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Council Building
2 High Street
Perth
PH1 5PH

Thursday, 19 April 2018

Attached is a supplementary agenda for the meeting of **Perth and Kinross Council** being held in **the Council Chamber, 2 High Street, Perth, PH1 5PH** on **Wednesday, 25 April 2018 at 14:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email Committee@pkc.gov.uk.

BERNADETTE MALONE
Chief Executive

Those attending the meeting are requested to ensure that all electronic equipment is in silent mode.

Please note that the meeting will be recorded and will be publicly available on the Council's website following the meeting.

Members:

Provost D Melloy
All Councillors

Perth and Kinross Council

Wednesday, 25 April 2018

SUPPLEMENTARY AGENDA

MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.

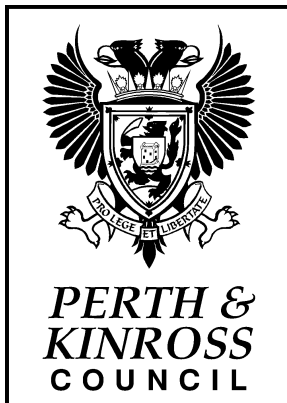
- 5 MINUTES OF MEETINGS OF COMMITTEES FROM 14 FEBRUARY 2018 TO 3 APRIL 2018**
(copy herewith)

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2018

Book 2

MINUTES OF MEETINGS FROM
14 February 2018 – 3 April 2018

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 14 February 2018 at 10.00am.

Present: Councillors M Lyle, B Brawn, H Anderson, B Band, E Drysdale, T Gray, I James, R McCall, L Simpson, R Watters and W Wilson.

In Attendance: Councillors C Ahern and X McDade; A Condliffe, D Niven, J Scott, M Lee, L Reid, A Rennie, D Salman and R Stewart (all The Environment Service); G Fogg and D Williams (both Corporate and Democratic Services).

Apologies: Councillors M Barnacle and A Jarvis.

Councillor M Lyle, Convener, Presiding.

The Convener led discussion on Art. 78-82(1)(i) and the Vice-Convener led discussion on Arts. 82(2)(i)-82(3)(i).

78. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting and apologies were noted as above.

79. DECLARATIONS OF INTEREST

There were no Declarations of Interest in terms of the Councillors' Code of Conduct.

80. MINUTES

The minute of meeting of the Planning and Development Management Committee of 17 January 2018 (Arts. 12-16) was submitted, approved as a correct record and authorised for signature.

81. DEPUTATIONS

In terms of Standing Order 59, the Committee agreed to hear depositions in relation to the following planning application:

Planning Application No.	Art. No.
17/00847/IPM	82(1)(i)
17/01976/FLL	82(2)(iv)
17/02092/FLL	82(2)(v)

82. APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) 17/00847/IPM – LUNCARTY – Mixed use development comprising residential development, employment land, infrastructure including roads, footpaths, landscaping, drainage, open space, and associated works on land 250 metres south east of Wilmarean, Luncarty – Report 18/49 – A and J Stephen Ltd & I and H Brown Ltd**

Mr Iain Matheson, Luncarty, Redgorton and Moneydie Community Council, Mr Alistair Godfrey, objector to the application, followed by Mr J Stephen, the applicant, addressed the Committee and following their respective representations withdrew to the public benches.

Resolved:

Grant, subject to the following terms, conditions and informatives:

Direction

Perth and Kinross Council direct that sub-sections (2)(a)(i) and (3) of Section 59 of the Town and Country Planning (Scotland) Act 1997 apply with respect to the in Principle Permission (17/00088/IPM) with the substitution of the period of 3 years referred to in each of those subsections, with the period of 20 years.

Conditions

1. Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and of Section 59 (2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
 - (ii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.
2. The submitted masterplan, site layout plan and indicated scale of development, of up to 650 dwellings and 5 hectares of employment land, are purely indicative and are hereby not approved.

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3. Notwithstanding the terms of Condition 2, the maximum number of dwellings permitted to be occupied by 2024 is 300 dwellings. Furthermore, no more than 300 dwellings and 5 hectares of employment land, as may be approved by Matters Specified in Conditions application(s), shall be occupied in advance of a scheme for new road infrastructure solutions to distribute traffic from further development via transport networks, has been submitted to and agreed in writing by the Planning Authority. These solutions may take the form of one or a combination of: a vehicular connection to the A9 Trunk Road, a vehicular connection to the Cross Tay Link Road (CTLR) or alternative measures. The submitted scheme shall be supported by a new Transport Assessment (TA) with traffic modelling informed using observed traffic generation data from a minimum of 250 occupied residential units and include the timing for the delivery for the infrastructure improvements.
4. No works in connection with the development hereby approved shall take place until full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the 'Matters Specified in Condition') have been submitted to and approved in writing by the Planning Authority. The specified matters include:
 - (i) a detailed phasing plan;
 - (ii) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development phase, relative to existing ground levels and a fixed datum point;
 - (iii) the siting, design, height and external materials of all buildings or structures;
 - (iv) the details of all roads, footpaths, cycleways, core path connections throughout the development;
 - (v) details of any screen walls/fencing to be provided (including any acoustic barriers);
 - (vi) measures to maximise environmental sustainability through design, orientation and planting or any other means;
 - (vii) details of all landscaping, structure planting and screening associated with the development of each site;
 - (viii) the lighting of all streets and footpaths;
 - (ix) the layout of play areas and the equipment to be installed;
 - (x) full details of the proposed means of disposal of foul and surface water from the development;

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- (xi) details of car charging points to be provided within the development; and
 - (xii) A minimum 40% of dwellings shall incorporate swift bricks and bat roost bricks at eaves height.
5. As part of any application for Approval of Matters Specified in Conditions, as set out in Condition 4(i), a phasing strategy (supported by appropriate plans) shall be submitted to and approved in writing by the Planning Authority. The phasing strategy shall have regard to the requirements of Condition 3 and include and demonstrate the following details:
- (i) The timing and number of dwellings to be developed in each phase;
 - (ii) The timing of delivery of infrastructure, open space and landscaping;
 - (iii) When the first 2 hectares of employment land will be fully serviced; and
 - (iv) When the remaining 3 hectares of employment land will be fully serviced.
- For the avoidance of doubt “fully serviced” is land subdivided ready for building by individual occupiers. The individual plots shall be served by surfaced roads and footpaths, surface and foul drainage (with connecting tails into the curtilage of each plot), and water, gas/electricity and telecom ducting to the edge of (or in footpath next to) individual plots.
6. No work shall start on the relevant parts of the site unless the trees to be retained as identified in the submitted surveys have been protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction). The details of the protective fencing and its location shall be first submitted to and agreed in writing by the Planning Authority.
7. All existing rights of way, core paths within or adjacent to the completed development shall at all times be protected and remain operational during the construction phases.
8. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented during each phase including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to

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Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

9. As part of any application for Approval of Matters Specified in Conditions, as set out in Condition 4, a noise assessment shall be submitted to demonstrate acceptable internal noise levels of 35 dB within all dwellings taking into account mitigation from any acoustic barriers or other such mitigation proposed.
10. Prior to the commencement of development of each phase an updated Construction Environmental Management Plan (CEMP) must be submitted for the approval of the Planning Authority. The measures outlined in the updated CEMP shall be adhered to at all times during the construction period.
11. The times of construction should be limited to Monday to Friday 07.00 to 19.00, Saturday 08.00 to 13.00 with no noise generating work on a Sunday.
12. The applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out in full accordance with such approved details.
13. All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. Any Sustainable Urban Drainage Scheme shall not be sited within 10 metres of the railway boundary and should be designed with long term maintenance plans which meet the needs of the development. Details of the design and construction of any drainage scheme shall be submitted to the Planning Authority for approval before development is commenced. The development shall be carried out in full accordance with such approved details.
14. A detailed Protected Species Survey, including breeding birds and ecological surveys, shall be submitted as part of any application for approval of Matters Specified by Condition submitted for approval under Condition 4 of this permission. The surveys shall include appropriate mitigation to protect identified species.
15. The conclusions and recommended action points within the supporting Environmental Impact Assessment (EIA) and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
16. No site clearance or removal of vegetation, including trees and shrubs will take place between 1 March and

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- 31 August inclusive unless a competent ecologist has undertaken a careful and detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation must be submitted to the planning authority prior to commencement of works.
17. A scheme detailing measures to protect animals from being trapped in open excavations and/or pipe and culverts shall submitted for the written approval of the Planning Authority. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day. Thereafter, the approved scheme shall be implemented for the duration of the construction works of the development hereby approved.
18. No part of the development shall be occupied until a comprehensive Green Travel Plan (GTP) that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the Planning Authority, after consultation with Transport Scotland. The GTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided (including the provision of new and/or enhanced public transport services), the system of management, monitoring, review, reporting and the duration of the plan.
19. Details of the lighting within the site shall be submitted for the approval of the Planning Authority, in consultation with Transport Scotland, as the Trunk Roads Authority. Thereafter, the development shall be completed in accordance with the approved scheme.
20. There shall be no drainage connections to the trunk road drainage system.
21. As part of the first application for the Approval of Matters Specified in Condition an updated District Heating Feasibility Study for the whole site shall be submitted in writing for the approval of the Planning Authority to assess the technical feasibility and financial viability of heat network/district heating for this site, identifying all available sources of heat (either within the site or offsite) and other factors such as where land will be safeguarded for future district heating infrastructure. The accompanying Design and Access Statement or other document as agreed by the Council should

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show/demonstrate how the findings of the feasibility study has been incorporated into the finalised design and layout of the proposal.

22. Prior to the occupation of the first dwelling all matters regarding access, car parking, public transport facilities, walking and cycling facilities, the road layout, design and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority.
23. Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
 - a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - c) arrangements for liaison with the Roads Authority regarding winter maintenance;
 - d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
 - e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
 - h) details of information signs to inform other road users of construction traffic;
 - i) arrangements to ensure that access for emergency service vehicles are not impeded;
 - j) monitoring, reporting and implementation arrangements; and
 - k) arrangements for dealing with non-compliance.The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority.

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24. As part of any application for the Approval of Matters Specified in Condition, all schemes of hard and soft landscaping works shall be submitted to the Local Planning Authority.
Details of the schemes shall include:
- (i) existing and proposed finished ground levels relative to a fixed datum point;
 - (ii) existing landscape features and vegetation to be retained;
 - (iii) existing and proposed services including cables, pipelines and substations;
 - (iv) the location of new trees, shrubs, hedges, grassed areas and water features;
 - (v) a schedule of plants to comprise species, plant sizes and proposed numbers and density;
 - (vi) the location, design and materials of all hard landscaping works including walls, fences, gates, any other means of enclosure, street furniture and play equipment;
 - (vii) an indication of existing trees, shrubs and hedges to be removed;
 - (viii) a programme for the completion and subsequent maintenance of the proposed landscaping;
 - (ix) a woodland management plan;
 - (x) separation distances between residential buildings and edge trees;
 - (xi) separation distances between residential buildings and existing woodland.
- All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development on that part of the site, or such other date as may be agreed in writing with the Planning Authority.
25. Any planting which, within a period of 5 years from the completion of the approved phase of development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.
26. As part of any application for the Approval of Matters Specified in Condition, full drainage calculations and the final layout and depth of the proposed SUDS ponds and associated infrastructure to be agreed in writing with the Council as Planning Authority, in consultation with Perth and Kinross Council Flooding Team. The agreed detail shall thereafter be implemented prior to the completion of development.

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27. The development shall be in accordance with the requirements of Development Plan policy and Perth & Kinross Council's Supplementary Guidance in relation to affordable housing.
28. The development shall be in accordance with the requirements of Development Plan policy and Perth & Kinross Council's Supplementary Guidance in relation to primary education infrastructure.
29. The development shall be in accordance with the requirements of Development Plan policy and Perth & Kinross Council's Supplementary Guidance in relation to transport infrastructure.
30. Prior to the commencement of development mitigation measures for the full length of Scarth Road are to be submitted and agreed to the satisfaction of the Planning Authority to accommodate additional traffic generation. The agreed detail shall thereafter be implemented prior to the completion of development.
31. Scarth Road and Fairview are not to be used for construction traffic. Construction access to be taken from the new Primary Access Road, which will require to be developed first.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Procedural Notes

1. Consent shall not to be issued until the Section 75 Agreement relating to transport infrastructure contributions has been completed and signed to reflect the current planning reference 17/00847/IPM
2. The legal agreement should be concluded and completed within 4 months of the date of any Committee approval. Failure to conclude a legal agreement within 4 months will result in the planning application having to be re-assessed through failing to comply with the associated developer contributions policy and may ultimately be recommended for refusal under delegated powers.

Informatives

1. The applicant is advised that to enable some of the negative suspensive conditions to be fulfilled works which are operational development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.
2. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the

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Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.

3. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
4. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, Perth.
5. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
6. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at www.sepa.org.uk
7. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
8. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
9. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.

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10. The Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council as Planning Authority.
11. The applicant should be aware that any proposal for noise or vibration sensitive use adjacent to the railway may result in neighbour issues arising. Every endeavour should be made by the applicant in relation to adequate protection of the uses contained within the site.
12. The proximity and type of planting proposed are important when considering a landscaping scheme. Leaf fall in particular can greatly impact upon the reliability of the railway in certain seasons. Network Rail can provide details of planting recommendations for neighbours.
13. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.
14. Buildings should be situated at least 2 metres from Network Rail's boundary. The applicant must ensure that the construction and subsequent maintenance of proposed buildings can be carried out without adversely affecting the safety of, or encroaching upon, Network Rail's adjacent land.
15. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
16. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.
17. The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.

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18. For guidance on cycle paths please see Sustrans Design Manual Handbook for cycle-friendly design (drawings on P21-22).
19. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
20. Any structures & all walls/embankments that act singly or together to support a carriageway or footpath & retain over 1.5m fill will require Technical Approval.

(2) Local Applications

Mr A Rutherford, objector to the application, followed by Mr J Stephen, the applicant, addressed the Committee regarding Arts. 82(i), 82(ii) and 82(iii). Following their respective representations, Mr Rutherford and Mr Stephen withdrew to the public benches.

COUNCILLOR E DRYSDALE LEFT THE MEETING AT THIS POINT.

- (i) 17/01139/AML – PERTH – Erection of 20 dwellinghouses with associated roads, drainage and landscaping (matters specified by conditions 13/01879/IPL) (Phase 1) on land west of Woodlands, Glasgow Road, Perth – Report 18/50 – A And J Stephen Ltd**

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the development hereby being approved being completed or brought into use, all matters regarding access, parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.
3. Prior to commencement of development an up-to-date Flood Risk Assessment should be submitted to the Council as detailed in SEPA's letter dated 7 December 2018 (17/01139/78).
4. Prior to construction of development the applicant should submit information to demonstrate that the SUDS strategy is appropriate as advised in SEPA's letter dated 7 December 2017. This should show how the proposed SUDS strategy adheres to the Simple Index Approach

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- (SIA) or provide any other evidence that the SUDS strategy is appropriate.
5. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
 6. Development shall not commence until a detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures and construction method statements, including specific measures for environmental monitoring during construction, shall be submitted for the further written agreement of the Council as Planning Authority in consultation with SNH and/or SEPA. Such details shall be submitted not less than two months prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the agreed CEMP.
 7. Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to the right of way/core path as part of the development shall be submitted for the further agreement of the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timings identified in the plan.
 8. Full details of the re-routed Core Path CTYS/112 should be submitted for approval of the Planning Authority. The path should be surfaced and 3m wide to provide for multi-use. The approved details shall be implemented as part of the site development and completed prior to the occupation of the first house.
 9. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
 10. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be

implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

11. The detailed landscaping and planting scheme which is hereby approved shall be implemented as part of the site development programme and thereafter maintained to the satisfaction of the Council as Planning Authority.
12. Where it is intended to create semi-natural habitats, all species used in the planting proposals detailed in the approved plans shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.
13. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.
14. Prior to the occupation of the first dwellinghouse, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small privately-owned domestic gardens) shall be submitted to and agreed in writing by the Council as Planning Authority, for its approved use. The landscape management plan as agreed shall, where appropriate, include phased implementation concurrent with the development and shall be fully implemented.
15. Prior to occupation of the development a minimum of 1 Swift brick and 1 bat brick shall be incorporated into each building at eaves height.
16. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.
17. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.
18. The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS, as

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contained in the SUDS Manual (C697) and Site Handbook for the Construction of SUDS (C698) published by CIRIA, all to the satisfaction of the Council as Flood Authority.

19. Where site boundaries affect trees, the development shall fully comply with, respect and remain full accordance with BS5387 2012 "Trees in relation to construction, demolition and construction."
20. Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;
 - (i) the nature, extent and type(s) of contamination on the site
 - (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed
 - (iii) measures to deal with contamination during construction works
 - (iv) condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Procedural Notes

1. The planning permission decision notice shall not be issued until such time as the required Developer Contributions with regard to affordable housing have been secured or paid in full.
2. In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the

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contributions the application may be refused under delegated powers without any further discussion with the applicant.

Informatives

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
6. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
7. Technical approval will be required for the bridge (or any structure being adopted or supporting adopted infrastructure) by Perth & Kinross Council's Structures department. It should also adhere to the Flooding Teams' 'Flood Risk and Flood Risk assessment' design guidance. Which states bridge soffit levels should be designed to the 0.5% AP (200-year) flood event with a 20% increase in peak river flow volume/peak rainfall intensity and an addition of 600mm freeboard.

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8. The applicant should take account of PKC Flooding and Flood Risk Guidance Document (June 2014).
9. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
10. Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
Details of SEPA's regulatory requirements and good practice advice for the applicant can be found on the Regulations section of SEPA's website or contact a member of the regulatory team in the local SEPA office at:
SEPA, Strathearn House, Broxden Business Park, Lamberkine Drive Perth PH1 1RX, Tel: 01738 627989
11. No construction activity, land shaping or storage of construction materials should take place outwith the site boundary as indicated in red on the site layout plan.
12. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
13. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
14. Paths to be constructed as part of the development should reflect likely patterns of use: pedestrian, bikes horse riders & wheelchairs as appropriate. Specifications should be based on those in "Lowland Path Construction - A Guide to Good Practice" published by SNH, Scottish Enterprise & the Paths for All Partnership.

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15. The developer should note requirements for access to all areas of the site for refuse collections, street sweeping and grounds maintenance and particular note should be taken of the requirements for manoeuvring refuse collection vehicles (including 12m bin lorries). Full specifications are available from the Community Waste Team.

Individual properties will be provided with 140 litre general waste bin, 240 litre recycling bin and 240 litre garden waste/food waste bin presented to the kerbside by householders.

Flatted properties will share 1100 litre general waste and 1100 litre recycling bins (4 flats). These bins should be no more than 10 metres from the kerbside; crew will pull out and return bins.

- (ii) **17/01140/AML – PERTH – Erection of 17 dwellinghouses, landscaping and associated works (matters specified by conditions – 13/01880/IPL) (Phase 2) on land west of Woodlands, Glasgow Road, Perth – Report 18/51 – A and J Stephen Ltd**

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the development hereby being approved being completed or brought into use, all matters regarding access, parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.
3. Prior to commencement of development an up-to-date Flood Risk Assessment should be submitted to the Council.
4. Prior to construction of development the applicant should submit information to demonstrate that the SUDS strategy is appropriate as advised in SEPA's letter dated 7 December 2017 (17/01140/86). This should show how the proposed SUDS strategy adheres to the Simple Index Approach (SIA) or provide any other evidence that the SUDS strategy is appropriate.
5. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby

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approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

6. Development shall not commence until a detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures and construction method statements, including specific measures for environmental monitoring during construction, shall be submitted for the further written agreement of the Council as Planning Authority in consultation with SNH and/or SEPA. Such details shall be submitted not less than two months prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the agreed CEMP.
7. Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to the right of way/core path as part of the development shall be submitted for the further agreement of the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timings identified in the plan.
8. Full details of the re-routed Core Path CTYS/112 should be submitted for approval of the Planning Authority. The path should be surfaced and 3m wide to provide for multi-use. The approved details shall be implemented as part of the site development and completed prior to the occupation of the first house.
9. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
10. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of

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trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day

11. The detailed landscaping and planting scheme which is hereby approved shall be implemented as part of the site development programme and thereafter maintained to the satisfaction of the Council as Planning Authority.
12. Where it is intended to create semi-natural habitats, all species used in the planting proposals detailed in the approved plans shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.
13. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.
14. Prior to the occupation of the first dwellinghouse, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small privately-owned domestic gardens) shall be submitted to and agreed in writing by the Council as Planning Authority, for its approved use. The landscape management plan as agreed shall, where appropriate, include phased implementation concurrent with the development and shall be fully implemented.
15. Prior to occupation of the development a minimum of 1 Swift brick and 1 bat brick shall be incorporated into each building at eaves height.
16. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.
17. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.
18. The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS, as contained in the SUDS Manual (C697) and Site Handbook for the Construction of SUDS (C698) published by CIRIA, all to the satisfaction of the Council as Flood Authority.

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19. Where site boundaries affect trees, the development shall fully comply with, respect and remain full accordance with BS5387 2012 "Trees in relation to construction, demolition and construction."
20. Prior to commencement of development details of the boundary treatment for the northern site boundary shall be submitted for the approval of the Council as Planning Authority. The scheme as approved shall be implemented in accordance with the agreed details.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Procedural Notes

1. The planning permission decision notice shall not be issued until such time as the required Developer Contributions with regard to affordable housing have been secured or paid in full.
2. In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions the application may be refused under delegated powers without any further discussion with the applicant.

Informatives

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning

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- (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. No work shall be commenced until an application for building warrant has been submitted and approved.
 5. The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
 6. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
 7. Technical approval will be required for the bridge (or any structure being adopted or supporting adopted infrastructure) by Perth & Kinross Council's Structures department. It should also adhere to the Flooding Teams' 'Flood Risk and Flood Risk assessment' design guidance. Which states bridge soffit levels should be designed to the 0.5% AP (200-year) flood event with a 20% increase in peak river flow volume/peak rainfall intensity and an addition of 600mm freeboard.
 8. The applicant should take account of PKC Flooding and Flood Risk Guidance Document (June 2014).
 9. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
 10. Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
Details of SEPA's regulatory requirements and good practice advice for the applicant can be found on the

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Regulations section of SEPA's website or contact a member of the regulatory team in the local SEPA office at:

SEPA, Strathearn House, Broxden Business Park,
Lamberkine Drive Perth PH1 1RX, Tel: 01738 627989

11. No construction activity, land shaping or storage of construction materials should take place outwith the site boundary as indicated in red on the site layout plan.
12. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
13. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
14. Paths to be constructed as part of the development should reflect likely patterns of use: pedestrian, bikes horse riders & wheelchairs as appropriate. Specifications should be based on those in "Lowland Path Construction - A Guide to Good Practice" published by SNH, Scottish Enterprise & the Paths for All Partnership.
15. The developer should note requirements for access to all areas of the site for refuse collections, street sweeping and grounds maintenance and particular note should be taken of the requirements for manoeuvring refuse collection vehicles (reversing requirement should be kept to an absolute minimum). Full specifications including the size of the largest vehicle in the fleet (12 metres long) are available from the Community Waste Team.
Individual properties will be provided with 140 litre general waste bin, 240 litre recycling bin and 240 litre garden waste/food waste bin presented to the kerbside by householders.
Flatted properties will share 1100 litre general waste and 1100 litre recycling bins (4 flats). These bins should be no more than 10 metres from the kerbside; crew will pull out and return bins.

- (iii) **17/01141/AML – PERTH – Erection of 9 dwellinghouses, landscaping and associated works (matters specified by conditions – 13/01881/IPM) (Phase 3) on land west of Woodlands, Glasgow Road, Perth – Report 18/52 – A and J Stephen Ltd**

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the development hereby being approved being completed or brought into use, all matters regarding access, parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.
3. Prior to commencement of development an up-to-date Flood Risk Assessment should be submitted to the Council.
4. Prior to construction of development the applicant should submit information to demonstrate that the SUDS strategy is appropriate as advised in SEPA's letter dated 7 December 2017. This should show how the proposed SUDS strategy adheres to the Simple Index Approach (SIA) or provide any other evidence that the SUDS strategy is appropriate.
5. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
6. Development shall not commence until a detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures and construction method statements, including specific measures for environmental monitoring during construction, shall be submitted for the further written agreement of the Council as Planning Authority in consultation with SNH and/or SEPA. Such details shall be submitted not less than two months prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development

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shall be fully undertaken in accordance with the agreed CEMP.

7. Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to the right of way/core path as part of the development shall be submitted for the further agreement of the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timings identified in the plan.
8. Full details of the re-routed Core Path CTYS/112 should be submitted for approval of the Planning Authority. The path should be surfaced and 3m wide to provide for multi-use. The approved details shall be implemented as part of the site development and completed prior to the occupation of the first house.
9. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
10. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.
11. The detailed landscaping and planting scheme which is hereby approved shall be implemented as part of the site development programme and thereafter maintained to the satisfaction of the Council as Planning Authority.
12. Where it is intended to create semi-natural habitats, all species used in the planting proposals detailed in the approved plans shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.

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13. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.
14. Prior to the occupation of the first dwellinghouse, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small privately-owned domestic gardens) shall be submitted to and agreed in writing by the Council as Planning Authority, for its approved use. The landscape management plan as agreed shall, where appropriate, include phased implementation concurrent with the development and shall be fully implemented.
15. Prior to occupation of the development a minimum of 1 Swift bricks and 1 bat brick shall be incorporated into each building at eaves height.
16. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.
17. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.
18. The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS, as contained in the SUDS Manual (C697) and Site Handbook for the Construction of SUDS (C698) published by CIRIA, all to the satisfaction of the Council as Flood Authority.
19. Where site boundaries affect trees, the development shall fully comply with, respect and remain full accordance with BS5387 2012 "Trees in relation to construction, demolition and construction."
20. Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;

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- (i) the nature, extent and type(s) of contamination on the site
- (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed
- (iii) measures to deal with contamination during construction works
- (iv) condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by the Council as Planning Authority. Verification that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Procedural Notes

- 1. The planning permission decision notice shall not be issued until such time as the required Developer Contributions with regard to affordable housing have been secured or paid in full.
- 2. In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions the application may be refused under delegated powers without any further discussion with the applicant.

Informatives

- 1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
- 2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section

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- 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
 4. No work shall be commenced until an application for building warrant has been submitted and approved.
 5. The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
 6. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
 7. Technical approval will be required for the bridge (or any structure being adopted or supporting adopted infrastructure) by Perth & Kinross Council's Structures department. It should also adhere to the Flooding Teams' 'Flood Risk and Flood Risk assessment' design guidance. Which states bridge soffit levels should be designed to the 0.5% AP (200-year) flood event with a 20% increase in peak river flow volume/peak rainfall intensity and an addition of 600mm freeboard.
 8. The applicant should take account of PKC Flooding and Flood Risk Guidance Document (June 2014).
 9. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
 10. Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland)

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Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

Details of SEPA's regulatory requirements and good practice advice for the applicant can be found on the Regulations section of SEPA's website or contact a member of the regulatory team in the local SEPA office at:

SEPA, Strathearn House, Broxden Business Park,
Lamberkine Drive Perth PH1 1RX, Tel: 01738 627989

11. No construction activity, land shaping or storage of construction materials should take place outwith the site boundary as indicated in red on the site layout plan.
12. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non compliance.
13. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
14. Paths to be constructed as part of the development should reflect likely patterns of use: pedestrian, bikes horse riders & wheelchairs as appropriate. Specifications should be based on those in "Lowland Path Construction - A Guide to Good Practice" published by SNH, Scottish Enterprise & the Paths for All Partnership.
15. The developer should note requirements for access to all areas of the site for refuse collections, street sweeping and grounds maintenance and particular note should be taken of the requirements for manoeuvring refuse collection vehicles (reversing requirement should be kept to an absolute minimum). Full specifications including the size of the largest vehicle in the fleet (12 metres long) are available from the Community Waste Team.
Individual properties will be provided with 140 litre general waste bin, 240 litre recycling bin and 240 litre garden waste/food waste bin presented to the kerbside by householders.
Flatted properties will share 1100 litre general waste and 1100 litre recycling bins (4 flats). These bins should be no more than 10 metres from the kerbside; crew will pull out and return bins.

- (iv) **17/01976/FLL – PITLCOHRY – Change of use of dwellinghouse to form conference/venue facilities, alterations and extension, erection of toilet facilities, siting of a marquee, formation of car parking area and an earth bund and associated works at The Old Manse, Blair Atholl, Pitlochry, PH18 5TN – Report 18/53 – Mrs Anne MacDonald**

Mrs A MacDonald, the applicant, and Councillor X McDade, Local Member, addressed the Committee and following their respective representations withdrew to the public benches.

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the installation of any external lighting, the details of all external lighting shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of light spill, brightness of the lighting and the proposed hours of operation, and shall ensure that all lighting is sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land. The agreed lighting scheme shall be implemented and maintained in full accordance with the agreed scheme.
3. No amplified music is permitted externally or within the marquee between 23.00 and 09.00.
4. Noise within the marquee shall be limited to $L_{Aeq\ 1\ hour}$ 85dB
5. Measures as detailed within the Old Manse of Blair Noise Management Plan shall be put in place and thereafter followed to minimise the potential for noise nuisance. The effectiveness of the plan shall be reviewed on a 6 monthly basis, and details of any amended procedures (and the reason for such) submitted to the Council as Planning Authority for approval.
6. Vehicular access to and from the site shall be from the eastern access only, as shown on the approved plans.
7. Prior to the siting of the marquee, precise details of any means of flooring shall be submitted for the approval in

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writing. The approved details shall thereafter be implemented in full.

8. No storage of material, crates or containers shall take place outside the building(s) and the site shall at all times be maintained in a clean and tidy condition, to the satisfaction of the Council as Planning Authority.
9. Prior to use of the marquee or toilet block commencing, detailed drawings of the proposed waste / recycling facility enclosures or waste and recycling facility storage areas and the associated locations for bin presentation shall be submitted for the further written agreement of the Council as Planning Authority
10. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
11. Prior to the commencement of the development hereby approved, a 1:200 site plan which identifies the Construction Exclusion Zone (CEZ) shall be submitted for the further written agreement of the Council as Planning Authority. This plan shall ensure all fencing adheres to BS 5837 2012: Trees in Relation to Design, Demolition and Construction. The CEZ as subsequently agreed shall be strictly adhered to during construction of the development.
12. Prior to the commencement of any development on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

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13. The siting of the marquee is approved for a temporary period until the 1 March 2021. Prior to this date the marquee shall be removed and the site reinstated.
14. Prior to the commencement of any part of this permission, a plan which outlines the circulation areas of guests/visitors shall be submitted for the further approval in writing by the Council as Planning Authority. The approved detailed shall thereafter be implemented in full to the satisfaction of the Council as Planning Authority.
15. Prior to the commencement of any development in relation to the new toilet block, precise details of the proposed foul drainage shall be submitted for the approval in writing by the Council as Planning Authority, in consultation with SNH. The approved details shall therefore be implemented in full to the satisfaction of the Council as Planning Authority.
16. Prior to the commencement of any development on site details of the finished a sectional detail which shows the ground level of the carpark and also the finished floor level of the toilet block in relation to the existing wall of the walled garden shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented.
17. All plant or equipment associated with the toilet block shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
18. Prior to the commencement of any development, precise details of the disposal of surface water from the car parking area shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full to the satisfaction of the Council as Planning Authority.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see *section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)*).

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2. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
3. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. Due to the nature of the proposed work to the slate roof, it is important to keep in mind the possibility of finding bats when doing work on the existing roof. If bats are found during works, the work should stop immediately and you should contact SNH at Battleby immediately for advice. Building works should avoid the times of year when bats are most vulnerable to disturbance. The summer months, when bats are in maternity roosts, and the winter months when bats are hibernating, should be avoided. Typically early spring and autumn months are the best times to do work that may affect bats. If you suspect that bats are present you should consult SNH for advice. For further information visit the Bat Conservation Trust website <http://www.bats.org.uk/>.

(v) 17/02092/FLL – PITLOCHRY – Change of use of vacant land to form garden ground, formation of a vehicular access and erection of a fence and gates (in part retrospect) at Eldorado, Balnaguard, Pitlochry, PH9 0PY – Report 18/54 – Mr William Torrance

Mrs B Somerville , an objector to the application, addressed the Committee and, following their representation, withdrew to the public benches.

Motion (Councillors W Wilson and R Watters) – Refuse the application for the following reason:
The proposal is contrary to Policy CF2 of the Perth and Kinross Local Development Plan.

Amendment (Councillors T Gray and B Band) – Grant the application subject to the following terms, conditions and informatives:

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Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

1. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

In accordance with Standing Order 44, a roll call vote was taken.

6 members voted for the Motion as follows:

Councillors B Band, I James, R McCall, L Simpson, R Watters and W Wilson.

4 members voted for the Amendment as follows:

Councillors H Anderson, B Brawn, T Gray and M Lyle.

Resolved:

In accordance with the Motion.

(3) Proposal of Application Notice (PAN)

- (i) **17/00010/PAN – PERTH – Proposed employment/business park (use classes 4, 5 and 6) and associated works on land north of Thomson Landscapes, Inchcape Place, Perth – Report 18/55**

Members noted the issues identified by the Interim Head of Planning's report.

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## LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 22 February 2018 at 9.30am.

Present: Councillors R Brock (Convener), I James (Vice-Convener), C Ahern, B Brawn, D Illingworth, A Jarvis, A Parrott, J Rebbeck and F Sarwar.

In Attendance: PC L Gregge (Police Scotland); L Cormack, M McLaren, S Michie, and L Brown (all Corporate and Democratic Services).

Apologies for Absence: Councillors A Coates, B Pover, L Simpson and R Watters.

Councillor R Brock (Convener), Presiding.

### 83. WELCOME AND APOLOGIES

The Convener welcomed all present to the meeting. Apologies for absence were noted as above.

### 84. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, Councillor A Parrott declared a non-financial interest in Art. 91.

### 85. MINUTES

The Minute of Meeting of the Licensing Committee of 11 January 2018 was submitted and approved as a correct record.

### 86. NEW FEES FOR SECOND HAND DEALERS OPERATING FROM A CAR BOOT SALE

There was submitted a report by the Head of Legal and Governance Services (18/56) seeking approval for the introduction of a reduced licence fee for second hand dealers who operate at car boot sales.

#### **Resolved:**

- (i) The introduction of a reduced fee for a Second Hand Dealers' licence for dealers trading at a single car boot sale once per week be approved.
- (ii) The fee for the licence be £60 for a one year licence and £150 for a three year licence.

**87. REDUCED FEE FOR A PUBLIC ENTERTAINMENT LICENCE FOR COMMUNITY EVENTS**

There was submitted a report by the Head of Legal and Governance Services (18/57) seeking approval to adopt a reduced fee for a Public Entertainment licence for community events.

**Resolved:**

The introduction of a reduced fee of £65 for a one year Public Entertainment licence for a funfair located within a community event such as a gala, fete or bonfire night, where fewer than five children's mechanical ride(s) are present, be approved.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

**88. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1657**

There was submitted a report by the Head of Legal and Governance Services (18/58) together with a letter of objection from Police Scotland dated 18 December 2017 in terms of Schedule 1, Paragraph 11 of the Civic Government (Scotland) Act 1982 regarding suspension of Taxi/Private Hire Car Driver's Licence (TD1657).

The Committee noted that this item had been withdrawn from the agenda at the request of Police Scotland.

**89. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1451**

There was submitted a report by the Head of Legal and Governance Services (18/59) together with a letter of objection from Police Scotland dated 22 January 2018 in terms of Schedule 1, Paragraph 112(a) of the Civic Government (Scotland) Act 1982 regarding suspension of Taxi/Private Hire Car Driver's Licence (TD1451).

**Resolved:**

Consideration of suspension of Taxi/Private Hire Car Driver's Licence TD1451 be deferred to the next meeting of the Licensing Committee.

**90. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1044**

There was submitted a report by the Head of Legal and Governance Services (18/60) together with letter of warning from the Licensing Officer, Corporate and Democratic Services, Perth and Kinross Council dated 18 December 2017 regarding renewal of taxi/private hire car driver's licence TD1044.

The applicant and his legal representative were in attendance.

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The Licensing Officer, Corporate and Democratic Services, Perth and Kinross Council, addressed the Committee and answered Members' question. The applicant and his legal representative also addressed the Committee and answered Members' questions

FOLLOWING AN ADJOURNMENT THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver's Licence TD1044 be renewed for a period of 1 year with effect from 21 January 2018.

COUNCILLOR PARROTT LEFT THE MEETING AT THIS POINT.

**91. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1526**

There was submitted a report by the Head of Legal and Governance Services 18/61 together with a letter from the Licensing Officer, Corporate and Democratic Services, Perth and Kinross Council regarding consideration of suspension of Taxi/Private Hire Car Driver's Licence (TD1526).

The applicant and his legal representative were in attendance.

The Licensing Officer, Corporate and Democratic Services, Perth and Kinross Council, addressed the Committee and answered Members' question. The applicant and his legal representative also addressed the Committee and answered Members' questions.

FOLLOWING AN ADJOURNMENT THE COMMITTEE RECONVENED

**Resolved:**

Taxi/Private Hire Car Driver's Licence TD1526 be not suspended.

**92. GRANT OF A STREET TRADER'S LICENCE NO ST/0355**

There was submitted a report by the Head of Legal and Governance Services (18/62) together with a letter of representation from Police Scotland dated 20 December 2017 regarding an application for grant of a Street Trader's licence - ST/0355.

The Committee noted this item had been withdrawn from the agenda at the request of the applicant.

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SPECIAL MEETING OF COUNCIL

Minute of special meeting of Perth and Kinross Council held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Thursday 22 February 2018 at 2.00pm.

Present: Provost D Melloy, Councillors C Ahern, H Anderson, A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, H Coates, S Donaldson, D Doogan, E Drysdale, A Forbes, T Gray, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, C Reid, W Robertson, F Sarwar, C Shiers, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Environment); L Cameron, Interim Director (Housing and Community Safety); R Packham, Chief Officer, Perth and Kinross Health and Social Care Partnership; K McNamara, Head of Community Planning, Strategic Commissioning and Organisational Development; F Robertson, Head of Public Service Reform, Culture and Community Development; S MacKenzie, L Simpson, G Taylor, S Hendry, K Donaldson, A Taylor, A O'Brien, S Walker, C Robertson, C Flynn, K Molley, L Potter and J Salisbury (all Corporate and Democratic Services); W Young, F Crofts, T Flanigan, P Marshall and A Condliffe (all The Environment Service); N Copland, C Mailer, N Sutherland, L Brady, S Coyle and K Fraser (all Housing and Community Safety); D Fraser, Perth and Kinross Health and Social Care Partnership; G Boland, J Cockburn and J Pepper (all Education and Children's Services).

Provost D Melloy, Presiding.

93. TRIBUTE TO COUNCILLOR IAN CAMPBELL

Prior to the commencement of business, Provost Melloy paid tribute to Councillor Ian Campbell who had died earlier in February and expressed condolences to his family. Provost Melloy led Councillors in a minute's silence and paid tribute to his work as a Councillor and Council Leader.

94. WELCOME AND APOLOGIES

Provost Melloy welcomed all those present to the meeting.

95. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, the following Councillors declared a non-financial interest in Art. 96 Revenue Budget 2018/19, 2019/20 & 2020/21 – Report No. 2:

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Councillors X McDade, W Robertson, J Rebbeck, E Drysdale, A Parrott, G Laing, T McEwan, S Donaldson, H Coates, K Baird, C Ahern, A Forbes, C Reid, C Stewart, W Wilson, D Doogan, M Williamson and S McCole.

96. REVENUE BUDGET 2018/19, 2019/20 & 2020/21 – REPORT NO. 2

There was submitted a report by the Head of Finance (18/47) recommending the setting of a Final Revenue Budget for 2018/19 and Provisional Revenue Budgets for 2019/20 and 2020/21. The report also recommended that the Council determined the final Council Tax for 2018/19 and indicative levels of Council Tax for 2019/20 and 2020/21.

Motion (Councillors M Lyle and P Barrett):

The Council agrees:

- 1. To approve the 2018/19 Provisional Revenue Budget of £329,526,000 as set out in Appendix B of Report No. 18/47.**
- 2. To approve the 2019/20 Provisional Revenue Budget of £321,202,000 as set out in Appendix B of Report No. 18/47.**
- 3. To approve the 2020/21 Provisional Revenue Budget of £324,481,000 as set out in Appendix B of Report No. 18/47.**
- 4. To approve a provision for the non-collection of Council Tax of 2% in 2018/19, 2019/20 and 2020/21.**
- 5. To approve the carry forward of £3,188,000 of resources from 2017/18 into 2018/19 under the terms of the Council's Revenue Budget Flexibility Scheme as set out in Appendix C of Report No. 18/47.**
- 6. To approve the application of £2,088,000 to Perth & Kinross Integration Joint Board (subject to confirmation of the 2017/18 year-end position).**
- 7. To approve the contribution to Perth & Kinross Integration Joint Board of £49,115,000 which is included in the 2018/19 Provisional Revenue Budget.**
- 8. To approve the expenditure pressures for 2018/19, 2019/20 and 2020/21 as set out in Appendix D of Report No. 18/47 with the exception of those listed in Appendix (i) of this Revenue Budget Motion.**
- 9. To approve the implementation of the savings options for 2018/19, 2019/20 and 2020/21 as set out in Appendix D of Report No. 18/47 with the exception of those listed in Appendix (ii) of this Revenue Budget Motion.**
- 10. To approve the additional savings proposals for 2018/19, 2019/20 and 2020/21 as listed in Appendix (iii) of this Revenue Budget Motion.**
- 11. To approve the additional expenditure proposals for 2018/19, 2019/20 and 2020/21 as set out in Appendix (iv) of this Revenue Budget Motion.**
- 12. To approve an additional contribution to Reserves of £1,250,000 in 2018/19 to be earmarked for property maintenance in future financial years.**
- 13. To approve an additional contribution from Reserves of £1,968,000 in 2019/20.**
- 14. To approve an additional contribution from Reserves of £401,000 in 2020/21.**

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15. To approve the Final Revenue Budget for 2018/19 of £336,194,000 resulting in a Band D Council Tax of £1,216 in 2018/19 as summarised in Appendix (v) of this Revenue Budget Motion. This represents a 3% increase from the Council Tax Band D figure for 2017/18.
16. To approve the Updated Provisional Revenue Budget for 2019/20 of £330,658,000 resulting in an indicative Band D Council Tax of £1,252 in 2019/20 as summarised in Appendix (vi) of this Revenue Budget Motion. This represents an indicative 3% increase from the Council Tax Band D figure for 2018/19.
17. To approve the Updated Provisional Revenue Budget for 2020/21 of £333,872,000 resulting in an indicative Band D Council Tax of £1,290 in 2020/21 as summarised in Appendix (vii) of this Revenue Budget Motion. This represents an indicative 3% increase from the Council Tax Band D figure for 2019/20.
18. To defer consideration of the Composite Capital Budget until the June 2018 meeting of the Council, subject to further detail on the Tay Cities Deal becoming available.
19. That the additional General Capital Grant of £236,000 is allocated when the Capital Budget is considered by Council in June 2018.

APPENDIX (i)

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
EXPENDITURE PRESSURES REJECTED					
<u>The Environment Service</u>					
2	Partial rejection of the inflation on Public Transport - Tendered Services - to recognise the significant savings achieved during the recent public transport retendering exercise.	66	5	5	5
3	Rephasing and rejection of Parking Services expenditure - to bring forward and increase the amount of investment in our car parking facilities.	66	(100)	100	(100)
TOTAL EXPENDITURE PRESSURES REJECTED			(95)	105	(95)

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APPENDIX (ii)

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED					
<u>Education & Children's Services</u>					
7	Partial rejection of the Full Cost Recovery for the Instrumental Music Service (including Central Groups and Camps) - to ensure this service remains affordable the annual increase in price will be limited to 20 per cent. Work is ongoing to encourage more children from disadvantaged backgrounds to participate.	47	290	152	(50)
8	Reinstatement of the budget for Devolved School Management - to avoid significant reductions in the budget available for resources and other support in schools.	47	177		
10	Reinstatement of the budget for Parent Councils - to continue to recognise the important role of parent councils in supporting all learners in schools.	48	20		
11	Reinstatement of the budget for Primary Swimming Lessons - to continue to provide the opportunity of learning this important life skill to all children and young people.	49	40	20	
13	Rephasing of the Full Cost Recovery of Kids Clubs - to ensure that the clubs are sustainable in the long-term, price increases will be introduced more gradually.	50	(20)	(20)	40
14	Reinstatement of the budget for Skills for Work - to recognise the importance of apprenticeships and vocational courses and continue providing a wide range of opportunities for our senior pupils.	50		60	
17	Partial reinstatement of the budget for Secondary Teachers - to maintain class sizes of 20 in S1 & S2 English and maths.	53	81	303	148
21	Reinstatement of the budget for School Crossing Patrollers - to maintain SCPs at crossing points across Perth and Kinross whilst alternative approaches are considered.	56		112	67
23	Partial reinstatement of the budget for the Change & Improvement, Research and Performance Team - to maintain sufficient capacity to support national and local priorities in relation to Closing the Poverty Related Attainment Gap and the administration of standardised assessments.	57	33	4	35

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24	Partial reinstatement of the budget for (Non-Education) Senior Management Posts - to ensure there is sufficient capacity to implement and deliver on the Council's Transformation Programme.	58	71	
25	Reinstatement of the budget for Clerical Staff who Support Statutory Functions - to ensure that the necessary support is in place to maintain the high performance of the Council in key areas such as child protection.	59	74	24
26	Partial reinstatement of the budget for School Improvement Senior Management posts within ECS - to continue the work to improve the levels of attainment and achievement across our schools.	59	105	139 49
27	Reinstatement of the budgets for the Early Years Support Team & Travel Budgets - to ensure that our partner providers in early learning and childcare continue to have access to high quality support.	60	65	39
28	Reinstatement of the budget for Teacher Numbers in Primary Education - to ensure there are sufficient teachers able to meet the needs of all children and young people across all primary schools.	61	197	643 365
29	Reinstatement of the budget for Teacher Numbers within Inclusion - to provide targeted support to children and young people with additional support needs, particularly at a time when the needs of this group are increasing.	61	29	300 194
30	Reinstatement of the School Supply Contingency Budget - to ensure that schools can meet the costs of any unplanned overspends in their supply budgets which can arise from staff absence.	62	152	
31	Reinstatement of the budget for Playstart - to allow parents to attend a range of parenting programmes and family learning opportunities, particularly those from disadvantaged backgrounds.	62	138	83
32	Reinstatement of the budget for Educational Psychologists Posts - to allow educational psychologists to continue providing a wide range of services above the basic statutory functions, particularly to vulnerable children and families with additional support needs.	63	118	130
33	Reinstatement of the budget for Parenting and Family Learning - to continue providing support to vulnerable families by providing a wide range of programmes including parenting classes.	64	226	
34	Reinstatement of the budget for Posts and Services Funded from GIRFEC Monies - to fund a number of staff who focus on children and families facing poverty and deprivation and those children requiring protection from harm.	65	128	36 86

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APPENDIX (ii) (cont.)

