

MINUTE

‘A’

Infrastructure Committee
St Catherine's Suite, Shetland Hotel, Lerwick
Tuesday 15 March 2005 at 10.30 a.m.

Present:

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

Apologies:

A J Cluness	L G Groat
C B Eunson	E J Knight

In Attendance (Officers):

G Spall, Executive Director, Infrastructure Services
M Craigie, Capital Projects Unit Manager
J Astwood, Building Control Manager
S Kerr, Building Control Officer
S McLeod, Building Control Officer
I McDiarmid, Planning Control Manager
B Barron, Planning Officer (Development Plans)
S Cooper, Head of Environment
I Bruce, Service Manager - Transport
N Robertson, Network Engineer
W Shannon, Economic Development Manager
H Tait, Management 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 27 January 2005, having been circulated, was confirmed.

Members' Attendance at External Meetings

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

Captain G G Mitchell 11 March Meeting with Struan Stevenson,
MEP

Captain G G Mitchell reported that the meeting discussed the problems arising from the Scottish Executive's proposals for charging for the transportation of livestock. The Head of Planning and representatives from Shetland NFU had also been in attendance. Captain G G Mitchell stated that the Scottish Executive have set the charges so high that farmers would make a loss shipping livestock off Shetland. The Shetland NFU representatives are of the opinion that double-decked containers should be used as this would half the costs, and make the carriage of livestock viable. Captain G G Mitchell explained that the Shetland NFU are to meet with Orkney NFU to discuss the possibility of utilising double-decked containers and their joint plan is awaited. In response to a query, Captain G G Mitchell explained that the Shetland NFU are keen to retain the stock boats as they provide the best method for transporting livestock out of Shetland. Mr W A Ratter advised that as the transportation of livestock affects all the agricultural organisations within Shetland, a broad spectrum of views should be collected. Mr Ratter suggested that the Agricultural Development Officer could be asked to brief Captain Mitchell. The Chairman suggested that, as this issue requires further debate, it be included on the agenda for the next Environment and Transportation Forum.

J C Irvine 2 February RoSPA Road Safety Meeting,
Glasgow

Mr J C Irvine advised that he would report the findings from this meeting to the Road Safety Panel.

J C Irvine 2 February Chairman and Chief Executive of
Loganair, Glasgow

Mr J C Irvine advised that the meeting focused on the points raised at the Environment and Transportation Forum on 24 January, when the Chairman and Chief Executive of Loganair had been present. Mr Irvine stated that assurance had been given at the Forum meeting that further consultation would take place between Loganair and SIC on the proposed changes to the service, prior to the introduction of the new flight timetable. The Executive Director reported that he was aware that Loganair had agreed their new timetable. The schedule proposes the introduction of a first flight from Aberdeen to Sumburgh at 6.20am, the flight returning from Sumburgh to Aberdeen around 8am. As a result, the plane would be based overnight at Aberdeen Airport, rather than Sumburgh. Members were concerned that a plane would not be based overnight at Sumburgh Airport as this could cause problems during bad weather, with the first flight from Aberdeen being unable to land at Sumburgh. Mr J C Irvine expressed displeasure that Loganair had announced the new timetable without further consultation with the SIC.

J C Irvine
Conference,

10 February

North Atlantic
Cooperation

Reykjavik

Mr Irvine reported that he had been very impressed with the presentation “North Atlantic Cooperation: The Shetland Perspective” made by SIC’s Principal Officer - Economic Strategy and Europe. He reported that the presentation would be given at a future meeting of the Shetland Economic Development Forum.

J C Irvine
Executive

24 February

CoSLA Roads and Transport
Group Meeting, Edinburgh

I J Hawkins	10/11 March	NFLA Irish/UK Nuclear Conference, Ireland
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Mrs I J Hawkins reported that the theme of the Conference had been “Nuclear Energy – Does it Have a Future”? Sustainable alternatives to nuclear energy were proposed. It was put forward that renewable energy and energy conservation policies could address energy needs without contributing to climate change.

