

MINUTE

A&B - Public

Environment and Transport Committee
Council Chamber, Town Hall, Lerwick
Tuesday 21 January 2014 at 10.00am

Present:

M Bell	R Henderson
D Sandison	G Smith
T Smith	M Stout
A Wishart	

Apologies:

D Ratter	G Robinson
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In Attendance (Officers):

M Sandison, Director - Infrastructure Services
D Coupe, Executive Manager - Roads
C Gair, Traffic and Road Safety Engineer
P Wishart, Solicitor
L Gair, Committee Officer

Also In Attendance (Members):

B Fox

Chair:

Mr A Wishart, Chair of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

Declarations of Interests

None.

01/14 **Minutes**

The Committee confirmed the minutes of the meeting held on i) 20 November 2013 and ii) 26 November 2013 on the motion of Mr Stout, seconded by Mr G Smith.

02/14 **Outcome of Food Standards Agency Scotland Audit**

The Committee considered a report by the Director of Infrastructure Services (ISD-02-14-F), which advised of the outcome of the recent audit of the Local Authority Implementation of FSA Guidance on Controlling the Risk of Cross-Contamination from E.coli O157 by providing a copy of the Audit Report issued by the Food Standards Agency Scotland (FSAS).

The Director of Infrastructure Services introduced the report and highlighted the audit points raised at paragraph 3.4, advising that most related to paperwork and that three of the four points had already moved forward.

In responding to questions, the Director of Infrastructure Services confirmed that a Hygiene Improvement Notice can be extended where the business can clearly demonstrate that they are working towards compliance. An example given was when work is required by an outside engineer time will be given to allow the work to

be carried out. It was noted that should there still be non-compliance, the next step is prosecution. The Director of Infrastructure Services also confirmed that remedial action notices can be issued which puts a stop to a practice or process, but is only issued depending on the risk involved.

Mr Stout moved that the Committee approve the recommendations contained in the report. Mr Henderson seconded.

Decision:

The Environment and Transport Committee **RESOLVED** to note the contents of the audit as an indicator of performance and note the actions implemented to close out the audit comments.

03/14 **Esplanade, Lerwick 20mph Zone**

The Committee considered a report by the Traffic and Road Safety Engineer (RD-01-14-F), which presented a proposal to introduce a 20mph Zone with traffic calming on the Esplanade that would enable consideration of the replacement of a number of Pelican crossings with Zebra crossings.

The Traffic and Road Safety Engineer introduced the report and advised that this report had been presented to the Committee prior to the consultation as the 20mph zone would change the character of the area. He also advised that the staff costs involved in carrying out the consultation will be met from existing approved staff budgets. However, should the proposals lead to implementation it would be considered under the Gateway process, as there is no funding in place for the works element of this project.

Members were taken through the plans, attached as appendices to the report, in more detail.

Members raised a number of concerns and Officers responded as follows:

- Members were advised that a 20mph speed limit could be promoted, but would require a lot of signage and would require Police involvement in order to enforce the speed limit. However, by introducing a 20mph zone, which has to include traffic calming measures such as speed humps, the limit would be self enforcing and reduce the need for the Police to enforce the measures put in place.
- Members were informed that the use of Zebra crossings in 30mph areas had reduced nationally because of the safety record. It was explained that safe provision of zebra crossings can only be supported within 20mph limits where, as a result of the lower speeds, the safety issues that can be associated with them are reduced.
- Members queried the accident rates in Lerwick and were advised that in the area of the proposed speed limit there have been approximately 2 accidents per year over the last 10 years. This being more than the national average.
- The Traffic and Road Safety Engineer explained when traffic calming is required and the difference between a 20mph limit, where no traffic calming measures are required as it is a speed restriction, and a 20mph zone where traffic calming is a feature of the scheme.
- The Traffic and Road Safety Engineer was asked whether, in his opinion, this was a forward or backward move. He said that lowering speed was good for pedestrians and would make crossing the road easier, and to enhance an area

for pedestrians is a positive move. This will help reduce the speed of traffic and in turn reduce the number and severity of accidents.

