

MINUTES

A & B

Development Committee
Council Chamber, Town Hall, Lerwick
Wednesday 4 September 2019 at 10am

Present:

P Campbell A Cooper
A Duncan S Coutts
J Fraser [by phone] S Leask
T Smith

Apologies

M Burgess
A Manson
A Priest

In Attendance (Officers):

N Grant, Director of Development Services
A Jamieson, Executive Manager – Housing
R Sinclair, Executive Manager – Assets, Commissioning and Procurement
S Shearer, Executive Manager – Team Leader – Development Plans and Heritage
K Serginson, Outdoor Access Officer
S Duncan, Management Accountant
P Sutherland, Solicitor
L Adamson, Committee Officer

Chair:

Mr Cooper, Chair of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

The Chair ruled that in accordance with Section 43 (2) of the Local Government in Scotland Act 2003, the attendance of Councillor Fraser during the proceedings was permitted by telephone link.

Declarations of Interest

None.

Minutes

The Committee approved the minutes of the meeting held on 11 June 2019 on the motion of Mr Leask, seconded by Mr Campbell.

The Committee approved the minutes of the meeting held on 1 July 2019 on the motion of Mr Duncan, seconded by Mr Leask.

The Committee considered a report by the Outdoor Access Officer (DV-22-19-F) that presented the draft Shetland Outdoor Access Strategy 2019.

The Team Leader – Development Plans and Heritage summarised the main terms of the report.

(Mr T Smith attended the meeting).

In response to a question, the Team Leader – Development Plans and Heritage explained that Supplementary Guidance would remain Policy to the current Local Development Plan (LDP), until such time as the LDP2 is adopted. The proposal being that the new LDP2 would include a Policy on Outdoor Access, which she said would cover other elements.

Mr Duncan congratulated the officers involved in preparing the draft Strategy, however he said that he had a number of points to raise. In responding to a question, the Outdoor Access Officer confirmed Disability Shetland's active participation on the Local Access Forum and on the Access Panel, and their involvement to improve accessible routes within Shetland's countryside.

In responding to comments regarding the Signage as illustrated at Section 4.4 of the Strategy, the Outdoor Access Officer advised that the date on the "Sensitive Area Lambing" sign could be amended to refer to the extended lambing season in Shetland. Concern was then relayed on the absence of advisory signs to raise awareness of out-wintering of cattle and the earlier calving season in Shetland, where reference was also made to the Health and Safety Executive's guidance and best practice for keeping cattle in places where public access is likely, as referred to in Appendix B. In responding, the Outdoor Access Officer advised that while core paths and access routes are not generally developed on land where cattle would be kept, more generic signs were available to support and promote responsible access. He suggested however that crofters/farmers should get in touch should they have any particular areas which are of concern.

In response to a comment from the Chair, Mr Duncan declared an interest due to his involvement in the agricultural sector.

During the discussion, reference was made to instances where dog owners have little control over their dogs on agricultural land, and occasions when bird enthusiasts travel to Shetland, who have little regard to follow correct footpaths and cause damage to agricultural land and fences, and it was questioned whether any additional signage could be considered. The Outdoor Access Officer advised that the various concerns highlighted by Members for more responsible and respectful access, and on dog ownership, are promoted in the media throughout the year. Efforts are also made to educate the public, and he was active to engage on any local issues.

In responding to questions, the Outdoor Access Officer advised on dialogue undertaken with developers and land owners to reach agreement for access tracks to be developed, which encourage walkers to the countryside. He explained that while the opportunity to apply for public access grants has now closed, part of his role includes dialogue with crofters/farmers to define access through their agricultural/farming land, which would include pursuing any funding opportunities.

In response to a comment from the Chair, the Outdoor Access Officer advised on the requirement in legislation that core paths can only be developed in discussion and with approval of all interested parties.

In response to questions, the Outdoor Access Officer advised that the Council currently produces and distributes the signs free of charge. The cost of the signage is not particularly significant, with the network expanding at a few routes per year, and is seen as worthwhile spend to raise awareness of appropriate use of the countryside. In terms of liability on the Council, he advised that all routes are checked and risk assessed for any obvious hazards, but he confirmed that people when accessing the countryside must take personal responsibility.