J H Henry
Group,

11 February

CoSLA

Environment

Executive

Edinburgh

Mr J H Henry advised that a presentation was made on the Waste and Resources Action Plan (WRAP), which discussed the proposals being introduced for disposing of heavy and domestic waste. The meeting discussed the role of Local Authorities following the introduction of the smoking ban in 2006, and the proposed new drink laws. Extra demands will be placed on the SIC's Environmental Health officers. Discussion took place on the excessive administrative burden on smaller businesses. A group has been set up to work towards streamlining administration, without affecting what is required.

J H Henry 11 February KIMO Meeting, Edinburgh

Mr Henry reported that the pilot scheme of the “Save the North Sea” project has come to an end. This has been a very worthwhile and successful initiative. A further “Save the North Sea” project is planned. The meeting discussed concerns regarding debris from decommissioning of old oil installations. A report was also presented proposing “Co-ordinated Coastguarders”, to avoid further oil spill incidents.

W Tait
Perth

2 March

RoSPA, Home Safety Committee,

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F A Robertson 3 March Economic Development and
Planning

Executive Committee, Edinburgh

Mr F A Robertson advised that a group has been set up to make representation to the Scottish Executive that all issues relating to wind farms are dealt with at a local level.

11/05 **Building Control Service – New Building Standards System 2005**

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

The Building Control Manager took Members through the report and the role of Building Control. He explained that the new Building Standards System includes mandatory standards, performance requirements and guidance documents to enable a more flexible approach. The current standard of applications submitted do not have sufficient information to grant a building warrant. Better quality submissions would result in speeding up the building standards process, benefiting the applicant and Building Control officers. The Building Control Manager added that the new Building Standards system would come into force on 1 May 2005 and operate alongside the existing system until at least 2010.

Mr L Angus referred to the problems with the current Building Control Service that have lead to delays and complaints. He referred to paragraph 4.21 in the report and said that he hoped that the new system would assist members of the public by being more consistent and flexible.

Mrs I J Hawkins said that she had received complaints regarding delays with the Building Control service issuing building warrants. She said it would be helpful if guidelines were drawn up to assist applicants to meet the necessary requirements.

In response to a query, the Building Control Manager explained that Building Standards Assessments would allow someone selling their house to ask for an assessment of the property to be carried out. This could form part of the house-seller's pack. The Building Control Manager advised that this function would be implemented at a later date.

In response to a query, the Building Control Manager advised that following the introduction of the new system there should be no requirement for relaxations to building standards regulations to be presented to Planning Sub-Committee meetings. With the flexibility of the new system, relaxations would only be in unusual cases and would be referred to the Scottish Building Standards Agency, not the verifier.

Mr F A Robertson suggested that due to the complexity of the building regulations plans must be produced by professional staff. He commented that this would be an additional expense to homebuilders. Mr Robertson commented that it is important that applicants employ designers who have professional indemnity

insurance cover. Mr L Angus said that the new system would also place an additional burden on builders, who have to obtain the necessary certificates of design/construction.

Mr J A Inkster advised that the staffing resource problem at the Building Control service had improved and this had addressed many of the problems with the backlog of work. Mr Inkster said it is critical that the introduction of the new system is properly resourced and managed.

Mr J A Inkster moved the recommendations in the report, with the additional Recommendation 8.4: "I recommend that this Committee recommend to the Council that the Building Control Service is adequately resourced to ensure the smooth transition to the new system. This will ensure that disruption and delays to the construction industry are minimised". Mr F A Robertson seconded.

With the consent of his seconder, Mr J A Inkster agreed to incorporate the suggestion from Mr L Angus "That officers ensure that the new regulations are interpreted and applied flexibly", into his motion.

12/05

Planning Application Site Inspection Protocol

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

Mr W A Ratter stated that the report was wholly unnecessary as it implies that Members do not behave correctly. Mr W A Ratter moved that the Committee do not adopt the recommendations in the report. Mr J A Inkster seconded.

Mr J G Simpson said that he finds site visits very useful and the additional information received from people in attendance is often very helpful.

Mr B P Gregson stated that he would not be attending further site visits until such time as a Site Inspection Protocol had been agreed. Mr Gregson said that his issue was not with being lobbied; the problem is the understanding and interpretation of the Code of Conduct as it relates to planning issues. Mr Gregson added that site visits should be controlled and open to invitees only.