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED					
<u>The Environment Service</u>					
5	Adjustment to Non-statutory / Discretionary Charges - Regulatory Services (5%); Pitches & Park Events (0%); Road Network Commercial Charges (5%).	72	(12)	(12)	(12)
6	Rejection and rephasing of increase in charge for Parking Services - increase charges in 2018/19 & 2020/21.	72	(100)	100	(100)
7	Rephasing of the Economic Development income target - to set a higher target for generating income from and sponsorship of council-run events.	73	(25)	(50)	(25)
15	Reinstatement of the budget for Enterprise - Supporting Business Growth - to maintain the current level of spending on support for business growth initiatives such as GrowBiz.	76	40		
20	Reinstatement of the budget for Recycling Centres - to ensure that residents outside Perth have access to local recycling centres.	79	110		
23	Reinstatement of the budget for Recycling Centres - to ensure that residents outside Perth have access to local recycling centres.	81	300		
24	Reinstatement of the budget for Winter Maintenance - to ensure that footways in communities outside Perth continue to be treated at current levels of service.	82	55		
25	Reinstatement of the budget for Public Conveniences .	83	170		
26	Reinstatement of the budget for Grounds Maintenance Service at Peak Summer - to continue providing cover in the summer growing season for key tasks such cutting back overgrowth on rights of way and planting beds.	83	70		
27	Partial reinstatement of the budget for Public Transport .	84	470		
28	Reinstatement of the budget for Winter Maintenance - to maintain the current level of footway treatment and ensure a continued equity of service across the Council area.	84	185		
29	Reinstatement of the budget for Winter Maintenance - to maintain the current level of road network treatment and prevent a reduction in resilience during severe weather.	85		370	

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APPENDIX (ii) (cont.)

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED					
30	Reinstatement of the budget for Community Greenspace Play Areas - to ensure that play areas can remain open and be maintained, so contributing to healthy and active lives for children.	86	25		
31	Reinstatement of the budget for Community Greenspace Planned Maintenance - to maintain the current level of service in our public parks and open spaces for general repair and maintenance of things like benches and fencing.	86	20		
32	Reinstatement of the budget for Roads Maintenance - to maintain a budget for ditch maintenance and thus avoid potential deterioration of the road network and consequent impact on road safety.	87	80		
36	Reinstatement of the budgets for Waste Services and Community Greenspace Workforce To maintain the complement of staff working on the ground with our communities.	89		320	
38	Partial reinstatement of the budget for Business Support - to reduce the impact to customer service levels from reducing Business Support staff.	91	45		
40	Reinstatement of the budget for Street Cleansing - to maintain existing levels of street cleanliness in our communities.	93	210		
41	Partial reinstatement of the budget for Regulation - to support the Council to continue to meet its statutory regulatory obligations, such as public health enquiries.	94	45	100	
42	Reinstatement of the budget for Street Cleansing - to maintain existing levels of street cleanliness in our communities.	95		390	
43	Reinstatement of the budget for Grounds Maintenance - to avoid a risk of the Council not complying with the Environmental Protection Act and maintain the public's enjoyment of our open spaces.	96		260	260
44	Reinstatement of the budget for the Operations Training Team - to continue providing training for frontline Operations staff.	97		90	
3	Partial reinstatement of the budget for Property Maintenance - to prevent the deterioration of publicly owned properties, and, in particular, to ensure that our schools are maintained in good condition.	100	808		

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APPENDIX (ii) (cont.)

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED					
<u>Housing & Community Safety</u>					
7	Partial reinstatement of the budget for the Community Safety and Environment Partnership - to support groups in providing projects with wide community benefits such as Safe Drive Stay Alive and Victim Support.	106	40		
12	Rephrasing of the Review of Revenues & Benefits Team Budgets - to ensure the team can provide support to individuals as the introduction of Universal Credit rolls out across Perth & Kinross.	109		93	(93)
<u>Corporate & Democratic Services</u>					
6	Partial reinstatement of the budget for Workforce Management .	117	20	7	
9	Reinstatement of the budget for PKAVS - to maintain support to PKAVS at the current level in recognition of the valuable work that they do and the significant efforts of their volunteers.	120	15	15	
<u>Culture & Leisure Services</u>					
2	Reinstatement of the budget for Pitlochry Festival Theatre - to continue providing the current levels of financial support in recognition of the significant contribution that Pitlochry Festival Theatre make to the economy in Highland Perthshire.	123	8	23	
3	Reinstatement of the budget for Village Halls - to recognise the important role that village halls play in the lives of our communities.	124	2		
3	Reinstatement of the budget for Birnam Arts - to recognise the vibrancy of the creative community centred on Birnam Arts and to continue supporting their work.	124	1		
4	Partial reinstatement of the budget for the contract fee with Live Active Leisure - to support Live Active Leisure during a transitional phase while efforts are made to create new links with community groups and look at new ways of delivering services.	124	176		
5	Partial reinstatement of the budget for the contract fee with Horsecross Arts Ltd. - to support Horsecross Arts during a transitional phase while alternative governance arrangements are considered.	125	28		

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APPENDIX (ii) (cont.)

	Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED				
6 Partial reinstatement of the budget for the contract fee with Culture Perth & Kinross - to support Culture Perth & Kinross during a transitional phase while efforts are made to create new links with community groups and look at new ways of delivering services.	126	79		
TOTAL SAVINGS REJECTED		4,235	4,092	1,157

APPENDIX (iii)

	2018/19 £'000	2019/20 £'000	2020/21 £'000
ADDITIONAL SAVINGS PROPOSALS			
Education & Children's Services			
Increase school meals by 5p in 2018/19 & 2020/21 - to provide for a modest increase in the price of school meals.	32		32
The Environment Service			
Further £5 uplift in Garden Waste charges in 2020/21 - to increase the charge to £35 per year to maximise the revenue generated and move towards full cost recovery.			180
Removal of a further Building Standards post - to make further efficiency savings while maintaining the current level of service delivery.		40	
Public Toilets:			
- Pitlochry & Dunkeld (to support the tourist trade) and Blairgowrie (to support the Snow Road) open all year round			
- Remaining 4 public toilets seasonal opening (April to September)			
- Increase charge to 50p			
- Provide comfort schemes			
	150		
Council Wide Efficiency Target (Service Redesign / Procurement / Transformation / Workforce Management) - to deliver further efficiency savings across all Services, on top of those previously identified over the three year period 2018 - 2021.			
			300
TOTAL ADDITIONAL SAVINGS PROPOSALS	182	40	512

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (iv)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
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Additional Expenditure Proposals

GIVING EVERY CHILD THE BEST START IN LIFE

Closing the Poverty Related Attainment Gap

200

Investment to strengthen access to evidence based interventions to ensure children and young people meet appropriate developmental milestones. (Non-Recurring)

Support for Young Carers - Educational Attainment

50

To support young carers' academic progression in recognition of the fact that their opportunities may be limited in comparison to their peers who do not have carer responsibilities. (Recurring)

Support for Young Carers

50

To provide increased support for young carers in the valuable and under-recognised role they undertake. (Non-Recurring)

DEVELOPING EDUCATED, RESPONSIBLE AND INFORMED CITIZENS

Adult Literacy

35

35

Increase investment to strengthen access to adult literacy services to maximise opportunities for all. (Non-Recurring)

Digital Learning Strategy

250

Investment to support the implementation of the new Digital Learning Strategy. (Non-Recurring)

Advocacy Support

50

50

50

To provide support for a targeted group of young people at key transition points in their life. (Non-Recurring)

Safe Start Clubs

25

To support the establishment of additional volunteer-led after-school and breakfast clubs by providing, for example, grants for equipment such as fridges. (Non-Recurring)

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
Modern Apprentices	50		
To recognise the importance of modern apprenticeships in providing valuable career skills and new employees for the Council by enhancing the existing scheme. (Non-Recurring)			
Wider Achievement	25		
To expand the opportunities for children to develop co-operation and leadership skills outside the classroom setting by providing more opportunities to take part in programmes such as Career Ready, Duke of Edinburgh and Youth Leadership. (Non-Recurring)			
Instrumental Music Service - Promoting Access	35	35	35
To expand opportunities for children from more deprived backgrounds to participate in and benefit from music tuition. (Non-Recurring)			
<u>PROMOTING A PROSPEROUS, SUSTAINABLE AND INCLUSIVE ECONOMY</u>			
15 Minute Free Parking Initiative	19		
Continuation of the Free 15 Minute Parking Initiative to include on street parking across all Perth and Kinross. (Recurring)			
Funded by reduced expenditure on the Car Park Trading Account. (Recurring)	(19)		
Enterprising Rural Perthshire Programme	40	40	40
Increased funding for Growbiz to support further expansion into other areas of rural Perthshire to assist with micro business start ups and those becoming self employed. (Non-Recurring)			
Rural Business Expansion Feasibility Support	100	100	
To provide funding for local business expansion, by allowing communities to create or expand communal work spaces to assist small businesses to take the next step. (Non-Recurring)			
Perthshire & Kinross-shire Events	100		
To allow groups in our rural communities to apply for start-up funding for recurring events that will attract visitors from outside the immediate area. (Non-Recurring)			
Perthshire & Kinross-shire Tourist Routes	50		
To establish "Heart of Scotland" touring routes around Perth and Kinross that link into existing road, cycle and rail routes and promote the historical, cultural and environmental attractions across the area. (Non-Recurring)			

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
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APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
Small Town Retail Façade	100		
To encourage business in small towns, to ensure that the frontages of their premises are updated, welcoming and say 'We're open for business' to encourage local and visitor spend. (Non-Recurring)			
Town Centre Management	100		
To enhance the economic potential of rural towns by providing a point of contact for local businesses and partnership forums. (Non-Recurring)			
Micro Business Fund		100	
To create a fund to provide microfinance to small businesses for start-up or expansion costs, such as the purchase of equipment or website development. (Non-Recurring)			

SUPPORTING PEOPLE TO LEAD INDEPENDENT, HEALTHY AND ACTIVE LIVES

Money Advice Funding	100		
Continuation of additional funding for the Money Advice Service (provided by the Citizens Advice Bureau) to meet the significant increase in enquiries from households struggling to meet basic living costs. (Non-Recurring)			
Citizen's Advice Bureau	36	36	36
To secure the provision of services by affording assistance with costs incurred in providing this service such as rent. (Non-Recurring)			
Fairer Futures			
To provide support over three years for the following projects:			
- Minority Ethnic Carers of People Project (Non-Recurring)	22	22	22
- Minority Communities Hub (Non-Recurring)	24	24	24
- Ethnic Minority Law Centre (Non-Recurring)	24	24	24
- Disability Athletics (Non-Recurring)	30	30	30
- Saints Project (Non-Recurring)	60	60	60
Personalised Support for Homelessness	25		
Individual person / emergency budget for homelessness prevention and crisis avoidance. This is an additional preventative measure to avoid unnecessary homeless presentations. (Recurring)			

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
Fairer Futures - Perth Foodbank	20	20	20
Cost of two part time staff and associated administration costs. (Non-Recurring)			
Fairer Futures - A Thriving Third Age	60	60	60
To support the implementation of the Communities First transformation of care provision, expanding the successful model of community support as developed in Stanley. This project has facilitated people to live independently within their own community. (Non-Recurring)			
Community Empowerment - Area Action Partnerships		150	
Continued funding to enable Area Action Partnerships to work with communities in developing community capacity and support community led initiatives. (Non-Recurring)			
Late Night Buses - Blairgowrie / Alyth	4		
To provide a subsidy to continue the provision of the most used late night bus service from the trial initiated in 2017. (Non-Recurring)			
<u>CREATING A SAFE AND SUSTAINABLE PLACE FOR FUTURE GENERATIONS</u>			
Support for Bloom Groups	20	20	
Additional funding to support Bloom Groups to build on the highly successful and visible initiatives that are already enjoyed across Perth & Kinross. (Non-Recurring)			
Road Safety Measures	300	300	
To invest in a range of road safety measures including £150,000 annually for Vehicle-Activated Signs and to provide funds to implement new 20mph limits and zones (Non-Recurring)			
Planning Enforcement & Tree Protection Officers	80		
To provide additional resource to ensure that developers have necessary permission for works and that planning conditions are adhered to. (Recurring)			
Unadopted Roads	50		
To provide a top-up to existing funds to provide financial assistance to residents for the adoption of currently unadopted roads, based on the Council's current policy. (Non-Recurring)			

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
Community Investment Fund	600	600	
To create a fund available for communities in each ward to apply for a share of up to £50,000 annually for projects or works in the ward recommended by community representatives and local elected members. To be earmarked in Reserves and drawn down as required. (Non-Recurring)			
Maintenance of Greenspaces	100	100	
The cost of funding four modern apprenticeships in horticulture, plus a supervisor, equipment and training, for a two-year MA course. (Non-Recurring)			
Footpaths & Cycle Networks	300		
To help fund the development and expansion of rural footpaths and cycle networks. (Non-Recurring)			
War Memorials	5		
To provide money for any necessary repairs to bronze statuary war memorials prior to the 100th anniversary of the Armistice in 2018. (Non-Recurring)			
TOTAL ADDITIONAL EXPENDITURE PROPOSALS	3,120	1,806	401

APPENDIX (v)

2018/19 COUNCIL TAX CALCULATION

	2018/19 £'000	£'000
2018/19 Provisional Revenue Budget		329,526
Adjustments:		
Reject Proposed Expenditure Pressures 2018/19 (Appendix i)	95	
Reject Proposed Savings 2018/19 (Appendix ii)	4,235	
Additional Savings Proposals 2018/19 (Appendix iii)	(182)	
Additional Expenditure Proposals 2018/19 (Appendix iv)	2,520	
		6,668
2017/18 Updated Provisional Revenue Budget		336,194
<u>Funding</u>		
Total Revenue Funding	(244,472)	
Council Tax Second Home / Long Term Empty Properties	(1,300)	
Capital Grants	(1,400)	

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (v) (cont.)

2018/19 COUNCIL TAX CALCULATION

	2018/19	
	£'000	£'000
Revenue Budget Flexibility - February 2017	(550)	
Revenue Budget Flexibility - February 2018	(3,188)	
Net Contribution from Reserves included in Provisional Budget	(3,134)	
Additional Expenditure Proposals 2018/19 (Appendix iv)	600	
Contribution to Reserves included in this Motion	1,250	
	<hr/>	<hr/>
		(252,194)
 AMOUNT TO BE LEVIED FROM COUNCIL TAX		 84,000
 TAX BASE BAND D EQUIVALENT PROPERTIES (2% Non Collection)		 69,079
 FINAL 2018/19 BAND D COUNCIL TAX		 <hr/> <hr/> £ 1,216
 FINAL INCREASE (2017/18 BAND D COUNCIL TAX £1,181)		 <hr/> <hr/> £ 35
 FINAL PERCENTAGE INCREASE		 <hr/> <hr/> 3.0%

Excluding Water and Waste Water charges determined by Scottish Water.

APPENDIX (vi)

2019/20 COUNCIL TAX CALCULATION

	2019/20	
	£'000	£'000
2019/20 Provisional Revenue Budget		321,202
2018/19 Recurring Proposals		4,303
Adjustments:		
Reject Proposed Expenditure Pressures 2019/20 (Appendix i)	(105)	
Reject Proposed Savings 2019/20 (Appendix ii)	4,092	
Additional Savings Proposal 2019/20 (Appendix iii)	(40)	
Additional Expenditure Proposals 2019/20 (Appendix iv)	1,206	
	<hr/>	<hr/>
		5,153
2019/20 Updated Provisional Revenue Budget		330,658
 <u>Funding</u>		
Total Revenue Funding	(240,277)	
Council Tax Second Home / Long Term Empty Properties	(1,300)	
Capital Grants	(1,400)	

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (vi) (cont.)

2019/20 COUNCIL TAX CALCULATION

	2019/20	
	£'000	£'000
Net Contribution to Reserves included in Provisional Budget	944	
Additional Expenditure Proposals 2019/20 (Appendix iv)	600	
Contribution from Reserves included in this Motion	(1,968)	
	<hr/>	<hr/>
		(243,401)
 AMOUNT TO BE LEVIED FROM COUNCIL TAX		 87,257
 TAX BASE BAND D EQUIVALENT PROPERTIES (2% Non Collection)		 69,694
 INDICATIVE 2019/20 BAND D COUNCIL TAX		 <hr/> £ 1,252 <hr/>
 INDICATIVE INCREASE (2018/19 FINAL BAND D COUNCIL TAX £1,216)		 <hr/> £ 36 <hr/>
 INDICATIVE PERCENTAGE INCREASE		 <hr/> 3.0% <hr/>

Excluding Water and Waste Water charges determined by Scottish Water.

APPENDIX (vii)

2020/21 COUNCIL TAX CALCULATION

	2020/21	
	£'000	£'000
2020/21 Provisional Revenue Budget		324,481
2019/20 Recurring Proposals		8,250
Adjustments:		
Reject Proposed Expenditure Pressures 2020/21 (Appendix i)	95	
Reject Proposed Savings 2020/21 (Appendix ii)	1,157	
Additional Savings Proposals 2020/21 (Appendix iii)	(512)	
Additional Expenditure Proposals 2020/21 (Appendix iv)	401	
	<hr/>	<hr/>
		1,141
2020/21 Updated Provisional Revenue Budget		333,872
 <u>Funding</u>		
Total Revenue Funding	(241,421)	
Council Tax Second Home / Long Term Empty Properties	(1,300)	
Capital Grants	(1,400)	
Net Contribution to Reserves included in Provisional Budget	1,284	
Contribution from Reserves included in this Motion	(401)	
	<hr/>	<hr/>
		(243,238)

APPENDIX (vii) (cont.)

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

2020/21 COUNCIL TAX CALCULATION

	2020/21	£'000	£'000
AMOUNT TO BE LEVIED FROM COUNCIL TAX			90,634
TAX BASE BAND D EQUIVALENT PROPERTIES (2% Non Collection)			70,259
INDICATIVE 2020/21 BAND D COUNCIL TAX		<u>£ 1,290</u>	
INDICATIVE INCREASE (2019/20 FINAL BAND D COUNCIL TAX £1,252)		<u>£ 38</u>	
INDICATIVE PERCENTAGE INCREASE			<u>3.0%</u>

Excluding Water and Waste Water charges determined by Scottish Water.

Amendment (Councillors D Doogan and F Sarwar):

The Council agrees:

1. To approve the 2018/19 Provisional Revenue Budget of £329,526,000 as set out in Appendix B of Report No. 18/47.
2. To approve the 2019/20 Provisional Revenue Budget of £321,202,000 as set out in Appendix B of Report No. 18/47.
3. To approve the 2020/21 Provisional Revenue Budget of £324,481,000 as set out in Appendix B of Report No. 18/47.
4. To approve a provision for the non-collection of Council Tax of 2% in 2018/19, 2019/20 and 2020/21.
5. To approve the carry forward of £3,188,000 of resources from 2017/18 into 2018/19 under the terms of the Council's Revenue Budget Flexibility Scheme as set out in Appendix C of Report No. 18/47.
6. To approve the application of £2,088,000 to Perth & Kinross Integration Joint Board (subject to confirmation of the 2017/18 year-end position).
7. To approve the contribution to Perth & Kinross Integration Joint Board of £49,115,000 which is included in the 2018/19 Provisional Revenue Budget. This offer is contingent on ring fencing the funding for the options appraisal of care services provided at the Beechgrove Site and Community Mental Health & Wellbeing - see Appendix (iv).
8. To approve the expenditure pressures for 2018/19, 2019/20 and 2020/21 as set out in Appendix D of Report No. 18/47 with the exception of those listed in Appendix (i) of this Revenue Budget Amendment.
9. To approve the implementation of the savings options for 2018/19, 2019/20 and 2020/21 as set out in Appendix D of Report No. 18/47 with the exception of those listed in Appendix (ii) of this Revenue Budget Amendment.
10. To approve the additional savings proposals for 2018/19, 2019/20 and 2020/21 as listed in Appendix (iii) of this Revenue Budget Amendment.
11. To approve the additional expenditure proposals for 2018/19, 2019/20 and 2020/21 as set out in Appendix (iv) of this Revenue Budget Amendment.
12. To approve an additional contribution to Reserves of £2,313,000 in 2018/19, of which £2,000,000 will be applied for Local Roads Repairs in 2019/20.

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
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13. To approve an additional contribution from Reserves of £1,300,000 in 2019/20.
14. To approve the Final Revenue Budget for 2018/19 of £335,731,000 resulting in a Band D Council Tax of £1,216 in 2018/19 as summarised in Appendix (v) of this Revenue Budget Amendment. This represents a 3% increase from the Council Tax Band D figure for 2017/18.
15. To approve the Updated Provisional Revenue Budget for 2019/20 of £330,590,000 resulting in an indicative Band D Council Tax of £1,252 in 2019/20 as summarised in Appendix (vi) of this Revenue Budget Amendment. This represents an indicative 3% increase from the Council Tax Band D figure for 2018/19.
16. To approve the Updated Provisional Revenue Budget for 2020/21 of £333,471,000 resulting in an indicative Band D Council Tax of £1,290 in 2020/21 as summarised in Appendix (vii) of this Revenue Budget Amendment. This represents an indicative 3% increase from the Council Tax Band D figure for 2019/20.
17. To defer consideration of the Composite Capital Budget until the June 2018 meeting of the Council, subject to further detail on the Tay Cities Deal becoming available.
18. That the additional General Capital Grant of £236,000 is allocated when the Capital Budget is considered by Council in June 2018.

APPENDIX (i)

	Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
EXPENDITURE PRESSURES REJECTED				
<u>The Environment Service</u>				
3 Rephasing of the investment in Car Parking Infrastructure	66		100	(100)
<u>Corporate & Democratic Services</u>				
3 Communities	113	24		
TOTAL EXPENDITURE PRESSURES REJECTED		24	100	(100)

APPENDIX (ii)

	Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED				
<u>Education & Children's Services</u>				
10 Reinstatement of the budget for Parent Councils	48	20		
11 Partial reinstatement of the budget for Primary Swimming Lessons	49	30	20	

APPENDIX (ii) (cont.)

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED					
13	Rephasing of the Full Cost Recovery of Kids Clubs	50	(20)	(20)	40
17	Reinstatement of the budget for Teachers in Secondary Schools	53	81	627	348
18	Partial reinstatement of the budget for Breakfast Clubs	54		16	8
19	Partial reinstatement of the budget for the Childcare Strategy Team (training element).	54	25		
21	Reinstatement of the budget for School Crossing Patrollers	56		112	67
22	Reinstatement of the budget for Financial Administration	56		34	
23	Partial reinstatement of the budget for the Change & Improvement, Research and Performance Team	57	33	4	35
24	Partial reinstatement of the budget for (Non-Education) Senior Management Posts	58		71	62
25	Reinstatement of the budget for Clerical Staff who Support Statutory Functions	59		74	24
26	Reinstatement of the budget for School Improvement Senior Management Posts	59	105	139	124
27	Reinstatement of the budget for the Early Years Support Team & Travel Budgets	60		65	39
28	Reinstatement of the budget for Teachers numbers in Primary Education	61	197	643	365
29	Reinstatement of the budget for Teacher Numbers within Inclusion	61	29	300	194
30	Reinstatement of the School Supply Contingency Budget	62	152		
31	Reinstatement of the budget for Playstart	62	138	83	
32	Reinstatement of the budget for Educational Psychologists Posts	63		118	130
33	Reinstatement of the budget for Parenting and Family Learning	64		226	
34	Reinstatement of the budget for Posts and Services Funded from GIRFEC Monies	65	128	36	86
<u>The Environment Service</u>					
4	Rejection of the increased charge for the Domestic Garden Waste Service	71		180	
5	Partial rejection of the increase in Non-Statutory / Discretionary Charges (Pitches & Park Events)	72	2	2	2
6	Rephasing of the increase in charges for Parking Services	72		100	(100)

APPENDIX (ii) (cont.)

