

Infrastructure Committee
14 March 2006 Public Minutes
Infrastructure Committee
Council Chamber, Town Hall, Lerwick
Tuesday 14 March 2006 at 10.30 a.m.

Present:

J C Irvine L Angus
B J Cheyne A J Cluness
C B Eunson R G Feather
F B Grains B P Gregson
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
F A Robertson J G Simpson
W N Stove T W Stove
W Tait

Apologies:

L G Groat

In Attendance (Officers):

G Spall, Executive Director, Infrastructure Services
S Cooper, Acting Head of Transport
I Halcrow, Head of Roads
A Hamilton, Head of Planning
J Grant, Waste Services Manager
M Dunne, Service Manager, Environmental Health
A Taylor, Conservation Manager
J Simpson, Energy Manager
R Beardsley, Maintenance Manager
V Hawthorne, Development Plans Manager
T Saunders, Energy Assistant
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 24 January 2006, having been circulated, was confirmed.

Members' Attendance at External Meetings

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

I J Hawkins	COWAM 2 Project, Paris
J H Henry	KIMO UK, Edinburgh

Capt G G Mitchell “Scotland’s Transport Puzzle” Conference

J C Irvine ROSPA Road Safety Committee, Glasgow
Planning in Scotland – Promoting Inclusion, Edinburgh

F B Grains Planning in Scotland – Promoting Inclusion, Edinburgh

Further information can be obtained from the Members concerned.

5/06 **Oil Depot, North Ness, Lerwick**

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

Mr A J Cluness said that, in his view, the proposed course of action was not strong enough and representations should be made to BP to move the Oil Depot from the North Ness. He advised that he would be attending a meeting of Highlands and Islands Conveners at COSLA next week and he intended to raise this issue at that time and he was certain he would get support. A majority of Members stated that this issue should be resolved as soon as possible.

Mr W Tait said that Orkney, the Western Isles and other areas in the Highlands and Islands were experiencing similar problems and, in his view, there should be a united front. A Member advised that Lerwick Port Authority (LPA) had discussed this particular issue a few years ago and it was suggested that Officers should contact LPA to find out if there had been any progress.

With regard to the response received from BP, the Head of Planning said that BP had indicated that the depot is operated to the highest industry standards. Whilst he appreciated the comments from Members today, he said it was important to look at the mechanisms that would be involved to achieve a successful outcome. There was also the question of what powers might be applicable and, in this regard, there should be further discussions. In response to a question, the Head of Planning said that he would be working to as tight a timescale as possible but it was likely that a number of people, including the Health and Safety Executive, would be waiting for the outcome of the Buncefield Inquiry.

On the motion of Mr A J Cluness, seconded by Mr L Angus, the Committee approved the recommendations in the report on the proviso that a letter is sent to the operators asking them to move the depot. Further, legal opinion should be sought to see what powers were available to the Council.

6/06 **Home Energy Conservation Act (HECA) Progress Report**

The Committee considered a report by the Energy Manager (Appendix 2) and, on the motion of Mr J P Nicolson, seconded by Mr J H Henry, approved the recommendation contained therein.

In response to a comment from a Member in relation to the information detailed in section 4.1.2 of the Progress Report, the Head of Planning advised that the report covered the period to March 2005.

As indicated in section 4.2.4 of the Progress Report, Mr W A Ratter said that if Shetland College was going to be offering renewables training, the Energy Manager should try and progress this.

Referring to the first bullet point of section 4.4 of the report, Mr J A Inkster said the cost of installing ground source heat pumps was expensive because there was only one contractor who was accredited to install it. He suggested that this could be a niche market for the Council's DSO Services, particularly in relation to Council housing stock and would offer some competition.

In receiving the consent of his seconder, Mr J P Nicolson agreed to incorporate the suggestion by Mr J A Inkster with regard to the possibility of the DSO installing ground source heat pumps.

7/06 **UK Energy Review/The Energy Efficiency and Micro-Generation Bill Proposal**

The Committee considered a report by the Energy Manager (Appendix 3).

Mr J H Henry was of the view that an additional bullet point should be included in the response to Q3 indicating that Council Members and Council employees should consider the possibility of car sharing.

Mr B P Gregson said the response to Q3 was very clear. He agreed with earlier comments regarding transport and said the Council should also make it clear that people living in rural communities should not be further disadvantaged nor should they have to become more isolated.

(Mr W H Manson attended the meeting).

