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2017

Book 5

MINUTES OF MEETINGS FROM
20 September 2017 – 29 November 2017

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DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 September 2017 at 10.00am.

Present: Councillors M Lyle (Convener), B Brawn (Vice-Convener), H Anderson, B Band, M Barnacle, H Coates, T Gray, I James, R McCall, R Watters and W Wilson.

In Attendance: Councillor L Simpson; N Brian, A Condliffe, M Petrie, A Rennie, D Salman, J Scott and R Stewart (all The Environment Service); C Elliott and D Williams (both Corporate and Democratic Services).

Apologies: Councillors E Drysdale and A Jarvis.

Councillor M Lyle, Convener, Presiding.

508. WELCOME AND APOLOGIES

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

509. DECLARATIONS OF INTEREST

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

510. MINUTES

The minute of meeting of the Development Management Committee of 30 August 2017 (Arts. 459-464) was submitted, approved as a correct record and authorised for signature.

511. DEPUTATIONS

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

Planning Application No.	Art. No.
17/00886/FLM	512(1)(ii)
17/00760/FLL	512(2)(i)
17/00893/FLL	512(2)(ii)

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512. APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) 17/01201/AMM – ABERFELDY – Erection of 8 dwellinghouses (approval of matters specified in conditions 16/00478/IPM – Phase 2) at land 25 metres South West of 8 The Beeches, Aberfeldy – Report 17/294 – Bolfracks Estate**

A Condliffe, Interim Development Quality Manager, advised the Committee that informative 4 of Report 17/294 should read:
“This development will require the ‘Display of notice while development is carried out’, under Section 27C (1) of the 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. According to 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.”*

Resolved:

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

Conditions

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the occupation of any residential plot, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development.
3. Duntaylor Avenue shall not be used at any time by construction traffic associated with the development.
4. All matters regarding access, pedestrian and cycling facilities, public transport infrastructure, 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 and to the satisfaction of the Planning Authority.
5. No part of the development shall be occupied until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The GTP will have

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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.

6. Prior to the commencement of works on any part of the development, the applicant shall submit for the written approval of the Planning Authority an updated 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 the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - d) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - e) 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;
 - f) details of information signs to inform other road users of construction traffic;
 - g) arrangements to ensure that access for emergency service vehicles are not impeded;
 - h) co-ordination with other major commercial users known to use roads affected by construction traffic;
 - i) traffic arrangements in the immediate vicinity of temporary construction compounds;
 - 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.
7. 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

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- 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.
8. All road gullies within 500m of the SUDS pond shall have a Wildlife Kerb installed adjacent to it to allow amphibians to pass safely.
 9. 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.
 10. Where it is intended to create semi-natural habitats, e.g. meadow or woodland, 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.
 11. Prior to the commencement of development, a site specific plan, detailing bin storage areas, kerbside collection locations shall be submitted to and approved in writing by the Planning Authority and thereafter undertaken in accordance with the approved details.
 12. The stoves shall only operate on fuel prescribed and stored in accordance with the manufacturer's instructions. The stoves and flues and any constituent parts shall be maintained and serviced in accordance with the manufacturer's instructions. No changes to the biomass specifications shall take place without the prior written agreement of the Council as Planning Authority.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

Procedural Notes

1. Primary school financial contribution of £51,680 (8 x £6,460) is required and can either be paid up front or via a Section 75 legal agreement. Should the applicant not wish to pay the primary education contribution up front, a Section 75 legal agreement will be required before the decision notice can be released.
2. Any 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 may be recommended for refusal under delegated powers.

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Informatives

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
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. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the 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. According to 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.
5. 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.
6. 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.
7. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new

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street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth, PH3 1JR.

8. 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.
9. 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.
10. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
11. 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.
12. Because of a disused tip approximately south of the site, the applicant should satisfy themselves that there is no risk to the proposed development. A watching brief during redevelopment is therefore recommended.
13. No work shall be commenced until an application for building warrant has been submitted and approved.
14. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.

(ii) 17/00886/FLM – KINROSS – Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land to modify Conditions 8 (Children's Play Area) and 9 (Access) of planning permission at land 300 metres North West of Lathro Farm, Kinross – Report 17/295 – Persimmon Homes Ltd

J Scott, Team Leader, requested that, should the Committee be minded to grant the application, condition 13 be revised to read *"Prior to the implementation of this consent, a detailed delivery*

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plan confirming the phased delivery of the site and construction works shall be submitted and approved in writing by the Council as Planning Authority. For the avoidance of doubt, it shall provide full details of the phasing of delivery of all residential units, landscaped areas and open space (Country Park). Once approved, the development shall be implemented in accordance with the delivery plan, to the satisfaction of the Council as Planning Authority."

Mr Scott also requested that informative 4 of Report 17/295 should read:

"This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the 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. According to 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."*

Resolved:

Grant, subject to the following terms, conditions and informatives, including a revised condition 24 and revised informative 4 as undernoted:

Conditions

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the occupation of any residential plot, 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 unless otherwise agreed in writing.
3. Prior to the occupation of any residential plot, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development.
4. Permitted development rights associated with Classes 1A, 1B, 3A and 3B of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent comparable classes in future legislation relating to development within the

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curtilage of a dwellinghouse are hereby revoked in full for all terraced dwellings, namely plot nos.29-32, 37-40, 55-58, 93-96, 104-107, 119-122, 138-141, 152-159, 181-184, 297-300 of the approved Site Layout Plan.

5. The detailed landscaping and planting scheme as approved shall be commenced at the same time as commencement of the residential development and thereafter maintained to the satisfaction of the Council as Planning Authority.
6. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.
7. The areas of public open space and parkland indicated on the approved landscape and planting drawings shall be planted in accordance with the open space standards of the Planning Authority and completed to phase with the adjacent dwellinghouses in accordance with a programme to be submitted to and agreed in writing with the Planning Authority prior to the commencement of the development. The scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
8. Within one month of this decision, full details of the location and timescales of the temporary children's play area to be located within Phase 1 shall be submitted and approved by the Planning Authority. The agreed detail shall thereafter be implemented prior to the occupation of the first dwelling in Phase 1. For the avoidance of doubt should Phase 2 not occur the children's play area within Phase 1 will become a permanent fixture.
9. Prior to the implementation of this consent, a detailed layout of the proposed children's play area indicated in the site layout plan shall be submitted for the further approval of the Planning Authority. The play area(s) shall be designed, laid out and equipped in accordance with the Planning Authority's current criteria for play area provision within six months of the occupation on the first residential unit in Phase Two. The play area and its facilities/equipment shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
10. Prior to the implementation of this consent, full details of proposed site boundary openings forming new accesses onto the A922 and Gallowhill Road shall be submitted to the Planning Authority for further written approval. The A922 opening details as approved shall thereafter be implemented prior to the occupation of any residential unit within Phase 1 of the development. The Gallowhill Road opening details as approved shall thereafter be

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- implemented prior to the occupation of any residential unit within Phase 2 of the development.
11. Prior to the implementation of this consent, details of the frontage landscaping treatment along the M90 trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland.
 12. Prior to the occupation of the development, a barrier/boundary feature of a type approved by the Planning Authority in consultation with Transport Scotland shall be provided and maintained along the proposed boundary of the site with the M90 trunk road.
 13. Prior to the implementation of this consent, a detailed delivery plan confirming the phased delivery of the site and construction works shall be submitted and approved in writing by the Council as Planning Authority. For the avoidance of doubt, it shall provide full details of the phasing of delivery of all residential units, landscaped areas and open space (Country Park). Once approved, the development shall be implemented in accordance with the delivery plan, to the satisfaction of the Council as Planning Authority.
 14. 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 all to the satisfaction of the Council as Flood Authority.
 15. The discharge of any surface water drainage shall be limited to the Greenfield runoff rate as calculated in Section 4.3 of the Flood Risk Assessment within the Environmental Impact Assessment Environmental Statement Vol.3 Technical Appendix A. All discharge rates shall be agreed in writing by the Planning Authority in consultation with the Flooding Team prior to the commencement of any works on site.
 16. Full drainage calculations and the final layout and depth of the proposed SUDS pond 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.
 17. Unless otherwise agreed in writing by the Planning Authority the Finished Floor Level of all properties shall be a minimum of 600mm above the 200 year flood level.
 18. Unless otherwise agreed in writing by the Planning Authority, the garden level of all properties shall be a minimum of 300mm above the 200 year flood level.
 19. Prior to the implementation of this consent, the soffit level of all bridges/culverts shall be agreed in writing by Perth and Kinross Councils Flooding Team.

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20. All existing trees and hedgerows shall be retained and protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction), unless otherwise agreed in writing by the Planning Authority. The details of the protective fencing and its location shall be first submitted to and agreed in writing by the Planning Authority. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.
21. Prior to the implementation of this consent, a Construction Environment Management Plan (CEMP), incorporating a Construction Method Statement (CMS), a Construction Traffic Management Plan (CTMP), a Site Waste Management Plan (SWMP), a Site Access Management Plan, a Drainage Management Plan (DMP) and Environmental Management Plan (EMP) detailing pollution prevention and control measures for all phases of the, construction and operation programmes will be submitted to and be approved in writing by the Planning Authority, in consultation with Scottish Environment Protection Agency and Scottish Natural Heritage. The CEMP shall be updated and submitted not less than two months prior to the commencement of the second phase and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the CEMP unless otherwise agreed in writing by the Planning Authority.
22. Prior to the implementation of this consent, the developer shall secure the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.
23. Prior to the implementation of this consent, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken.
 - I. the nature, extent and type(s) of contamination on the site

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- 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 agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

- 24. The hours of operation at the construction stage shall be Monday to Friday 07:00 to 19:00 hours, Saturday 08:00 to 13:00 hours and no workings on a Sunday, unless otherwise agreed in writing with the Planning Authority.
- 25. Prior to the implementation of this consent, detailed design of the earth bunding and acoustic barriers along the M90 boundary shall be submitted in writing to the Planning Authority for approval before the development commences so that together with existing landscape features noise levels within habitable rooms of proposed dwellings on the western part of the development are reduced.
- 26. As recommended in Section 7 of the Environmental Statement, trickle ventilators shall be installed with passive extract ventilation systems to all habitable rooms within line of sight to the M90 trunk road and South Street, Milnathort to provide acoustic attenuation of up to 42 dBDn, in its open position.
- 27. Prior to the implementation of this consent, a site specific plan, detailing bin storage areas, kerbside collection locations and recycling facilities shall be submitted to and approved in writing by the Planning Authority and thereafter undertaken in accordance with the approved details.
- 28. Prior to the implementation of this consent, details of all front driveway screening shall be submitted to the Planning Authority for further approval. The agreed detail shall be thereafter implemented prior to the occupation of each dwelling.
- 29. No removal of hedgerows, trees or shrubs 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

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interest on site. Any such written confirmation should be submitted to the local planning authority.

