

Infrastructure Committee
30 November 2004 Public Minutes
Infrastructure Committee
Council Chamber, Town Hall, Lerwick
Tuesday 30 November 2004 at 10.30 a.m.

Present:

J C Irvine	L Angus
B J Cheyne	A J Cluness
R G Feather	B P Gregson
L G Groat	I J Hawkins
J H Henry	J A Inkster
E J Knight	W H Manson
Capt G G Mitchell	J P Nicolson
W A Ratter	J G Simpson
W N Stove	T W Stove
W Tait	

Apologies:

C B Eunson	F B Grains
J P Nicolson (lateness)	F A Robertson

In Attendance (Officers):

G Spall, Executive Director, Infrastructure Services
S Cooper, Head of Environment
A Hamilton, Head of Planning
J R Riise, Head of Legal and Administration
J Emptage, Cleansing Services Manager
F Johnson, Safety Manager
J Simpson, Energy Manager
I Bruce, Service Manager, Transport
S Johnson, Senior Foreman, Cleansing Services
D Haswell, Committee Officer

Chairperson:

Mr J C Irvine, Chairperson of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

Minutes:

The minute of the meeting held on 19 October 2004, having been circulated, was approved.

Infrastructure Committee
Council Chamber, Town Hall, Lerwick
Tuesday 19 October 2004 at 10.30 a.m.

Present:

J C Irvine	L Angus
B J Cheyne	C B Eunson
R G Feather	F B Grains

Infrastructure Committee
30 November 2004 Public Minutes
B P Gregson L G Groat
I J Hawkins J H Henry
J A Inkster E J Knight
W H Manson W A Ratter
F A Robertson J G Simpson
W N Stove T W Stove
W Tait

Apologies:

A J Cluness
Capt G G Mitchell
J P Nicolson

In Attendance (Officers):

G Spall, Executive Director, Infrastructure Services
M Craigie, Projects Unit Manager
C Nicolson, Projects Manager
I Halcrow, Head of Roads
D Macnae, Network Manager
J Emptage, Cleansing Services Manager
V Hawthorne, Development Plans Manager
S Pallant, Planning Officer (Implementation)
P Wishart, Solicitor
D Fiedler, Chief Accountant
L Adamson, Committee Officer

Chairperson:

Mr J C Irvine, Chairperson of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

Minutes:

The minute of the meeting held on 31 August 2004, having been circulated, was approved.

Members' Attendance at External Meetings

The following Members provided a brief synopsis of their attendance at the following meetings:

Mr J C Irvine:	(27 August)	Sumburgh Airport Partnership Board,
		Inverness

The Chairman advised that the extension to the runway at Sumburgh Airport had been discussed.

(3 September) Meeting with Loganair, Glasgow

The Chairman advised that general concerns had been discussed, including Loganair's service in Shetland and air ambulance issues. This meeting had been followed up with a visit to Shetland by the Chairman and Chief Executive of Loganair.

(13 September) SAPC 55th Annual Conference, Crieff

(14 September) Corporate Social Responsibility Conference,
Edinburgh

(14 September) CoSLA Roads and Transportation Executive
Task Force

The Chairman said that the meeting discussed Scotland's Transport Future White Paper.

(27 September) Tourism Conference – Promoting Scotland

Abroad, Edinburgh

(29 September) Scottish Accident Prevention Council AGM,

Glasgow

(5 October) Reserve Forces & Cadets Highlands and

Islands, Inverness

(8 October) HITRANS Meeting, Inverness

The Chairman reported that the meeting in Inverness had discussed Scottish transport issues and the air ambulance service. A special meeting in Inverness has been arranged for 25 October, where the Executive Director, Infrastructure Services and the Chairman, will meet with representatives from the Western Isles Council and Orkney Islands Council to discuss a possible joint submission regarding the air ambulance contract. It was proposed that the outcome of that meeting would be reported to the Executive Committee on 26 October.

Mr B P Gregson

NFLA AGM and Annual Policy Briefing, Hull

Mr W A Ratter

Aerogenerator and Renewable Energy Sites,

Mrs I J Hawkins

Denmark

Mr F A Robertson

Mr W A Ratter advised that following the visit to Denmark, a presentation will be given at the Economic Development Forum in November. All Members will receive an invitation to attend.