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED					
12	Reinstatement of the budget for Service Wide Staff Training	75	20		
20	Reinstatement of the budget for Recycling Centres	79	110		
23	Partial reinstatement of the budget for Recycling Centres	81	300		
24	Reinstatement of the budget for Winter Maintenance	82	55		
25	Reinstatement of the budget for Public Conveniences	83	170		
26	Reinstatement of the budget for Grounds Maintenance Service at Peak Summer	83	70		
27	Partial reinstatement of the budget for Public Transport	84	453		
28	Reinstatement of the budget for Winter Maintenance	84	185		
30	Reinstatement of the budget for Community Greenspace Play Areas	86	25		
31	Reinstatement of the budget for Community Greenspace Planned Maintenance	86	20		
32	Reinstatement of the budget for Roads Maintenance	87	80		
36	Reinstatement of the budgets for Waste Services and Community Greenspace Workforce	89		320	
38	Reinstatement of the budget for Business Support	91	45	31	33
39	Partial reinstatement of the budget for Finance & Governance Support	92		24	25
40	Reinstatement of the budget for Street Cleansing	93	210		
41	Rephasing and partial reinstatement of the budget for Regulation	94	90	155	(100)
42	Reinstatement of the budget for Street Cleansing	95		390	
43	Partial reinstatement of the budget for Grounds Maintenance	96		140	260
44	Reinstatement of the budget for the Operations Training Team	97		90	
<u>Housing & Community Safety</u>					
7	Partial reinstatement of the budget for the Community Safety and Environment Partnership	106	30		
12	Reinstatement of the budget for Revenues and Benefits Team Budgets	109		93	

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (ii) (cont.)

		Reference Report No. 18/47 Page No.	2018/19 £'000	2019/20 £'000	2020/21 £'000
SAVINGS REJECTED					
<u>Corporate & Democratic Services</u>					
4	Reinstatement of the budget for Training	116	10		
6	Partial Reinstatement of the budget for Workforce Management (Member's Services)	117	20	7	
9	Reinstatement of the budget for PKAVS	120	15	15	
<u>Culture & Leisure Services</u>					
2	Reinstatement of the budget for Pitlochry Festival Theatre	123	8	23	
3	Reinstatement of the budget for Village Halls	124	2		
3	Reinstatement of the budget for Birnam Arts	124	1		
4	Reinstatement of the budget for the contract fee with Live Active Leisure	124	176	138	11
5	Reinstatement of the budget for the contract fee with Horsecross Arts Ltd.	125	28	35	3
6	Reinstatement of the budget for the contract fee with Culture Perth & Kinross	126	79	98	8
7	Reinstatement of the budget for the Review of Cultural Trusts	127		70	80
TOTAL SAVINGS REJECTED			3,122	4,459	1,744

APPENDIX (iii)

		2018/19 £'000	2019/20 £'000	2020/21 £'000
ADDITIONAL SAVINGS PROPOSALS				
<u>The Environment Service</u>				
Public Toilets:				
- Closure of Ropemakers Close Public Toilets				
- Increase charge to 50p per visit (for over 14's)				
- 25% reduction in opening hours		140		
Close Inveralmond Recycling Centre			96	
Blairgowrie / Crieff / Kinross / Pitlochry Recycling Centre - move to four day service		68		
Vehicle Replacement Programme (excluding bin lorries) - 25% reduction in purchases resulting in savings on loan charges				
		6	121	222

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (iii) (cont.)

ADDITIONAL SAVINGS PROPOSALS	2018/19 £'000	2019/20 £'000	2020/21 £'000
Planning Income - increased target from charging	30		
Corporate Communications & Design - Service redesign to deliver 30% savings		117	
<u>Housing & Community Safety</u>			
Community Wardens - 25% reduction in budget	79	80	
Reduction in Revenues & Benefits budgets (excluding Welfare Rights).		93	
TOTAL ADDITIONAL SAVINGS PROPOSALS	323	507	222

APPENDIX (iv)

CORPORATE PLAN 2013 - 2018	2018/19 £'000	2019/20 £'000	2020/21 £'000
<u>Additional Expenditure Proposals</u>			
<u>GIVING EVERY CHILD THE BEST START IN LIFE</u>			
Active Under 10's	50		
Promote and increase participation in physical activity leading to long-lasting health and wellbeing benefits, this investment will broaden opportunities currently provided by Live Active Leisure and our schools. (Non-Recurring)			
Cycle Smart Campaign	15		
Co-ordination of Cycle Smart activities in all primary schools to be provided by Live Active Leisure.(Non-Recurring)			
Adverse Childhood Experience Officers	76		
Funding for two posts to support vulnerable young people to mitigate the effects of adverse childhood experiences and co-ordinate services. (Recurring)			
<u>DEVELOPING EDUCATED, RESPONSIBLE AND INFORMED CITIZENS</u>			
Welfare Rights	68		
Funding for two welfare rights officers to provide additional advice and support to citizens. (Recurring)			

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
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Adult Literacy

35

Increase investment to strengthen access to adult literacy services to maximise opportunities for all. (Non-Recurring)

Instrumental Music Service

239

Maintain levels of subsidy for new participants. (Recurring)

Instrumental Music Service

50

Additional funding to provide bursaries to talented young people to develop their musical skills. (Recurring)

Education & Children's Services Central Training Budget

9

Investment in central training for front line and centrally based staff. (Recurring)

PROMOTING A PROSPEROUS, SUSTAINABLE AND INCLUSIVE ECONOMY

15 Minute Free Parking Initiative

19

Continuation of the existing Free 15 Minute Parking Initiative. (Non-Recurring)

Funded by reduced expenditure on the Car Park Trading Account. (Non-Recurring) (19)

Residential Car Parking Permit Trial

50

Acceleration of residential car parking permit trial in the Gannochy area of Perth City to combat the parking issues around Murray Royal Hospital. (Non-Recurring)

Enterprising Rural Perthshire Programme

20

Continuation of funding for Growbiz to support further expansion into other areas of rural Perthshire to assist with micro business start ups and those becoming self employed. (Non-Recurring)

Pitlochry Outdoor Wi-Fi

25

Additional investment to provide free outdoor Wi-Fi in Pitlochry. (Non-Recurring)

PH2O Project

25

Funding to complete, within 12 months, a detailed options appraisal for PH2O, to accelerate delivery of this strategic project. (Non-Recurring)

APPENDIX (iv) (cont.)

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
22 FEBRUARY 2018

CORPORATE PLAN 2013 - 2018

2018/19	2019/20	2020/21
£'000	£'000	£'000

SUPPORTING PEOPLE TO LEAD INDEPENDENT, HEALTHY AND ACTIVE LIVES

Money Advice Funding	100
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Continuation of additional funding for the Money Advice Service (provided by the Citizens Advice Bureau) to meet the significant increase in enquiries from households struggling to meet basic living costs. (Non-Recurring)

Digital Inclusion Project	44
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Following the successful pilot, continued funding of training opportunities for vulnerable people to access services on digital platforms to support them in their daily lives . (Non-Recurring)

Community Empowerment - Area Action Partnerships	110
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Continued funding to enable Area Action Partnerships to work with communities in developing community capacity and support community led initiatives. (Non-Recurring)

Atholl Leisure Centre	35
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Additional investment to improve the facilities provided at the Atholl Leisure Centre in Pitlochry. (Non-Recurring)

Late Night Buses	69
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Funding to provide late night bus services on specified routes on Fridays and Saturdays to enhance rural connectivity and expand the wider economy. (Non-Recurring)

Demand Responsive Transport	15
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Investment to establish a demand responsive transport (DRT) scheme serving communities around Loch Tay and integrate with the existing Stirling DRT to Killin. (Non-Recurring)

Minority Ethnic Carers of People Project	22
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(Non-Recurring)

Minority Communities Hub	24
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(Non-Recurring)

Ethnic Minority Law Centre	20
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(Non-Recurring)

APPENDIX (iv) (cont.)

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CORPORATE PLAN 2013 - 2018	2018/19 £'000	2019/20 £'000	2020/21 £'000
Disability Athletics (Non-Recurring)	30		
Saints Project (Non-Recurring)	60		
Strathmore Cycle Network To support, in planning terms, the development of the Strathmore Cycle Network linking Alyth, Blairgowrie and Coupar Angus. (Non-Recurring)	30		
Tayside Crescent Playpark Additional funding towards the refurbishment of Tayside Crescent playpark in Aberfeldy. (Non-Recurring)	35		
Uplift in Funding to Live Active Leisure Consistent with the increase in Scottish Government to the Council, a 0.4% cash increase in funding to Live Active Leisure. (Recurring)	19		
Uplift in Funding to Horsecross Arts Ltd. Consistent with the increase in Scottish Government to the Council, a 0.4% cash increase in funding to Horsecross Arts Ltd. (Recurring)	5		
Uplift in Funding to Culture Perth & Kinross Consistent with the increase in Scottish Government to the Council, a 0.4% cash increase in funding to Culture Perth & Kinross. (Recurring)	13		
Uplift in Funding to PKAVS Consistent with the increase in Scottish Government to the Council, a 0.4% cash increase in funding to PKAVS. (Recurring)	3		
Options Appraisal of Care Services Provided at the Beechgrove Site Funding to complete, within 12 months, a comprehensive options appraisal of all care services provided from the Beechgrove Residential Care Home site in Perth. The funding offer to the IJB is contingent on these resources being ring-fenced for this purpose. (Non-Recurring)	50		

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF COUNCIL
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APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
Community Mental Health & Wellbeing	100		
Additional capacity to relieve the administrative burden of the service on social work professionals. The funding offer to the IJB is contingent on these resources being ring-fenced for this purpose. (Recurring)			
Support for Young Women	30		
Funding to provide free sanitary protection in all secondary schools (Recurring)			
Perth Foodbank	5		
Financial support to Perth & Kinross Foodbank to assist with running costs. (Recurring)			

CREATING A SAFE AND SUSTAINABLE PLACE FOR FUTURE GENERATIONS

Investment in Local Roads	1,000	2,000	100
Further £5 million additional funding for local roads repairs funded from, Revenue Budget headroom, earmarked Reserves and borrowing. (Non-Recurring)			
Road Safety Measures	300		
In addition to the £1.831 million in last year's budget a further allocation to deliver road safety measures around our schools. (Non-Recurring)			
Aberfeldy Road Safety Group	15		
Additional funding to support the work of the Aberfeldy Road Safety Group. (Non-Recurring)			
Community Capacity in Winter Maintenance	75		
Additional investment in equipment and infrastructure to support our communities to maintain safer pavements during the winter season . (Non-Recurring)			
Maintenance of Green Spaces	100	100	
Continued funding for the additional squad to enhance the maintenance of public green spaces creating further youth training and employment opportunities. (Non-Recurring)			

PERTH AND KINROSS COUNCIL
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APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
Support for Bloom Groups	20		
Continued additional funding to support Bloom Groups to build on the highly successful and visible initiatives that are already enjoyed across Perth & Kinross. (Non-Recurring)			
Tulloch Community Centre Endowment Fund	25		
Pilot project for community asset transfer of Tulloch Community Centre, with a view to rolling this out across the entire community hall estate. (Non-Recurring)			
Braco Village Hall	20		
Funding for essential works (toilets and wider improvements) at Braco Village Hall. (Non-Recurring)			
Pitlochry Festival Theatre	25		
Creative Learning and Outreach Project. (Non-Recurring)			
Perthshire Women's Aid	30		
Additional grant funding to Perthshire Women's Aid to provide enhanced support services across rural Perth & Kinross. (Non-Recurring)			
Tourism in Loch Leven and Kinross-shire	50		
Additional investment in a feasibility study plus assistance with planning and fundraising for an enhanced tourism offer at Loch Leven and Kinross-shire. (Non-Recurring)			
Marketing Campaign for Bio-Degradable Dog Waste Bags	10		
Initial investment to educate and encourage the maximum use of biodegradable dog waste bags across Perth & Kinross. (Non-Recurring)			
Safer Routes to Schools	100		
Enhance maintenance of pedestrian routes around our schools. (Non-Recurring)			
Charity Forward Coupar Angus	40		
Initial funding to be matched by community fund raising to secure the retail community hub facility. (Non-Recurring)			
Community Warden in Highland Perthshire	20		
Further support to the Highland Perthshire Community to sustain their community warden service. (Non-Recurring)			

PERTH AND KINROSS COUNCIL
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APPENDIX (iv) (cont.)

CORPORATE PLAN 2013 - 2018

	2018/19 £'000	2019/20 £'000	2020/21 £'000
Pitlochry Pavilion	25		
Investment to attract match funding for the renovation of Pitlochry Pavilion. (Non-Recurring)			
Establishment of an Income Generation Officer	80	(50)	(20)
Investment to allow the establishment of an Income Generation Officer to generate new and recurring income streams to the Council in areas such as energy generation and advertising space. Income targets will be established by 2019/20 with a view to generating a surplus by 2021/22 (Recurring)			
Civic Services	14		
Additional capacity in Civic Services. (Recurring)			
TOTAL ADDITIONAL EXPENDITURE PROPOSALS	3,430	2,050	80

APPENDIX (v)

2018/19 COUNCIL TAX CALCULATION

	2018/19 £'000	£'000
2018/19 Provisional Revenue Budget		329,526
Adjustments:		
Reject Proposed Expenditure Pressures 2018/19 (Appendix i)	(24)	
Reject Proposed Savings 2018/19 (Appendix ii)	3,122	
Additional Savings Proposals 2018/19 (Appendix iii)	(323)	
Additional Expenditure Proposals 2018/19 (Appendix iv)	3,430	
		6,205
2017/18 Updated Provisional Revenue Budget		335,731
<u>Funding</u>		
Total Revenue Funding	(244,472)	
Council Tax Second Home / Long Term Empty Properties	(1,300)	
Capital Grants	(1,400)	
Revenue Budget Flexibility - February 2017	(550)	
Revenue Budget Flexibility - February 2018	(3,188)	
Net Contribution from Reserves included in Provisional Budget	(3,134)	
Contribution to Reserves included in this Amendment	2,313	
		(251,731)

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APPENDIX (v) (cont.)

2018/19 COUNCIL TAX CALCULATION

	2018/19
	£'000 £'000
AMOUNT TO BE LEVIED FROM COUNCIL TAX	84,000
TAX BASE BAND D EQUIVALENT PROPERTIES (2% Non Collection)	69,079
FINAL 2018/19 BAND D COUNCIL TAX	<u>£ 1,216</u>
FINAL INCREASE (2017/18 BAND D COUNCIL TAX £1,181)	<u>£ 35</u>
FINAL PERCENTAGE INCREASE	<u>3.0%</u>

Excluding Water and Waste Water charges determined by Scottish Water.

APPENDIX (vi)

2019/20 COUNCIL TAX CALCULATION

	2019/20
	£'000 £'000
2019/20 Provisional Revenue Budget	321,202
2018/19 Recurring Proposals	3,486
Adjustments:	
Reject Proposed Expenditure Pressures 2019/20 (Appendix i)	(100)
Reject Proposed Savings 2019/20 (Appendix ii)	4,459
Additional Savings Proposals 2019/20 (Appendix iii)	(507)
Additional Expenditure Proposals 2019/20 (Appendix iv)	<u>2,050</u>
	<u>5,902</u>
2019/20 Updated Provisional Revenue Budget	330,590
<u>Funding</u>	
Total Revenue Funding	(240,277)
Council Tax Second Home / Long Term Empty Properties	(1,300)
Capital Grants	(1,400)
Net Contribution to Reserves included in Provisional Budget	944
Contribution from Reserves included in this Amendment	<u>(1,300)</u>
	<u>(243,333)</u>
AMOUNT TO BE LEVIED FROM COUNCIL TAX	87,257
TAX BASE BAND D EQUIVALENT PROPERTIES (2% Non Collection)	69,694

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APPENDIX (vi) (cont.)

2019/20 COUNCIL TAX CALCULATION

	2019/20	
	£'000	£'000
INDICATIVE 2019/20 BAND D COUNCIL TAX		£ 1,252
INDICATIVE INCREASE (2018/19 FINAL BAND D COUNCIL TAX £1,216)		£ 36
INDICATIVE PERCENTAGE INCREASE		3.0%

Excluding Water and Waste Water charges determined by Scottish Water.

APPENDIX (vii)

2020/21 COUNCIL TAX CALCULATION

	2020/21	
	£'000	£'000
2020/21 Provisional Revenue Budget		324,481
2019/20 Recurring Proposals		7,288
Adjustments:		
Reject Proposed Pressures 2020/21 (Appendix i)	100	
Reject Proposed Savings 2020/21 (Appendix ii)	1,744	
Additional Savings Proposal 2020/21 (Appendix iii)	(222)	
Additional Expenditure Proposals 2020/21 (Appendix iv)	80	
		1,702
2020/21 Updated Provisional Revenue Budget		333,471
<u>Funding</u>		
Total Revenue Funding	(241,421)	
Council Tax Second Home / Long Term Empty Properties	(1,300)	
Capital Grants	(1,400)	
Net Contribution to Reserves included in Provisional Budget	1,284	
		(242,837)
AMOUNT TO BE LEVIED FROM COUNCIL TAX		90,634
TAX BASE BAND D EQUIVALENT PROPERTIES (2% Non Collection)		70,259
INDICATIVE 2020/21 BAND D COUNCIL TAX		£ 1,290
INDICATIVE INCREASE (2019/20 FINAL BAND D COUNCIL TAX £1,252)		£ 38
INDICATIVE PERCENTAGE INCREASE		3.0%

Excluding Water and Waste Water charges determined by Scottish Water.

THEREAFTER, THE MEETING WAS ADJOURNED FOR 50 MINUTES,
RECOMMENCING AT 3.55PM.

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In accordance with Standing Order 44, a roll call vote was taken.

15 members voted for the Amendment as follows:

Councillors H Anderson, B Band, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, T McEwan, A Parrott, B Pover, J Rebbeck, F Sarwar, R Watters and M Williamson.

24 members voted for the Motion as follows:

Councillors C Ahern, A Bailey, K Baird, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, H Coates, A Forbes, D Illingworth, I James, A Jarvis, M Lyle, R McCall, X McDade, Provost Melloy, C Purves, C Reid, W Robertson, C Shiers, L Simpson, C Stewart and W Wilson.

Resolved:

In accordance with the Motion.

97. RESERVES STRATEGY

There was submitted a report by the Head of Finance (18/48) recommending a strategy for managing the Council's General Fund Reserves (with the exception of the Housing Revenue Account balance) in the context of setting the Council's Final Revenue Budget for 2018/19 and Provisional Revenue Budgets for 2019/20 and 2020/21.

Resolved:

- (i) The proposals to earmark General Fund Reserves, as set out in Section 2 of Report 18/48, be approved.
- (ii) The proposed approach to managing uncommitted General Fund Reserves, as set out in Section 3 of Report 18/48, be approved.
- (iii) The proposed approaches to managing the Capital Receipts Reserve; Renewal and Repair Fund; Insurance Fund, Capital Fund and Capital Grants Unapplied Reserve, as set out in Sections 4 to 8 of Report 18/48, be approved.

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## **PERTH COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Perth Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 28 February 2018 at 11.00am.

Present: Councillors B Band, C Ahern, P Barrett, D Doogan, M Lyle (from Art. 102(2)), S McCole, A Parrott, J Rebbeck and W Wilson.

In Attendance: S Merone (The Environment Service); D Coyne, J Salisbury, S Hendry, A Taylor and S Richards (all Corporate and Democratic Services).

Apology for Absence: Councillors A Coates, H Coates and E Drysdale.

Councillor B Band, Convener, Presiding.

### **98. WELCOME AND APOLOGIES**

Councillor B Band welcomed all present to the meeting and apologies were noted as above.

### **99. DECLARATIONS OF INTEREST**

Councillor B Band declared a non-financial interest in Art. 102(5), Councillors P Barrett, A Parrott and W Wilson all declared a non-financial interest in Art. 104

### **100. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth Common Good Fund Committee of 20 December 2017 (Arts. 703-708) was submitted, approved as a correct record and authorised for signature.

### **101. MATTERS ARISING**

#### **Training of Carilloners – St John's Kirk of Perth**

Councillor Band provided the Committee with a verbal update on the current position with regards the potential training of any new Carilloners. He advised that Dr Cassells had recently conducted a session with an organist and was hoping that more sessions could be arranged in future.

### **102. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/74) asking the Perth Common Good Fund Committee to consider 5 applications for financial assistance.

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**Resolved:**

**(1) Young Person**

A young person be awarded a grant of £150 towards the costs of pursuing dance training at National level and at a local dance school.

**(2) Perth Grammar School**

Perth Grammar School be awarded a grant of £4,300 towards the costs of holding a conference on gender equality.

**(3) Perth Access Cars**

Perth Access Cars be awarded a grant of £2,500 towards the costs of a new wheelchair accessible vehicle.

**(4) Trellis**

Trellis be awarded a grant of £1,360 towards the costs of holding a conference on therapeutic gardening for practitioners.

**(5) Perthshire Musical Festival**

Perthshire Musical Festival be awarded a grant of £1,500 towards the costs of running an arts competition.

**103. 2018/19 BUDGET AND 2017/18 FINANCIAL STATEMENT**

There was submitted a joint report by the Head of Finance and the Executive Director (Environment) (18/75) (1) seeking approval of the budget for Financial Year 2018/19; and (2) detailing the Income and Expenditure to 31 January 2018 and the projected outturn for Financial Year 2017/18.

**Resolved:**

- (i) The Perth Common Good Fund budget for financial year 2018/19 as set out in Appendix 1 to Report (17/75), be approved.
- (ii) The Perth Common Good Fund draft budget for financial years 2019/20 and 2020/21 as set out in Appendix 1 to Report (17/75), be noted.
- (iii) The proposals for maintaining and earmarking the Revenue Account balance, as noted in sections 2.20 to 2.21 of Report (17/75), be approved.
- (iv) The Perth Common Good Fund Income and Expenditure to 31 January 2018 and the projected outturn to 31 March 2018, as set out in Appendix 3 to Report (17/75), be noted.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

**104. SITE (0.1478) HARBOUR ROAD, PERTH – CONSENT TO APPROVE NEW SUBLEASE**

There was submitted a report by the Executive Director (Environment) (18/76) seeking approval to grant consent under the terms of the ground lease of this site to permit the current tenant, to sublet the whole site.

**Resolved:**

Consent be given to permit the current tenant to sublet the site for a term of six years allowing a mutual break option in the third year, as per the terms of the ground lease.

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PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 6 March 2018 at 10.30am.

Present: Councillors W Wilson (excluding Art. 107 (v)), B Brawn, R McCall and L Simpson (up to and including Art. 107(v)).

In Attendance: D Harrison (Planning Adviser), C Elliott (Legal Adviser) and D Williams (Committee Officer) (all Corporate and Democratic Services).

Also Attending: C Brien (the Environment Service); members of the public, including agents and applicants.

Councillor W Wilson, Convener, Presiding.

105. DECLARATIONS OF INTEREST

Councillor W Wilson declared a non-financial interest on Art. 107(v).

106. MINUTE

The minute of meeting of the Local Review Body of 6 February 2018 was submitted and noted.

107. APPLICATIONS FOR REVIEW

(i) TCP/11/16(506) - Planning Application – 17/01339/FLL – Erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank – Mr J Jenkins

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

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Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank, be refused for the following reason:
 - 1. The proposal will intensify the use of an existing sub-standard access and junction which has poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan 2014, which seeks to ensure the safety of all road users.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

- (ii) **TCP/11/16(510) - Planning Application – 17/01738/FLL – Erection of a dwellinghouse and garage with ancillary accommodation, land 30 metres south east of Chance Inn Cottage, Kinross – Mr G Jack**

Members considered a Notice of Review seeking review/amendment of condition 10 (no permitted development) of the conditions imposed by the Appointed Officer for the erection of a dwellinghouse and garage.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application seeking removal/amendment of condition 10 (no permitted development) of the conditions imposed by the Appointed Officer for the erection of a dwellinghouse and garage with ancillary accommodation, land 30 metres south east of Chance Inn Cottage, Kinross, be refused and Condition 10 continue to read as follows:
 - 1. '10. No development or extensions, whether or not permitted by virtue of Schedule 1, Part 1, Class 1, 2, 3 and Part 2, Class 7 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 or any Order revoking and re-enacting that Order shall be erected in the curtilage of the dwelling.

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Reason – In the interests of visual and residential amenity; to ensure a satisfactory standard of local environmental quality; to reserve the rights of the Planning Authority’.