Mr L Angus felt that this issue should also link to the Council's transport policy. He was certain that every community in the Highlands and Islands would be facing similar problems and, in this regard, these communities should join together.

The Head of Planning said he appreciated the comments made and these would be included in the response. At Appendix 2, he advised that "and Planning legislation" would be included at section 3(i) and that it would be necessary to make an appropriate reference to the position in respect of Conservation Areas and Listed Buildings.

The Committee approved the recommendation in the report and the amendments to the draft response, on the motion of Mrs I J Hawkins, seconded by Mr B P Gregson.

8/06 **Scottish Executive Consultation – Enhancing our Care of Scotland's Landscapes**

The Committee considered a report by the Head of Planning (Appendix 4).

The Head of Planning briefly introduced the report and said that it was very important to have a very strong element of local consultation. When the National Scenic Areas (NSAs) were identified in 1978, some areas in Shetland were omitted because, at the time the survey was conducted, there were clouds over some areas and the light aircraft doing the survey aborted the mission. He said that it was clear that people were concerned about their landscape and wanted to look after it.

Mrs I J Hawkins said that the review would provide an opportunity for areas to be de-designated as well as designated and referred in particular to an area in Scalloway that was currently designated and which local people felt should now be de-designated.

Mr L Angus expressed concern at the plethora of agencies involved in the review and, in his view, the Council should make it clear to the Scottish Executive that all of these agencies should be amalgamated so that the Council only had to deal with one agency. Mr W H Manson added that there was also a plethora of designations. Mr Manson felt that there should simply be a requirement within planning regulations that developments should be done sympathetically within the landscape.

The Head of Planning thanked Members for their comments and advised that the response would be amended to reflect the comments.

Mr L Angus moved the Committee approve the recommendation in the report and to amend the response as discussed. Further, the Scottish Executive should be asked to review the current existing multiple designations on the landscape. Mr F A Robertson seconded.

9/06

A Marine National Park

The Committee considered a joint report by the Head of Economic Development and the Head of Planning (Appendix 5).

The Chairperson pointed out that the nomination, and subsequent appointment, of Members to the Working Group would be an approved duty of the Council and this would require Council approval. Whilst the nominations were open to discussion, the Chairperson said he would suggest Messrs Ratter, Henry and Robertson are nominated.

Mr J G Simpson expressed concern with the proposals. He said that he had represented fishermen for most of his life and, rather than the Committee agreeing to the recommendations, the Committee should concentrate on investigating the possibility of the Council gaining more control in the waters of Shetland as the Convener had been trying to advocate for years. Some Members agreed.

(Mr L Angus left the meeting).

Accordingly, Mr J G Simpson moved the Committee reject the recommendations and spend the time trying to gain more control and say in Shetland waters. Mrs I J Hawkins seconded.

Mr A J Cluness advised that a lot of work had already been done on the Shetland Marine Policy and, whilst he agreed with the comments by Mr Simpson, he was unsure if the proposals in the report should be rejected.

(Mr L Angus returned to the meeting).

The Head of Planning pointed out that the proposals would not commit Members to anything today; the recommendation was simply that there should be a consultation period in order to ensure that the Council's position was based on the views of the Shetland public. He would not want to recommend pursuing a Marine National Park without such consultation but, equally, he felt it would be wrong to reject the idea without consultation.

Mr W A Ratter agreed with the comments by the Head of Planning and said that, in his view, the recommendations presented the Council with an opportunity. Other Members agreed but stated it was important to have safeguards in place to protect what Shetland already had.

In response to a comment from Mrs I J Hawkins in relation to section 4.4, clarification was provided on the breakdown of appointments to the Park Board. Mrs Hawkins suggested it might be worthwhile for the Council to refrain from making any definite decision and wait and see what happened in other areas.

Mr J A Inkster advised that, as indicated in the report, this issue had been discussed at the Environment and Transport Forum on 28 February. Whilst he shared some of the concerns of Members, he felt that the report by Dr J Wills was excellent and if the Council decided to support a MNP, there was much to be gained for Shetland. He added that there were adequate caveats in place for protection and the Council should at least be involved in discussions on this matter.

Mr W A Ratter moved as an amendment that the Committee recommend to the Council that it approve the recommendations in the report. Mr B P Gregson 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 (W A Ratter)	10
Motion (J G Simpson)	9

In receiving the consent of his seconder, Mr W A Ratter agreed to the suggestion by Mrs F B Grains to increase the number of Members to be appointed to the Working Group to 6.