- Members questioned what analysis has been done on other areas in Lerwick with regard to speeds or whether these proposals had concentrated on the Esplanade alone. Members were advised that the Council has a statutory obligation to look at all accidents. Members were referred to the study of the A and B roads network was completed last year. Officers look at specific clusters and groups where injury has been caused and this particular area highlighted itself. Other than the car parks at Tesco and the Coop, which are damage related incidents, no other areas have been identified with such a level of injury accidents.
- In responding to a direct question on whether Zebra Crossings were being considered due to the difficulties experienced with Pelican crossings, Members were informed that the proposals in the report would have been promoted regardless of the difficulties with Pelican crossings. The Traffic and Road Safety Engineer explained that there is no guarantee that any existing Pelican crossing will be removed. It was further explained that certain vulnerable groups prefer Pelican crossings, and while consideration will be given to replacement there is no guarantee that would be the outcome of the consultation. The current problems experienced with the Pelican crossings are not a driver for this report.
- Members were advised that a review of the overall Pelican crossing provision will be carried out in the summer and the Esplanade will form part of that review.
- The Chair explained to Members that this proposal was being made in response to a statutory obligation and therefore did not need to come before the Committee prior to consultation. He advised that the report had been presented as a courtesy due to the nature of the changes that were being consulted upon.
- Members commented that traffic calming was not used on Union Street in Aberdeen and Princes Street in Edinburgh, and it was explained that Union Street and Princess Street introduced 20mph without traffic calming as the street lights/traffic controls mean that traffic only travels 150 yards at a time and therefore their speeds are low enough and do not require traffic calming measures.
- A Member expressed reservations regarding this project at a time when the Council are cutting budgets. Officers said that the project would be prioritised against other projects through the Gateway process.
- It was suggested that this consultation should be carried out at the same time as the review of Pelican crossings and that there should be an overall Lerwick review rather than areas being considered in isolation.
- At the request of Members the Executive Manager – Roads explained that all ten Pelican crossings were now aged and the manufacturers could no longer provide some parts. There is a programme for replacement starting in February with the units at “Bolts” being replaced as this was seen as the most necessary. That would then release the old unit for use as spares to repair other units. The Executive Manager – Roads explained that to replace all Pelican crossings it would cost £150,000 but that was not seen as a prudent use of money. He explained that the accident cluster required Officers to look at the area and Pelican crossings were a side issue to that work. He said that the two were not particularly linked, but it was appropriate to advise Members that a review of Pelican crossings would be taking place in the summer.
- Officers confirmed that analysis had been done on the time of day that the accidents had occurred, and advised that they had taken place at various times but with a significant number of them occurring in the evening and late at night, but these could not all be attributed to people leaving the pubs. It was confirmed

that there had been one serious incident where the individual was detained in hospital; the rest were slight injury. The postcode of the individual is also a recorded detail and therefore it should be possible to identify whether someone was a visitor to Shetland.

- The Solicitor was asked what penalty could be imposed if Members voted against the recommendations. The Solicitor said that he was not clear if not progressing to consultation would be breaching legislation but this was clearly an accident hotspot and although other options were available the Roads Service had come up with a carefully worked out plan.

During further discussion, Members expressed interest in hearing whether there were other practical solutions. Officers advised that alternative options had been considered including a 20mph limit with selected traffic calming measures that could be used with increased signage. Although that had the potential to make a difference to the accident rate along the Esplanade the amount of signage required would not be sympathetic to the area and would not be significantly different in cost. It was explained that the 20mph zone, with traffic calming, would mean less signage and make a difference at all times of day and night, and therefore deemed the best option going forward. Members were reminded that the report sought approval to go out to consultation and any objections would be brought back to Committee for consideration.

A Member expressed concern that they were being asked to take a particular view on the proposals. The Council's overall approach to pedestrianisation was also commented on and the effect that any changes could have on the area. The Burns Walk bollards were given as an example of the effect that can occur when trying to resolve another issue.

Some Members spoke in support of the self regulating traffic calming proposals and were of the opinion that the proposals should go out to consultation, however it was believed that much could be achieved by educating drivers and visitors.

A Member commented that there were a number of speed related issues that existed in other Wards in Shetland and that these proposals may receive criticism from the wider public. It was suggested that the reasons behind these proposals should be clearly set out and communicated to the wider public to provide a better understanding on the need for such measures at the Esplanade. Members were advised that all constituents would have the opportunity to comment on these proposals. The Traffic and Road Safety Officer went on to explain that the implementation of road safety measures are led by accident histories. He informed Members that in areas of concern traffic and speed counts are carried out and analysed and that a consistent approach existed when handling these matters. He added that in terms of statutory responsibility the Council had fulfilled its duty to investigate and consider all options.

Following further discussions, the Chair referred to the recommendations contained in the report and moved that the Committee approve the following amendments:

2.1.1 Approve proceeding with public consultation with vulnerable and other user groups on the replacement of Pelican crossings with Zebra crossings within the proposed 20 mph zone.

2.1.2 move to consultation on the introduction of a 20mph zone scheme with traffic calming along the Esplanade and Commercial Road between Annsbrae and North Ness following the normal statutory public consultation and advertising; and

2.1.3 note that whether or not objections are received this matter be referred back to the Committee for decision.

Mr Stout seconded.

Mr Henderson moved as an amendment that a decision on this consultation be deferred for 1 cycle until legal deliberations had been held on what obligations the Council has if the matter is thrown out. He also asked that the time of incidents be provided whether they are morning or night, and for an overall approach to road safety and traffic calming requirements in Lerwick as a whole. Mr T Smith seconded.

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

Amendment (Mr Henderson)	4
Motion (Mr Wishart)	3

Decision:

The Environment and Transport Committee **RESOLVED** to:

- Postpone a decision for 1 cycle until legal advice can be given on what the Council's obligations are, if the project is thrown out.
- That information is provided on the times that accidents occur whether these are in the morning, afternoon or night.
- That the next report provides an overall approach to road safety, including traffic calming requirements, in Lerwick as a whole.

The meeting concluded at 11.30am.

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Chair