Justification

The proposed amendment is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

(iii) TCP/11/16(511) – Planning application - 17/01049/FLL – Erection of a dwellinghouse, garage and stables and formation of vehicular access (revised design), land 120 metres west of Chance Inn Cottage, Kinross – Mr and Mrs G Jack

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse, garage and stables and formation of vehicular access (revised design), land 120 metres west of Chance Inn Cottage, Kinross.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer’s Report of Handling and the grounds set out in the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse, garage and stables and formation of vehicular access (revised design), land 120 metres west of Chance Inn Cottage, Kinross, be refused for the following reasons:
 - 1. The proposal is contrary to Policy PM1A: Placemaking of the Perth and Kinross Local Development Plan 2014, as the scale, massing and location of the stable building is considered to be unacceptable; it would not contribute positively to the quality of the surrounding built environment as it would create sporadic development in the open countryside. Furthermore, it would not respect the character and amenity of the building group at Chance Inn.
 - 2. The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes

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the character of the countryside by creating sporadic development northwards in the open countryside to the detriment of the building group and sense of place.

3. The proposal is contrary to Policy ER6(a) of the Perth and Kinross Local Development Plan 2014 as it erodes the local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of the landscape experience due to the scale and mass of the proposed stables in the open countryside.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

- (iv) **TCP/11/16(512) – Planning application - 17/01662/FLL – Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of portable buildings, formation of vehicular accesses and associated works, land 300 metres south east of Distillery Cottages, Milton of Edradour – Mr R Robertson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of portable buildings, formation of vehicular accesses and associated works, land 300 metres south east of Distillery Cottages, Milton of Edradour.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (ii) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of portable buildings, formation of vehicular accesses and associated works, land 300 metres south east of Distillery Cottages, Milton of Edradour, be refused for the following reasons:
 1. The proposal is contrary to Policy RD3 – Housing in the Countryside, of the Perth and Kinross Local Development

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Plan 2014, in addition to the Council's Housing in the Countryside Guide 2012, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.

2. The proposal is contrary to Policy ED3 – Rural Business and Diversification, of the Perth and Kinross Local Development Plan 2014, as the farming business is not considered to be established and there is no site specific justification which would allow for the site to be acceptable.
3. The proposal is contrary to Policy ER6 - .Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, of the Perth and Kinross Local Development Plan 2014, as the siting and scale of the proposed development is highly intrusive to the existing landscape framework and does not conserve or enhance the surrounding landscape as required by the policy.
4. The proposal is contrary to Policy PM1B – Placemaking criterion (a) and (b), of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside, whilst the removal of trees and overall location of the proposed development would additionally erode and dilute the areas landscape character.
5. The proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as Policy NE2B of the Perth and Kinross Local Development Plan 2014, as there are no clear public benefits associated with the removal of certain trees within the woodland to provide selected views for the proposed development.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

HAVING DECLARED A NON-FINANCIAL INTEREST, COUNCILLOR W WILSON WITHDREW FROM THE MEETING DURING CONSIDERATION OF ART. 107(v).

Councillor B Brawn was unanimously appointed as Convener for the purposes of hearing Art. 107(v).

Councillor B Brawn, Acting Convener, Presiding.

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(v) TCP/11/16(514) – Planning application - 17/01699/FLL – Formation of decking, Café Tabou, 4 St. John’s Place, Perth, PH1 5SZ – Mr and Mrs Michalak

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the formation of decking, Café Tabou, 4 St. John’s Place, Perth, PH1 5SZ.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer’s Report of Handling and the grounds set out in the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (iii) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for the formation of decking, Café Tabou, 4 St. John’s Place, Perth, PH1 5SZ, be refused for the following reasons:
 - 1. The proposal is contrary to Policy RC1 of the Perth and Kinross Local Development Plan 2014 which seeks to ensure the encouragement of Class 2 & 3 development (e.g. restaurant use) in ground floor units which contribute to the character of the retail area and provides an attractive shop frontage treatment. The proposal does not positively contribute to the character of the retail area by virtue of its placement, design, material finish and consequentially nor is the proposal an appropriate addition to the restaurant’s frontage, resulting in non-compliance with criterion (c).
 - 2. The proposal is contrary to Policy HE3A of the Perth and Kinross Local Development Plan 2014 which seeks to ensure that development within a Conservation Area will preserve or enhance its character or appearance with appropriate design, materials, scale and siting of a new development. The proposal is not in keeping with the local character of the conservation area due to the use of non-traditional materials and, unsympathetically, would cover a section of granite paving, identified within the Perth Central Conservation Area Appraisal as a high quality material which contributes to the character of the area.
 - 3. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014 which seeks to ensure that development contributes positively to the quality of the surrounding built and natural environment,

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whilst respecting the character and amenity of the place. The proposal, by virtue of its inappropriate placement, material finish and scale would result in an adverse impact on the visual amenity and character of the local area. The proposal is not an appropriate addition to the local context within the Perth Central Conservation Area or settings of listed buildings.

4. The proposal is contrary to Policy PM1B(c) of the Perth and Kinross Local Development Plan 2014 which seeks to ensure that all proposals are of a design and density which complements its surroundings in terms of appearance, height, scale, massing, materials, finish and colours. The proposal is of an appearance, non-traditional material and finish which does not complement its surroundings in a conservation area or the settings of listed buildings, and is of scale and mass which cannot be moved easily in the event of an emergency in order to access and maintain the public road and underground services.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Note: Councillor Brawn dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that permission for the formation of decking should be granted. He reasoned that the formation of decking would have enhanced the surrounding area and therefore complied with the Perth and Kinross Local Development Plan 2014.

COUNCILLOR L SIMPSON LEFT THE MEETING AT THIS POINT

COUNCILLOR W WILSON RETURNED TO THE MEETING AT THIS POINT

Councillor W Wilson, Convener, Presiding.

- (vi) **TCP/11/16(515) – Planning application - 17/01488/FLL – Installation of replacement windows, Woodend Cottage, Fairmount Road, Perth, PH2 7AW – S Parkinson and R Letby**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the installation of replacement windows, Woodend Cottage, Fairmount Road, Perth, PH2 7AW.

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The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by majority decision that:

- (ii) the Review application for the Installation of replacement windows, Woodend Cottage, Fairmount Road, Perth, PH2 7AW, be refused for the following reasons:
 - 1. The removal of the existing sash and case windows is not justified as it has not been demonstrated that they are beyond repair, beyond economic repair or that any attempt has been made to retain the sash and case windows. Approval would therefore be contrary to the Perth and Kinross Placemaking Guide, Policies PM1A, PM1B(c) and HE3 of the Perth & Kinross Local Development Plan 2014, Historic Scotland's "Managing Change in the Historic Environment" 2010 and "Historic Environment Policy Statement" 2016 and paragraph 115 of the Scottish Planning Policy 2014, all of which seek to safeguard the historic built environment.
 - 2. Notwithstanding the lack of justification for the removal of the existing sash and case windows, the proposed windows are of an inappropriate type as they do not replicate the design, appearance, proportion, opening method or astragal detail. Approval would have a detrimental impact on the character and appearance of the Conservation Area and would therefore be contrary to the Perth and Kinross Placemaking Guide, Policies PM1A, PM1B(c) and HE 3 of the Perth and Kinross Local Development Plan 2014, Historic Scotland's "Managing Change in the Historic Environment" 2010 and "Historic Environment Policy Statement" 2016 and paragraph 115 of the Scottish Planning Policy 2014, all of which seek to safeguard the historic built environment.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Note: Councillor Brawn dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned

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and that permission for Installation of replacement windows, Woodend Cottage, Fairmount Road, Perth, PH2 7AW should be granted. He reasoned that the proposed replacement windows would not have a detrimental effect upon the area, thereby meeting the criteria of the Perth and Kinross Local Development Plan 2014 and other policy.

(vii) TCP/11/16(516) - Planning Application – 17/01447/FLL – Alterations and extension to dwellinghouse, Balnagowan, Aberargie, Perth, PH2 9NE – Mrs A Kennedy

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse, Balnagowan, Aberargie, Perth, PH2 9NE.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for alterations and extension to dwellinghouse, Balnagowan, Aberargie, Perth, PH2 9NE, be refused for the following reason:
 - 1. The proposed development by virtue of its large scale and forward projection is not in keeping with either the character or appearance of the existing residential property and will result in an incongruous development being introduced into the local area. Accordingly, the proposal is contrary to Policies RD1, PM1A and PM1B (c and d) of the Perth and Kinross Local Development Plan 2014.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

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## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 7 March 2018 at 1.00pm.

Present: Provost D Melloy, Councillors C Ahern, H Anderson, A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, H Coates, S Donaldson, D Doogan, E Drysdale, A Forbes, T Gray, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade (up to and including Art. 119), T McEwan, A Parrott, J Rebbeck, C Reid, W Robertson, F Sarwar, C Shiers, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Environment); L Cameron, Interim Director (Housing and Community Safety); K McNamara, Head of Community Planning, Strategic Commissioning and Organisational Development; F Robertson, Head of Public Service Reform, Culture and Community Development; G Taylor, S Hendry, S MacKenzie, K Donaldson, S Flanigan, C Judge, C Flynn and L Simpson (all Corporate and Democratic Services); S Crawford, N Brian and J Fyfe (all The Environment Service.)

Apologies for Absence: Councillors B Pover and C Purves.

Provost D Melloy, Presiding.

### **108. WELCOME AND APOLOGIES**

Provost Melloy welcomed all those present to the meeting and apologies were submitted and noted as above.

### **109. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillors A Parrott, K Baird, C Ahern and R Watters declared a non-financial interest in Art. 117 on the agenda.

### **110. MINUTES OF PREVIOUS MEETINGS**

#### **(i) Minute of the special meeting of Perth and Kinross Council of 22 November 2017**

The minute of the special meeting of Perth and Kinross Council of 22 November 2017 (Arts. 687-689) was submitted, approved as a correct record and authorised for signature.

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**(ii) Minute of meeting of Perth and Kinross Council of 20 December 2017**

The minute of meeting of Perth and Kinross Council of 20 December 2017 (Arts. 727-743) was submitted, approved as a correct record and authorised for signature.

**111. MINUTES OF MEETINGS OF COMMITTEES FROM 22 NOVEMBER 2017 TO 7 FEBRUARY 2018**

The decisions recorded in Arts. 690-726/17 and 1-77, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary, with the following amendments noted:

- With reference to Article 26 of the Minute of the Housing and Communities Committee of 24 January 2018, Valedictories, the first sentence to be removed.
- With reference to Article 77 of the Minute of the Scrutiny Committee of 7 February 2018, the date should read 12 December 2017.

**112. COMMUNITY PLANNING PARTNERSHIP UPDATE**

There was submitted a report by the Senior Depute Chief Executive (18/65) providing an update on the activities of the Community Planning Partnership since the last update to Council on 20 December 2017.

**Resolved:**

The progress made in relation to Community Planning, and meeting requirements under the Community Empowerment (Scotland) Act 2015, be noted.

**113. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2017/18 QUARTER 3**

There was submitted a report by the Head of Finance (18/66) (1) providing a summary of Loans Fund transactions for the quarter ending 31 December 2017; and (2) reporting on compliance with the Council's Treasury Management Policy Statement; Treasury Management Practices; the Investment Strategy and the Prudential Indicators for the same period.

**Resolved:**

The contents of Report 18/66, submitted in accordance with the Council's Treasury Management Practices, be noted.

**114. TREASURY & INVESTMENT STRATEGY AND PRUDENTIAL INDICATORS 2018/19 – 2022/23**

There was submitted a report by the Head of Finance (18/67) detailing (1) the Council's proposed Treasury Strategy and activities for 2018/19 to 2022/23; and (2) the Investment & Property Strategy for 2018/19.

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**Resolved:**

- (i) The five year Treasury Strategy for 2018/19 to 2022/2, as set out in Report 18/67 and submitted in accordance with the Council's approved Treasury Management Practices, be approved.
- (ii) The Permitted Investments and Investment Strategy for 2018/19, as outlined in Sections 5 and 6 and detailed in Appendix III and IV to Report 18/67, including expanding the Permitted Investments of the Council to include further negotiable instruments such as Bonds and Floating Rate Notes, be approved.
- (iii) Consideration of the implementation of the revised Prudential Code and Code of Practice for Treasury Management be deferred to the Council meeting on 20 June 2018, as outlined in Section 8 of Report 18/67.
- (iv) The current approved Prudential Indicators for 2017/18 to 2022/23 continue to apply until the Council meeting on 20 June 2018 when a new Capital Budget will be set, as outlined in Section 9 of Report 18/67.

**115. PERTH AND KINROSS COUNCIL CORPORATE PLAN 2018-2022**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/68) (1) presenting the new Corporate Plan 2018-2022 for Perth and Kinross Council; and (2) setting out the Council's vision for the area and the type of organisation needed to fulfil that vision.

**Resolved:**

The new Corporate Plan 2018-2022, as detailed in Appendix 1 to Report 18/68, be approved.

**116. CORPORATE WORKFORCE PLAN 2018-2021**

There was submitted a report by the Chief Executive (18/69) (1) presenting the Council's Corporate Workforce Plan for the period 2018-2021 and (2) identifying the key workforce planning challenges facing the Council over that period.

**Resolved:**

The Corporate Workforce Plan 2018-2021, as detailed in Appendix 1 to Report 18/69, be approved.

**117. TRANSFORMING THE CULTURAL OFFER OF PERTH AND KINROSS:  
UPDATE ON CITY HALL**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/70) updating on progress with the City Hall project following the Council's decision in August 2017 to approve the appointment of Mecanoo by HubCo East Scotland as project architects. It was noted that in relation to Sections 1.1 and 2.6 of the report, the confirmed total City Hall project budget was £20M with £2.8M allocated for the project works.

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F Robertson, Head of Public Service Reform, Culture and Community Development, provided members with a slide based presentation on the contents of the report and answered a number of questions.

**Resolved:**

- (i) The progress with the City Hall project since the last update to Council in August 2017 be noted.
- (ii) The governance role of the Programme Board in overseeing the project delivery, as set out in Report 18/70, be noted.

**118. REVIEW OF STANDING ORDERS AND SCHEME OF ADMINISTRATION**

There was submitted a report by the Chief Executive (18/71) making recommendations on revisions to the Council's Standing Orders and Scheme of Administration following the review of political decision-making structures agreed by the Council on 20 December 2017.

Motion (Councillors M Lyle and P Barrett):

- (i) The revised Standing Orders, attached as Appendix 1 to Report 18/71, be approved with effect from 7 March 2018.
- (ii) The revised Scheme of Administration, attached as Appendix 2 to Report 18/71, be approved with effect from 7 March 2018, with the exception of the provisions relating to the Executive Director (Housing & Environment) service which will be effective from 1 April 2018.

**Amendment (Councillors A Bailey and X McDade):**

- (i) **The revised Standing Orders, attached as Appendix 1 to Report 18/71, be approved with effect from 7 March 2018, subject to Standing Order 34 being revised to state that formal notices of motion submitted in accordance with Standing Orders 39 and 40 would be considered prior to the substantive business before the Council.**
- (ii) **The revised Scheme of Administration, attached as Appendix 2 to Report 18/71, be approved with effect from 7 March 2018, with the exception of the provisions relating to the Executive Director (Housing & Environment) service which will be effective from 1 April 2018.**  
In accordance with Standing Order 44, a roll call vote was taken.

18 members voted for the Motion as follows:

Councillors C Ahern, K Baird, P Barrett, B Brawn, A Coates, H Coates, A Forbes, D Illingworth, I James, A Jarvis, M Lyle, R McCall, Provost Melloy, C Reid, W Robertson, L Simpson, C Stewart and W Wilson.

19 members voted for the Amendment as follows:

Councillors H Anderson, A Bailey, B Band, M Barnacle, R Brock, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, X McDade,

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T McEwan, A Parrott, J Rebbeck, F Sarwar, C Shiers, R Watters and M Williamson.

**Resolved:**

In accordance with the Amendment.

**119. REVIEW OF THE SCHEME OF ESTABLISHMENT FOR COMMUNITY COUNCILS IN PERTH AND KINROSS**

There was submitted a report by the Head of Democratic Services (18/72) (1) seeking authority to undertake a review of the Scheme of Establishment of Community Councils in Perth and Kinross; and (2) setting out proposals on the context, process and timescale for the review.

**Resolved:**

- (i) The Head of Democratic Services be authorised to undertake a review of the Scheme of Establishment for Community Councils in Perth and Kinross.
- (ii) The consultation processes, as outlined in paragraphs 2.1 to 2.4 of Report 18/72, and the timescales for reporting back to Council, be noted.

**120. ELECTORAL REFORM IN SCOTLAND – PUBLIC CONSULTATION**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/73) proposing a response to the questions in the Scottish Government's consultation paper on electoral reform published in December 2017.

**Resolved:**

The consultation paper be noted, but that it be for each political party and individual to respond to the Scottish Government thereon.

**121. APPOINTMENTS TO COMMITTEES/PARTNER ORGANISATIONS/ OUTSIDE BODIES/WORKING GROUPS**

**Resolved:**

**(i) Appointments**

Strategic Policy and Resources Committee

- (i) Councillor M Lyle be appointed Convener of the Strategic Policy and Resources Committee.
- (ii) Councillor C Stewart be appointed as Vice-Convener of the Strategic Policy and Resources Committee.
- (iii) Councillor A Forbes be appointed to the Strategic Policy and Resources Committee.
- (iv) Councillor C Stewart be appointed to the Property Sub-Committee of the Strategic Policy and Resources Committee.
- (v) Councillor C Stewart be appointed to the Executive Sub-Committee of the Strategic Policy and Resources Committee.

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Audit Committee

- (vi) Councillor K Baird replace Councillor H Coates on the Audit Committee.

Environment and Infrastructure Committee

- (vii) Councillor A Forbes replace Councillor C Stewart as Convener of the Environment and Infrastructure Committee.
- (viii) Councillors K Baird and R McCall replace Councillors C Stewart and M Lyle on the Environment and Infrastructure Committee. Councillor M Barnacle to remain as the single Vice-Convener of the Committee.

Housing and Communities Committee

- (ix) Councillor B Brawn replace Councillor H Coates as Vice-Convener of the Housing and Communities Committee.
- (x) Councillor C Shiers replace Councillor K Baird on the Housing and Communities Committee.

Lifelong Learning Committee

- (xi) Councillor C Purves replace Councillor R McCall as Vice-Convener of the Lifelong Learning Committee.
- (xii) Councillor C Reid replace Councillor R McCall on the Lifelong Learning Committee.
- (xiii) Councillor J Rebbeck replace Councillor F Sarwar on the Joint Negotiating Committee for Teaching Staff.

Planning and Development Management Committee

- (xiv) Councillor R McCall replace Councillor M Lyle as Convener of the Planning and Development Management Committee.
- (xv) Councillor H Coates replace Councillor M Lyle on the Planning and Development Management Committee.

Modernising Governance Member/Officer Working Group

- (xvi) Councillor C Stewart be appointed to the Modernising Governance Member/Officer Working Group.

Perth and Kinross Community Planning Partnership Board

- (xvii) Councillor M Lyle be appointed to the Perth and Kinross Community Planning Partnership Board.

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Community Planning Economy and Lifelong Learning Outcome  
Delivery Group

- (xviii) Councillor J Rebbeck replace Councillor F Sarwar on the Community Planning Economy and Lifelong Learning Outcome Delivery Group.

Children, Young People and Families Partnership

- (xix) Councillor J Rebbeck replace Councillor F Sarwar on the Children, Young People and Families Partnership.

Perth and Kinross Integration Joint Board

- (xx) Councillor C Stewart replace Councillor C Reid on the Perth and Kinross Integration Joint Board and as Vice-Convener with effect from 1 May 2018.

NHS Tayside

- (xxi) Councillor C Stewart replace Councillor C Reid as nominee on NHS Tayside with effect from 1 May 2018.

Perth and Kinross Licensing Board

- (xxii) Councillor R McCall be appointed to the Perth and Kinross Licensing Board.

Developing the Cultural Offer Programme Board

- (xxiii) Councillor M Lyle be appointed to the Developing the Cultural Offer Programme Board.

Perth Theatre Redevelopment Project Board

- (xxiv) Councillor M Lyle be appointed to the Perth Theatre Redevelopment Project Board.

Tay Cities Region Joint Committee

- (xxv) Councillor M Lyle be appointed to the Tay Cities Region Joint Committee.

Perth City Development Board

- (xxvi) Councillor M Lyle be appointed to the Perth City Development Board.

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COSLA Convention

(xxvii) Councillor C Stewart be appointed to the COSLA Convention.

Scotland Excel Joint Committee

(xxviii) Councillor C Stewart be appointed to the Scotland Excel Joint Committee.

TAYplan Joint Committee

(xxix) Councillor R McCall replace Councillor M Lyle on the TAYplan Joint Committee.

**(ii) Councillor Colin Stewart – Payment of Senior Councillor's Allowance**

The Council was asked to agree that consequent to the above appointments, Councillor C Stewart continue to receive a Senior Councillor's Allowance, but at a reduced level of £19,834.

Councillor Doogan sought clarification on the justification for the continuation of the payment of a Senior Councillor's Allowance to Councillor Stewart and proposed an amendment, seconded by Councillor Laing, that the payment should not be continued.

THE MEETING WAS ADJOURNED FOR 5 MINUTES, RECOMMENCING AT 3.15PM.

Provost Melloy advised that this item had been withdrawn from the agenda.

**122. TIMETABLE OF MEETINGS 2018**

**Resolved:**

- (i) The meeting of the Environment and Infrastructure Committee, scheduled to be held on Wednesday 28 March 2018 take place on Wednesday 21 March 2018 at 10.00am.
- (ii) The meeting of the Housing and Communities Committee, scheduled to be held on Wednesday 21 March 2018 take place on Wednesday 28 March 2018 at 10.00am.
- (iii) It be noted that there was now no requirement to move the meeting of the Environment and Infrastructure Committee scheduled to be held on 23 May 2018.



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**123. APPOINTMENTS SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE**

**Resolved :**

Following the announcement that the Chief Executive would be retiring in early July 2018, Councillors M Lyle, P Barrett, C Shiers, D Doogan and G Laing be appointed to the Appointments Sub-Committee.

**124. VALEDICTORIES**

**(i) Joy Somerville, Committee Officer, Democratic Services**

Provost Melloy referred to the retiral of Joy Somerville, Committee Officer within Democratic Services at the end of March 2018.

Joy first started in the role with Perth and Kinross Council in 2001 and worked with a number of different elected members and senior officers throughout this period and had supported many different committees, partnerships and decision making bodies.

Provost and members passed on their best wishes to Joy for her retirement.

**(ii) John Fyffe, Senior Depute Chief Executive**

Provost Melloy referred to the retirement of John Fyffe, Senior Depute Chief Executive at the end of March 2018.

John had held a number of different teaching positions with Perth and Kinross Council between 1982 and 2007. He had been an Executive Director for over 9 years in services covering Education and Children's Services and Housing and Community Safety, and had more recently been both Depute Chief Executive (Equality, Community Planning and Public Service Reform) and then Senior Depute Chief Executive.

Provost Melloy and members thanked John for his commitment and professionalism in his various roles with the Council and passed on their wishes for a long and happy retirement.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 14 March 2018 at 10.00am.

Present: Councillors R McCall, B Brawn, H Anderson, B Band, M Barnacle, E Drysdale, T Gray, I James, A Jarvis, A Parrott (substituting for R Watters), L Simpson and W Wilson.

In Attendance: N Brian, A Condliffe, D Niven, J Scott, A Belford, G Bissett, M Petrie, D Salman and R Stewart (all The Environment Service); G Fogg and D Williams (Corporate and Democratic Services).

Apologies: Councillors H Coates and R Watters.

Councillor R McCall, Convener, Presiding.

125. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting and apologies were noted as above.

126. DECLARATIONS OF INTEREST

There were no Declarations of Interest in terms of the Councillors' Code of Conduct.

127. MINUTES

The minute of meeting of the Planning and Development Management Committee of 14 February 2018 (Arts. 78-82) was submitted, approved as a correct record and authorised for signature, subject to the following amendment:

It be noted that, with regards to Art. 82(2)(v), the amendment was proposed by Councillors T Gray and H Anderson, not Councillors T Gray and B Band.