Mr W H Manson said that the information received in the planning application itself should be adequate to make a decision. However, should additional information be required, and a site visit agreed, this should be an extension of the Planning Sub-Committee and only Members should be in attendance. No other people should be invited to attend site visits and this would ensure that lobbying does not take place.

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Mr J P Nicolson referred to paragraph 3.3 in the report and said that he recognised that other people may be invited to site visits, that only those invited should be in attendance, and that the site visit should not start until such time as that situation pertains. Mr J P Nicolson moved as an amendment that the Committee approve the recommendations in the report. Mrs I J Hawkins seconded.

(Mrs F B Grains gave notice of a further amendment).

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

Amendment (J P Nicolson)	12
Motion (W A Ratter)	5

Mrs F B Grains moved as an amendment that the Committee should only accept paragraphs 1.2 and 1.3 in the draft Planning Application Site Inspection Protocol. Mrs Grains said that the purpose of site visits is for Members to look at the physical characteristics of the site. If there is a particular issue then the relevant SIC official should also be in attendance but no others should be present. This approach will provide consistency at site visits. Mr W Tait seconded.

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

Amendment (F B Grains)	8
Motion (J P Nicolson)	8

The Chairman used his casting vote in favour of the amendment which was declared the finding of the meeting.

13/05

Naming Thoroughfares

The Committee considered a report by the Executive Director – Infrastructure Services (Appendix 3).

(Mrs I J Hawkins, Captain G G Mitchell and Mr T W Stove declared an interest).

Mr J C Irvine suggested that the Lerwick Community Council be asked to suggest names for the roads at the Quoys development. Mr J C Irvine moved that the Committee approve recommendation 7.1(2) in the report. Mr L Angus seconded.

Mr T W Stove stated that this would delay a decision being made. Mr Stove added that Hjaltland Housing Association had involved children at Sound Primary School to suggest names for the roads within the Quoys development and that a prize had been given for the name of 'Quoys Road'.

Mr J C Irvine confirmed that a decision would be made at the next meeting cycle.

14/05

B9074 Trondra Phase 2B

The Committee considered a report by the Network Manager (Appendix 4) and approved the recommendation contained therein, on the motion of Mr J P Nicolson, seconded by Mr J G Simpson.

15/05 **Germatwatt Footways, Walls**

The Committee considered a report by the Network Manager (Appendix 5).

Mr F A Robertson explained that the option recommended in the report would allow for the provision of a footpath half way to the top of the hill, ending at the road leading to the Germatwatt Youth Centre. However, it is the desire of the Community Council, and the residents of Walls, that the footpath is extended to the new housing at the top of the hill.

The Network Engineer said that consultation had taken place with various stakeholders. He explained that the landowner is not willing to sell the land beyond the Germatwatt Youth Centre. He added that although it would be very difficult to provide a footpath to the top of the hill, it is not impossible.

Mr F A Robertson suggested that the improvements should include the provision of the footpath to the top of the hill. Mr F A Robertson moved that the Committee approve Option 4, as outlined in the appendix to the report. Mr L Angus seconded.

16/05 **Whalsay Link – Endorsement of Draft Study Objectives**

The Committee considered a report by the Capital Projects Unit Manager (Appendix 6)

The Committee approved the recommendation in the report, on the motion of Mr J G Simpson, seconded by Captain G G Mitchell.

Mr B P Gregson paid tribute to the members of the Working Group who have done a tremendous amount of work on this project. He particularly commended the work carried out by the Capital Project Unit Manager.

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

17/05 **Extension of Current Glass Collection Contract to 30 September 2005**

The Committee considered a report by the Environmental Management Officer (Appendix 7) and approved the recommendation contained therein, on the motion of Mr J H Henry, seconded by Mr B P Gregson.

18/05 **Hitrans Funding – Local Bus Services**

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The Committee noted a report by the Service Manager – Transport (Appendix 8).

The Committee approved the recommendation in the report, on the motion of Mr L Angus, seconded by Mr J A Inkster.

CHAIRPERSON