30. No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect animals from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include creation of sloping escape ramps 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.
31. Lighting will be designed, and positioned in such a way as to prevent light spillage into adjacent watercourses and woodland.
32. No development, including earth moving, shall take place or material or machinery brought on site until protective fencing and warning signs have been erected on site in accordance with an approved Construction Method Statement. All protective fencing and warning signs will be maintained during the construction period in accordance with the approved details.
33. Pre-construction surveys shall be undertaken to ascertain the presence or absence of protected species and breeding birds and written confirmation that no protected species or birds will be harmed and/or that there are appropriate measures in place to protect said protected species and nesting bird interest on site. Any such written confirmation should be submitted to and agreed by the Planning Authority.
Where ecological surveys have identified the potential presence of roosting bats, no activities that could result in disturbance (such as tree felling, or associated operations) shall be carried out between the dates of 1st April and 1st October in any year. Any works undertaken during the specified periods should only be carried out under the direction of a licensed bat ecologist to ensure that an offence is not committed.
34. Where it is intended to create semi-natural habitats, all species used in the planting proposals as detailed in the landscape plans shall be locally native species of local provenance unless otherwise agreed in writing with the local Planning Authority.
35. All landscape maintenance measures shall be carried out in accordance with the details contained in the landscape plans as already submitted with the planning application and agreed with the Planning Authority.

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36. All trees to be retained shall be protected in accordance with BS 5837 2012 Trees in Relation to Design, Demolition and Construction prior to any works commencing on site, and shall remain in place until all construction is completed.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

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. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the 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. According to 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.

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(2) Local Applications

- (i) 17/00760/FLL – KINROSS – Erection of 47 dwellinghouses and associated works at land 300 metres North West of Lathro Farm, Kinross – Report 17/296 – Springfield Properties PLC**

Resolved:

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

Conditions

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the occupation of any residential plot, 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 unless otherwise agreed in writing.
3. Prior to the occupation of any residential plot, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development.
4. The detailed landscaping and planting scheme which is hereby approved shall be implemented as part of the site development programme and thereafter maintained.
5. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.
6. The areas of public open space and parkland indicated on the approved landscape and planting drawings shall be planted in accordance with the open space standards of the Planning Authority and completed to phase with the adjacent dwellinghouses in accordance with a programme to be submitted to and agreed in writing with the Planning Authority prior to the commencement of the development. The scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
7. 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 all to the satisfaction of the Council as Flood Authority.
8. The discharge of any surface water drainage shall be limited to the Greenfield runoff rate as calculated in

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Section 4.3 of the Flood Risk Assessment within the Environmental Impact Assessment Environmental Statement Vol.3 Technical Appendix A. All discharge rates shall be agreed in writing by the Planning Authority in consultation with the Flooding Team prior to the commencement of any works on site.

9. Unless otherwise agreed in writing by the Planning Authority the Finished Floor Level of all properties shall be a minimum of 600mm above the 200 year flood level.
10. Unless otherwise agreed in writing by the Planning Authority, the garden level of all properties shall be a minimum of 300mm above the 200 year flood level.
11. Prior to the commencement of development details of all front driveway screening shall be submitted to the Planning Authority for further approval. The agreed detail shall be thereafter implemented prior to the occupation of each dwelling and permanently maintained thereafter.
12. Prior to commencement of development the CEMP approved under application 15/01512/FLM shall be updated to reflect the changes proposed in this application. The 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.
13. The hours of operation at the construction stage shall be Monday to Friday 07:00 to 19:00 hours, Saturday 08:00 to 13:00 hours and no workings on a Sunday, unless otherwise agreed in writing with the Planning Authority.
14. No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect animals from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include creation of sloping escape ramps 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.

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15. Lighting will be designed, and positioned in such a way as to prevent light spillage into adjacent watercourses and woodland.
16. No development, including earth moving, shall take place or material or machinery brought on site until protective fencing and warning signs have been erected on site in accordance with an approved Construction Method Statement. All protective fencing and warning signs will be maintained during the construction period in accordance with the approved details.
17. Should the development not commence within 12 months of any approval then further preconstruction surveys shall be undertaken to ascertain the presence or absence of protected species and breeding birds and written confirmation that no protected species or birds will be harmed and/or that there are appropriate measures in place to protect said protected species and nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
18. All trees to be retained shall be protected in accordance with BS 5837 2012 Trees in Relation to Design, Demolition and Construction prior to any works commencing on site, and shall remain in place until all construction is completed.
19. All plant or equipment 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 25 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.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

Procedural Notes

1. Consent shall not to be issued until a Section 75 Agreement relating to developer contributions has been completed and signed. Affordable housing contributions will require 35.25 (47 – 11.75) affordable units to be provided as part of this application with contributions for primary education provision of £227,715 (35.25 x £6,460).
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 being re-assessed

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through failing to comply with the associated developer contributions policy and may be 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. 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. 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, The Atrium, Glover Street, Perth.
5. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD
6. 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.
7. No work shall be commenced until an application for building warrant has been submitted and approved.
8. The development shall be in accordance with the Council's Developer Contributions and Affordable Housing Policy approved in April 2016 which requires a 25% allocation of affordable units within the development all to the satisfaction of the Council as Planning Authority.
9. All domestic properties require an appropriate storage area for a minimum of 3 x 240 litre bins (1 for general waste, 1 for garden & food waste and 1 for dry mixed

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recyclates/paper) and suitable access/surface to wheel the bins from the storage area to the kerbside where they must be presented for collection.

Bin Dimensions

Capacity (litres)	Width (mm)	Height (mm)	Depth (mm)
240	580	1100	740

10. 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.
11. 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.

- (ii) **17/00893/FLL – KINROSS – Erection of 6 dwellinghouses, formation of open space, landscaping and infrastructure works for plots 1-6, relocation of SUDS basin, pump station and erection of substation (revised layout and design)(in part retrospect) at land 300 metres North West of Lathro Farm, Kinross – Report 17/297 – Persimmon Homes Ltd**

Resolved:

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

Conditions

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the occupation of any residential plot, 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 unless otherwise agreed in writing.
3. Prior to the occupation of any residential plot, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development.
4. Within two months of the date of this decision notice the detailed landscaping and planting scheme as approved under 15/01512/FLM shall be updated to reflect the

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revisions set out in this application. Details of the landscaping and path network in relation to the SUDS shall be included within the scheme and the SUDS should be designed to contribute both to biodiversity and public amenity. The scheme shall be submitted for approval in writing by the Planning Authority and the scheme as approved shall be implemented and thereafter maintained.

5. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.
6. The areas of public open space and parkland indicated on the approved landscape and planting drawings shall be planted in accordance with the open space standards of the Planning Authority and completed to phase with the adjacent dwellinghouses in accordance with a programme to be submitted to and agreed in writing with the Planning Authority prior to the commencement of the development. The scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
7. 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 all to the satisfaction of the Council as Flood Authority.
8. The discharge of any surface water drainage shall be limited to the Greenfield runoff rate as calculated in Section 4.3 of the Flood Risk Assessment within the Environmental Impact Assessment Environmental Statement Vol.3 Technical Appendix A. All discharge rates shall be agreed in writing by the Planning Authority in consultation with the Flooding Team prior to the commencement of any works on site.
9. Full drainage calculations and the final layout and depth of the proposed SUDS pond 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.
10. Unless otherwise agreed in writing by the Planning Authority the Finished Floor Level of all properties shall be a minimum of 600mm above the 200 year flood level.
11. Unless otherwise agreed in writing by the Planning Authority, the garden level of all properties shall be a minimum of 300mm above the 200 year flood level.
12. Development shall be undertaken in accordance with the CEMP approved under 15/01512/FLM. The CEMP shall be updated and submitted not less than two months prior to the commencement of the second phase and shall

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incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the CEMP unless otherwise agreed in writing by the Planning Authority.

13. The hours of operation at the construction stage shall be Monday to Friday 07:00 to 19:00 hours, Saturday 08:00 to 13:00 hours and no workings on a Sunday, unless otherwise agreed in writing with the Planning Authority.
14. Prior to the commencement of development details of all front driveway screening shall be submitted to the Planning Authority for further approval. The agreed detail shall be thereafter implemented prior to the occupation of each dwelling and permanently maintained thereafter.
15. No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect animals from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include creation of sloping escape ramps 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.
16. Lighting will be designed, and positioned in such a way as to prevent light spillage into adjacent watercourses and woodland.
17. No development, including earth moving, shall take place or material or machinery brought on site until protective fencing and warning signs have been erected on site in accordance with an approved Construction Method Statement. All protective fencing and warning signs will be maintained during the construction period in accordance with the approved details.
18. Where it is intended to create semi-natural habitats, all species used in the planting proposals as detailed in the landscape plans shall be locally native species of local provenance unless otherwise agreed in writing with the local Planning Authority.
19. All landscape maintenance measures shall be carried out in accordance with the details contained in the landscape plans as already submitted with the planning application and agreed with the Planning Authority.
20. All trees to be retained shall be protected in accordance with BS 5837 2012 Trees in Relation to Design, Demolition and Construction prior to any works commencing on site, and shall remain in place until all construction is completed.