(Mrs F B Grains withdrew her amendment).

Accordingly, the Committee proceeded to nominate the following Members for appointment to the Working Group.

Mr J G Simpson	Mr A J Cluness	Mr J H Henry
Mrs I J Hawkins	Mr W A Ratter	Mr F A Robertson

10/06 **Development Brief – RAF Saxa Vord, Unst**

The Committee considered a report by the Head of Planning (Appendix 6) and, on the motion of Mr W A Ratter, seconded by Mr W N Stove, approved the recommendation contained therein.

(Mr F A Robertson left the meeting).

Mr B P Gregson commended the Planning Section for the production of the report which, he said, had been prepared at short notice.

11/06 **Smoke Free Public Places Enforcement Funding**

The Committee considered a report by the Service Manager, Environmental Health (Appendix 7) and, on the motion of Mr A J Cluness, seconded by Mr T W Stove, approved the recommendation contained therein.

(Mr F A Robertson returned to the meeting).

12/06 **Pest Control Services in Shetland**

The Committee considered a report by the Service Manager, Environmental Health (Appendix 8).

As indicated in the report, Mr J A Inkster advised that the Environment and Transport Forum had discussed this issue on 28 February 2006 and the Forum had agreed to support option 5.1.3. In his view, this option would also accord with the recent Council decision for a 5% cut in all service areas and would deal with the situation at an adequate level.

Accordingly, Mr J A Inkster moved the Committee approve option 5.1.3. Mr W Tait seconded.

Mr L Angus moved as an amendment that before any charges were fixed, people's ability to pay the charges should be determined. Mr E J Knight seconded.

The Service Manager, Environmental Health advised that option 5.1.3 stated that the charge should be waived for those on income related benefits.

(Mr R G Feather gave notice of a further amendment)

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

Infrastructure Committee

14 March 2006 Public Minutes

Amendment (L Angus)	2
Motion (J A Inkster)	17

Mr R G Feather moved as an amendment that disabled persons and senior citizens should be included in option 5.1.3. Mr A J Cluness seconded.

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

Amendment (R G Feather)	7
Motion (J A Inkster)	13

(Mr E J Knight left the meeting).

13/06 **20 mph Speed Limits at Schools and Adjacent Residential Areas**

The Committee considered a report by the Network Manager (Appendix 9) and, on the motion of Mr J P Nicolson, seconded by Mr B P Gregson, approved the recommendations contained therein.

It was noted that Mossbank had been omitted in error but the Head of Roads undertook to ensure it was included. He also undertook to discuss with the Member for the Area the area of the 20 mph speed limit that should apply at Whalsay School. The Head of Roads confirmed that full consultation would take place with schools, as each scheme progressed. He acknowledged and apologised for the delay in erecting the signage at Whiteness School. Officers had underestimated the length of time it would take and this was coupled with the problems encountered with power supply, equipment and wayleaves.

(Mr A J Cluness left the meeting).

In response to questions, the Head of Roads confirmed that information would be available advising members of the public that the 20 mph speed limits would only be in operation on a part-time basis, at times when pupils were going to and from school. In relation to a possible permanent 20 mph speed limit on Oversund Road, the Head of Roads advised that this was undergoing consultation at the moment. If any objections were received, this would require to be referred back to the Committee.

(Mr J P Nicolson left the meeting).

14/06 **Roads Maintenance Plan – Policy and Strategy**

The Committee considered a report by the Maintenance Manager (Appendix 10) and, on the motion of Mr L Angus, seconded by Capt G G Mitchell, approved the recommendations contained therein.

15/06 **Progress Report on Development of Shetland Transport Strategy**

The Committee noted a report by the Acting Head of Transport (Appendix 11).

Mr J G Simpson said that there had been discussion at the last meeting of the Member/Officer Working Group – Transport Strategy with regard to projects that had been affected by the Shetland Transport Strategy, in particular,

Infrastructure Committee

14 March 2006 Public Minutes

Skerries south mouth. Mr Simpson pointed out that another year had passed and this issue had not yet been dealt with.

The Chairperson took this comment on board.

In response to a question, the Acting Head of Transport advised that FaberMaunsell would be meeting agricultural and livestock representatives at their meeting this week.

The Committee otherwise noted the report.

The meeting concluded at 12.50 p.m.

CHAIRPERSON