

The Committee considered a report by the Waste Service Manager, attached as Appendix 3.

The Waste Services Manager introduced the main terms of the report.

*(Mr W H Manson attended the meeting)*

Mr A T J Cooper referred to paragraph 5.1 and noted the statement that there were no financial implications but also noted that paragraph 3.4 indicated the need for changing the name of the service. He said that re-branding the service would cost money to change the name on signs etc.

The Waste Services Manager advised that there was very little signage with the Waste Services name on it and the signs at the energy recovery plant were already out of date. He said that he did not plan to change signage.

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

86/10 **Scottish Ferries Review – Response to Consultation Document**

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

The Head of Transport introduced the main terms of the report.

Mr L Angus said that the importance of the lifeline services could not be overstated. In light of the experience in both Scottish and Northern Isles Ferry Services, he said that the response to both this and the next item ought to be that the vessels are not the most suitable and from that everything would flow including the costs. He referred to the first question on the questionnaire “do you agree that a change is required, to improve consistency in provision and *secure* funding for the future” and said that the Scottish Government has put it to this community “how will you manage without these services. Mr Angus said that the response should not stop from saying that it needs the appropriate vessels on the appropriate routes.

Mrs L Baisley moved that the Committee approve the recommendations contained in the report, seconded by Mr C L Smith.

Mr Angus said that the next item makes no reference to the suitability of the vessels.

The Head of Transport advised that key message that the Council wants to put across would be highlighted in the covering response to the Scottish Government.

87/10 **The Northern Isles Ferry Services – Response to Consultation Document**

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

The Head of Transport introduced the main terms of the report.

Mr L Angus said that he could find nothing in the response that said the services should be regular and was of the view that it should state that we are looking for a daily service as a benchmark for a minimum service.

The Chairperson said that this point would be taken on board.

Mr F A Robertson moved that the Committee approve the recommendations contained in the report, seconded by Mrs L F Baisley.

88/10 **Fixed Link Policy Managerial and Governance Proposal - Update**

The Committee considered a report by the Executive Director – Infrastructure Services, attached as Appendix 6.

The Head of Transport introduced the main terms of the report.

Mr J G Simpson said that the message had been received loud and clear that there was no money available and it would be 2025 before the Council's finances would be back to where it was in 2009. With regard to Whalsay he said that there was a pressing need to do something adding that the capacity issue was getting worse with the m.v. Linga's maximum passenger capacity being reduced to 50. He said that Fixed Links were years into the future but it was important not to take the eye off the ball on what was needed now.

Mr W H Manson agreed but was of the opinion that the recommendations would avoid duplications. He said that the Finance part of the remit would be discussed with the Scottish Government on how and when finance would be available but a tunnel would take some years to be built however slowly the Scottish Government predicts an upturn in finances. Mr Manson questioned whether it was the answer for Whalsay but said that fixed links had to be looked at in the long term.

Mr Manson moved that the Committee approve the recommendations contained in the report, seconded by Mrs E L Fullerton.

Mr R C Nickerson said that there appeared to be no reporting back mechanism and asked that a report be presented to Infrastructure Committee every second cycle. He also suggested that a quorum of two Members was not enough and asked that this be increased to four. Mr W H Manson, with the support of his seconder agreed to include both points within his original motion but stated that if there was nothing significant to report, they should be kept brief.

In response to a query from Mr L Angus, the Head of Transport advised that he would be meeting with the Executive Director – Infrastructure tomorrow to discuss the appointment of a Project Manager. He confirmed that the Fixed Link Steering Group would report to the Infrastructure Committee.

In response to a query on reporting timescales, the Head of Transport advised that the first meeting of Officers would be held tomorrow at 9am to discuss work streams and to prioritise the work of the Service, to decide what needs to be done and how long it would take. He said that the Council would decide on priorities in the new year. Mrs Baisley requested that this be reported upon to Infrastructure Committee at the first cycle of the new year. The Chairperson advised that the independent study on the linkspans would also have to be reported upon but it would first have to go through the EU tendering process, which would mean that the report would not be presented to Members until June 2011.