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21. All plant or equipment 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 25 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.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

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. 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, The Atrium, Glover Street, Perth.
5. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
6. 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.

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7. No work shall be commenced until an application for building warrant has been submitted and approved.
8. The development shall be in accordance with the Council's Developer Contributions and Affordable Housing Policy approved in April 2016 which requires a 25% allocation of affordable units within the development all to the satisfaction of the Council as Planning Authority.
9. All domestic properties require an appropriate storage area for a minimum of 3 x 240 litre bins (1 for general waste, 1 for garden & food waste and 1 for dry mixed recyclates/paper) and suitable access/surface to wheel the bins from the storage area to the kerbside where they must be presented for collection.

Bin Dimensions

Capacity (litres)	Width (mm)	Height (mm)	Depth (mm)
240	580	1100	740

10. 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.
11. 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.

(3) Proposal of Application Notice (PAN)

- (i) **17/00007/PAN – BENDOCHY – Change of use of agricultural land to game bird farm and associated moveable shelters and infrastructure at land 400 metres North East of West Myreriggs Farm, Myreriggs Road, Bendochy – Report 17/298**

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

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PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
20 SEPTEMBER 2017

## **HOUSING AND COMMUNITIES COMMITTEE**

Minute of Meeting of the Housing and Communities Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth, PH1 5PH on Wednesday 20 September 2017 at 2.00pm.

Present: Councillors P Barrett, I James (substituting for Councillor C Ahern), H Coates, A Bailey, B Brawn, J Rebbeck (substituting for Councillor E Drysdale), T Gray (from Article 515 onwards), D Illingworth, M Jamieson, R McCall, G Laing (substituting for Councillor S McCole), T McEwan and B Pover.

In attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive; L Cameron, Interim Director (Housing and Community Safety); R Packham, D Fraser and P Henderson (all Perth and Kinross Health and Social Care Partnership); C Mailer, R Ross and S Watson (all Housing and Community Safety); S Hendry, C Flynn and L Gowans (all Corporate and Democratic Services).

Also in Attendance: Divisional Commander P Anderson and Inspector Ian Scott (both Police Scotland); B McLintock, Group Manager, Scottish Fire and Rescue Service; C Stewart, Tenants' Representative.

Apologies for Absence: Councillors C Ahern, E Drysdale and S McCole.

Councillor Barrett, Convener, Presiding.

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

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

### **514. DECLARATIONS OF INTEREST**

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

### **515. MINUTE OF MEETING OF THE HOUSING AND COMMUNITIES COMMITTEE OF 31 MAY 2017 FOR APPROVAL AND SIGNATURE**

The minute of meeting of the Housing and Communities Committee of 31 May 2017 (Arts. 309-323) was submitted, approved as a correct record and authorised for signature.

*IN TERMS OF STANDING ORDER 19 THE COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS TO CONSIDER ITEMS P3 AND P4 AT THIS POINT.*

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**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**

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

The Committee received and noted a verbal report from Group Manager B McIntock of the Scottish Fire and Rescue Service on information which was not to be made publically available.

**517. POLICE SCOTLAND – OPERATIONAL UPDATE FOR PERTH AND KINROSS**

The Committee received and noted a verbal report from Divisional Commander P Anderson 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 METING AT THIS POINT**

**518. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP - PERTH AND KINROSS INTEGRATION JOINT BOARD**

**(i) Minute of Meeting of the Perth and Kinross Integration Joint Board of 30 June 2017**

The minute of meeting of the Perth and Kinross Integration Joint Board of 30 June 2017 was submitted and noted.

**(ii) Verbal Update by Executive Lead Officer**

R Packham, Chief Officer for the Integration Joint Board provided members with a verbal update on the recent work of the Perth and Kinross Health and Social Care Partnership.

**519. POLICE AND FIRE: LOCAL SCRUTINY AND ENGAGEMENT**

**(i) Scottish Fire and Rescue Service Quarterly Performance Report – 1 April to 30 June 2017**

There was submitted a report by Area Manager C Grieve, Local Senior Officer, Scottish Fire and Rescue Service (17/299) 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 2014-17, for the first quarter, 1 April to 30 June 2017.

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In response to queries from Councillors T Gray and G Laing on more detailed figures for deliberate fire setting, B McLintock and Inspector I Scott agreed to circulate more detailed information to members.

**Resolved:**

The performance of the Scottish Fire and Rescue Service in Perth and Kinross area for the first quarter, 1 April to 30 June 2017, as detailed in Report 17/299, be noted.

**(ii) Perth and Kinross Local Policing Area Performance Results – 1 April to 30 June 2017**

There was submitted a report by Chief Superintendent P Anderson Police Scotland 'D' Division (Tayside) (17/300) 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 1 April to 30 June 2017, and detailing a number of community engagement and operational activities undertaken within the reporting period.

In response to a question from Councillor T McEwan on a Perthshire wide road safety campaign involving all partners, Inspector I Scott confirmed that there was a pan-Tayside group that undertook this work.

Following a request from Councillor H Coates, Inspector I Scott agreed to come back to the Committee with more detailed information on statistics related to drink driving.

**Resolved:**

The performance of Police Scotland against the local policing priorities for the Perth and Kinross area as detailed in Report 17/300 be noted.

**520. LOCAL FIRE AND RESCUE PLAN – CONSULTATION**

There was submitted a report by the Interim Director (Housing and Community Safety) (17/301) seeking comment on the draft Local Fire and Rescue Plan as part of the consultation process.

**Resolved:**

- (i) Following consideration, officers be instructed to respond to the consultation as set out in Report 17/301;
- (ii) It be agreed that the final plan be presented to the Committee in November 2017 for approval.

**521. SAFER COMMUNITIES TEAM ANNUAL PERFORMANCE REPORT**

There was submitted a report by the Interim Director (Housing and Community Safety) (17/302) (1) presenting the Council's Safer Community Team Annual Performance Report for 2016/17; and (2) highlighting a number of positive outcomes for communities throughout Perth and Kinross.

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**Resolved:**

The work and impact of the Safer Communities Team in the past year, as detailed in Report 17/302, be noted.

**522. PERTH AND KINROSS VIOLENCE AGAINST WOMEN PARTNERSHIP ANNUAL REPORT 2016-2017**

There was submitted a report by the Interim Director (Housing and Community Safety) (17/303) introducing the Perth and Kinross Violence Against Women Partnership Annual Report for 2016-17, highlighting some key achievements and identifying some improvement actions.

The Committee heard a slide based presentation providing a summary of the Annual Report.

**Resolved:**

- (i) The activities and impact of the Perth and Kinross Violence Against Women Partnership, as set out in Report 17/303, be noted.
- (ii) The continued involvement of Council officers in the work of the Partnership be supported.

**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**

**523. REVIEW OF RESIDENTIAL CARE SERVICES**

There was submitted a report by the Chief Officer (Health and Social Care Partnership) (17/304) seeking comments on the plans to consult with service users, carers and staff on options for the future of the Council's residential care homes. A full Options Appraisal and Impact Assessment would be presented to the Committee for comment in November 2017.

**Resolved:**

- (i) The Committee noted that only option 2 delivered the required level of savings on residential care. The Committee emphasised the importance of treating all affected residents, families and staff at Beechgrove and Parkdale with respect. All transfers of residents to new residential or nursing care to be conducted with full assessment of risk and appropriate transport. There must be proper consultation with residents and families providing genuine choice and agreement on the suitability of their new care home.
- (ii) It be noted that a report on the proposals would be submitted to the special meeting of the Integration Joint Board for approval on 26 September 2017.

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**524. REVIEW OF DAY CARE SERVICES**

There was submitted a report by the Chief Officer (Health and Social Care Partnership) (17/305) presenting a report on the Review of Day Care Services prepared for the Integration Joint Board and requesting consideration of the recommendations contained within.

**Resolved:**

- (i) The Committee noted that only option 1 delivered the required level of savings on day care by March 2018 and 2019. The advantages were acknowledged that the two phases of implementation brought to minimise disruption to services and service users and to facilitate the planned expansion of the hub and development of the dementia outreach models and achieving the benefits described. It was also noted that the redesign was aligned to the recommendations made by the Perth and Kinross Fairness Commission in the report "Fairer Futures".
- (ii) It be noted that a report on the proposals would be submitted to the special meeting of the Integration Joint Board for approval on 26 September 2017.

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PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF LIFELONG LEARNING COMMITTEE
22 SEPTEMBER 2017

LIFELONG LEARNING COMMITTEE

Minute of special meeting of the Lifelong Learning Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth, PH1 5PH on Friday 22 September 2017 at 3.00pm.

Present: Councillors C Shiers, R McCall, W Wilson, K Baird, B Brawn (substituting for Councillor A Forbes), X McDade, B Pover, C Purves, J Rebbeck, F Sarwar; and Mrs P Giles.

In attendance: S Devlin, Executive Director (Education and Children's Services); G Boland, F Easton, S Johnston, M McDuff and C Taylor (all Education and Children's Services); S McLeod, C Flynn and L Brown (all Corporate and Democratic Services).

Apologies for absence: Councillors H Anderson, A Forbes, M Jamieson and T McEwan; Mrs A McAuley and Mrs M McFarlane.

Councillor C Shiers, Convener, Presiding.

