

MINUTE

‘B’

Infrastructure Committee
Council Chamber, Town Hall, Lerwick
Tuesday 1 February 2011 at 10.00am

Present:

L Angus	L F Baisley
J Budge	A J Cluness
A T J Cooper	A T Doull
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	G Robinson
J G Simpson	J W G Wills
A S Wishart	

In Attendance (Officers):

G Greenhill, Executive Director – Infrastructure
M Craigie, Head of Transport
R Sinclair, Head of Capital Programming
S Cooper, Head of Environment and Building Services
M Dunne, Service Manager – Environmental Health
D Macnae, Network and Design Manager
J Grant, Waste Services Manager
B Robb, Management Accountant
F Bell, Solicitor
L Gair, Committee Officer

Apologies

A G L Duncan C H J Miller
C L Smith

Chairperson:

Mrs I J Hawkins, Chairperson of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

Declarations of Interests

Mr F A Robertson declared a non pecuniary interest in agenda item 13 “Grant Funding for Glass Reprocessing” as a Trustee of the Shetland Amenity Trust.

Mr R C Nickerson declared an interest in item 10 “Minutes of the KIMO Co-Ordination Group” as he works for KIMO as a consultant.

Dr J W G Wills declared an interest in agenda items 3 “Fixed Links Strategy Implementation” as a resident of Bressay and a ferry user, and item 13 “Grant Funding for Glass Reprocessing” as a Trustee of the Shetland Amenity Trust.

Mrs F B Grains declared an interest in item 14 “Foula Ferry Contract”.

(Mr A J Cluness attended the meeting)

Minutes of Meeting

The minutes of the Infrastructure Meeting held on 23 November 2011, having been circulated, was confirmed.

Attendance at External Meetings

Mr J H Henry	KIMO UK Meeting, Edinburgh, 9-10 December 2010
--------------	--

Mrs I J Hawkins	Nuclear Free Local Authorities Scotland AGM and meeting and NFLA Steering Meeting AGM and meeting, Dundee, 27-28 January 2011.
-----------------	--

01/11 Earth Hour 2011: Shetland Islands Council Participation

The Committee considered and approved a report by the Environmental Management Officer, attached as Appendix 1, on the motion of Mrs L F Baisley, seconded by Mr F A Robertson.

02/11 Control of Dogs (Scotland) Act 2010

The Committee considered a report by the Service Manager – Environmental Health, attached as Appendix 2.

The Service Manager – Environmental Health briefly introduced the report.

Mr L Angus understood that this was a separate issue, but took the opportunity to comment on the issue of dog fouling, particularly in central Lerwick and said that although many efforts had been made to educate and work with dog owners, the situation continued to get worse.

The Services Manager – Environmental Health responded to a query from Mr A T J Cooper and confirmed that the Act did not remove the right of a landowner to shoot a dog that is “worrying” their sheep. She said that they might however wish to contact the dog wardens before shooting a dog.

Dr J W G Wills commented that this was an Act passed by Government without any resources to cover the cost of undertaking this work. He referred to the statement that officers “must be skilled in the control of dogs” and asked what cost would be involved in training the staff identified. The Service Manager – Environmental Health advised that the two dog wardens currently deal with stray dogs, which is very different to what this work will involve. She explained that a trainer would be brought to Shetland to train as many staff as possible, but said she did not know what the cost implications of providing this service would be.

Dr Wills moved that the Committee approve the recommendations contained in the report with the addition of a paragraph 7.1.3 that Officers write to the Government and MSP pointing out that the Government had passed an unbudgeted item, stating that the Council are happy to take this on but that the funds previously allocated to the Police be freed up and passed to the Local Government. Mr J H Henry seconded.

Mr A S Wishart moved, as an amendment, that the Committee move the recommendations contained in the report and accept that this gives the local authority control of what is a local issue. Mr A J Cluness seconded.

During further discussion Members noted the seriousness of this matter and the difficult nature of the task. In response to further queries the Service Manager – Environmental Health said that the Control of Dogs (Scotland) Act 2010 would address issues where dogs are causing alarm to a reasonable person. She explained that this would not be someone that is normally afraid of dogs. The Service Manager – Environmental Health went on to advise that this may include dogs in gardens that act aggressively to people passing by. Dogs that are off a leash but under the control of their owner and will respond to the owner's commands would be classed as under control. Officers will work with dog owners, informally initially to address any problems and be given advice on how to keep their dogs under control.

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

Amendment (A S Wishart)	7
Motion (J W G Wills)	8

03/11 **Fixed Links Strategy Implementation**

The Committee considered a report by the Head of Transport, attached as Appendix 3.

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

Mr R S Henderson moved that the Committee approve the recommendations contained within the report, seconded by Mr A T J Cooper.

Mr J G Simpson said that he had some difficulty with the content of the report. He commented that this was now dragging on in respect of Whalsay and advised that two families had left Whalsay last week. Mr Simpson said that this was not what the group was set up to do and before the two groups were amalgamated, one was tasked to find out if funding was out there. He said that in his opinion there was no funding available from the Scottish Government, Treasury or Europe. Mr Simpson advised that a report had been presented to the Inter Island Ferries Board recently on work carried out on the Thora and this was money being spent on a ship that should have been scrapped years ago adding that the Council were trying to run a service with an ageing fleet. Mr Simpson also commented on the timescale for reporting on this strategy and was concerned that the money set aside for Whalsay was being renamed as the Inter Island Transport Links and would be used for other work.