128. DEPUTATIONS

In terms of Standing Order 59, the Committee agreed to hear deputations in relation to the following planning application:

Planning Application No.	Art. No.
17/00939/IPM	129(1)(i)
17/02159/FLM	129(1)(iii)
17/01260/FLL	129(2)(i)
17/02240/FLL	129(2)(iii)

129. APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) **17/00939/IPM – BLAIRGOWRIE – Mixed use development comprising residential development, business land, education/recreation/community facilities, infrastructure including roads, footpaths, landscaping, drainage, open space and associated works on land 200 metres west of Blairgowrie and Rattray Cottage Hospital, Perth Road, Blairgowrie – Westpark Partnership**

J Scott, Team Leader, advised members that, with regards to Paragraph 138 of Report 18/77, Tesco is in fact considered to be in a town centre location and explained the policy considerations that lead to the conclusions in Paragraph 139 to remain the same.

Mr J Paterson and Ms A Russell, objectors to the application, addressed the Committee and following their representation withdrew to the public benches.

Resolved:

Grant, subject to the following terms, conditions and informatives:

Direction

Perth and Kinross Council direct that sub-sections (2)(a)(i) and (3) of Section 59 of the Town and Country Planning (Scotland) Act 1997 apply with respect to the in Principle Permission (17/00939/IPM) with the substitution of the period of 3 years referred to in each of those subsections, with the period of 16 years.

Conditions

1. Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and of Section 59 (2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
 - (ii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.

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2. The submitted masterplan, site layout plan and indicated scale of development, of up to 400 dwellings and 4 hectares of business land, are purely indicative and are hereby not approved.
3. No works in connection with the development hereby approved shall take place until full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the 'Matters Specified in Condition') have been submitted to and approved in writing by the Planning Authority. The specified matters include:
 - (i) a detailed phasing plan;
 - (ii) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development phase, relative to existing ground levels and a fixed datum point;
 - (iii) the siting, design, height and external materials of all buildings or structures;
 - (iv) the details of all roads, footpaths, cycleways, core path connections throughout the development;
 - (v) details of any screen walls/fencing to be provided (including any acoustic barriers);
 - (vi) measures to maximise environmental sustainability through design, orientation and planting or any other means;
 - (vii) details of all landscaping, structure planting and screening associated with the development of each site;
 - (viii) the lighting of all streets and footpaths;
 - (ix) the layout of play areas and the equipment to be installed;
 - (x) full details of the proposed means of disposal of foul and surface water from the development;
 - (xi) details of car charging points to be provided within the development; and
 - (xii) A minimum 40% of dwellings shall incorporate swift bricks and bat roost bricks at eaves height.
 - (xiii) no development above 90 metres AOD.
4. No work shall start on the relevant parts of the site unless the trees to be retained as identified in the submitted surveys have been protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction). The details of the protective fencing and its location shall be first submitted to and agreed in writing by the Planning Authority.

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5. All existing rights of way, core paths within or adjacent to the completed development shall at all times be protected and remain operational during the construction phases.
6. Prior to the commencement of development of each phase a Construction Environmental Management Plan (CEMP) must be submitted for the approval of the Planning Authority. The measures outlined in the agreed CEMP shall be adhered to at all times during the construction period.
7. The times of construction should be limited to Monday to Friday 07.00 to 19.00, Saturday 08.00 to 13.00 with no noise generating work on a Sunday.
8. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.
9. Dust control measures as outlined in Appendix 3 of the Air Quality Impact Assessment dated 19 December 2017 shall but put in place throughout the construction of this development.
10. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the further written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance, and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development
11. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented unless

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otherwise agreed in writing by the Council as Planning Authority.

12. As part of any application for the Approval of Matters Specified in Condition, all schemes of hard and soft landscaping works shall be submitted to the Local Planning Authority.

Details of the schemes shall include:

- (i) existing and proposed finished ground levels relative to a fixed datum point;
- (ii) existing landscape features and vegetation to be retained;
- (iii) existing and proposed services including cables, pipelines and substations;
- (iv) the location of new trees, shrubs, hedges, grassed areas and water features;
- (v) a schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (vi) the location, design and materials of all hard landscaping works including, footpaths, walls, fences, gates, any other means of enclosure, street furniture and play equipment;
- (vii) an indication of existing trees, shrubs and hedges to be removed;
- (viii) a programme for the completion and subsequent maintenance of the proposed landscaping;
- (ix) a woodland management plan;
- (x) separation distances between residential buildings and edge trees;
- (xi) separation distances between residential buildings and existing woodland.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development on that part of the site, or such other date as may be agreed in writing with the Planning Authority.

13. Any planting which, within a period of 5 years from the completion of the approved phase of development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.
14. Prior to the occupation of the first dwelling all matters regarding access, car parking, public transport facilities, walking and cycling facilities, the road layout, design and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National

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Roads Development Guide) and to the satisfaction of the Planning Authority.

15. No part of the development shall be occupied until a Travel Plan (TP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The TP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.
16. Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
 - a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - c) arrangements for liaison with the Roads Authority regarding winter maintenance;
 - d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
 - e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
 - h) details of information signs to inform other road users of construction traffic;
 - i) arrangements to ensure that access for emergency service vehicles are not impeded;
 - j) monitoring, reporting and implementation arrangements; and
 - k) arrangements for dealing with non-compliance.The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority.
17. As part of the first application for the Approval of Matters Specified in Condition an updated District Heating

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Feasibility Study for the whole site shall be submitted in writing for the approval of the Planning Authority to assess the technical feasibility and financial viability of heat network/district heating for this site, identifying all available sources of heat (either within the site or offsite) and other factors such as where land will be safeguarded for future district heating infrastructure.

The accompanying Design and Access Statement or other document as agreed by the Council should show/demonstrate how the findings of the feasibility study has been incorporated into the finalised design and layout of the proposal.

18. A detailed Protected Species Survey, including breeding birds and ecological surveys, shall be submitted as part of any application for approval of Matters Specified by Condition submitted for approval under Condition 3 of this permission. The surveys shall include appropriate mitigation to protect identified species.
19. The conclusions and recommended action points within the supporting Environmental Impact Assessment (EIA) and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
20. No site clearance or removal of vegetation, including trees and shrubs will take place between 1st March and 31st August inclusive unless a competent ecologist has undertaken a careful and detailed survey of vegetation and trees for active birds' nests or bat roosts immediately before the vegetation or trees is to be cleared and provided written confirmation that no birds or bats will be harmed and/or that there are appropriate measures in place to protect nesting birds and bats on site. Any such written confirmation must be submitted to the planning authority prior to commencement of works.
21. All road gullies within 500m of a waterbody or SuDS pond shall have wildlife kerbs installed adjacent to the gully.
22. A scheme detailing measures to protect animals from being trapped in open excavations and/or pipe and culverts shall submitted for the written approval of the Planning Authority. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day. Thereafter, the approved scheme shall be implemented for the duration of the construction works of the development hereby approved.

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23. Where it is intended to create semi-natural habitats, all species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.
24. The development shall be in accordance with the requirements of Development Plan policy and Perth & Kinross Council's Supplementary Guidance in relation to affordable housing.
25. The development shall be in accordance with the requirements of Development Plan policy and Perth & Kinross Council's Supplementary Guidance in relation to primary education infrastructure.
26. As part of any application for Approval of Matters Specified in Conditions, as set out in Condition 3, a noise assessment shall be submitted to demonstrate acceptable internal noise levels of 35 dB within all dwellings taking into account any acoustic mitigation proposed.
27. The net sales floor area of any Food Retail Unit shall not exceed 1,900 sqm and shall be a minimum of 70% for convenience goods and a maximum of 30% for the sale of comparison goods; the net sales floor area of any Non-Food Retail Unit shall not exceed 1,500 sqm and shall be a minimum of 60% for comparison goods and a maximum of 40% for the sale of convenience goods.
28. All deliveries to any retail/commercial unit must be within the hours of 0700 and 2300 Monday to Saturday. Sunday deliveries must be within the hours of 0900 and 1700 hours.
29. All fixed plant and equipment at the retail/business site shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed a noise rating level of 35dB L_{Aeq} , 15 mins during the night time period when measured 1 metre from the window of the closest noise sensitive receptors and should not exceed a rating level of 40dB L_{Aeq} , 1 hr when measured at the closest noise sensitive receptor during the daytime period.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Procedural Notes

1. Consent shall not to be issued until the Section 75 Agreement relating to transport infrastructure contributions has been completed and signed to reflect the current planning reference 17/00939/IPM.
2. The legal agreement should be concluded and completed within 4 months of the date of any Committee approval.

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Failure to conclude a legal agreement within 4 months will result in the planning application having to be re-assessed through failing to comply with the associated developer contributions policy and may ultimately be recommended for refusal under delegated powers.

Informatives

1. The applicant is advised that to enable some of the negative suspensive conditions to be fulfilled works which are operational development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.
2. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
3. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
4. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, Perth.
5. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
6. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at www.sepa.org.uk
7. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.

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8. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
9. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
10. The Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council as Planning Authority.
11. The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
12. For guidance on cycle paths please see Sustrans Design Manual Handbook for cycle-friendly design (drawings on P21-22).
13. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
14. Any structures & all walls/embankments that act singly or together to support a carriageway or footpath & retain over 1.5m fill will require Technical Approval.
15. The applicant is recommended to discuss with the Council's Public Transport Unit the supply of bus services and public transport infrastructure to ensure an adequate public transport provision for the site.

- (ii) **17/01441/MWM – BALADO – Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land without complying with Condition 2 (period extraction) of planning permission 04/01322/MWM (extraction and processing of sand and gravel) at Balado Quarry, Balado – D Geddes (Contractors) Ltd**

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents,

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unless otherwise provided for by conditions imposed by this decision notice.

2. All sand and gravel extraction within the site shall be completed within ten years of the date of this Decision Notice.
3. The extraction of sand and gravel shall commence and proceed only in accordance with the submitted details of phasing, direction and depth of working, as shown on the plans herewith approved. No deviations from the phasing plan shall be permitted. No more than one phase shall be worked at any one time. The land awaiting extraction shall remain in agricultural use.
4. Restoration shall be fully implemented within twelve months of the completion of extraction and shall be phased in accordance with the restoration scheme to be approved under condition 5 below and shall thereafter be maintained to the satisfaction of the Planning Authority.
5. A progressive phasing plan shall be submitted within 6 months of the date of this consent to the Planning Authority illustrating how the restoration scheme shall be implemented at the site. No more than one phase or sub-phase shall be worked at any one time and restoration of each phase and sub-phase shall take place as soon as is practical.
6. Prior to the commencement of the final restoration of the site associated with this consent a detailed scheme with final contours and an updated restoration plan and an updated aftercare plan for the site shall be submitted to and require the approval of the Planning Authority. The restoration and aftercare scheme shall set out the means of reinstating the site following the removal of components of the development. Thereafter the approved restoration and aftercare scheme shall be implemented.
7. Topsoil stripping shall only be carried out when the soil is reasonably dry and friable (usually May to September), and shall not take place during or immediately after periods of heavy rain.
8. Topsoil shall not be stripped by bulldozer, but by means of boxscraper, towed scraper or excavator. The applicant shall give at least 7 days' notice to the planning authority before topsoil is to be stripped, and the planning authority reserves the right to suspend operations during adverse weather conditions, or to impose such conditions as it sees fit for the safe keeping of the topsoil.
9. Mineral extraction and processing and the movement of vehicles shall only be carried out at the site between the hours of 0800-1800 Mondays to Fridays and 0800-1300 hours on Saturdays. However, in addition, between the hours of 0630-0800 Mondays to Saturdays operations

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- associated with loading and dispatch only may take place. Only essential maintenance work shall be carried out on Saturday afternoons and Sundays.
10. Only the plant machinery and equipment specified in the Planning and Environmental Statement submitted with the application (or similar plant which generates no greater sound power levels) shall be used and all plant shall be operated and maintained in accordance with the manufacturer's instructions. This shall include servicing and the provision of suitable exhaust systems to minimise noise emissions.
 11. Should any aspect of the proposed operations result in justified nuisance complaints the applicant shall – if required by the planning authority – have recognised consultants carry out monitoring for noise or dust and provide reports to the planning authority. The applicant shall be required to take any reasonable remedial measures recommended in such reports.
 12. Noise levels measured at 3.5m from the façade of noise sensitive properties shall not exceed the following limits during the specified times (except during temporary operations - see condition 14):
Between the hours of 0630-0800 Monday to Saturday:
At all noise sensitive properties – 45dB LAeq, 1 hour (free field);
Between the hours of 0800-1800 Monday to Friday and 0800-1300 on Saturdays:
At Balado Home Farm Cottages - 50dB LAeq, 1 hour (free field);
At all other noise sensitive properties – 55dB LAeq, 1 hour (free field).
 13. To allow for temporary operations such as soil stripping, removing soil heaps, creating earth bunds, crushing operations and restoration, noise levels measures at 3.5m from the façade of any noise sensitive dwelling shall not exceed 70dB LAeq, 1 hour (free field) for more than 8 weeks in any one year.
 14. Audible vehicle reversing alarms fitted to vehicles operating within the extraction area shall be Brigade Electronics BBS-97 type or have a similar specification.
 15. All external lighting to be installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighboring land and ecologically sensitive habitats and that light spillage beyond the boundaries of the site is minimised.
 16. The existing Dust Management Strategy for the site shall be submitted to the Planning Authority within 14 days of this decision notice and thereafter implemented in full throughout the duration of the development.

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17. The height of the soil mound between the farm road and Phase 2A shall be increased from 4 metres to 5 metres and the section to the north of this from 3 metres to 4 metres.
18. Wheel cleaning facilities shall be maintained at the exits from the site until the restoration of the site has been complete. All vehicles leaving the site will be required to use these facilities.
19. The vehicular access at the site entrance shall be maintained in accordance with the 'Design Manual for Roads and Bridges, Volume 6, Section 2, Figure 1/2: Ghost Island Junction' together with appropriate signing all to the satisfaction of the Council as Planning Authority.
20. The gradient of the access shall not exceed 3% for the first 15.00 metres measured back from the edge of the carriageway and the access shall be constructed and maintained so that no surface water is discharged to the public highway.
21. Turning facilities shall be retained within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.
22. Visibility splays of 6.00 metres by 215.00 metres measured from the centre line of the new access shall be maintained in both directions along the nearside channel of the A977 and free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
23. There shall be at all times an adequate unexcavated corridor between the toe of the bund and the proposed workings, to the satisfaction of the planning authority in consultation with SEPA, in order to reduce the risk of lateral erosion.
24. The existing approved closed drainage system details shall be submitted to the Planning Authority within 14 days of this decision notice and thereafter implemented in full throughout the duration of the development.
25. The existing approved water quality and quantity monitoring programme covering the operation and restoration phases of the development site shall be submitted to the Planning Authority within 14 days of this decision notice and thereafter implemented in full throughout the duration of the development.
26. There shall be at all times a buffer strip of at least 25m between any watercourses and the site operations.
27. The proposed car park surfacing will be suitable to provide infiltration, in accordance with the principles of Sustainable Urban Drainage System (SUDS).
28. All trenches and excavations on the site shall be fitted with measures to prevent animals from being trapped.

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This can include the creation of sloping escape ramps or by using planks within the excavations to allow animals to escape.

29. Should any soil stripping works be proposed during the bird nesting season a suitable qualified and experienced person at the developers' expense shall check the area to be worked for nesting birds immediately before works begin with the demarcation of areas which should not be disturbed. The suitably qualified and experienced person will have the ability to stop operations, make changes to demarcated areas and working practices as necessary.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Procedural Notes

1. Consent shall not be issued until a Section 75 Agreement to secure the terms of the bond or financial instrument associated with required site decommissioning, restoration and aftercare over the lifetime of the development and beyond has been completed and signed. The legal agreement should be concluded and completed within 4 months of the date of any Committee approval. Failure to conclude a legal agreement within 4 months will result in the planning application being re-assessed through failing to comply with the associated developer contributions policy and will be ultimately recommended for refusal under delegated powers.

Informatives

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the

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Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

- Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
4. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

(iii) 17/02159/FLM – INCHTURE – Erection of 66 dwellinghouses, formation of SUDS pond, landscaping and associated works (allocated site H24) on land 150 metres south west of Moncur Farm. Moncur Road, Inchture – Hadden Construction Ltd

Mr J Lochhead and Ms K Sneedon, objectors to the application, followed by Mr S Hadden, applicant, and Mr D Tibbs, agent, addressed the Committee and, following their representation, withdrew to the public benches.

Motion (Councillors W Wilson and M Barnacle) – Refuse the application for the following reasons:

1. The Proposal is contrary to the Perth and Kinross Local Development Plan 2014, Policy RD1 Residential Areas, as the proposed development is considered to be an overdevelopment of the site and would result in an adverse impact on proposed residential amenity of new occupiers.
2. The proposal is contrary to the Perth and Kinross Local Development Plan 2014, Policy EP8 Noise Pollution, PAN 1/2011 Planning and Noise and PAN51 Planning, Environmental Protection and Regulation as the proposed development has failed to successfully demonstrate that noise mitigation and attenuation can be adequately achieved on this site for the benefit of proposed residents and in respect of providing adequate amenity, whilst not restricting existing consented neighbouring business operations.
3. The proposal is contrary to the Perth and Kinross Local Development Plan 2014, Policy NE 3 Biodiversity in failing to provide a suitably up to date ecological

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assessment with associated breeding bird survey and survey of impacted tree loss.

Justification

The proposal fails to accord with the Development Plan and there are no material reasons which justify a departure from the Development Plan.

Amendment (Councillors T Gray and E Drysdale) – Grant the application for the following reason:

There is no substantive evidence suggest that the proposal is contrary to Policy EP8 of the Perth and Kinross Local Development Plan 2014.

In accordance with Standing Order 55, a roll call vote was taken.

8 members voted for the Motion as follows:

Councillors H Anderson, B Band, M Barnacle, B Brawn, I James, R McCall, A Parrott and W Wilson.

4 members voted for the Amendment as follows:

Councillors E Drysdale, T Gray, A Jarvis and L Simpson.

Resolved:

In accordance with the Motion.

THERE FOLLOWED A 13 MINUTE RECESS.

(2) Local Applications

(i) 17/01260/FLL – COUPAR ANGUS – Erection of 2 dwellinghouses on land 30 metres east of Abbeyhill, Precinct Street, Coupar Angus – Ward Builders

Mr B Miles and Mr K Miles, objectors to the application, addressed the Committee and following their representation withdrew to the public benches.

Motion (Councillors R McCall and T Gray) – Grant the application subject to conditions and informatives recommended in the Report of Handling.

Amendment (Councillors W Wilson and M Barnacle) – Defer the application for (1) further information & clarification on ownership and site boundaries and (2) further information on the possible use of an access to Abbey Road for Plot 2.

In accordance with Standing Order 55, a roll call vote was taken.

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4 members voted for the Motion as follows:

Councillors H Anderson, E Drysdale, T Gray and R McCall.

8 members voted for the Amendment as follows:

Councillors B Band, M Barnacle, B Brawn, I James, A Jarvis, A Parrott, L Simpson and W Wilson.

Resolved:

In accordance with the Amendment.

- (ii) **17/02057/IPL – BLAIRGOWRIE – Residential development (in principle) on land 50 metres north of Morvich House, Golf Course Road, Blairgowrie – Westpark Partnership**

Resolved:

Grant, subject to the following terms, conditions and informatives:

Conditions

1. The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: the siting, design and external appearance of the development, the hard and soft landscaping of the site, all means of enclosure, means of access to the site, vehicle parking and turning facilities, levels, drainage and waste management provision.
2. All existing trees and hedging on the site shall be retained and their retention or proposed lopping, topping or felling shall be shown in the submission of the matters specified in Condition 1 above.
3. Notwithstanding the terms of condition 1 above, a biodiversity / habitat survey shall be submitted with an application for the approval of matters specified.
4. Notwithstanding the details submitted by the applicant, no permission is granted for any layout, number of plots or house types.
5. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.
6. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy RD4: Affordable

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Housing of the Perth & Kinross Local Development Plan 2014, or such subsequent Guidance and Policy which may replace these.

7. Prior to the development hereby approved being completed or brought into use, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

1. Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
2. The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
3. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
4. For information, foul flows only will be allowed to discharge to the public system. The Developer should arrange to dispose of surface water privately, to the satisfaction of the statutory drainage Authority.
5. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at

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the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

6. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for consent to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

(iii) 17/02240/FLL – LOGIERAIT – Renewal of permission 14/00214/FLL (erection of dwellinghouse) on land 80 metres north east of Cuil An Daraish, Logierait – Mr J McMennemie

Ms M Adam, on behalf of Ms K Adam, objector to the application, and Mr J McMenemie, applicant, addressed the Committee and, following their respective representations, withdrew to the public benches.

Amendment (Councillors W Wilson and H Anderson) – Refuse the application for the following reason:

The proposal is not located on a suitable site, and is contrary to Policies PM1B(a) and RD3 of the Perth and Kinross Local Development Plan 2014.

Amendment (Councillors B Band and E Drysdale) – Grant the application, subject to the conditions and informatives recommended in the Report of Handling.

In accordance with Standing Order 55, a roll call vote was taken.

8 members voted for the Motion as follows:

Councillors H Anderson, M Barnacle, B Brawn, I James, R McCall, A Parrott, L Simpson and W Wilson.

4 members voted for the Amendment as follows:

Councillors B Band, E Drysdale, T Gray and A Jarvis.

Resolved:

In accordance with the Motion.

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## **ENVIRONMENT AND INFRASTRUCTURE COMMITTEE**

Minute of meeting of the Environment and Infrastructure Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 21 March 2018 at 10.00am.

Present: Councillors M Barnacle, Councillor C Ahern (Substituting for Councillor A Bailey), K Baird, S Donaldson, D Doogan, A Jarvis, G Laing, Councillor M Lyle (Substituting for A Forbes), R McCall, A Parrott, C Purves, C Reid, W Robertson, R Watters and M Williamson.

In Attendance: B Renton (Executive Director (Environment), N Brian, T Flanagan, A Graham, C Haggart, L MacLean (all the Environment Service), C Flynn, K Molley and D Williams (all Democratic Services).

Apologies for Absence: Councillors A Bailey and A Forbes.

Councillor B Barnacle, Vice-Convener, Presiding.

### **130. WELCOME AND APOLOGIES/SUBSTITUTES**

The Convener welcomed all those present to the meeting and apologies and substitutions were noted as above.

### **131. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillor Reid declared a non-financial interest in Art. 139 Proposed 40 MPH speed Limit at Easthill Road (U20) Auchterarder (Ward 7).

### **132. MINUTES OF PREVIOUS MEETING**

The minute of meeting of the Environment and Infrastructure Committee of 31 January 2018 (Arts. 35-48) was submitted, approved as a correct record and authorised for signature.

The Vice Convener agreed that a report on the Conditions of the Roads in Perth and Kinross Council be submitted to the next meeting of the Committee.

Prior to the commencement of business:

#### **(i) Adverse Weather Conditions**

Councillor M Barnacle, Vice-Convener, on behalf of the Committee, wished to express thanks to all Council staff and in particular to staff from the Environment Services along with staff from the Road Maintenance Partnership, parents and local farmers who had been involved in dealing with the recent adverse weather conditions.

**133. ACTIVE TRAVEL STRATEGY FOR PERTH AND KINROSS**

There was submitted a report by the Executive Director (Environment) (18/90) recommending the adoption of the Active Travel Strategy for Perth and Kinross.

**Resolved:**

- (i) The Active Travel Strategy, attached as Appendix 1 to Report 18/90, be adopted.
- (ii) A further report on the Active Travel Strategy action plan be submitted to the Committee in 12 months time.

**134. PERTH WINTER FESTIVAL**

There was submitted a report by the Executive Director (Environment) (18/91) outlining the approach taken to the development and implementation of the 2017/18 Perth Winter Festival along with its estimated impacts.