525. WELCOME AND APOLOGIES

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

526. DECLARATIONS OF INTEREST

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

527. EXPANSION OF EARLY LEARNING AND CHILDCARE 1140 HOURS

There was submitted a report by the Executive Director (Education and Children's) (17/314), (1) providing an update since the last meeting on Education and Children's Services' proposals to expand Early Learning and Childcare capacity and increase flexibility and choice for families, in preparation for the full delivery of 1140 hours Early Learning and Childcare by 2020; (2) asking the Committee to agree an uplift in the payment made to Partner Provider centres with effect from 1 January 2018 to begin to incrementally align the Perth and Kinross Council rate with the national average wage; and (3) presenting the 'Perth and Kinross Council Draft Early Learning and Childcare Expansion Plan'.

Resolved:

- (i) It be agreed the Perth and Kinross Council Draft Early Learning and Childcare Expansion Plan be submitted to the Scottish Government by the required date of 29 September 2017.

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SPECIAL MEETING OF LIFELONG LEARNING COMMITTEE
22 SEPTEMBER 2017

- (ii) An uplift in the funding payment made to Partner Provider centres to increase the hourly rate from £3.23 to £3.49 with effect from 1 January 2018 be approved.
- (iii) The Executive Director be instructed to submit a report on progress with implementing actions from the ELC expansion plan to the Lifelong Learning Committee meeting in May 2018.

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PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
27 SEPTEMBER 2017

## **AUDIT COMMITTEE**

Minute of meeting of the Audit Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 27 September 2017 at 10.00am.

Present: Councillors E Drysdale, B Band, H Coates, S Donaldson, D Illingworth and X McDade.

In Attendance: J Clark, C Irons, S Mackenzie, M Morrison, S Richards and G Taylor (all Corporate and Democratic Services); A O'Brien and S Walker (both Corporate and Democratic Services) (up to and including Art. 532); J Cockburn (Education and Children's Services); J Dixon and W Young (both Environment Service) and N Copland (Housing and Community Safety)

Also in Attendance: A Shaw and M Wilkie, KPMG, External Auditors.

Councillor Drysdale, Convener, Presiding.

### **528. WELCOME AND APOLOGIES/SUBSTITUTIONS**

The Convener welcomed everyone to the meeting.

In terms of Standing Order 13, the Committee agreed that the meeting be recorded for use as part of the elected member development programme.

### **529. DECLARATIONS OF INTEREST**

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

### **530. MINUTE**

The minute of meeting of the Audit Committee of 14 June 2017 (Arts.332 - 337) was submitted and approved as a correct record and authorised for signature.

It was noted that in addition the development session on Treasury Management being held on 4 October 2017, the Head of Finance would take forward arrangements for a development session on local government finances.

### **531. DRAFT AUDITED ANNUAL ACCOUNTS 2016/17 AND DRAFT ANNUAL AUDIT REPORT TO THE MEMBERS OF PERTH AND KINROSS COUNCIL AND THE CONTROLLER OF AUDIT FOR THE YEAR ENDED 31 MARCH 2017**

There was submitted a report by the Head of Finance (17/306), presenting the Council's Draft Audited Annual Accounts for financial year 2016/17 in accordance with the Local Authority Accounts (Scotland) Regulations 2014 and including the Draft Annual Audit Report to the Members of Perth and Kinross Council and the Controller of Audit for the Year Ended 31 March 2017.

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S Mackenzie referred to the unaudited annual accounts which had been considered by Council on 28 June 2017 and to the unqualified audited annual accounts that would also be submitted to Council on 4 October 2017. S Mackenzie also referred to the positive working with KPMG in their first year as the Council's external auditors.

A Shaw confirmed that KPMG had issued an unqualified opinion on the Council's accounts and there were no outstanding issues. He thanked colleagues in the Council and in particular in the Finance Division, for their support during the audit.

M Wilkie referred to the wider scope and areas of best value detailed in the KPMG Annual Audit Report, which set a common framework for all audit work conducted for the Controller of Audit and the Accounts Commission. The four audit dimensions being financial sustainability; financial management; governance and transparency and value for money. KPMG performed a range of procedures to inform their work on best value such as discussion with officers and attendance at Committee meetings.

Councillor E Drysdale stated he was very pleased to note that in KPMG's first year of auditing Perth and Kinross Council they had issued an unqualified acceptance and that they had observed strong financial management in respect of monitoring of costs, forward planning and reporting to elected members. He added that relevant staff should be commended for their work.

In response to a question from Councillor S Donaldson, S Mackenzie advised that an employee survey was conducted annually and the results reported to senior and service managers.

G Taylor confirmed the results of the survey would be reported to Council in December 2017 as part of an annual report on the Council's workforce.

In response to a question from Councillor X McDade, S Walker confirmed that anticipated income from Council Tax was on track to be achieved for 2017/18.

**Resolved:**

- (i) The contents of KPMG's Draft Annual Audit Report to the Members of Perth and Kinross Council and the Controller of Audit for the year ended 31 March 2017 as detailed in Appendix 1 to Report 17/306, be noted.
- (ii) The 2016/17 Audited Annual Accounts be approved and the Leader of the Council, the Chief Executive and the Head of Finance be authorised to sign them.

*A O'BRIEN, S WALKER AND M WILKIE LEFT THE MEETING AT THIS POINT*

**532. INTERNAL AUDIT FOLLOW UP**

There was submitted a report by the Chief Internal Auditor (17/307), presenting a current summary of Internal Audit's 'follow up' work.

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AUDIT COMMITTEE  
27 SEPTEMBER 2017

**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 opinions.

**533. INTERNAL AUDIT UPDATE**

There was submitted a report by the Chief Internal Auditor (17/308), 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) Education and Children's Services**

**(a) 17-02(b) – Financial Management of Schools – Kinross High School**

There was submitted a report by the Chief Internal Auditor (17/309) on an audit to ensure that the school was managed in accordance with the financial procedures as laid down by Education and Children's Services.

It was noted that previous internal audits had shown a lack of internal procedures in other schools and accordingly this had been brought to the attention of all schools to be addressed.

It was also noted that there was not a specified frequency for undertaking audits in schools, however, in addition to audits there were internal inspections by the Education and Children's Services Finance Team at least twice a year and continuous communication between schools and the Team.

**Resolved:**

Internal Audit's findings, as detailed in Report 17/309, be noted.

**(ii) Housing and Community Safety**

**(a) 17-04 – Partnership Working – Community Justice Partnership**

There was submitted a report by the Chief Internal Auditor (17/310) on an audit to provide assurance over the Community Justice arrangements in place within Housing and Community Safety following the implementation of the Community Justice (Scotland) Act 2016.

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**Resolved:**

Internal Audit's findings, as detailed in Report 17/310, be noted.

(iii) **All Services**

(a) **17-05 – Management of Contracts**

There was submitted a report by the Chief Internal Auditor (17/311) on an audit to ensure there was adequate and effective management of contracts within Services.

J Clark advised that a sample of contracts had been taken across all Services for a detailed review of management arrangements.

Councillor S Donaldson expressed concern that from the sample of eight contracts, three of the contract award letters had been signed by officers who did not have the appropriate financial authority to do so and asked the value of those three contracts. J Clark advised she would pass that information to Councillor Donaldson.

It was noted that the work was ongoing to compile a database to replace authorised signatory lists which would provide further clarity as to who has authorisation to enter into contracts. However, officers should still comply with their financial authorisation limits.

Councillor S Donaldson considered that the audit should have examined a larger sample and Councillor E Drysdale agreed with this due to the total number of contracts awarded. J Clark advised the sample size could be increased in next year's annual plan.

Councillor H Coates asked if the financial level of a contract triggered an audit but J Clark clarified that a risk-based approach was taken to selecting contracts for audit, ensuring that there was a spread across services and values of contracts.

Councillor E Drysdale asked about the use of Internal Audit's new software system, IDEA, and J Clark confirmed the new system could be used to allow a random selection of contracts in different areas of risk.

Councillor E Drysdale referred to the aim of the audit which was to ensure adequate and effective management of contracts within Services and whether the use of a performance dashboard could limit cost overruns. J Clark advised that a performance dashboard could be used to look at non-financial, qualitative indicators.

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S Mackenzie advised he would confirm to Councillor E Drysdale that the Chief Accountant had raised with the Financial Controllers the issues highlighted by the audit regarding the levels of authority to enter into contracts to reiterate the importance of officers operating within agreed authority limits.

**Resolved:**

Internal Audit's findings, as detailed in Report 17/311, be noted.

**534. INTERNAL AUDIT STRATEGY & PLAN 2017/18**

There was submitted a report by the Chief Internal Auditor (17/312), presenting the strategy for the delivery of Internal Audit and the proposed Internal Audit Plan for October 2017 to March 2018.

J Clark advised that normally an annual plan was prepared, however, due to revised arrangements for the corporate management of risk and taking account of the Annual Governance Statement earlier this year two six monthly reports had been prepared.

J Clark highlighted that Internal Audit had acquired a data analytics tool to assist in some assurance audits – IDEA. This tool would enable Internal Audit to analyse large volumes of data across all Services and target resources appropriately, as well as facilitating further data matching and counter-fraud work. Development time had been included in the plan to ensure the tool would be utilised to the greatest benefit of the Council.

Councillor E Drysdale referred to the total of forty days allocated for grant certification, supporting the National Fraud Initiative and audit work for the Perth and Kinross Integration Joint Board and asked how many days would be allowed for the Board work. J Clark confirmed it would be twenty days and the work would be agreed with the Board's internal auditor.

In response to a question from Councillor X McDade, J Clark advised that while Internal Audit have a high degree of specialism in IT, Perth and Kinross Council do not have a computer auditor and would not have sufficient work to warrant the appointment of a dedicated resource. Accordingly, a computer auditor from Highland Council had been commissioned to undertake IT audits for the Council which allows the audit to be undertaken at a more detailed level.

