

3/03

The Sheep Scab (Shetland Islands) Order 2003 – Adoption of Measures to Prevent the Introduction of Sheep Scab

The Committee considered a report by the Service Manager, Environmental Health (Appendix 2) and, on the motion of Mr L Angus, seconded by Mr B P Gregson, approved the recommendations contained therein.

In response to questions from Members, the Service Manager, Environmental Health, advised that it was anticipated that the draft Regulations would be submitted to the Scottish Executive in the autumn. In acknowledging concerns from Members that it could be some time before confirmation is received from the Scottish Executive, the Service Manager, Environmental Health, advised that in the interim period, the existing Animal Health Scheme would apply. Due to the timescale involved, it would not be possible for the Order to be in place for sheep being moved this year. As indicated in the report, a further report would be presented to the Committee, hopefully during the next cycle.

A majority of Members felt that the draft Regulations should be submitted to the Scottish Executive as soon as possible. The Service Manager, Environmental Health agreed to take this on board. The Agricultural Development Officer advised that preparatory work had already been done on the draft Regulations and these would be progressed quickly. There would be a lot of discussion with the Scottish Executive but it was hoped the Order would be in place for the New Year.

4/03

Appointment and Nominations to External Organisations – Update

The Committee considered a report by the Head of Legal and Administration (Appendix 3) and, on the motion of Mr B P Gregson, seconded by Capt G G Mitchell, approved the recommendations contained therein and agreed to appoint the following Members to the Scottish Accident Prevention Council – Home Safety Committee:

Substantive: Mr W Tait

Substitute: Mrs I J Hawkins

5/03

Appointment of Members to the Local Biodiversity Action Plan Steering Group

The Committee considered a report by the Head of Planning (Appendix 4) and, on the motion of Mr B P Gregson, seconded by Mr L Angus, approved the recommendations contained therein and agreed to appoint the following Members to the Steering Group:

Mr J H Henry, on the motion of Mr B P Gregson, seconded by Mr L Angus.

Mr B P Gregson, on the motion of Mrs F B Grains, seconded by Mrs I J Hawkins.

6/03

The Future of Scord Quarry

The Committee considered a report by the Head of Roads (Appendix 5).

The Member for the Area said that, in her view, it was important that a public meeting was held in Scalloway. The Chairman confirmed that a public meeting would be held.

Mr B P Gregson moved the Committee approve the recommendation in the report with the inclusion that a further report is brought back to the Committee as soon as possible and, in any event, within one year. Mr L Angus seconded.

In response to a question from a Member, the Executive Director, Infrastructure Services agreed that the future of further supplies had to be examined and, in this regard, the Working Group would look at all available options as to the way forward.

7/03

Proposed Tunnel Between Unst and Yell: Report on Feasibility Study

The Committee considered a report by the Network Manager (Appendix 6).

The Member for the Area said that the proposal for a tunnel had been very thoroughly studied but he expressed disappointment that the conclusions in the report had a negative slant. He added that it was existing Council policy to consider the provision of fixed links and it was clear from the study that all parties concerned were in favour of a tunnel. In his view, this should be progressed as soon as it was prudent to do so.

Accordingly, Mr B P Gregson moved that the Committee approve the recommendations in the report. Mr J P Nicolson seconded. The Committee agreed. The Committee further agreed that the issues in Section 4 of the report should be addressed but not to the detriment of the project progressing.

In response to a query, a Member confirmed that an informal meeting of the Inter Island Ferries Board had already been held where it had been agreed that the Ferry and Terminal Replacement Programme would have to be considered for at least 20 years ahead.

A brief discussion ensued regarding the safety requirements of the proposed tunnel. The Projects Unit Manager advised that the most recent EU Guidance indicated that safety considerations were a significant issue for tunnels but that these would apply to Trans European tunnels. Therefore, it could be surmised that such stringent safety requirements would not apply in the UK. The studies that had been undertaken so far, e.g. the technical studies, had taken safety issues into account and were based on the safety requirements that would be likely to be applied to tunnels in the North Isles.

8/03

Infrastructure Provision and Maintenance Progress Report

The Committee considered a report by the Network Manager (Appendix 7).

The Chairman advised that, during the last Council, the Lerwick Members had held regular meetings to discuss Lerwick issues and this had proved to be very useful. The Group was being re-established and the first meeting would be held on 24 June 2003. The Chairman further advised that a Member/Officer Working Group for the management of road schemes had also been established during the last Council and a report proposing the re-establishment the Working Group would be presented to Members for consideration next cycle.

Some discussion ensued on the various schemes listed, a summary of which is as follows:

Referring to section 4.2, a Member reiterated the point that the type of traffic should also be investigated. The Member added that it would be useful to have visual impact assessments prior to a Notice of Intention to Develop (NID) in order to avoid

delays. The Network Manager confirmed that the Council had adopted a formal Feasibility Study process that required an environmental study to take place prior to any new road improvements.

In response to a suggestion from Members that an archaeologist should be involved as soon as it was known that an extension was required to a burial ground, the Network Manager agreed that this would be taken on board.

In response to a query, the Executive Director, Infrastructure Services advised that the Council had previously agreed that Compulsory Purchase Orders (CPOs) should be progressed as a matter of course. There was a backlog at the moment although the Legal Services Unit and the Asset & Properties Unit had prepared a scheme to deal with the backlog. In response to another query, the Chairman advised that the Council were constrained by the recommendations of the District Valuer with regard to CPOs.

With regard to the crash barrier improvements at Dale, the Network Manager clarified the position and Members noted the information provided.