Mr J A Inkster

Meeting with Transport Minister, Edinburgh

Mr J A Inkster advised that a delegation from Shetland and Orkney had met with the Scottish Executive Transport Minister on 4 October. Discussions had taken place regarding the Transport White Paper and the proposal for Shetland to participate in a Regional Transport Partnership. Shetland's view is that currently there is a voluntary arrangement with HITRANS, which works very well. The Executive Director, Infrastructure Services stated that Shetland is being asked to join a geographical area before knowing the details and funding proposals. He added that a consultation paper would be submitted in the near future. The Chairman advised that although a decision had been made at the Special Infrastructure Committee on 3 August, this issue could be revisited following the consultation process.

Mr J H Henry

KIMO Business Meeting, Edinburgh

Mr J H Henry advised that the principal items discussed were the transfer of oil at sea; responses following tanker/vessel incidents; decommissioning of oil rigs in the North Sea, and, Trawling for Litter.

Mr J H Henry

CoSLA Environmental Sustainability and
Community Safety Executive Group

Mrs I J Hawkins

14th KIMO AGM & Conference, Holland

Mrs I J Hawkins reported that the 15th KIMO AGM is being held in Shetland in October 2005.

Mr F A Robertson

Meeting of Planning Authorities, Scottish Borders

Mr F A Robertson advised that he intends to report on this meeting at the Executive Committee.

52/04 **Bressay Bridge – Progress Report**

The Committee considered a report by the Projects Unit Manager, (Appendix 1)

(Mr L G Groat declared a non-pecuniary interest as the Chairman of Lerwick Port Authority (LPA)).

Mr L G Groat, spoke on behalf of his constituents, Lerwick Fish Traders Ltd, who have submitted a planning application to extend their factory. He stated that construction of the Bressay Bridge would have an adverse effect on the proposed extension to the factory, with the whole production possibly having to relocate to Scotland.

Mr Groat stated that LPA have repeatedly tried to bring Members' attention to the problems LPA have with the planning of the bridge. He referred to a letter from LPA dated 18 October (copy attached as Appendix 1A) which had been sent to Members and Officers. Mr Groat added that he supported the content of the letter. Mr Groat reported that there are currently three objections with the Scottish Executive and that an enquiry could take up to 4-5 years. Mr Groat said that as the Project Team had not listened to the objectors concerns, he suggested that structured meetings should be arranged to allow the objectors views to be heard. He added that the objectors would not withdraw their objections unless SIC meets their requirements.

(Mr L G Groat then left the meeting while this item was discussed).

Mr L Angus said that he had been quite shocked at the content of the letter from LPA, as it contained some serious allegations. He referred to several statements in the letter and said it is apparent that LPA's problems are not about the engineering detail but regarding the whole principle of the bridge. He stated that as informal meetings are no longer acceptable to the LPA, properly constituted and minuted meeting should be held with the Convener, and other Members and officers in attendance.

The Executive Director, Infrastructure Services referred to the implication from LPA that the Project Team had not listened to LPA's views. He said that the Project Team had listened to the views of all stakeholders, however they cannot always agree.

Mr J A Inkster said that he was saddened by the situation which had arisen between LPA and SIC, after years of negotiation and communication regarding the Bressay Bridge project. He suggested that the recommendation in the report was the best way to move forward, to take onboard continuation of dialogue and to reach a settlement on all issues. Mr J A Inkster moved that the Committee approve the recommendations in the report. Mr J H Henry seconded.

Mrs B J Cheyne moved as an amendment that recommendation 15.2(a) be changed to read: "approach LPA to determine the LPA's current specific requirements". In receiving the consent of his seconder, Mr J A Inkster agreed to incorporate Mrs Cheyne's amendment into his motion.

Mr W H Manson said that it appears that should SIC meet all LPA's requirements, and LPA withdraw their objections, the price of the project could be increased significantly and beyond the budget which has been set; and should the project be delayed due to the objections, the project could lose its European funding. Whichever way, it could jeopardise the Bressay Bridge project.