There followed some discussion on the development of the Internal Audit Plan for the period beyond March 2018. It was noted that whilst it was useful to have input from Councillors on suggested areas, if Councillors had a particular concern about controls in any area they should raise that concern with the relevant Director or Head of Service prior to referring the matter to Internal Audit.

**Resolved:**

The Internal Audit Plan be approved for the period October 2017 to March 2018.

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**535. INTERNAL AUDIT GOVERNANCE**

There was submitted a report by the Chief Internal Auditor (17/313), presenting the reviewed and revised Internal Audit Charter, in line with the Public Sector Internal Audit Standards.

J Clark highlighted that a self-assessment of Internal Audit would be led by the Chief Internal Auditor of the City of Edinburgh Council with the outcome of the exercise to be reported to the Audit Committee early in 2018.

**Resolved:**

- (i) The updated Public Sector Internal Audit Standards (PSIAS) be noted as the relevant standard for Internal Audit in Perth and Kinross Council.
- (ii) The Internal Audit Charter be approved as the purpose of and authority and responsibility for internal audit activity in Perth and Kinross Council.
- (iii) A report be submitted to the Audit Committee early in 2018 on the self-assessment outcomes.

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PERTH AND KINROSS COUNCIL
PERTH COMMON GOOD FUND
4 OCTOBER 2017

PERTH COMMON GOOD FUND COMMITTEE

Minute of meeting of the Perth Common Good Fund Committee held in the Assembly Hall, Loch Leven Community Campus, The Muirs, Kinross on Wednesday 4 October 2017 at 11.00am.

Present: Councillors B Band, C Ahern, P Barrett, I Campbell, H Coates, D Doogan, E Drysdale, S McCole, A Parrott, J Rebbeck and C Shiers.

In Attendance: Councillors S Donaldson, G Laing and T Gray; D Davidson, S Merone, D Davidson and W Young (all The Environment Service); D Coyne, S Hendry, J Salisbury, A Taylor, A Brown, C Bannister and K Barron (all Corporate and Democratic Service);.

Apology for Absence: Councillor W Wilson.

Councillor B Band, Convener, Presiding.

536. WELCOME AND APOLOGIES

Councillor Band welcomed all present to the meeting and an apology for absence was noted as above.

537. DECLARATIONS OF INTEREST

Councillor B Band declared a non-financial interest in Art. 539(2), Councillor S McCole declared a non-financial interest in Art. 539(2), Councillor A Parrott declared a non-financial interest in Art. 539(12) and Councillor J Rebbeck declared a non-financial interest in Art. 539(6).

538. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Perth Common Good Fund Committee of 28 June 2017 (Arts. 381-385) was submitted, approved as a correct record and authorised for signature.

539. APPLICATIONS FOR FINANCIAL ASSISTANCE

There was submitted a report by the Director (Environment) (17/324) asking the Committee to consider twelve applications for financial assistance.

Resolved:

(1) Perth YMCA

Perth YMCA be awarded a grant of £2,000 towards the costs of the Perth Alive 2017 event.

COUNCILLOR B BAND LEFT THE MEETING AT THIS POINT.

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540. APPOINTMENT OF ACTING CONVENER

In terms of Standing Order 23, in the absence of the Convener, Councillor D Doogan was unanimously appointed to chair the meeting.

Councillor D Doogan, Acting Convener, Presiding.
(Art. 539(2) only)

(2) South Perth Community Partnership

- (i) South Perth Community Partnership be awarded a grant of £400 towards the costs of a fun day which offered activities for children and families on 16 September 2017.
- (ii) South Perth Community Partnership be awarded a grant of £1,440 towards the costs of the Christmas lights which will be switched on at Craigie Cross on 7 December 2017.

COUNCILLOR BAND RETURNED TO THE MEETING AT THIS POINT AND RESUMED THE ROLE OF CONVENER.

(3) Moncreiffe Tea Dancers

Moncreiffe Tea Dancers be awarded a grant of £480 towards the costs of their annual programme of events.

(4) Tulloch Primary School Parent Council

Tulloch Primary School Parent Council be awarded a grant of £475 towards the costs of attending a school pantomime event on 29 November 2017.

(5) Music in Hospitals

Music in Hospitals be awarded a grant of £1,060 towards the costs of high quality live music in care units.

(6) Scottish Orchestras

Scottish Chamber Orchestra be awarded a grant of £9,500 towards the costs of Scottish Orchestra's Perth Concert series and creative learning sessions.

(7) Southbank Centre

Motion (Councillors P Barrett and C Ahern) – Award a grant of £8,000 towards the costs of the WOW (Women of the World) Festival Perth scheduled to take place between 27 and 29 October 2017.

Amendment (Councillors A Parrott and E Drysdale) – Award a grant of £4,000 towards the costs of the WOW (Women of the World) Festival Perth scheduled to take place between 27 and 29 October 2017.

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

3 members voted for the Motion as follows:
Councillors C Ahern, P Barrett and H Coates.

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7 members voted for the Amendment as follows:

Councillors B Band, I Campbell, D Doogan, E Drysdale, S McCole, A Parrott and C Shiers.

1 member abstained as follows:

Councillor J Rebbeck.

Amendment – 7 votes

Motion – 3 votes

Resolved:

In accordance with the Amendment.

(8) Jar of Jewels

Jar of Jewels be awarded a grant of £1,200 towards the cost of two multicultural events between September 2017 and April 2018.

(9) Wednesday Tea Dance Group

Wednesday Tea Dance Group be awarded a grant of £315 towards the costs of their New Year party on 17 January 2018.

(10) Headway Perth and Kinross

Headway Perth and Kinross be awarded a grant of £329 towards the costs of their summer outing to Blair Drummond Safari Park which took place on 19 August 2017.

(11) Phoenix Allstars Cheerleading

Phoenix Allstars Cheerleading be awarded a grant of £875 towards the costs of new equipment and unit improvement.

(12) Perth and Kinross Credit Union

Perth and Kinross Credit Union be awarded a grant of £756 towards the costs of upgrading IT facilities to provide new ways of accessing services through mobile/tablet applications and online loan application services.

541. BONFIRE AND FIREWORKS DISPLAY EVENT 5 NOVEMBER 2017

There was submitted a report by the Director (Environment) (17/325) providing details of the Bonfire and Fireworks event on 5 November 2017 to be organised by the Perth & Strathearn 200 Roundtable and how the funding would be used.

Resolved:

The outline programme, funded by a previous Committee grant of £15,000 to Perth and Strathearn Round Table to pay for the pyrotechnic fireworks display, be approved.

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542. PERTH CHRISTMAS LIGHTS FESTIVAL

There was submitted a report by the Director (Environment) (17/326) noting the activities for the Christmas Lights event on Saturday 18 November 2017 which was part of the overall Perth Winter Festival programme and providing a breakdown of costs which would be funded from the approved Christmas Events budget.

Resolved:

The current budget provision for 2017/18 in respect of the Christmas Lights Switch On programme for Saturday 18 November 2017, and the expenditure outlined in Report 17/326, be noted.

543. 2017/18 FINANCIAL STATEMENT

There was submitted a Joint Report by Head of Finance and Director (Environment) (17/327) detailing the Income and Expenditure to 31 August 2017 and the projected outturn to 31 March 2018.

Resolved:

- (i) The Income and Expenditure to 31 August 2017 and the projected outturn to 31 March 2018, be noted.
- (ii) The uncommitted Financial Assistance budget for the remainder of the Financial Year 2017/18 be noted.
- (iii) The proposals for the funding of the Tay Railway Viaduct project, as outlined in paragraph 2.5 of Report 17/327, 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.

544. SITE (0.63HA) SHORE ROAD, PERTH – LEASE VARIATION TO APPROVE ALTERATION WORKS AND CHANGE OF USE OF UNUSED BUILDING ON SITE

There was submitted a report by the Director (Environment) (17/328) seeking approval to vary the terms of the ground lease of the site on Short Road to permit the tenant to carry out alteration works to the unused building on the site and allow a change of use.

Resolved:

Consent be given to allow the variation of the terms of the ground lease to permit alterations to the vacant building on the site and a change of use to allow wholesale and retail sale of decorating materials, subject to the tenant obtaining all the formal consents required as per the terms of the ground lease.

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545. KING JAMES VI GOLF CLUB, MONCREIFFE ISLAND, PERTH – RENT REDUCTION

There was submitted a report by the Director (Environment) (17/329) seeking approval of the proposed rent reduction for one year only to the current rent.

Resolved:

The one-off proposed rent reduction for one year only, as detailed in Report 17/329, be applied in November 2017.

546. TAY RAILWAY VIADUCT STEPS: REPLACEMENT – CONTRACTOR AWARD

There was submitted a report by the Director (Environment) (17/330) (1) summarising the current status with regard to the procurement and funding of replacement steps to the Tay Railway Viaduct; and (2) recommending that officers be instructed to award a Design and Build Contract for the replacement steps.

Motion (Councillors D Doogan and S McCole) – Consideration be deferred to enable a Working Group to be established with Committee Members and relevant Council officers to further examine options for procurement and funding.

Amendment (Councillors P Barrett and C Ahern)

- (i) **Funding be allocated as detailed in Report 17/329.**
- (ii) **Officers be instructed to award the contract to replace the steps to the named company in Report 17/330.**

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

4 members voted for the Motion as follows:

Councillors D Doogan, E Drysdale, S McCole and J Rebbeck.

7 members voted for the Amendment as follows:

Councillors C Ahern, B Band, P Barrett, I Campbell, H Coates, A Parrott and C Shiers.

Resolved:

In accordance with the Amendment.

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PERTH AND KINROSS COUNCIL  
ABERFELDY COMMON GOOD FUND  
4 OCTOBER 2017

## **ABERFELDY COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Aberfeldy Common Good Fund Committee held in the Assembly Hall, Loch Leven Community Campus, The Muirs, Kinross on Wednesday 4 October 2017 at 11.52am.