During further discussion Members reflected on the past, on decisions already made and what was needed for the future viability of the Island communities. They discussed the timescales involved in progressing the decisions made by Council and how that would affect the long and short term projects into the future. Members agreed that there was a pressing need to address the Whalsay link problem.

Mr A T J Cooper requested that a report be presented to the next meeting of the Committee providing solutions to the immediate problems on the Whalsay link. Mr Wishart disagreed with this request stating that it was asking too much of Officers and until the fundamental solution was addressed there would be little to report on until the new year.

Head of Transport advised that work was ongoing with regard to finding a solution to the problems on the Whalsay route and consideration was being given to many areas including changes in ferry timetables and leasing of another vessel. He reassured Members that this work was being done now and would be reported to the Inter Island Ferries Board. The Chairperson asked for that report also to be presented to the Infrastructure Committee.

89/10 **Air Quality Monitoring**

The Committee considered a report by the Service Manager – Environmental Health, attached as Appendix 7.

The Environmental Health Officer introduced the main terms of the report.

Mr J H Henry moved that the Committee approve the recommendations contained in the report, seconded by Mrs E L Fullerton.

Mr A T J Cooper asked if there was any monitoring of air quality that takes place in the North Mainland. The Environmental Health Officer advised that monitoring is carried out, as required by SEPA, in the North Mainland. She said that the location of the automatic monitoring station was chosen because of its proximity to industrial processes. The Environmental Health Officer added that although a dedicated automatic monitoring station was not required it would not stop the Environmental Health Service from monitoring air quality in Shetland.

Mr Cooper commented on the lack of information available in the public domain from SEPA. Mr A J Cluness suggested that SEPA be asked to provide this information. The Environmental Health Officer advised that SEPA's information was made available on their website.

Mr R C Nickerson said that he had no problem with the recommendations but said that there was a requirement under the pollution regulations to report each year on the cumulative impacts on air quality in Shetland, and asked that this report be provided regularly. The Environmental Health Officer advised that there had been no issues to report, but agreed that a progress report would now be presented each year.

Ms L F Baisley referred to residents of Yell being aware of the smells from the Sullom Voe flare stacks and said that there was an underlying worry about the high number of cancer cases in the area. Although statistics show that the risk is no higher than anywhere else, people needed reassurance. Mrs Baisley referred to page 11 paragraph 3.3 and in response to a query the Environmental Health Officer provided an explanation on what is involved in air quality modelling and air quality monitoring.

Mrs F B Grains queried what impact there would be on air quality from Windfarms. The Environmental Health Officer confirmed that any impact would be at the construction stage of the Windfarm and that following construction there would be minimal air pollution from the dust created on unmade roads.

The Chairperson advised that this point would be taken on Board.

90/10 **Dog Fouling**

The Committee considered a report by the Service Manager – Environmental Health, attached as Appendix 8.

Mr L Angus said that the Lerwick Community Council raised this issue 15 years ago and it was still a big problem with some dog owners not taking responsibility for their animals. He said that waste receptors had been put in place but a minority persisted in not using them. Mr Angus said that there was nothing more that Officers could do and moved that the Committee approve the recommendations contained in the report, seconded by Ms L F Baisley.

The Environmental Health Officer advised that this remained a high priority for the Service and they continued to receive complaints. She explained that last year the campaign raised awareness but it was important to get more information from the public on where and when owners walk their dogs so that they can be observed by Environmental Health Officers or Neighbourhood Support Workers. The Environmental Health Officer added that some owners are embarrassed by being caught.

Mrs Baisley said that this was not just an urban problem and advised that some problems exist where dog owners walk their dogs on the beaches. She suggested that a competition like the “dunna chuck bruck” slogan should be run at school level - children can be educated, at a young age, not to leave waste behind.

Mr R C Nickerson said that a good high profile campaign needs to be held every year and the only way to help this situation was to push on enforcement.

In response to a query from Mr J G Simpson, the Environmental Health Officer advised that the scheme did not extend to fouling by horses and explained that regulations on dog fouling existed due to the diseases that survive in their waste. If there were specific issues where horse manure caused a specific nuisance then this could be reported to the Environmental Health Service.