In response to a query from a Member regarding the wording in paragraph 15.2, the Executive Director, Infrastructure Services confirmed that the Convener, the Chairman and Vice Chairman of

Infrastructure Committee, Members for the harbour areas and the Executive Director, Infrastructure Services would be involved in discussions with stakeholders regarding the Bressay Bridge project.

(Mr L G Groat returned to the meeting)

- 53/04 **Winter Service – Proposed Changes to Gritting Routes and Times**
The Committee considered a report by the Network Manager (Appendix 2).

The Head of Roads advised that this report was prompted by the introduction of a new scheduled early morning flight from Sumburgh to Edinburgh, commencing on 1 November. The current airport bus timetable has been revised with the first bus departing Lerwick at 6am, instead of 6.30am. The winter service provision needs to be addressed to cover this earlier departure of the bus service to the south mainland and to meet the requirements of school transport on a number of roads in Shetland.

Mr B P Gregson said that clearly status quo is not an option as there is a need to commence gritting earlier in the south mainland. He suggested that a sensible solution would be to commence all road gritting at an earlier time, including Sundays and public holidays. He accordingly moved that the Committee approve the recommendations in the report. Mr W H Manson seconded.

A Member suggested that consultation with staff should start as soon as possible. In response to a request from a Member, it was agreed that a report on the maintenance budget should be presented to the next Member Officer Working Group – Management of Road Schemes.

The Chairman commended Captain G G Mitchell on his efforts which have led to the introduction of the new early morning flight to Edinburgh.

- 54/04 **Tingwall Airport**
The Committee considered a report by the Service Manager – Transport Operations (Appendix 3).

Mrs I J Hawkins stated that the new regulations being introduced do not take into account that Shetland is a peripheral area. The Committee approved the recommendation in the report, on the motion of Mr L Angus, seconded by Mr J G Simpson.

- 55/04 **Siting of Wind Turbine at Skeld Primary School**
The Committee considered a report by the Energy Manager (Appendix 4) and, on the motion of Mrs F B Grains, seconded by Mr W Tait, approved the recommendation contained therein.

- 56/04 **Public Convenience Provision**

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

Mr L Angus said that although he was concerned with the ongoing revenue commitment to allow for the increased public toilet provision, he hoped that the opening times for certain public toilets in Lerwick could be extended. Accordingly, Mr Angus moved that the Committee approve the recommendation in the report. Mr B P Gregson seconded.

In response to a query from a Member, it was confirmed that all toilets would be suitable for disabled use.

57/04 **Investing in Water Services 2006–2014 – The Quality and Standards III Project – A Consultation Paper**

The Committee noted a report by the Head of Planning (Appendix 6). Following discussion, the Committee agreed, on the motion of Mr W A Ratter, seconded by Mr B P Gregson, that the Planning Service write to the Scottish Executive, stating that the view of Shetland Islands Council is to return the control of water services back to Local Authorities, along with appropriate resources.

58/04 **Interim Planning Policy Guidance – Domestic and Community Aerogenerators and Solar Energy**

The Committee considered a report by the Head of Planning (Appendix 7).

Mr W A Ratter stated that the policy document was good but it should perhaps be an interim policy. Accordingly, he moved that the Committee agree to the recommendation in the report and to an additional recommendation 7.1.2, to read: “this remains a live document and consultation will continue with the appropriate bodies”. Mr L Angus seconded.

Mrs I J Hawkins said that her concern was with the colour of the small wind turbines, and suggested that they should be white or grey, rather than black.

Mr F A Robertson commented that Shetland Renewable Energy Forum, in responding to the draft policy document, had raised some excellent points, primarily from a technical viewpoint.

.....
J C Irvine
CHAIRPERSON

Members’ Attendance at External Meetings

The following Members gave a brief synopsis of their attendance at the following meetings:

J C Irvine	21 October	HITRANS, Inverness
------------	------------	--------------------

The Chairperson advised that the main purpose of the meeting was to discuss the future of transport in Scotland with the Scottish Minister. At the meeting, the Council's case in relation to the Transport White Paper had been re-stated. A meeting between Members of Shetland Islands Council, Orkney Islands Council and Western Isles Council had also been held.