During the discussion, the Chair advised that he was aware of some routes that are now being overused and are creating a disturbance to the landowners, for example with increased parking on their land. The Outdoor Access Officer advised that the whole basis of the Scottish Outdoor Access Code is to try to achieve a balance and for everyone to be respectful and act responsibly.

In response to a comment, the Team Leader – Development Plans and Heritage confirmed that the maps of Shetland would be updated, to include Fair Isle.

During debate, Members commented on their support for proposals to improve access for people with disabilities, for community participation to continue in the interest of landowners, crofters and farmers, and on the importance of educating people. Mr Coutts acknowledged that a balance has to be struck, with Shetland being predominantly a crofting community. He also advised on the positive comments made by visitors to Shetland on the core paths and routes that have been created and in terms of the high quality of the signage. Mr Coutts added that he supported the Strategy and the ethos for people to get outdoors to enjoy the beautiful countryside of Shetland.

On the motion of Mr Duncan, seconded by Mr Leask, the Committee approved the recommendation in the report.

Decision:

The Committee RECOMMENDED that the Council resolve to adopt the Supplementary Guidance – Shetland Outdoor Access Strategy 2019 as supplementary guidance to the Local Development Plan (LDP).

16/19 Annual Assurance Statement

The Committee considered a report by the Executive Manager – Housing (DV-23-19-F), which sought approval of the Housing Service's Annual Assurance Statement for submission to the Scottish Housing Regulator (SHR).

The Executive Manager – Housing summarised the main terms of the report, and advised that the position against each sector of the Regulatory Framework was detailed at Appendix 2.

In referring to Appendix 2, and in noting the requirements for tenant involvement, Mr Leask commented on his recent attendance at a tenant participation and

engagement event. The Executive Manager – Housing confirmed the statutory duty to involve tenants in the Service and for tenants to shape the service they receive. She advised on the move to involve all staff who work in the Housing Service, which she confirmed will feed into the self-assessment process.

During debate, the Chair commented on his assurance in terms of activity at each of the requirements as listed at Appendix 2. On the motion of Mr Cooper, seconded by Mr Campbell, the Committee approved the recommendation in the report.

Decision:

The Committee **RESOLVED** to approve the Housing Service's Annual Assurance Statement for submission to the Scottish Housing Regulator (SHR).

17/19

Knab Redevelopment – Progress Report

The Committee noted a report by the Executive Manager – Assets, Commissioning and Procurement (ACP-09-19-F), which provided an update on the redevelopment of the Knab Site, including an indicative programme for the works.

The Executive Manager – Assets, Commissioning and Procurement summarised the main terms of the report, and the indicative timeline for the project, set out in Appendix A.

In response to a question from the Chair, the Executive Manager – Assets, Commissioning and Procurement advised on the dialogue undertaken with the community prior to approval of the Knab Masterplan in June, and he confirmed the undertaking to maintain media presence and community involvement as each stage of the project. In response to a further question, he confirmed that dialogue would take place with the community prior to the tender documents for demolition works being submitted.

During the discussion, an update was sought on the presence of asbestos in any of the buildings on site. The Executive Manager – Assets, Commissioning and Procurement confirmed the presence of asbestos in certain buildings, which would require the involvement by specialists in that field from outside Shetland. He added that the demolition team are very aware of the challenges, which will impact on the cost of the demolition contract.

In response to a question, the Executive Manager – Assets, Commissioning and Procurement advised on progress being made with the tender documentation for the demolition works, and on the expectation these would be issued during November 2019.

In referring to the increased level of traffic on both Knab Road and Church Road particularly during the demolition phases at the Knab site, it was questioned whether contact had been made with St Columba's Church to ensure that when funerals take place, arrangements would be made for public transport between the Church and the cemetery at the Knab. The Executive Manager – Assets, Property and Development confirmed that he would make contact with the Church in early course.

The Chair commented that he welcomed the proposal that the design/tendering stages will run concurrently with the demolition works.

There was no further debate, and the Committee otherwise noted the report.

Decision:

The Committee NOTED the report.

The meeting concluded at 10.47am.

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Chair