In response to a question from a Member in relation to section 4.1.5, the Executive Director, Infrastructure Services confirmed that the Member/Officer Working Group – Management of Roads Schemes had previously considered this issue and were working towards a simplified listing of schemes. It would be further considered upon re-establishment of the Working Group with a view to detailing schemes and the year in which they are meant to happen in a simpler fashion. This would allow Members to monitor the position.

A Member commended the Department on the improvement of the road and the provision of cats eyes and road markings at Bretto and said that this had made a tremendous difference to drivers. She asked if it would be possible to provide white lining at the edge of roads as this would assist drivers at night or when it was misty. The Network Manager advised that, previously, white lining at the edge of roads had only been provided on certain classes of road. More recently, it was being provided on areas of roads that required it. He confirmed that the comments made would be taken on board and it would be useful if the Department could be advised by Members or members of the public as to any particular roads that required white lining.

The Committee approved the recommendations in the report, on the motion of Mr F A Robertson, seconded by Mr J P Nicolson.

Although marked as containing exempt information, the Committee agreed that Appendix 3 to the following item would not be discussed.

Although marked as containing exempt information, the Committee agreed that Appendix 3 to the following item would not be discussed.

9/03

Fixed Links, Ferries and Terminals Project Update

The Committee considered a report by the Projects Unit Manager (Appendix 8).

The Member for the Area said that he had been dismayed to learn that the breakwater and fishing berth at Fetlar had been pulled out of the Capital Programme and, referring to paragraph 3.2.2.6, pointed out that Fetlar Community Council shared this dismay.

Mr B P Gregson moved that the Committee approve recommendations 7.1, 7.2, 7.3 and 7.4 in the report and recommendation 7.5 be amended as follows:

7.5 considers the outcome of the review of the Fetlar project and recommend to the Council that those elements that have been removed, i.e. the breakwater and pier facility at Fetlar be reinstated into the Capital Programme as soon as possible and subject to availability of funds.

Mr W Tait seconded.

In receiving the consent of his seconder, Mr B P Gregson also wished to incorporate into recommendation 7.4 that the Committee should commend the efforts of the Projects Unit.

In response to comments from the Member from the Area, the Projects Units Manager acknowledged the challenge and the tight deadline to be met in respect of the Whalsay terminals. He added that a report would be presented to the Committee next cycle detailing what had been achieved thus far. In response to a question as to the amount of preparatory work and design issues to date, the Projects Unit Manager advised that wave buoys and wave recorders had been in place in North Voe for a year and, therefore, the Unit was well aware of what currents would have to be allowed for. The report to the Committee next cycle would provide more information and also detail costs.

In response to concerns from a Member regarding the provision of small craft facility at Yell Sound, the Projects Unit Manager advised that such facilities fell within the remit of the Harbour Board, the Inter Island Ferries Board, possibly this Committee and the Services Committee. However, he confirmed that the concerns would be taken on board.

The Executive Director, Infrastructure Services advised that a meeting would be held between Officers very soon to discuss the situation in relation to projects involving ferry, leisure, fishery and other interests and to clarify responsibilities.

In response to a question, the Executive Director, Infrastructure Services advised that a Feasibility Study on the Fetlar project had not been done. Nor had a budget been established for the project.

Mr W H Manson expressed concern that if the Fetlar project was reinstated into the Capital Programme, this would have a knock-on effect on other projects already in the Programme. He added that the Capital Programme as it stood was not fully funded.

Accordingly, Mr W H Manson moved as an amendment that the Committee approve recommendations 7.1, 7.2, 7.3, and 7.4 (including the proposal by Mr B P Gregson in relation to commending the work of the Projects Unit) in the report but that recommendation 7.5 should be amended as follows:

7.5 considers the outcome of the review of the Fetlar project and recommends to the Council that those elements that have been removed be the subject of a report to the Committee next cycle.

Mr J G Simpson seconded.

(Mr J P Nicolson gave notice of a further amendment)

After summing-up, voting followed by a show of hands, and the result was as follows:

Amendment (W H Manson)	8
Motion (B P Gregson)	7

Mr J P Nicolson moved as an amendment that the Committee approve the recommendations in the report as they stood. Mr L Angus seconded.

After summing-up, voting followed by a show of hands, and the result was as follows:

Amendment (J P Nicolson)	5
Motion (W H Manson)	10

11/03

Bus Contracts

The Committee considered a report by the Service Manager – Transport Operations.

A Member was of the view that while he recognised that bus services in rural Shetland had improved, a very modest service was provided in comparison to other areas in the UK. The Chairman advised that discussions were continually ongoing with the Service Manager, Transport Operations regarding services in rural areas. The Service Manager, Transport Operations further advised that 25 extra routes had been added through the rural services funding which was obtained from the Scottish Executive. It was not possible to provide routes for which there was no demand.

Some discussion ensued during which there was a difference of opinion between Members.

Mr J P Nicolson moved that the Committee approve the recommendation in the report with a variation to proposal 6.1(a). Capt G G Mitchell seconded.

Some discussion ensued during which the Executive Director, Infrastructure Services and the Service Manager, Transport Operations heard the concerns raised by Members in relation to various issues and confirmed that these would be taken on board.

Mr F A Robertson moved as an amendment that the proposals in section 6.1 should be amended. Mr L Angus seconded.

After summing-up, voting followed by a show of hands, and the result was as follows:

Amendment (F A Robertson)	8
Motion (J P Nicolson)	8

The Chairman used his casting vote in favour of the motion and the motion by Mr Nicolson was declared the finding of the meeting.

CHAIRPERSON

2/03

Shetland Local Plan – Proposed Modifications and Adoption

The Committee considered a report by the Head of Planning (Appendix 1) and, on the motion of Mr J C Irvine, seconded by Mr J P Nicolson, agreed to defer consideration of the report to a special meeting of the Committee to be held on 2 July 2003 prior to the Council meeting.