Mr A J Cluness suggested that the fine be raised to £100 which he said would be a sum that the public would take notice of. The Environmental Health Officer explained that the fine was a statutory amount that the Council did not have any control over unless through a byelaw. She advised that she would look further into whether this could be done, with Legal Services.

In response to a query from Mr J H Henry, the Environmental Health Officer advised that other than play grounds, it would be impossible to delineate a designated area as a “no dogs allowed” space. However a landowner can impose this on his own land.

Mrs E L Fullerton queried whether social responsibility is being brought up in schools. The Environmental Health Officer advised that Neighbourhood Support Workers go into schools to discuss these issues.

The Chairperson said that Ms L Baisley’s suggestion for a slogan was a good idea.

#### 91/10 **A971 Haggersta to Cova – Report on Progress - September 2010**

The Committee noted a report by the Network and Design Manager attached as Appendix 9.

The Head of Roads introduced the main terms of the report.

Mrs F B Grains referred to 4.3.4 and said that this should clearly show that there are two “stopping up orders”. She also queried whether the objectors had been contacted again.

The Head of Roads advised that the CPO and Stopping Up Orders had been sent to the Scottish Government and he understood that the objectors had confirmed to the Scottish Government that they wished their objections to stand. He explained that the Scottish Government would consider the CPO and Stopping Up Orders together. At the request of Mrs F B Grains, the Head of Roads said that he would try to find out from the Scottish Government how long this would take.

Mr L Angus asked if the Scottish Government were to refuse, would the Council have to open and restore the old road. The Head of Roads said that he would investigate this and report back to Members.

The Chairperson advised that a Roads Surgery was held on Friday last week and four wards had been represented. She advised that in order to encourage more Members to attend, the next surgery would be arranged for a day when another meeting was being held. The surgery will continue to be run for a period of time to establish whether Members find them beneficial.

92/10 **Infrastructure Revenue Management Accounts**  
**General Ledger and Reserve Fund**  
**For the Period 1 April 2010 to 31 August 2010**

The Committee considered a report by the Head of Finance, attached as Appendix 10.

The Management Accountant introduced the main terms of the report.

Mr R C Nickerson noted that the net savings would only amount to £250,000 if the overspend is deducted from the savings and commented that there was still a lot of work to do.

Mr W H Manson asked if the down turn in private sector housing grants were as a result of less demand or if there had been a decision to limit the grants. The Management Accountant advised that the Council made a decision on how the funds would be given out and that it was changed to a loan scheme instead of a grant scheme. As a result the uptake reduced and the budget was no longer required.

Mrs E L Fullerton asked how often the fuel contract was tendered. The Head of Transport advised that the service were currently tendering for marine gas oil together with other organisations including NorthLink and Orkney Islands Council for a volume of 67 million litres. He said that with the significant quantity it was hoped that the cost would be reduced. The Head of Transport added that it would not benefit the Council until next year but savings were being sought by reprioritising the maintenance budgets to off set the increase in fuel.

In response to an additional query, the Management Accountant advised that she would provide an answer to Mr Budge's question, after the meeting, on why overtime amounts to 15% of the basic budget.

93/10 **Minutes of the Road Safety Advisory Panel – 7 September 2010**

The committee noted the minute of the Road Safety Advisory Panel meeting held on 7 September 2010, attached as Appendix 11.

94/10 **Minutes of the Infrastructure and Environment Forum – 16 September 2010**

The committee noted the minute of the Infrastructure and Environment Forum held on 16 September 2010, attached as Appendix 12.

95/10 **Minute of ZetTrans Meeting – 20 September 2010**

The committee noted the minute of the ZetTrans meeting held on 20 September 2010, attached as Appendix 13.

96/10 **Minutes of the Inter Island Ferries Board – 23 September 2010**

The Committee noted the minute of the Inter Island Ferries Board held on 23 September 2010, attached as Appendix 14.

The meeting concluded at 11.20pm.

I J Hawkins  
Chairperson