Mr Simpson moved that the Committee instruct the Fixed Link Steering Group to report, by the end of this financial year, on whether finance is available for a fixed link to Whalsay. Dr J W G Wills seconded.

In response to a query from Mr R C Nickerson, the Head of Transport explained that the figures of £425,000, £25,000 and £90,000 identified for the specific pieces of work within paragraphs 6.2 and 6.4 were then displayed as a total figure within paragraph 9.2 and amounts to £540,000.

During a lengthy discussion, although some Members said that they supported the need to move forward with the strategy for fixed links they highlighted their concerns regarding the deteriorating Whalsay ferry service and the resulting depopulation of the isle. Some Members were of the opinion that the Strategy provided a measured approach to implementing Council policy for the provision of fixed links over 20 years and highlighted the importance of demonstrating to Scottish Government Ministers that the background work would be carried out in a way that meets their expectations.

Mr R S Henderson commented that in his view the cost of the Improvements made to the ferry service in Yell Sound, some ten years ago, had been significantly more than anticipated and was little different compared to the cost of a fixed link.

Dr J W G Wills said that some time ago he had suggested that a study be carried out on the use of a chain ferry to Bressay which he had been assured would be looked into. He said that a chain ferry would significantly reduce the ongoing operating costs and urged that this be looked into further.

Members were reminded that condition surveys for life extension works for Symbister, Laxo and Vidlin were to be carried out by mid summer and that would lead to a decision being made, in the interim, for Whalsay.

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

Amendment (J G Simpson)	5
Motion (R S Henderson)	12

04/11 **Shetland Islands Council (Road at Sellaness Industrial Estate) (Stopping Up) Order 2011**

The Committee considered and approved a report by the Service Manager – Development Management, attached as Appendix 4, on the motion of Mr F A Robertson, seconded by Mr A T J Cooper.

05/11 **Progress Report – Carbon Reduction Strategy**

The Committee noted a report by the Service Manager – Environment and Energy, attached as Appendix 5.

06/11 **Emergency Procurement of Rock Salt – Winter 2010**

The Committee noted a report by the Head of Roads, attached as Appendix 6.

07/11 **Traffic Regulations Orders, etc. – Annual Progress Report**

The Committee noted a report by the Network and Design Manager, attached as Appendix 7.

The Network and Design Manager briefly introduced the report and advised that the Scottish Government had now indicated that a hearing would be held into the Haggersta to Cova (Stopping Up) Order 2003. In response to a query from Mrs F B Grains, the Network and Design Manager confirmed that this would also include the length of road to which the 1970s proposed order referred.

In response to queries the Network and Design Manager noted the following points raised by Members.

- Visibility issues in Burgh Road at the Montfield junctions.
- Completion of the Olnefirth School 20mph speed limit.
- Pedestrian crossing at Islesburgh
- Road humps in central Scalloway to be referred to Scalloway Community Council

Members acknowledged the Roads Surgeries that had been put in place to provide Members with the opportunity to pose questions to Officers on specific ward issues, away from the Infrastructure Committee meeting. Members were urged to make use of these surgeries.

08/11 Infrastructure Revenue Management Accounts
General Ledger and Reserve Fund
For the Period 1 April 2010 to 31 December 2010

The Committee noted a report by the Head of Finance, attached as Appendix 8.

The Management Accountant introduced the main terms of the report.

Dr J W G Wills referred to the rising cost of fuel and referred to the use of micro oil refineries in Alaska. He said that this was something that the Council should consider for Shetland. Mrs I J Hawkins suggested that the Development Department be asked to look at this further.

09/11 Minutes of the SIC Nuclear Policy Co-Ordination Group - 9 September 2010

The Committee noted the minutes of the SIC Nuclear Policy Co-Ordination Group held on 9 September 2010, attached as Appendix 9.

10/11 Minutes of the KIMO Co-Ordination Group - 9 September 2010

The Committee noted the minutes of the KIMO Co-Ordination Group held on 9 September 2010, attached as Appendix 10.

11/11 Minutes of the Inter Island Ferries Board – 21 January 2011

The Committee noted the minutes of the Inter Island Ferries Board held on 21 January 2011, attached as Appendix 11.

12/11 Minutes of the ZetTrans Meeting – 24 January 2011

The Committee noted the minutes of the ZetTrans meeting held on 24 January 2011, attached as Appendix 12.

In order to avoid the disclosure of exempt information, Mrs I J Hawkins moved, and A S Wishart seconded, to exclude the public in terms of the relevant legislation during consideration of agenda items 13 to 15.

13/11 Grant Funding for Glass Reprocessing

The Committee considered a report by the Head of Environment & Building Services.

The Head of Environment and Building Services introduced the report.

Mrs L F Baisley moved that the Committee approve the recommendations contained within the report, seconded by Mrs E L Fullerton.

During the discussions Head of Environment and Building Services responded to Members questions.

14/11 Foula Ferry Contract

The Committee considered and approved a report by the Head of Transport, on the motion of Mr J G Simpson, seconded by Mrs E L Fullerton.

Mr F A Robertson advised Members that since the service had been outsourced he had received no complaints from the Community. He would be interested to see a comparison figure for the savings that have been incurred as a result of outsourcing against the cost of running the service from Sellaness.

15/11 **Review of Infrastructure Services Department**

The Committee considered and approved a report by the Executive Director – Infrastructure, on the motion of Mr G Robinson, seconded by Mr A S Wishart.

The meeting concluded at 11.40am.

I J Hawkins
Chairperson