Present: Councillors I Campbell, C Shiers and M Williamson.

In Attendance: Councillors S Donaldson.; S Merone (The Environment Service); D Coyne, S Hendry, J Salisbury, A Taylor, A Brown, C Bannister and K Barron (all Corporate and Democratic Service),

Apology for Absence: Councillor X McDade.

Councillor M Williamson, Convener, Presiding.

### **547. WELCOME AND APOLOGIES**

Councillor Williamson welcomed all present to the meeting and an apology for absence was noted as above.

### **548. DECLARATIONS OF INTEREST**

Councillor M Williamson declared a non-financial interest in Arts. 552(1) and 552(2).

### **549. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Aberfeldy Common Good Fund Committee of 28 June 2017 (Arts. 386-392) was submitted, approved as a correct record and authorised for signature.

### **550. MATTERS ARISING**

There were no matters arising.

COUNCILLOR WILLIAMSON LEFT THE MEETING AT THIS POINT.

### **551. APPOINTMENT OF ACTING CONVENER**

In terms of Standing Order 23, in the absence of the Convener, Councillor I Campbell was unanimously appointed to chair the meeting.

Councillor I Campbell, Acting Convener, Presiding.  
(Art. 552 only)

PERTH AND KINROSS COUNCIL  
ABERFELDY COMMON GOOD FUND  
4 OCTOBER 2017

**552. APPLICATION FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Director (Environment) (17/331) asking the Committee to consider applications for financial assistance.

**Resolved:**

**(1) Aberfeldy Festival Committee**

Aberfeldy Festival Committee be awarded a grant of £100.00 towards the cost of their Christmas Festival on 2 December 2017.

**(2) Explore Aberfeldy Tourism Group**

Explore Aberfeldy Tourism Group be awarded a grant of £100.00 towards the cost of the October TayFest on 14 and 22 October 2017.

COUNCILLOR WILLIAMSON RETURNED TO THE MEETING AT THIS POINT AND RESUMED THE ROLE OF CONVENER

**553. 2017/18 FINANCIAL STATEMENT**

There was submitted a joint report by the Head of Finance and Director (Environment) (17/332) providing details of the Income and Expenditure to 31 August 2017 and the projected outturn to 31 March 2018 for the Aberfeldy Common Good Fund.

**Resolved:**

The Aberfeldy Common Good Fund Income and Expenditure to 31 August 2017, and the projected outturn to 31 March 2018 for Financial Year 2017/18, be noted.

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PERTH AND KINROSS COUNCIL
AUCHTERARDER COMMON GOOD FUND
4 OCTOBER 2017

AUCHTERARDER COMMON GOOD FUND COMMITTEE

Minute of meeting of the Auchterarder Common Good Fund Committee held in the Assembly Hall, Loch Leven Community Campus, The Muirs, Kinross on Wednesday 4 October 2017 at 12.00pm.

Present: Councillors I Campbell, T Gray, M Lyle and C Shiers.

In Attendance: Councillor D Doogan; S Merone (The Environment Service); D Coyne, S Hendry, J Salisbury, A Taylor, A Brown, C Bannister and K Barron (all Corporate and Democratic Service).

Apology for Absence: Councillor C Reid

554. APPOINTMENT OF CONVENER

The Committee agreed to appoint Councillor T Gray as Convener of the Auchterarder Common Good Fund Committee on the basis that the position of Convener would be rotated on an annual basis.

Councillor T Gray, Convener, took the Chair.

555. WELCOME AND APOLOGIES

Councillor Gray welcomed all present to the meeting and an apology for absence was noted as above

556. DECLARATIONS OF INTEREST

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

557. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Auchterarder Common Good Fund Committee of 26 April 2017 (Arts. 265-271) was submitted, approved as a correct record and authorised for signature.

558. MATTERS ARISING

There were no matters arising.

559. APPLICATIONS FOR FINANCIAL ASSISTANCE

There was submitted a report by the Director (Environment) (17/333) asking the Auchterarder Common Good Fund Committee to consider two applications for financial assistance.

PERTH AND KINROSS COUNCIL
AUCHTERARDER COMMON GOOD FUND
4 OCTOBER 2017

Resolved:

(1) Young Person

A Young Person be awarded a grant of £150 towards the cost of participating in a university exchange between the University of Strathclyde and the Tokyo Institute of Technology as part of a Masters mechanical engineering project from September to December 2017.

(2) Community School of Auchterarder after School Badminton Club

The Community School of Auchterarder after School Badminton Club be awarded a grant of £400 towards the costs of new equipment (12 rackets and 2 holdalls).

560. 2016/17 AND 2017/18 FINANCIAL STATEMENTS

There was submitted a joint report by the Head of Finance and Director (Environment) (17/334) detailing the income and expenditure to 31 August 2017 and the projected outturn to 31 March 2018 for the Auchterarder Common Good Fund.

Resolved:

- (i) The income and expenditure final outturn for the year to 31 March 2017 be noted.
- (ii) The income and expenditure to 31 August 2017 and the projected outturn to 31 March 2018 be noted.

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## **BLAIRGOWRIE COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Blairgowrie Common Good Fund Committee held in the Assembly Hall, Loch Leven Community Campus, The Muirs, Kinross on Wednesday 4 October 2017 at 12.05pm.

Present: Councillors B Brawn, I Campbell, T McEwan and C Shiers.

In Attendance: Councillors R Brock, S Donaldson and R McCall; S Merone (The Environment Service); D Coyne, S Hendry, J Salisbury, A Taylor, A Brown, C Bannister and K Barron (all Corporate and Democratic Service).

### **561. APPOINTMENT OF CONVENER**

The Committee agreed to appoint Councillor T McEwan as Convener of the Blairgowrie Common Good Fund Committee.

Councillor McEwan, Convener, took the Chair.

### **562. WELCOME AND APOLOGIES**

Councillor McEwan welcomed all present to the meeting. There were no apologies for absence.

### **563. DECLARATIONS OF INTEREST**

Councillor C Shiers declared a non-financial interest in Art. 566.

### **564. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Blairgowrie Common Good Fund Committee of 14 December 2016 (Arts. 859 – 864) was submitted, approved as a correct record and authorised for signature.

### **565. MATTERS ARISING**

There were no matters arising.

### **566. REINSTATEMENT OF BMX TRACK**

An urgent item of business arose in April 2017 in relation to a proposal to reinstate a BMX track at the rear of Westfield Common, Rattray. In order for the group to secure a grant of £10,000 towards the constructions costs from Tesco they required written confirmation from the landowner that permission would be given. It was noted that members were contacted and agreed to allow the recreation of the BMX Track and gave permission for the group to secure the grant from Tesco.

PERTH AND KINROSS COUNCIL  
BLAIRGOWRIE COMMON GOOD FUND  
4 OCTOBER 2017

**567. 2016/17 & 2017/18 FINANCIAL STATEMENTS**

There was submitted a joint report by the Head of Finance and Director (Environment) (17/335) detailing the income and expenditure to 31 August 2017 and the projected outturn to 31 March 2018 for the Blairgowrie Common Good Fund.

**Resolved:**

- (i) The income and expenditure final outturn for the year to 31 March 2017 be noted.
- (ii) The income and expenditure to 31 August 2017 and the projected outturn to 31 March 2018 be noted.

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PERTH AND KINROSS COUNCIL
CRIEFF COMMON GOOD FUND
4 OCTOBER 2017

CRIEFF COMMON GOOD FUND COMMITTEE

Minute of meeting of the Crieff Common Good Fund Committee held in the Assembly Hall, Loch Leven Community Campus, The Muirs, Kinross on Wednesday 4 October 2017 at 12.10pm.

Present: Councillors R Brock, I Campbell, S Donaldson, R McCall and C Shiers.

In Attendance: Councillor D Doogan; S Merone (The Environment Service); D Coyne, S Hendry, J Salisbury, A Taylor, A Brown, C Bannister and K Barron (all Corporate and Democratic Service).

568. APPOINTMENT OF CONVENER

The Committee agreed to appoint Councillor S Donaldson as Convener of the Crieff Common Good Fund Committee.

Councillor S Donaldson, Convener, took the Chair.

569. WELCOME AND APOLOGIES

Councillor Donaldson welcomed all present to the meeting. There were no apologies for absence.

570. DECLARATIONS OF INTEREST

Councillors R Brock and R McCall both declared a non-financial interest in Art. 573(1).

571. MINUTE OF PREVIOUS MEETING

The minute of meeting of 26 April 2017 (Arts. 272-279) was submitted, approved as a correct record and authorised for signature.

572. MATTERS ARISING

There were no matters arising.

573. APPLICATION FOR FINANCIAL ASSISTANCE

There was submitted a report by the Director (Environment) (17/336) asking the Committee to consider an application for financial assistance.

Resolved:

(1) Crieff in Leaf Association

Crieff in Leaf Association be awarded a grant of £600 towards the costs of a project to enhance the visual amenity of Burrell Square in Crieff.

PERTH AND KINROSS COUNCIL
CRIEFF COMMON GOOD FUND
4 OCTOBER 2017

574. 2016/17 & 2017/18 FINANCIAL STATEMENTS

There was submitted a joint report by the Head of Finance and Director (Environment) (17/337), detailing the income and expenditure to 31 August 2017 and the projected outturn to 31 March 2018 for the Crieff Common Good Fund.

Resolved:

- (i) The income and expenditure final outturn for the year to 31 March 2017 be noted.
- (ii) The income and expenditure to 31 August 2017 and the projected outturn to 31 March 2018 be noted.

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PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
4 OCTOBER 2017

## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council held in the Assembly Hall, Loch Leven Community Campus, The Muirs, Kinross on Wednesday 4 October 2017 at 2.00pm.