J C Irvine	1 November	Scottish Transport Awards, Edinburgh
------------	------------	--------------------------------------

The Chairperson advised that he had attended the Transport Awards Dinner in Edinburgh. The Service Manager, Transport had been short listed for an award for the work he had done on the bus services in the North Isles.

J C Irvine	2 November	Annual Transport Conference, Edinburgh
------------	------------	--

J C Irvine	3 November	Loganair, Edinburgh
------------	------------	---------------------

The Chairperson advised that he had attended a meeting with the Chairman and Chief Executive of Loganair. A meeting of the Member Officer Working Group – Internal Air Services that had recently been established would be held on 13 December 2004 to consider the issues discussed with Loganair. A meeting of the Member Officer Working Group – Island Links would also be held on 13 December.

J C Irvine	3 November	Scottish Accident Prevention Council Road Safety Committee, Glasgow
------------	------------	--

J C Irvine	7 November	Highlands & Islands Convention, Thurso
------------	------------	--

The Chairperson said that he had again raised the issue regarding the Sumburgh Airport extension and the Air Ambulance contract. He added that the next Highlands & Islands Convention would be held in Shetland in March 2005.

J A Inkster	7 November	Meeting with Aberdeen Harbour Board, Aberdeen
-------------	------------	--

Mr J A Inkster advised that both he and the Executive Director had had a very good and productive meeting with representatives of Aberdeen Harbour Board. The Council had raised concerns about the capacity or otherwise of Aberdeen Harbour to meet Shetland's requirements but recognised that in certain wave conditions, the entrance to Aberdeen Harbour is restricted. Representatives of Aberdeen Harbour Board had indicated that improvements to the Harbour could cost in the region of £10M. The Chairperson said that Mr Inkster would continue to meet with Aberdeen Harbour Board and other Members and Officers would attend as necessary.

Capt G G Mitchell	16 November	Meeting with Scottish Parliament Transport Committee
-------------------	-------------	---

Capt G G Mitchell said that he had been invited to the Scottish Parliament Transport Committee to give evidence on behalf of HITRANS in respect of the proposal for a Regional Transport Authority. He had explained that he was not representing HITRANS as a whole. At the meeting, he had pointed out that the Council were unhappy about the proposed administrative costs and the Council had previously raised their concerns with Scottish Ministers. In a worst-case scenario, he had advised that the Council would consider establishing a separate transport authority with Orkney Islands Council. Capt G G Mitchell concluded by saying that it was hoped that with Orkney Islands Council's support, a better deal could be negotiated.

J C Irvine	25 November	Meeting with Orkney Islands Council,
Capt G G Mitchell		Orkney

The Chairperson advised that a meeting, which had also been attended by the Executive Director, had been held with representatives of Orkney Islands Council to discuss various transport issues. Orkney Islands Council shared the Council's view that all problems should be resolved before a new Regional Transport Authority was accepted by HITRANS. The Chairperson reminded Members that a Special Infrastructure Committee would be held on 12 January 2005 to discuss the Transport White Paper.

(Mr J P Nicolson attended the meeting).

59/04 **Housing Zones Review – Progress Report**

The Committee considered a report by the Head of Planning, (Appendix 1).

In introducing the report, the Head of Planning advised that meetings with 5 Community Councils had been held to date and, by the end of this week, meetings with a further 8 Community Councils will have been held. The whole process would be completed within the next fortnight

and the results would be reported back to the Infrastructure Committee early in the New Year.

A Member pointed out that there were some Members who were represented on 2 Community Councils and the way the meetings had been structured meant that Members would have to choose which Community Council meeting to attend. The Head of Planning apologised for this administrative error.

In response to a question from a Member as to whether Officers were advising people that there was an alternative view to the zoning policy, Mrs I J Hawkins, Planning Spokesperson, advised that Members and Officers were attending meetings with an open sheet. So far, the general consensus was to stay with zoning.