**Resolved:**

- (i) The approach to the development of the Perth Winter Festival in 2017/18 and its overall performance, be noted.
- (ii) Ongoing engagement with elected members on the development of the future Winter Festival programmes, be approved.
- (iii) The impact and performance of the 2017/18 Free Festive Parking initiative, be noted.
- (iv) The Executive Director (Environment) be instructed to bring forward a future report on the Winter Festival 2018/19.
- (v) The Executive Director (Environment) be requested to bring forward a future report on proposals for free parking in Perth and Kinross Council car parks for the festive season 2018.

**135. EVENT FUNDING APPLICATION – PERTH FESTIVAL OF THE ARTS**

There was submitted a report by the Executive Director (Environment) (18/92) (1) outlining the funding application received from Perth Festival of the Arts to support the 2018 Festival; and (2) recommending funding support, subject to the budget review process for both 2018 and 2019 Festivals.

**Resolved:**

- (i) The performance in recent years of Perth Festival of the Arts, be noted.
- (ii) It be approved that Council officers continue to work with the administrator and members of the Festival's Executive Committee to support and develop the Festival's offer.
- (iii) Funding of up to £18,800 towards the 2018 Perth Festival of the Arts be approved subject to the 2018/19.
- (iv) Funding of £18,800 towards the 2019 Perth Festival of the Arts be approved subject to the 2019/20 budget review process.

**136. ETAPE CALEDONIA EVENT**

There was submitted a report by the Executive Director (Environment) (18/93) (1) outlining the position of the Etape Caledonia event; and (2) asking the Committee to consider the request by the event organiser to have a variation on the route to allow both a 4 miles extension to the existing 81 miles route as well as a shorter 40 miles route option to be offered to participants in 2018.

**Resolved:**

- (i) The request from IMG for an extension to the route of the Etape Caledonia from 81 miles to 85 miles in 2018, as detailed in Appendix 1 to Report 18/93, be agreed.
- (ii) It be agreed that the request from IMG for a new shorter 40 miles route option to be offered from 2018, be agreed.
- (ii) It be noted that IMG is investigating the potential of a longer route of approximately 100 miles from 2019 and that this will be the subject of a report to a future meeting of the Committee.

**137. TRAFFIC MANAGEMENT ARRANGEMENTS, FLORENCE PLACE, PERTH (WARD 12)**

There was submitted a report by the Executive Director (Environment) (18/94) (1) outlining the problems experienced by Perth and Kinross Council due to the continued misuse of the automatic bollard at this location; (2) containing feedback from consultation within the local area; and (3) asking the Committee to decide which option to proceed with.

**Resolved:**

- (i) A further option, to retain the automatic bollard in the lowered position and introduce give and take arrangements where traffic from Balhousie Street has priority over traffic from Dunkeld Road, with vehicles being able to travel in both directions, be agreed.
- (ii) The Executive Director (Environment) be instructed to bring back a further report on the progress of the agreed option to a future committee.

**138. PROPOSED PART TIME 20MPH SPEED LIMIT AT SPOUTWELLS ROAD, SCONE (WARD 2)**

There was submitted a report by the Executive Director (Environment) (18/95) (1) detailing a proposal to extend the part time 20mph speed limit at Spoutwells Road, Scone; and (2) recommending the start of varying the Traffic Regulation Order for the 20mph Speed Limit.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the start of the process towards the introduction of a part time 20mph speed limit, at the location shown in Appendix 1 to Report 18/95, be approved.

**139. PROPOSED 40MPH SPEED LIMIT AT EASTHILL ROAD (U20),  
AUCHTERARDER (WARD 7)**

There was submitted a report by the Executive Director (Environment) (18/96) (1) detailing a proposal to introduce a 40mph speed limit on Easthill Road (U20), Auchterarder; and (2) recommending the start of varying the Traffic Regulation Order for the 40mph Speed Limit.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the start of the process towards the introduction of a 40mph speed limit, at the location shown in Appendix 1 to Report 18/96, be approved.

**140. PROPOSED 40MPH SPEED LIMIT AT DRUM (B9097) (WARD 8)**

There was submitted a report by the Executive Director (Environment) (18/97) (1) detailing a proposal to introduce a 40mph speed limit at Drum (B9097); and (2) recommending the start of varying the Traffic Regulation Order for the 40mph Speed Limit.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the start of the process towards the introduction of a 40mph speed limit, at the location shown in Appendix 1 to Report 18/97, be approved.

**141. PROPOSED 30MPH SPEED LIMIT AT ST MADDOES (C484) (WARD 1)**

There was submitted a report by the Executive Director (Environment) (18/98) (1) detailing a proposal to extend the 30mph speed limit at St Maddoes (C484); and (2) recommending the start of varying the Traffic Regulation Order for the 30mph Speed Limit.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the start of the process towards the introduction of a 30mph speed limit, at the location shown in Appendix 1 to Report 18/98, be approved.

**142. PROPOSED VARIATION TO WAITING RESTRICTIONS, NORTH WILLIAM STREET, PERTH (WARD 12)**

There was submitted a report by the Executive Director (Environment) (18/99) (1) outlining the problems experienced by residents in North William Street, Perth due to demands on parking ; and (2) recommending a variation to the Perth Traffic Management Order to vary the waiting restrictions on North William Street, Perth.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to remove the No Daytime Waiting restrictions on North William Street, Perth and



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replace with Pay and Display parking, at the location shown in Appendix 1 to Report 18/99, be approved.

**143. PROPOSED VARIATION TO WAITING RESTRICTIONS, MILL ROAD, STANLEY MILLS, STANLEY (WARD 5)**

There was submitted a report by the Executive Director (Environment) (18/100) (1) outlining the problems experienced by Historic Environment Scotland at Stanley Mills, Stanley due to a lack of certain parking facilities; and (2) recommending the creation of the Stanley Traffic Management Order to introduce disabled parking bays on Mill Road, Stanley Mills, Stanley.

**Resolved:**

The promotion of the Traffic Regulation Order to introduce Disabled Parking Bays on Mill Road, Stanley, at the location shown in Appendix 1 to Report 18/100, be approved.

**144. AMENDMENTS TO THE LIST OF PUBLIC ROADS**

There was submitted a report by the Executive Director (Environment) (18/101) recommending that the List of Public Roads be updated to take account of the amendments detailed in this report.

**Resolved:**

The additions to the List of Public Roads, as detailed in Appendix 1 to report 18/101, be approved.

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LIFELONG LEARNING COMMITTEE

Minute of meeting of the Lifelong Learning Committee held in the Council Chamber, 2 High Street, Perth, PH1 5PH on Wednesday 21 March 2018 at 2.00pm.

Present: Councillors C Shiers, C Purves, W Wilson, H Anderson, K Baird, A Jarvis (substituting for Councillor A Forbes), G Laing (substituting for Councillor T McEwan), R McCall (substituting for Councillor C Reid) (up to and including Art. 153), X McDade, B Pover, J Rebbeck, R Watters (substituting for Councillor F Sarwar) and Mrs P Giles.

In attendance: Councillors C Ahern, D Doogan, I James, M Lyle, A Parrott and M Williamson; S Devlin, Executive Director (Education & Children's Services), G Boland, J Cockburn, R Hill, S Johnston, F Mackay, K Robertson and C Taylor (up to and including Art. 151) (all Education & Children's Services); J Beveridge and P Marshall (The Environment Service); C Flynn and L Brown (both Corporate and Democratic Services); J Flynn NHS Tayside; R McCall, Member of Scottish Youth Parliament (Observer).

Apologies for absence: Councillors A Coates, A Forbes, T McEwan, C Reid and F Sarwar; Mrs A McAuley and Mrs M McFarlane.

Councillor C Shiers, Convener, Presiding.

Prior to the commencement of business the Convener reported in relation to the Options Appraisal report for Blairingone Primary School (18/85) that during discussion with other local members earlier that day surrounding issues regarding the timing of decisions on the options appraisal and future decisions on the Local Development Plan 2 (LDP2) she was deferring discussion and decision on Report 18/85 until a future meeting of the Lifelong Learning Committee.

145. WELCOME AND APOLOGIES

The Convener welcomed all those present to the meeting. Apologies for absence were noted as above.

146. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

147. DEPUTATIONS

In terms of Standing Order 72, the Committee agreed to hear a deputation from Mrs K Crawford-Avis, in relation to Art 149.

The Committee agreed to vary the order of business to hear the deputation from Mrs K Crawford-Avis immediately before Art 149.

148. MINUTES

(i) Lifelong Learning Committee

The minute of meeting of the Lifelong Learning Committee of 24 January 2018 (Arts. 27-34) was submitted, approved as a correct record and authorised for signature.

(ii) Executive Sub-Committee

The minute of meeting of the Executive Sub-Committee of the Lifelong Learning Committee of 18 August 2017 was submitted and noted.
(Appendix I)

(iii) Joint Negotiating Committee for Teaching Staff

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 14 November 2017 was submitted and noted. **(Appendix II)**

149. OPTIONS APPRAISAL – LOGIEALMOND PRIMARY SCHOOL AND METHVEN PRIMARY SCHOOL

There was submitted a report by the Executive Director (Education and Children's Services) (18/84) seeking (1) agreement to commence statutory consultation on a proposal to close Logiealmond Primary School; and (2) approval to reduce the capacity of Methven Primary School and build a new gym/dining hall.

In terms of the Council's Standing Order 72 Mrs K Crawford-Avis addressed the Committee on behalf of the Logiealmond School Parent Council.

Following questions from members Mrs K Crawford-Avis withdrew to the public benches.

Motion (Councillors Shiers and Wilson)

In recognition of the 17 potential pupils, currently aged under 5, whose parents may opt for their children to attend Logiealmond Primary School (as detailed on page 39 of Report 18/84) the Committee -

- (i) Agrees that Logiealmond Primary School remain open.**
- (ii) Agrees that the occupancy of Logiealmond Primary School be reviewed again in 2022.**
- (iii) Approves the recommendations of the options appraisal that the capacity at Methven Primary School is reduced to 176 pupils after demolition of a life expired building.**
- (iv) Approves the recommendation of the options appraisal to replace the gym/PE facilities to improve the condition of Methven Primary School. Funding will be through the Modernising Primaries Programme which forms part of the composite capital programme 2017-2023.**

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- Amendment (Councillors Rebbeck and Anderson)
- (i) Delete recommendations 4.1 and 4.2 of report 18/84 and keep Logiealmond Primary School open, recognising that a rural school is the heart of its community and the detrimental effect the closure would have on the area.
 - (ii) Requests that the Executive Director (Education & Children's Services) investigate the possibility of establishing a nursery class, within Logiealmond Primary School, to help sustain the future school roll and support the delivery of 1140 hours childcare locally.
 - (iii) Accept fully the proposals contained in 4.3 of report 18/84 pertaining to Methven Primary School.

THE MEETING WAS ADJOURNED FOR 12 MINUTES AND RECONVENED AT 3.08PM

In terms of Standing Order 58, a roll call vote was taken.

6 Members voted for the Amendment as follows:

Councillors Anderson, Laing, McDade, Pover, Rebbeck and Watters.

8 Members voted for the Motion as follows:

Councillor Baird; Mrs Giles; Councillors Jarvis, McCall, Purves, Shiers, Stewart and Wilson.

Resolved:

In accordance with the Motion.

150. OPTIONS APPRAISAL – ABERNYTE PRIMARY SCHOOL

There was submitted a report by the Executive Director (Education and Children's Services) (18/86) seeking agreement to proceed with further assessment of the option to change the catchment area at this time.

Resolved:

- (i) The recommendation of the options appraisal, attached as Appendix A to Report 18/86, that the Executive Director (Education and Children's Services) proceed with further assessment of the option to change the catchment area as detailed in the options appraisal in order to ascertain whether it is possible to create a sustainable pupil roll be approved.
- (ii) The Executive Director (Education and Children's Services) be instructed to update the options appraisal and bring it back to a future meeting of the Lifelong Learning Committee.

151. OPTIONS APPRAISAL – BRACO PRIMARY SCHOOL AND GREENLOANING PRIMARY SCHOOL

There was submitted a report by the Executive Director (Education and Children's Services) (18/87) seeking (1) agreement that the Executive Director (Education and Children's Services) commence a statutory consultation on a

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proposal to close Greenloaning Primary School; and (2) approval to carry out works to improve the suitability of Braco Primary School.

Resolved:

- (i) The recommendation of the Options Appraisal, attached as Appendix A to Report 18/87, that a statutory consultation in relation to the closure of Greenloaning Primary School should take place be approved.
- (ii) The Executive Director (Education and Children's Services) be instructed to prepare and publish a proposal paper to close Greenloaning Primary School, transfer pupils to Braco Primary School and extend the delineated area of Braco Primary School to subsume the whole catchment area of Greenloaning Primary School.
- (iii) The Executive Director (Education and Children's Services) be instructed to formally consult the appropriate bodies and persons on the terms of the proposal paper, all in terms of the Schools (Consultation) (Scotland) Act 2010.
- (iv) The Executive Director (Education and Children's Services) be delegated authority to investigate and manage any alleged omissions or inaccuracies during the consultation process and to take appropriate action in accordance with The Schools (Consultation) (Scotland) Act 2010; and
- (v) The Executive Director (Education and Children's Services) be instructed to prepare a report on the results of the consultation and report back to the Committee on the outcome of the consultation at a future meeting of the Lifelong Learning Committee.
- (vi) The recommendation of the options appraisal, attached as Appendix A to Report 18/87, to improve the suitability of Braco Primary School through funding in the Modernising Primaries Programme which forms part of the composite capital programme 2017-2023 be agreed.

THE MEETING WAS ADJOURNED FOR 5 MINUTES AND RECONVENED AT 3.55PM.

152. EVIDENCE2SUCCESS: MAINTAINING AND DELIVERING SUSTAINABLE OUTCOMES

There was submitted a report by the Executive Director (Education and Children's Services) (18/88) (1) providing an update on the implementation of Evidence2Success since the last report on 24 August 2016, and the impact that has been achieved in the five years since initiation; and (2) identifying some key learning and the priorities to be taken forward over the coming years to continue to improve services and outcomes for children and young people.

Resolved:

- (i) The activity and improved outcomes in the five priority outcomes identified in Evidence2Success be noted.
- (ii) The progress in redesign in services and realignment of resource to meet the commitment to mainstream evidence-based programmes as part of Evidence2Success be noted.
- (iii) It be agreed to support activity to progress the commitment outlined as next steps:

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- to continue to develop and share learning;
- to improve the impact of existing programmes for groups experiencing inequalities;
- to inform the work of the Priority Working Groups of the Tayside Plan for Children, Young People and Families 2017-2020; and
- to use learning from the Evidence2Success approach to enhance local Community Planning in Perth and Kinross.

153. RESERVED PLACES IN SCHOOLS 2018/2019

There was submitted a report by the Executive Director (Education and Children's Services) (18/89) proposing the number of reserved places for session 2018/2019, within primary and secondary schools, in accordance with Section 28A of the Education (Scotland) Act 1980, as amended, allowing places to be protected for local children to attend their catchment school.

Resolved:

- (i) The number of reserved places, within schools which have classes with a limited number of spaces at specific stages, for session 2018/2019 as shown in Appendix 1 to Report 18/89, be approved.
- (ii) The Executive Director (Education and Children's Services) be instructed to revise these numbers each year to reflect historical or anticipated patterns of migration, information about known movements of families into (or out of) an area, and any current residential development.
- (iii) Responsibility be delegated to the Executive Director (Education and Children's Services) to keep under review the reserved places for all schools in light of any building work in schools and in light of residential development.

154. PERTH AND KINROSS DIGITAL LEARNING STRATEGY

The Committee viewed a short video presentation on the Perth and Kinross Digital Learning Strategy.

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## **EXECUTIVE SUB-COMMITTEE OF THE LIFELONG LEARNING COMMITTEE**

Minute of Meeting of the Executive Sub-Committee of the Lifelong Learning Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 17 August 2017 at 9.00am.

Present: Councillors C Shiers, R McCall, W Wilson, Rebbeck and F Sarwar.

In Attendance: R Hill, Head of Education – Secondary and Inclusion, S Johnston, Head of Education – Early Years and Primary, J Chiles, C Hunter, L Richards, M Neil, M Macduff, K Ramsay, J Sorrie and L Verdot (all Education and Children's Services); R Bell, Head Teacher, Muthill Primary School; N Drew, Head Teacher, Coupar Angus Primary School, I Forrest, Head Teacher Glenlyon Primary School L Brown, Corporate & Democratic Services.

Councillor C Shiers, Convener, Presiding.

### **1. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting, and an apology for absence was noted as above.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

### **3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Executive Sub-Committee of the Lifelong Learning Committee of 22 February 2017 was submitted, approved as a correct record and authorised for signature.

### **4. THE INSPECTION PROCESS**

The Committee received and noted a joint presentation by S Johnston, Head of Education – Early Years and Primary and L Richards, Service Manager, summarising the models of inspection carried out by the Care Inspectorate and Education Scotland and providing an overview of the inspection process.

THE SUB-COMMITTEE AGREED CONSIDER THE REPORT ON THE INSPECTIONS OF SERVICES FOR CHILDREN AND YOUNG PEOPLE BY THE CARE INSPECTORATE AS THE NEXT ITEM OF BUSINESS.

### **5. INSPECTION OF SERVICES FOR CHILDREN AND YOUNG PEOPLE BY THE CARE INSPECTORATE**

There was submitted a report by the Director (Education and Children's Services) (17/259) setting out the key findings following unannounced inspections of

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The Cottages in December 2016 and Wellbank House in May 2017 by the Care Inspectorate.

**Resolved:**

The key findings of the unannounced inspections of The Cottages and Wellbank House carried by the Care Inspectorate, as detailed in Appendices 1 and 2 to report 17/259 be noted.

L RICHARDS AND E BECK LEFT THE MEETING AT THIS POINT.

**6. STANDARDS AND QUALITY IN SCHOOLS, LEARNING COMMUNITIES AND PRE-SCHOOL CENTRES/DAY CARE OF CHILDREN**

There was submitted a report by the Director (Education and Children's Services) (17/258), setting out the key findings following inspections of pre-school centres and schools undertaken by Education Scotland and, by exception, Care Inspectorate inspections on the day care of children since the Executive Sub-Committee of Lifelong Learning Committee on 22 March 2017.

**Resolved:**

The key findings of the inspections reports attached as Appendices 1 to 7 to Report 17/258, be noted as follows:

Auchlone Nature Kindergarten – (Appendix 1)

Fairview School Nursery Day Care of Children – (Appendix 2)

Honeypot Children's Nursery - Almondbank (Appendix 3)

Dunning Stepping Stones – (Appendix 4)

Coupar Angus Primary School and Nursery Class – (Appendix 5)

Muthill Primary School and Nursery Class – (Appendix 6)

Glenlyon Primary School and Nursery Class – (Appendix 7)

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JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF

Minute of meeting of the Joint Negotiating Committee for Teaching Staff (JNCT) held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Tuesday 14 November 2017 at 2.30pm.

Present: **Representing Perth and Kinross Council**
Councillors R McCall (substituting for Councillor C Shiers) and W Wilson; S Devlin, R Hill, S Johnston and T Pupillo (all Education and Children's Services); P Steel (Corporate and Democratic Services).

Representing Teachers' Associations
B Berhane, E Campbell, E Connon, J Cook, M Laurie, and C Weston (all EIS); M Mackie (substituting for A Johnston (SSTA); and S Topen-Cooper (NASUWT).

In Attendance: A McAuley (Joint Secretary for Teachers' Side); C Flynn and S Hendry (for Joint Secretary, Management Side); J Fyffe, Senior Depute Chief Executive, Perth and Kinross Council

Apologies: C Rose (EIS), C McDonald (VOICE) and A Johnston (SSTA). A Thomson and D McLeod.

E Campbell, Convener, Presiding.

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted and noted as above.

2. DECLARATIONS OF INTEREST (ELECTED MEMBERS ONLY)

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 19 September 2017 was submitted and approved as a correct record.

4. MATTERS ARISING

(i) Bertha Park High School – (Item 7 refers)

R Hill confirmed that the Deputy First Minister would be officially carrying out the turf cutting ceremony at the site for the new school on

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30 November 2017 and that recruitment for the new Head Teacher post was progressing well.

5. FAIRER FUTURES

J Fyffe provided the Committee with a slide based presentation on Fairer Futures (see attached appendix).

J Fyffe answered a number of questions from members of the Committee and was thanked for his presentation.

6. REPORTS OF VIOLENCE AND AGGRESSION AGAINST STAFF IN PERTH AND KINROSS SCHOOLS – FINAL YEAR END REPORT – ACADEMIC SESSION 2016-2017

There was submitted a statistical report by the Executive Director (Education and Children's Services) (G/17/183) detailing the number of reported incidents of violence and aggression against staff in schools for the final year end of Academic Session 2016-17.

M Laurie welcomed more effective reporting, and whilst noting that there had been a rise in the overall number of incidents between 2013/14 and 2016/17, commented that this was still involving only a small number of pupils across Perth and Kinross. Information was requested regarding pupils involved in multiple incidents and what was being done to support them year on year.

In response R Hill stated that the majority of pupils involved in multiple incidents had recorded ASN and this would be known as pupils progressed through the school system.

S Topen-Cooper raised concern in relation to section 3.1 of the report and the rise in the number of reported incidents of violence and aggression against staff involving a parent or carer and said that he was open to any further suggestions from the Management Side to increase staff safety. S Devlin confirmed that the Council's Corporate Health, Safety and Wellbeing Consultative Committee looked at these issues on a regular basis and asked the Teachers' Side to bring forward any suggestions for preventative methods in individual schools.

S Johnston commented on the importance of the use of CALM training in schools and also the impact of some mental health issues in relation to statistics involving parents and carers. Training was available to Head Teachers to support staff on Thresholds of Behaviour.

The Committee otherwise noted the report.

7. JOB PROFILES

(i) Principal Teacher Support for Pupils' (Behaviour) – Blairgowrie High School

There was submitted and agreed a job profile for the above post (Report G/17/184). It was noted that the post would be fixed term for a period of 23 months.

(ii) Principal Teacher Engagement – Perth Grammar School

There was submitted and agreed a job profile for the above post (Report G/17/185). It was noted that the post would be fixed term for a period of 23 months.

(iii) Principal Teacher Equity – Perth Grammar School

There was submitted and agreed a job profile for the above post (Report G/17/186). It was noted that the post would be fixed term for a period of 23 months.

8. SCOTTISH NATIONAL STANDARDISED ASSESSMENTS

There submitted a Joint Briefing Paper (G/17/187) by the Head of Education – Early Years and Primary and the Head of Education – Secondary and Inclusion on the Scottish National Standardised Assessments in literacy and numeracy. The standards were being introduced by the Scottish Government across Scotland from August 2017 for every child in P1, P4, P7 and S3 and focused on aspects of reading, writing and numeracy.

S Johnston confirmed that guidance was still being worked on for Perth and Kinross and that Head Teachers had been asked to allocate ten hours in working time agreements.

S Devlin confirmed that discussion had taken place with Head Teachers who viewed assessment windows as helpful in Primary Schools for undertaking the assessments and commented that they included a further set of information as part of a wider cohort of information to support teachers.

The Teachers' Side felt that the timings of the assessments should be looked at again in terms of other assessments and exams, as well as computing work and other folios.

It was agreed that a future working group be set up to look at timings for future years.

The Committee noted the update report.

COUNCILLOR WILSON LEFT THE MEETING AT THIS POINT

9. A PROTOCOL FOR CONSULTATION WITH THE TEACHERS' PROFESSIONAL ASSOCIATIONS

There was submitted a report by the Corporate Human Resources Manager (G/17/188) that built upon the JNC Local Recognition and Procedure Agreement in terms of setting out guidelines for consultation mechanisms between the Council and the Teachers' Professional Associations.

The Committee agreed the contents of the report.

10. ANY OTHER COMPETENT BUSINESS

(i) Joint Inspection of Children, Young People and Families Service

S Devlin confirmed that the Joint Inspection was now in its final week and that various meetings and interviews had taken place with Head Teachers, Teachers, Parents and Carers and young people.

(ii) Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill

S Devlin confirmed that the above consultation was published on 7 November and that Education and Children's Services would be making a response.