Present: Provost D Melloy, Councillors C Ahern, H Anderson, A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, I Campbell, 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, W Robertson, F Sarwar, C Shiers, L Simpson, C Stewart, R Watters and M Williamson.

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 Director (Environment); K McNamara, Head of Community Planning, Strategic Commissioning and Organisational Development; S MacKenzie, S Walker, L Simpson, G Taylor, R Fry, S Hendry, A Taylor, A Brown, K Molley, S Grant, D Stokoe, K Barron and C Bannister (all Corporate and Democratic Services); J Pepper and R Drummond (both Education and Children's Services).

Also in Attendance: A Shaw, KPMG

Apologies for Absence: Councillors C Reid and W Wilson.

Provost D Melloy, Presiding.

### **575. WELCOME AND APOLOGIES**

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

### **576. DECLARATIONS OF INTEREST**

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

### **577. MINUTES OF PREVIOUS MEETINGS**

#### **(i) Minute of Meeting of Perth and Kinross Council of 28 June 2017**

The minute of the meeting of Perth and Kinross Council of 28 June 2017 (Arts. 407-421) was submitted and approved as a correct record and authorised for signature.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
4 OCTOBER 2017

**(ii) Minute of Special Meeting of Perth and Kinross Council of 16 August 2017**

The minute of the special meeting of Perth and Kinross Council of 16 August 2017 (Arts. 441-448) was submitted and approved as a correct record and authorised for signature.

**578. NOTICES OF MOTIONS IN TERMS OF STANDING ORDER 26**

**(i) Drinks Containers Deposit Return System**

*IN TERMS OF STANDING ORDER 26, THE COUNCIL CONSIDERED THE FOLLOWING MOTION*

Motion (Councillors M Barnacle and C Stewart)

Perth & Kinross Council welcomes the Scottish Government's intention, announced on 5 September, to introduce a deposit return system for drinks containers in Scotland, following the successful campaign by Rural Scotland launched in September 2015 "have you got the bottle?" We seek to ensure that the design of the scheme works well for everyone, especially local authorities and small businesses. We instruct the Leader of the Council to write to Roseanna Cunningham MSP, Cabinet Secretary for Environment and Climate Change, in these terms; offering Perth & Kinross Council involvement with her and COSLA in producing a final design for the scheme in 2018.

**Resolved:**

In accordance with the Motion.

**(ii) Health Care Services**

*IN TERMS OF STANDING ORDER 26, THE COUNCIL CONSIDERED THE FOLLOWING MOTION*

Motion (Councillors A Bailey and R Brock)

**I ask that this Council notes the excellent commitment that health and social care staff make to deliver health care services in Perth and Kinross and beyond. I further ask that the Leader of the Council contacts Scottish Ministers to ask them to take Perth's projected increase in population, ageing demographic and location as a city at the centre of a largely rural area into account in future health service redesigns.**

Amendment (Councillors D Doogan and B Band)

To dispense with the Motion.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
4 OCTOBER 2017

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

22 members voted for the Motion as follows:

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

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.

**Resolved:**

In accordance with the Motion.

**(iii) Rail Travel between Perth and Edinburgh**

*IN TERMS OF STANDING ORDER 26, THE COUNCIL CONSIDERED THE FOLLOWING MOTION*

**Motion (Councillors C Purves and M Barnacle)**

**That the Council understands that journeys between Perth and Edinburgh by rail take longer now than they did over a century ago; notes that reopening this line would reduce the time for such journeys by around 35 minutes and build on Perth's position as an inter-city transport hub; recognises the significant benefits that a Park & Ride station at Kinross would have on commuters and other local residents in Kinross-shire; believes that serious consideration must be given to the benefits of upgrading rail infrastructure in comparison to improvements to the road network; and instructs the Leader of the Council to write to the Scottish Government expressing the Council's desire that a review be undertaken to consider these matters in detail.**

**Amendment (Councillors A Parrott and R Watters)**

That the Council understands that train journeys between Perth and Edinburgh are not time competitive with the present road system and that reinstatement of the through route from Perth to Edinburgh via Kinross is, given previous transport infrastructure decisions, very unlikely.

However, Council recognises the significant benefit that a Park & Ride station at Kinross would have for commuters and other residents of Kinross-shire particularly and Perth and Perthshire generally and instructs the Leader of the Council to write to the Scottish Government and Transport Scotland expressing the desire that the specific proposal for the re-opening of the railway from Cowdenbeath

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to a new Kinross Parkway station south of the town, together with a rail franchise integrated non-stop coach service from Kinross Parkway to Perth railway station be investigated in detail.

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

22 members voted for the Motion as follows:

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

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.

**Resolved:**

In accordance with the Motion.

**(iv) Junction 7 of the M90 Motorway**

*IN TERMS OF STANDING ORDER 26, THE COUNCIL CONSIDERED THE FOLLOWING MOTION*

Motion (Councillors W Robertson and C Purves)

That the Council notes the concerns of residents in Milnathort, Kinross and wider Kinross-shire about Junction 7 of the M90, particularly in light of significant levels of development in the area; believes that upgrading to a four-way junction would be of significant benefit to both commuters and other local residents; understands that Transport Scotland are currently undertaking a national transport strategic review; and instructs the Leader of the Council to write to Transport Scotland expressing the Council's support for the upgrading of Junction 7 of the M90 when they review their strategic transport project list.

**Resolved:**

In accordance with the Motion.

**579. MINUTES OF COMMITTEES FROM 21 JUNE 2017 TO 14 SEPTEMBER 2017**

The decisions recorded in Arts. 354-406, 422-440 and 449-507, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary, with the following amendment noted:



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In relation to the minute of the Scrutiny Committee of 13 September 2017, Councillor C Ahern to be recorded as submitting apologies rather than present.

**580. COMMUNITY PLANNING PARTNERSHIP UPDATE**

There was submitted a report by the Senior Depute Chief Executive (17/316), providing an update on the activities of the Community Planning Partnership since the last update to Council on 28 June 2017.

**Resolved:**

The progress made with Community Planning, as detailed in Report 17/316, be noted.

**581. AUDITED ANNUAL ACCOUNTS 2016/17 AND ANNUAL AUDIT REPORT TO THE MEMBERS OF PERTH AND KINROSS COUNCIL AND THE CONTROLLER OF AUDIT FOR THE YEAR ENDED 31 MARCH 2017**

There was submitted a report by the Head of Finance (17/315) (1) presenting the Council's Audited Annual Accounts for financial year 2016/17 in accordance with the Local Authority Accounts (Scotland) Regulations 2014; and (2) including the Annual Audit Report to the Members of Perth and Kinross Council and the Controller of Audit for the year ended 31 March 2017.

**Resolved:**

- (i) The contents of KPMG's Annual Audit Report to the Members of Perth and Kinross Council and the Controller of Audit for the year ended 31 March 2017, as detailed in Appendix 1 to Report 17/315, be noted.
- (ii) It be noted that the 2016/17 Audited Annual Accounts had been approved by the Audit Committee on 27 September 2017.
- (iii) The 2016/17 Audited Annual Accounts, as detailed in Appendix 2 to Report 17/315, be noted.

**582. MEDIUM TERM FINANCIAL PLAN 2018-2023**

There was submitted a report by the Head of Finance (17/317) (1) updating the Medium Term Financial Plan approved by Council on 5 October 2016 (Report 16/438 refers); (2) summarising the implications of the latest projections on future Council General Fund Revenue Budgets over the medium term; (3) providing an update on the Council's Capital Budget, Housing Revenue Account, Reserves position and other Funds; and (4) making recommendations on how the Council develops the Revenue Budget over the short to medium term.

**Resolved:**

- (i) The Head of Finance be instructed to maintain the Medium Term Financial Plan and further refine the assumptions that underpin it, as set out in paragraph 3.56 of Report 17/317.
- (ii) The Provisional Revenue Budget for 2018/19 be updated and the development of Provisional Revenue Budget for 2019/20 and 2020/21 be commenced, as set out in paragraph 4.5 of Report 17/317.

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- (iii) The corporate savings targets be approved as the basis for updating the 2018/19 Provisional Revenue Budget and for the preparation of the 2019/20 and 2020/21 Provisional Revenue Budgets, as set out in paragraph 4.13 of Report 17/317.
- (iv) No new detailed business cases be invited from Services at this time for the Composite Capital Budget in financial years 2023/24 and 2024/24, as set out in paragraph 5.8 of Report 17/317.
- (v) The allocation of funding to the top sliced/ring fenced programmes identified at paragraph 5.2, and as set out in paragraph 5.9 of Report 17/317, be approved.
- (vi) The updated Reserves Strategy be presented to the Council in February 2018, as set out in paragraph 6.6 of Report 17/317.
- (vii) The Housing Revenue Account Budget and rent levels for 2018/19, and the five year Housing Investment Programme be determined at the meeting of the Housing and Communities Committee in January 2018, as set out in paragraph 7.3 of Report 17/317.
- (viii) Extend the severance payment scheme to 60 weeks' pay to 31 March 2019, as set out in paragraph 8.10 of Report 17/317.

**583. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2017/18 QUARTER 1**

There was submitted a report by the Head of Finance (17/318) providing a summary of the Loans Fund Transactions for the quarter ending 30 June 2017 and 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:**

- (i) The contents of Report 17/318, submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The Head of Finance review the operation of the Loans Fund and bring back any proposals to a future meeting of the Council.

*THERE FOLLOWED A 15 MINUTES RECESS AND THE MEETING RECONVENED AT 4.10PM*

**584. THE TAYSIDE REGIONAL IMPROVEMENT COLLABORATIVE**

There was submitted a report by the Executive Director (Education and Children's Services) (17/319) providing an update to Council on the progress made in establishing a regional improvement collaborative comprising Angus, Dundee and Perth and Kinross Councils, NHS Tayside and other local and national partners.