It was pointed out that consultation would also take place with the general public.

The Chairperson thanked Mrs I J Hawkins and Officers from the Planning Section for the hard work they had put in to the review and their attendance at meetings.

60/04 The Committee otherwise noted the report.

Energy Policy

The Committee considered a report by the Energy Manager (Appendix 2).

Members agreed that the Policy was very comprehensive and it was clear that a lot of good work had been done. It was suggested that the Policy should receive a higher profile.

A Member pointed out that it was important for people not to lose sight of the fact that Shetland was mainly fuelled by finite fossil fuels and, in his view, would like to ensure that reduction of finite fossil fuels was part of the Policy.

Referring to section 3 of the Policy, a Member asked if the money that was available from the Scottish Executive for the provision of walking and cycling paths was being used to its best advantage. In relation to the bullet point relating to reducing the need to travel through decentralisation of facilities, it was stated this issue had been discussed for a number of years and it should be taken more seriously. Another Member felt that the Council should be planning for a corporate planning energy headquarters for the Council.

The Head of Planning explained that the Council had received £60k Quality of Life funding for the provision of footpaths, etc. It was also possible that £30k Grant Aided Expenditure would be available and once this funding was identified, Officers might be able to come forward with a more ambitious plan. The Executive Director added that the

Roads Section had received £100k Quality of Life funding for the provision and maintenance of footpaths.

A Member said that the District Heating Manager had not had sight of the Policy and suggested that it would be useful to have his input and expertise.

The Committee approved the recommendation in the report, on the motion of Mr W N Stove, seconded by Mrs I J Hawkins.

61/04 **Pilot Study – Vacant Sites in Small Settlements**

The Committee considered a report by the Head of Planning (Appendix 3) and, on the motion of Mr L Angus, seconded by Mr B P Gregson, approved the recommendation contained therein.

The Head of Planning said that further information had recently come to light that indicated the possibility of a potential site in Scalloway. Therefore, the response to the Scottish Executive would be amended to reflect this and any information received from Sandwick Community Council.

62/04 **Air Ambulance Contract – Consultation Exercise**

The Committee considered a report by the Executive Director (Appendix 4).

An amended letter of response to the Consultation Exercise was tabled at the meeting. The letter is attached as Appendix 4a and the amendment is highlighted as undernoted.

Capt G G Mitchell said that the proposed service was an improvement on the existing service but he still had concerns in relation to an apparent gap in the service. At present, the Islander aircraft was based at Tingwall and could transport patients to the mainland even during bad weather. The proposal was that in cases when the weather was bad, the Super Puma helicopter that would be based at Scatsta would be used. However, this proposal took no account of the fact that helicopters are not as easy to service as fixed wing aircraft. The Super Puma would be used as a back-up for off-shore and often helicopters required maintenance. If the helicopter was being used off-shore then there would be nothing at Scatsta. The Scottish Ambulance Service had indicated that the Coastguard helicopter could be used as a contingency but the Coastguard were reluctant to provide such a service in severe weather conditions because it would mean their aircraft would be away for 3 – 4 hours.

Capt Mitchell continued to say that there had been an off-shore emergency last week and every available helicopter had been requested to go off-shore. What would happen if this situation occurred again when the proposed new service was operational? A situation could also arise when the roads were bad between Lerwick and Scatsta and the difficulty of trying to transport a patient in such conditions. He

said that the new service would work effectively 95% - 98% of the time but there was still a gap in the arrangements.

Capt Mitchell said that his proposed amendment to the letter of response was that "The Council would propose that, as a back up to these arrangements, at least until they are proven to work, the Ambulance Service should make arrangements with the provider of the inter island air service so that the islander aircraft can be tasked for missions if the other aircraft cannot respond."

In response to a suggestion from Mr B P Gregson if this proposal could be made stronger, Members agreed that the words "at least until they are proven to work" should be deleted.

Members further agreed that the Council should seek the support of the Tavish Scott, MSP and Alastair Carmichael, MP and agreed that the letter of response would be copied to them.

The Committee approved the recommendations in the report, and the amended response, on the motion of Capt G G Mitchell, seconded by Mr B P Gregson.