11. DATE OF NEXT MEETING

16 January 2018 at 2.30pm

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## **HOUSING AND COMMUNITIES COMMITTEE**

Meeting of the Minute of the Housing and Communities Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 28 March 2018 at 10.00am.

Present: Councillors P Barrett, B Brawn, C Ahern, H Anderson (substituting for Councillor E Drysdale), A Bailey, H Coates, T Gray, D Illingworth, R McCall, S McCole, T McEwan, B Pover and C Shiers.

In Attendance: B Renton, Executive Director (Environment); L Cameron, Interim Director (Housing and Community Safety); C Mailer, E Ritchie, P Banks (up to and including Art. 161) and (all Housing and Community Safety); K McNamara, C Flynn and A Taylor (all Corporate and Democratic Services).

Also in Attendance: Chief Superintendent G Murdoch and Chief Inspector I Scott (both Police Scotland); Area Manager G Pryde and Group Manager B McLintock (both Scottish Fire and Rescue Service); E Osborne (MAPPA Co-ordinator).

Apologies: Councillor E Drysdale.

Councillor Barrett, Convener, Presiding.

### **155. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting. An apology for absence and a substitute was noted as above.

### **156. DECLARATIONS OF INTEREST**

There were no declarations of interest made in terms of the Councillors Code of Conduct.

### **157. MINUTE OF THE MEETING OF THE HOUSING AND COMMUNITIES COMMITTEE OF 24 JANUARY 2018 FOR APPROVAL AND SIGNATURE**

The minute of the meeting of the Housing and Communities Committee of 24 January 2018 (Art. 17-26) was submitted and approved as a correct record and authorised for signature.

**IN TERMS OF STANDING ORDER 34 THE COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS TO CONSIDER ITEMS P1 & P2 AT THIS POINT.  
IT WAS RECOMMENDED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULED 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

**158. SCOTTISH FIRE AND RESCUE SERVICE – OPERATIONAL UPDATE FOR PERTH AND KINROSS**

The Committee received and noted a verbal report from Area Manager G Pryde of the Scottish Fire and Rescue Service (SFRS) on information which was not to be made publically available.

**159. POLICE SCOTLAND – OPERATIONAL UPDATE FROM PERTH AND KINROSS**

The Committee received and noted a verbal report from Chief Superintendent G Murdoch of Police Scotland “D” Division (Tayside) on information which was not to be made publically available.

**THE PUBLIC AND PRESS WERE RE-ADMITTED TO THE MEETING AT THIS POINT**

**160. POLICE AND FIRE REFORM: LOCAL SCRUTINY AND ENGAGEMENT**

**(i) Fire and Rescue Quarterly Performance Report – 1 October to 31 December 2017**

There was submitted a report by Area Manager G Pryde, Scottish Fire & Rescue Service (18/111) on the performance of the SFRS against the priorities, performance indicators and targets detailed within the Local Fire and Rescue Plan for Perth and Kinross 2017-20, for the third quarter, 1 October to 31 December 2017.

In responding to a question from Councillor Bailey on what the actual definition is of a primary fire against a secondary fire, Area Manager Pryde advised that the basic definition of these was down to size, the weight of response and the loss from the impact of the fire.

Councillor McEwan made reference to the impending changes with regards to smoke alarm legislation and how this would affect Scottish Fire and Rescue Service staff, Area Manager Pryde advised that SFRS were fully supportive of the new legislation and he advised that he would bring a report to a future committee once details on the processes involved in implementing the new legislation are known. Councillor Ahern made reference to the rise of deliberate secondary fires specifically in the North Muirton area and asked if there were any plans for the Fire Service to speak to pupils at local schools, Area Manager Pryde advised that the SFRS Community Action Team will work with partners to engage with local schools and youth groups on the consequences of their actions with more focus on education rather than criminalisation.

**Resolved:**

The performance of the Scottish Fire and Rescue Service in Perth and Kinross area for the third quarter, 1 October to 31 December 2017, as detailed in Report 18/111, be noted.

**(ii) Perth and Kinross Local Policing Area Performance Results –  
1 October 2017 to 14 December 2017**

There was submitted a report by Chief Superintendent G Murdoch, Police Scotland 'D' Division (Tayside) (18/112) on the performance of Police Scotland against the local policing priorities for the Perth and Kinross area as set out in the Local Policing Plan for the period 14 – 31 December 2017.

In responding to a question from Councillor Ahern regarding the upcoming changes to the law surrounding begging in the city centre and whether it was the intention to take a proactive approach with persistent offenders in terms of warning them about the impending changes and their behaviour, Chief Inspector Scott stated that he planned to have a discussion with the Convener to get some direction on what communities expectations are and again it was reiterated that begging in Scotland is not illegal as long as it is done in a non-aggressive manner.

Councillor Brawn made reference to the drop in the figures regarding hate crime detection and whether this was down to an actual increase in hate crime being reported, Chief Inspector Scott advised that this was not the case, whilst there has been a slight reduction in the detection rates this was a positive and was not a sign of an overarching area of change. The majority of hate crime being the inappropriate use of language involving social media and mobile phones, not people being targeted specifically and he reassured the Committee, that every hate crime incident gets a supervisory review.

Councillor Barrett queried the detection rates regarding shoplifting in the Perth and Kinross area and how these compare nationally, Chief Inspector Scott advised that almost every area of performance in the Perth and Kinross area compares favourably both nationally and in 'D' Division mainly due to the willingness of local communities to support the Police and the partnership working that takes place in the area.

**Resolved:**

The performance of Police Scotland against the local policing priorities for the Perth and Kinross area as detailed in Report 18/112 be noted.

**161. TAYSIDE MAPPA (MULTI-AGENCY PUBLIC PROTECTION ARRANGEMENTS) ANNUAL REPORT 2016-17**

Members heard a presentation by E Osborne, MAPPA Co-ordinator, who, following the presentation, answered Members' questions.

There was submitted a report by the Interim Director (Housing and Community Safety) (18/113) introducing the Tayside Multi-Agency Public Protection Arrangements (MAPPA) report for 2016-17.

**Resolved:**

The contents of Report 18/113 be noted and endorsed.

CHIEF SUPERINTENDENT G MURDOCH, CHIEF INSPECTOR I SCOTT, AREA MANAGER G PRYDE, GROUP MANAGER B MCLINTOCK AND E OSBORNE, LEFT THE MEETING AT THIS POINT.

**162. REPORT ON SOCIAL CARE AND SOCIAL WORK IMPROVEMENT SCOTLAND INSPECTIONS (SCSWIS) WITHIN HOUSING**

There was a submitted a report by the Interim Executive Director (Housing and Community Safety) (18/114) (1) advising on the key findings of two unannounced inspections undertaken within the Housing Service this year; and (2) highlighting that the teams are delivering high quality services to our tenants and residents which is reflected in the very good and excellent grades awarded.

**Resolved:**

- (i) The contents of Report 18/114 and the outcomes of the recent inspections' carried out, be noted.
- (ii) The Improvement Action Plan, as detailed in Appendix 1 to Report 18/114, be approved.

**163. COMMUNITY PLANNING PARTERSHIP UPDATE**

There was a submitted a report by the Depute Chief Executive, Chief Operating Officer (18/115) providing an update on the activities of the Community Planning Partnership (CPP).

**Resolved:**

The progress made in relation to Community Planning be noted.

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AUDIT COMMITTEE

Minute of meeting of the Audit Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 28 March 2018 at 2.00pm.

Present: Councillors B Band, K Baird, A Coates, S Donaldson, D Illingworth, X McDade and B Pover (substituting for E Drysdale).

In Attendance: J Clark, C Irons, S Mackenzie, M Morrison, L Simpson and G Taylor (all Corporate and Democratic Services); J Cockburn, Education and Children's Services; H Hope, Environment Service and N Copland and S Strathearn (both Housing and Community Safety).

Also in Attendance: A Shaw, KPMG

Apologies: Councillor E Drysdale

Councillor Band, Vice-Convener, Presiding.

164. WELCOME AND APOLOGIES/SUBSTITUTIONS

The Vice-Convener welcomed everyone to the meeting and welcomed Councillor Kathleen Baird back on to the Committee.

165. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

166. MINUTE

The minute of meeting of the Audit Committee of 31 January 2018 (Arts.49-54) was submitted and approved as a correct record and authorised for signature.

167. INTERNAL AUDIT FOLLOW UP

There was submitted a report by the Chief Internal Auditor (18/102) presenting a current summary of Internal Audit's follow up work.

It was noted that a trainee had been recruited to the Internal Audit Team and the recruitment process to appoint an Auditor would begin soon. J Clark assured members the Audit Plan could be resourced appropriately.

It was also noted that there would be a report submitted to the Strategic Policy and Resources Committee on 18 April 2018 on the implementation of the General Data Protection Regulation (GDPR). While the Regulation was due to come into force on 25 May 2018, the UK legislation on the detailed implementation had not yet been published.

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In the meantime, training was being provided through briefings, awareness raising and sessions with specific teams.

Resolved:

- (i) The current position in respect of the agreed actions arising from internal and external work be noted.
- (ii) The action plans be progressed, taking into account the recorded audit options.

168. INTERNAL AUDIT UPDATE

There was submitted a report by the Chief Internal Auditor (18/103) presenting a summary of Internal Audit's work against the 2017/18 annual plan.

Resolved:

The progress of work against the 2017/18 annual plan be noted.

The Committee considered the following final reports:-

(i) Corporate and Democratic Services

(a) 17-20 – Creditors' System

There was submitted a report by the Chief Internal Auditor (18/104) on an audit to ensure (1) that appropriate regulations, policies and procedures were in place for the requisition, purchase, receipt and payment of good and services and (2) that adequate system controls were in place to ensure the integrity of the creditors' system.

It was noted that governance arrangements had been made to ensure that invoices were only authorised by a person with the appropriate documented authority to do so.

Resolved:

Internal Audit's findings, as detailed in Report 18/104, be noted.

(b) 17-21 – HMRC Guidance – IR 35 Compliance

There was submitted a report by the Chief Internal Auditor (18/105) on an audit to provide assurance over Service compliance with processes for the HM Revenue and Customs (HMRC) guidance known as IR35.

Resolved:

Internal Audit's findings, as detailed in Report 18/105, be noted.

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(c) 17-26 – Council Tax

There was submitted a report by the Chief Internal Auditor (18/106) on an audit to ensure the adequacy of controls in relation to Council Tax discounts and exemptions.

Councillor McDade asked for clarification of the process in place to remove officers from the Council Tax system to ensure their access was revoked when no longer required. J Clark advised she would check the position and circulate the information to members.

In response to a question from Councillor Donaldson, J Clark confirmed that a person could not be deleted from the Council Tax system but had to have their access denied.

Resolved:

Internal Audit's findings, as detailed in Report 18/106, be noted.

(ii) Housing and Community Safety

(a) 17-06 – Northgate Housing Information System

There was submitted a report by the Chief Internal Auditor (18/107) on an audit to ensure (1) that support and maintenance arrangements were in place for the Northgate Housing Information System and (2) that adequate physical and logical access controls were in place.

Resolved:

Internal Audit's findings, as detailed in Report 18/107, be noted.

169. NATIONAL FRAUD INITIATIVE PROGRESS REPORT

There was submitted a report by the Chief Internal Auditor (18/108) outlining the action that has been taken by Perth & Kinross Council in response to the requirements of the National Fraud Initiative (NFI) for 2016/17.

In response to a question from Councillor McDade, J Clark advised that the trend for recovery of overpayments had been relatively static over a number of years.

L Simpson confirmed that the position taken by Perth and Kinross Council with regard to the National Fraud Initiative had been reviewed by her when she took up post, and she confirmed the position with regard to not providing the electoral register for the NFI.

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Resolved:

- (i) The contents of Report 18/108, which outlines the action taken by Perth & Kinross Council in response to the requirements of the National Fraud Initiative and the outcomes for the 2016/17 exercise, be noted.
- (ii) The actions taken by the Revenues & Benefits Service as a result of the non-provision of electoral register information, be noted.

170. THE INTERNAL AUDIT STRATEGY & INTERNAL AUDIT PLAN – APRIL-JUNE 2018

There was submitted a report by the Chief Internal Auditor (18/109) presenting the strategy for the delivery of Internal Audit and the proposed Internal Audit Plan for the period April to June 2018.

J Clark referred to the proposal to develop a more thematic risk-based audit plan from 2018/19 to reflect the priorities and objectives of the Council and to better target the key corporate risks. The detailed Audit Plan will be submitted to the Audit Committee on 27 June 2018.

In response to a question from Councillor Illingworth, J Clark advised that the thematic approach would enable the Audit Team to look at cross-service delivery and not just one area. L Simpson added that it would also provide a better structure for reviewing audit outcomes.

Councillor McDade asked if it was too soon to assess the effect of the changes in the process and J Clark advised that for now the thematic approach would be introduced to run in tandem with the current system. L Simpson confirmed that the traditional audit would continue as well as best value work and at least a year would be needed to review and refine the new process.

Councillor Donaldson queried the timetable for the General Data Protection Regulation (GDPR) report and L Simpson advised the Information Compliance Officer would be invited to attend the next meeting of the Audit Committee to provide information on the planning being undertaken for implementation of the Regulation.

There followed further discussion on the Internal Audit Plan and the timetabling of individual audits.

Resolved:

- (i) The first quarter of the 2018/19 Audit Plan focussing on developing a more thematic risk-based Audit Plan based on the priorities and objectives outlined in the Local Outcome Improvement Plan and the Council's Corporate Plan be submitted to the next Audit Committee on 27 June 2018.
- (ii) The further plan to reflect the key strategic and operational risks identified through the governance & best value assurance self-assessments and the service risk workshops, be approved.
- (iii) In addition, it be approved that the following specific work be carried out:
 - the certification of Council grant claims;
 - facilitating the Council's response to the National Fraud Initiative;

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- completion of the [2017/18 Internal Audit Plan](#);
 - follow up report in respect of financial assessment and charging;
 - supporting the Chief Internal Auditor for the Integrated Joint Board and;
 - other ad-hoc audit assignments or investigations as required.
- (iv) The Information Compliance Officer be invited to attend the next Audit Committee to provide members with information on the General Data Protection Regulation.

171. PERTH AND KINROSS COUNCIL EXTERNAL AUDIT STRATEGY

There was submitted a report by External Auditor, KPMG (18/110) presenting the External Audit Strategy for 2017/18.

A Shaw, KPMG, gave a summary of the report highlighting the sections on materiality and audit risks.

Councillor Donaldson requested clarification on the Council's pension liability and A Shaw confirmed the risk was in relation to the net pension liability accounted for in the financial statements. He added there was always a risk that pensions were not adequately funded but that was not the aspect covered by this report.

In response to a question from Councillor McDade, A Shaw advised that there was a separate accounting fee for the Integration Joint Board.

Councillor Illingworth asked if there had been a fundamental change from the previous year in the External Auditor's approach and A Shaw advised it had been very similar with the first year being KPMG familiarising themselves with the Council's practices and the second year was continuing with that work.

Resolved:

The external Audit Strategy for 2017/18 be noted.

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## PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 3 April 2018 at 10.30am.

Present: Councillors W Wilson, I James and L Simpson.

In Attendance: D Harrison (Planning Adviser), G Fogg (Legal Adviser) and D Williams (Committee Officer) (all Corporate and Democratic Services).

Also Attending: C Brien (the Environment Service); members of the public, including agents and applicants.

Councillor W Wilson, Convener, Presiding.

### 172. DECLARATIONS OF INTEREST

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

### 173. MINUTE

The minute of meeting of the Local Review Body of 6 March 2018 was submitted and noted.

### 174. APPLICATIONS FOR REVIEW

THE COMMITTEE UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT

**(vii) TCP/11/16(523) - Planning Application – 17/01749/FLL – Erection of a dwellinghouse and stables on land 90 metres west of Findatie Farm, Kinross – S Kinnaird**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse and stables on land 90 metres west of Fintadie Farm, Kinross.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) defer the application to allow for clarification on the siting and position of the proposed dwellinghouse;
- (iii) following the receipt of all further information, the application be brought back to the Local Review Body.

**(i) TCP/11/16(517) - Planning Application – 17/01429/FLL – Erection of 2 dwellinghouses on land 50 metres south of 1 Markethill, Kettins – Mr K Webster**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection 2 dwellinghouses on land 50 metres south of 1 Markethill, Kettins.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of 2 dwellinghouses on land 50 metres south of 1 Markethill, Kettins, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. The proposal would also contribute to ribbon development along the A923.
  - 2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2012, as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. The proposal would also contribute to ribbon development along the A923.
  - 3. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
  - 4. The proposal is contrary to Policy PM1B, criterion (b), of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside as there is no sufficient containment to the site.
  - 5. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and quality of landscape through the siting of the development within this area of Perth and Kinross.

6. The proposal does not provide or demonstrate that a satisfactory residential environment can be created due to the proximity of the agricultural buildings to the west and south of the site. Accordingly there is the potential for future residents at this site to suffer annoyance from noise and odour from the agricultural activity contrary to Policy EP8 of the Perth and Kinross Local Development Plan 2014.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**(ii) TCP/11/16(518) - Planning Application – 17/01429/FLL – Erection of 2 dwellinghouses on land 70 metres west of Garden Cottage, Pitnacree – Pitnacree Estate**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of 2 dwellinghouses on land 70 metres west of Garden Cottage, Pitnacree.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of 2 dwellinghouses on land 70 metres west of Garden Cottage, Pitnacree, be refused for the following reasons:
  1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (1) Building Groups as the site would not respect the character, layout and building pattern of the group and that a high standard of residential amenity cannot be achieved. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings or (6) Rural Brownfield Land.



2. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the scale of the proposed development and the prospective loss of trees would not contribute positively to the surrounding built and natural environment.

**Justification**

The proposed amendment is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**(iii) TCP/11/16(519) – Planning application - 17/02272/FLL – Alterations and extension to dwellinghouse at Evearn, Forgandenny, Perth, PH2 9HS – Mr A and Mrs C Gordon**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse at Evearn, Forgandenny, Perth, PH2 9HS.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) an unaccompanied site visit be carried out;
- (iii) following the site visit, the application be brought back to the Local Review Body.

**(iv) TCP/11/16(520) – Planning application - 17/01804/IPL – Erection of a dwellinghouse (in principle) on land 150 metres North West of East Tulchan Steadings, Glenalmond – Tulchan Estates Limited**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse (in principle) on land 150 metres North West of East Tulchan Steadings, Glenalmond.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse (in principle) on land 150 metres North West of East Tulchan Steadings, Glenalmond, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 – Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014, in that the proposal is not sufficiently robust in demonstrating that there is an economic need for the dwelling at the farm holding. Furthermore it has not been adequately demonstrated that the proposed dwelling position within the farm holding would achieve a suitable landscape fit to protect and enhance the landscape interests of this area of Perth and Kinross.
  - 2. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. In particular the proposal is not sufficiently robust in demonstrating that there is an economic need for the dwelling at the farm holding.
  - 3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of the landscape experience through the siting of the development within this area of Perth and Kinross.
  - 4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014 as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
  - 5. The proposal is contrary to policy PM1B criterion (b), of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

THERE FOLLOWED A TEN MINUTE RECESS

**(v) TCP/11/16(521) – Planning application - 17/01915/IPL – Erection of a dwellinghouse (in principle) on land 30 metres south of Balnacree House, Donavourd – Mr P McRobbie**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse (in principle) on land 30 metres south of Balnacree House, Donavourd.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) an unaccompanied site visit be carried out;
- (iii) following the site visit, the application be brought back to the Local Review Body.

**(vi) TCP/11/16(522) – Planning application - 17/01923/FLL – Alterations, extension and formation of a dormer at 16 Smith Street, Kinross, KY13 8DD – Mr and Mrs P Boyce**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for alterations, extension and formation of a dormer at 16 Smith Street, Kinross, KY13 8DD.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by unanimous decision that:

- (ii) the Review application alterations, extension and formation of a dormer at 16 Smith Street, Kinross, KY13 8DD, be refused for the following reasons:

1. The dormer extension, by virtue of its excessive proportions, inappropriate bulk, massing, design and composition, would compromise the character and architectural integrity of the cottage, resulting in an adverse impact on the visual amenity of the area. Approval would therefore be contrary to Policies RD1(c), PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014, which seek to ensure that development contributes positively to the character and appearance of the area by complementing its surroundings in terms of design, appearance, scale and massing.
2. The dormer extension, by virtue of its excessive proportions, inappropriate materials, bulk, massing, design and composition, would be harmful to the character and appearance of the Kinross Conservation Area. Approval would therefore be contrary to Scottish Planning Policy 2014 and Policy HE3A of the Perth and Kinross Local Development Plan 2014, which seek to ensure that development proposals preserve or enhance the character and appearance of Conservation Areas.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**175. DEFERRED APPLICATIONS FOR REVIEW**

- (i) TCP/11/16(501) – Planning application - 17/01337/FLL – Erection of a stable buildings (in retrospect) at Dollar Equestrian, Blairingone, Dollar, FK14 7ND – Dollar Equestrian**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of stable buildings (in retrospect) at Dollar Equestrian, Blairingone, Dollar, FK14 7ND.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 9 January 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without: (i) comment from the Development Quality Manager on the acoustic consultants e mail, the manure plan and the revised landscape plan; (ii) the subsequent opportunity for any comment upon the comments made by the Development Quality Manager and: (iii) and unaccompanied site visit.

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An unaccompanied site visit having been carried out on 29 March 2018, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (ii) having regard to the material before the Local Review Body and the comments from the Planning Adviser, the comments from both the Development Quality Manager and Applicant, and having carried out a site visit on 29 March 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of stable buildings (in retrospect) at Dollar Equestrian, Blairingone, Dollar, FK14 7ND, be refused for the following reasons:
  - 1. The proposal is contrary to Policy EP8 'Noise Pollution' of the Perth and Kinross Local Development Plan 2014, as the permanent retention of the timber stables does not provide a satisfactory residential environment for the neighbouring house plot due to the combined proximity of the existing equestrian use and timber stables, where there is the potential for future residents at this site to suffer annoyance from noise and odour.
  - 2. The proposal is contrary to Policy PM1A 'Placemaking' of the Perth and Kinross Local Development Plan 2014, as the permanent retention of the timber stable buildings would not contribute positively to the quality of the surrounding area in terms of character or amenity, particularly in relation to the residential amenity of the neighbouring house plot immediately to the east.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Note:** Councillor James dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that permission for the erection of stable buildings (in retrospect) should be granted. He reasoned that the stable buildings would not have an impact on traffic and that the nature of the stable buildings would not be out of character at this locality in the countryside.

**(ii) TCP/11/16(509) – Planning application - 17/01524/FLL – Erection of dwellinghouse and outbuilding, land 150 metres north west of Upper Cloan telecommunications mast, Auchterarder – K Laver and D Malcolm**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse and outbuilding, land 150 metres north west of Upper Cloan telecommunications mast, Auchterarder.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 6 February 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. An unaccompanied site visit having been carried out on 29 March 2018, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (iii) having regard to the material before the Local Review Body and the comments from the Planning Adviser, and having carried out a site visit on 29 March 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse and outbuilding, land 150 metres north west of Upper Cloan telecommunications mast, Auchterarder, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
  - 2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2012, as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in the location. Specifically, the proposal fails to comply with Category 3.5 as it is not a test pilot project or sufficiently ground-breaking to warrant a dwellinghouse in this countryside location. Furthermore, there is no mechanism for ensuring the occupant or prospective purchaser of the site be required to live and operate the site in an ecologically sound and sustainable manner.

3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape experience through the siting of the development within the Ochil Special Landscape Area.
4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of the Ochils.
5. The proposal is contrary to policy PM1B, criterion (a), of the Perth and Kinross Local Development Plan 2014 as the proposal fails to create a sense of identity and erodes the character of the countryside.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Note:** Councillor James dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that permission for the erection of a dwellinghouse and outbuilding should be granted. He considered the proposal to be ground-breaking as a pilot project, and therefore not contrary to the Council's Housing in the Countryside Guide 2012.

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