63/04

Community Council Skip Service

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

The Head of Environment took Members through the report. If the recommendations were approved, a review would take place during the 3 months after cessation of the service on 31 December 2004. The results of the review would be presented back to the Committee. In his view, he did not see any way of getting over the Health and Safety issues.

Mr J H Henry moved that the Committee approve the recommendations in the report and that consultation should take place with Community Councils on the proposals. Further, there should be a general review of the Health and Safety problems and as to how these can be overcome during the 3 months review period. Mr J C Irvine seconded.

The Head of Environment said that during the review period, consultation would take place with communities although he could not guarantee that the Community Council skip service would be resurrected.

Mr B P Gregson said that he could accept that someone had been very irresponsible by putting a canister of "Cymag" in a skip and agreed that the Council had to respond to this. However, he expressed concern at some of the language used in the report by the Safety Manager and said that it was fairly emotive. Mr Gregson suggested that the Council should raise this issue again with their insurers to see if a solution could be reached. Other Members agreed and it was also suggested that other insurers should be contacted. Mr Gregson added that there

should be a temporary moratorium on the current situation and proposed that a Member Officer Working Group should be established to discuss the situation and propose solutions. The Working Group would include Members and Officers of the Council and representatives from Shetland Amenity Trust and 60 North Recycling. There should be an amnesty whereby people are encouraged to disclose hazardous materials free of charge. This should be well advertised and would demonstrate that the Council were acting responsibly to the situation.

With regard to the issue of insurance, the Chairperson advised that Officers had literally had to beg the Council's insurers to allow the service to remain until December and, in his view, he did not think the position would change. Rather than establishing a Working Group, he reminded Members that it would be for the Council to make a decision and, in this regard, it would be possible for further information to be brought to the Council to assist in making a decision.

A majority of Members felt that communities greatly appreciated the skip service and to cease it would be a backward step. It was stated that the household bulky waste service was unworkable, particularly as it would operate on a 4 weekly cycle. Concern was expressed that materials that would normally have been placed in a skip would be placed on pavements. A Member said that, prior to any decision being taken, consultation should take place with the community and the Environment and Transport Forum should consider the issue.

Whilst accepting that the insurance issue had to be dealt with and the health and safety aspects had to be taken cognisance of, Members agreed that more information was required and, therefore, the Committee should make any decisions today. Some Members felt that Officers were becoming "panic-stricken".

(Messrs Angus and Tait left the meeting).

Capt G G Mitchell said that he had attended a meeting of Dunrossness Community Council last night where a Member had provided statistics on hazardous materials found in skips. The statistics indicated that the risk factor was quite low. Dunrossness Community Council had proposed that a proper risk assessment should be undertaken and the statistics sent to the Council's insurers.

(Mr A J Cluness left the meeting).

Mr J C Irvine proposed that a meeting should be held to discuss the situation prior to the Council meeting on 15 December 2004 and suggested it be held prior to the Executive Committee on 7 December 2004. Members involved in the meeting would include himself, Mr J A Inkster, Mr J H Henry and Mr W Tait. Accordingly, Mr J C Irvine withdrew his seconding of Mr J H Henry's motion.

Mr B P Gregson moved that the Committee agree to the proposal by Mr J C Irvine and that the findings of the group be reported to the Council on 15 December 2004. Mr W A Ratter seconded with the proviso that Mr B P Gregson should also attend the meeting. The Committee agreed.

On the motion of Mr J C Irvine, seconded by Mr B P Gregson, the Committee resolved, in terms of the relevant legislation, to exclude the public during consideration of the following item of business.

(Representatives of the media left the meeting).

64/04

Unst Bus Service

The Committee considered a report by the Service Manager, Transport.

As indicated previously by the Chairperson, Mr B P Gregson reminded Members that the Service Manager, Transport had been nominated for an award. He said he wished to thank Mr Bruce for the work he had put into the service being provided, it had been well used and he hoped that it would continue long into the future.

The Committee approved the recommendation in the report, on the motion of Mr B P Gregson, seconded by Mr W A Ratter.

CHAIRPERSON