The Executive Director advised that on 29 September 2017 agreement had been reached that the regional improvement collaborative be established to take forward improvement focussed collaboration between local and national partners, and that regional collaborative leads be in place by 31 October 2017 and detailed improvement plans by 21 January 2018.

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**Resolved:**

- (i) The background information and progress made to date, as set out in Report 17/319, be noted.
- (ii) The recommendations in the report by Lisa Bird from Scottish Government, The Tayside Children's Services Collaborative, be noted.
- (ii) The approach to establishing an Education Regional Improvement Collaborative, as set out in Section 2.2 of Report 17/319, be approved.
- (iv) The Executive Director (Education and Children's Services) be instructed to bring a progress report back to Council in October 2018.

**585. PERTH AND KINROSS CHILD PROTECTION COMMITTEE (CPC) STANDARDS AND QUALITY REPORT 2016-2017**

There was submitted a joint report by the Chief Executive and Executive Director (Education and Children's Services) (17/320) (1) providing an overview of the key activities of the work of the CPC to protect children and young people from abuse and neglect; (2) presenting the findings from a wide range of CPC-led single agency and multi-agency self-evaluation activities; and (3) setting out the progress made against a three year improvement plan, identifying key strengths and areas for further development.

**Resolved:**

- (i) The wide range of work carried out by Perth and Kinross Council and partners through the Child Protection Committee, to provide high quality services to protect children and young people, in particular the high level commitment to continuous improvement through self-evaluation, be noted.
- (ii) The contents of the Child Protection Committee Standards and Quality Report 2016-2017 attached as Appendix 1 to Report 17/320, and the contents of the CPC Improvement Plan 2015-2018: Progress Report as at 31 July 2017, attached as Appendix 2 to Report 17/320, be endorsed.
- (iii) It be noted that the report would be presented to the Perth and Kinross Integration Joint Board in due course.

**586. PERTH AND KINROSS ANNUAL PERFORMANCE REPORT 2016/17**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (17/321) providing an overview of how the Council and the Community Planning Partnership had performed against the shared strategic objectives for Perth and Kinross as set out within the Single Outcome Agreement 2013-2023 and the Council's Corporate Plan 2013-2018, for the period 1 April 2016 to 31 March 2017.

**Resolved:**

- (i) The Annual Performance Report 2016/17, attached as Appendix 1 to Report 17/321, be approved.
- (ii) It be noted that the report would be considered by the Community Planning Partnership Board on 6 October 2017.

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**587. PERTH & KINROSS COMMUNITY PLAN/LOCAL OUTCOMES  
IMPROVEMENT PLAN**

There was submitted a report by the Senior Depute Chief Executive (17/322) presenting the draft Community Plan (Local Outcomes Improvement Plan) for Perth and Kinross which set out the local outcomes which the Community Planning Partnership would prioritise for improvement, with a specific focus on tackling inequality.

**Resolved:**

- (i) The Perth and Kinross Community Plan (Local Outcomes Improvement Plan), attached as Appendix 1 to Report 17/322, be approved for the Council's interests.
- (ii) It be noted that the draft plan would be submitted to the Community Planning Partnership Board meeting on 6 October 2017 for approval.

**588. LOCAL ACTION PARTNERSHIPS: LOCAL ACTION PLANS**

There was submitted a report by the Senior Depute Chief Executive (17/323) (1) presenting the work undertaken by the five Local Action Partnerships in Perth and Kinross to develop the first Local Action Plans for their respective area and (2) setting out the key inequality issues identified by each Partnership, and the joint actions to tackle these issues.

**Resolved:**

- (i) The Local Action Plans, as detailed in Appendices 1A to 1E of Report 17/323, be noted.
- (ii) It be noted that the Local Action Plans would be considered by the Community Planning Partnership Board on 6 October 2017.

**589. APPOINTMENTS TO COMMITTEES/OUTSIDE BODIES**

- (i) Housing and Communities Committee

It be agreed that Councillor K Baird be appointed to the Housing and Communities Committee.

- (ii) Lifelong Learning Committee

It be agreed that Councillor A Jarvis be appointed to the Lifelong Learning Committee.

- (iii) Licensing Committee

It be agreed that Councillor K Baird be appointed to the Licensing Committee.

- (iv) Licensing Board

It be agreed that Councillor L Simpson be appointed to the Licensing Board.

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(v) Strategic Policy and Resources Committee

It be agreed that Councillor M Lyle replace Councillor C Shiers as Vice-Convenor of the Strategic Policy and Resources Committee.

(vi) Modernising Governance Member/Officer Working Group

It be agreed that Councillor M Lyle replace Councillor C Shiers on the Modernising Governance Member/Officer Working Group.

(vii) Property Sub-Committee of the Strategic Policy and Resources Committee

(1) It be agreed that the Property Sub-Committee be re-established to include the remit of the School Estate Sub-Committee;

(2) It be agreed that Councillors B Band, P Barrett, I Campbell, D Doogan, G Laing, M Lyle and R McCall be appointed to the Property Sub-Committee.

(viii) Tayside Valuation Joint Board

It be agreed that Councillor D Doogan replace Councillor S Donaldson on the Tayside Valuation Joint Board.

(ix) Perth and Kinross Health and Social Care Integrated Joint Board

It be agreed that Councillor C Reid be appointed Vice-Chair of the Perth and Kinross Health and Social Care Integration Joint Board for a period of two years.

(x) Culture and Sport Advisory Group

It be agreed that Councillor C Shiers be appointed as Chair of the Culture and Sport Advisory Group.

(xi) COSLA Children and Young People Board

It be agreed that Councillor W Wilson replace Councillor A Jarvis on the COSLA Children and Young People Board.

(xii) Friends of Aschaffenburg – Management Committee

It be agreed that Councillor B Pover replace Councillor A Parrott on the Friends of Aschaffenburg – Management Committee.

(xiii) Scots Language Centre Association Limited – Executive Committee

It be agreed that Councillor W Robertson replace Councillor C Shiers on the Scots Language Centre Association Limited – Executive Committee.

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(xiv) Perth Festival of the Arts

It be agreed that Councillor D Illingworth be appointed to the Perth Festival of the Arts.

(xv) Thomas Barclay's Trust

It be agreed that Councillor C Ahern be appointed to the Thomas Barclay's Trust and that nominations for the further vacant position be submitted to the Head of Democratic Services.

(xvi) Culture Perth and Kinross

It be agreed that Councillor K Baird replace Councillor C Stewart on Culture Perth and Kinross.

(xvii) COSLA Convention

It be agreed that Councillor M Lyle replace Councillor C Shiers on the COSLA Convention.

**590. AMENDMENT TO THE SCHEME OF ADMINISTRATION**

It be agreed that the Development Management Committee be renamed the Planning and Development Management Committee.

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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 Chambers, 2 High Street, Perth on Tuesday 10 October 2017 at 10.30am.

Present: Councillors H Anderson, B Brawn and T Gray.

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

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

591. APPOINTMENT OF ACTING CONVENER

Councillor H Anderson was unanimously appointed as Acting Convener for the meeting.

Councillor H Anderson, Acting Convener, Presiding.

592. DECLARATIONS OF INTEREST

Councillor B Brawn declared a non-financial interest in Art. 595(ii).

593. MINUTE

The minute of meeting of the Local Review Body of 12 September 2017 was submitted and noted.

594. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(486) – Planning application - 17/00735/IPL – Erection of a dwellinghouse (in principle) on land 40 metres South East of Pine Cottage, Bridge of Gaur, Rannoch – Mr S Reynolds**

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 40 metres south east of Pine Cottage, Bridge of Gaur, Rannoch.

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

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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 40 metres south east of Pine Cottage, Bridge of Gaur, Rannoch, be refused for the following reasons:
1. The Proposal is contrary to Policy RD3 Housing in the Countryside of 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. 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, Placemaking, of the Perth and Kinross Local Development Plan 2014 as it would not contribute positively to the built or natural environment. It is also contrary to policy PM1B a) and b). In particular in terms of PM1B a) it would create further sporadic, ad hoc development that b) has no respect for the site topography or the wider landscape of the area.
 3. The proposal is contrary to Policy NE1B, National Designations, of the Perth and Kinross Local Development Plan 2014 which seeks to protect the quality and character of an area designated as being of national scenic importance. The Construction of a house in this naturally wooded area within the Loch Rannoch and Glen Lyon National Scenic Area would further erode the quality and landscape character for which it has been designated.
 4. The proposal is contrary to Policy NE2B, Forestry, Woodland and Trees, of the adopted Perth and Kinross Local Development Plan 2014 which states that there is a presumption in favour of protecting woodland resources. The policy also requires a tree survey to be provided where there are existing trees on a development site. No tree survey has been submitted to demonstrate that the site can be developed without having an adverse impact on existing trees.

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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- (ii) **TCP/11/16(487) – Planning application 17/00896/FLL – Part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP – Mr D Ross**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for a part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP.

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.

- (iii) **TCP/11/16(488) – Planning application 17/01182/IPL – Erection of a dwellinghouse (in principle) on land 30 metres west of 2 Hillview, Tomaknock, Crieff – Miss J Brown**

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 west of 2 Hillview, Tomaknock, Crieff.

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 30 metres west of 2 Hillview, Tomaknock, Crieff, be refused for the following reasons:

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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 2014 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 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.
3. The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of the dwellinghouse on this prominent piece of land would erode and dilute the areas landscape character.
4. 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. This includes eroding the visual and scenic qualities of the landscape and the quality of landscape experience through the siting of the dwellinghouse on the prominent piece of land.

Justification

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

595. DEFERRED APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(471) – Planning application – 16/01937/FLL – Erection of a dwellinghouse (in retrospect) on land at Hillview, Kinloch, Blairgowrie, PH10 6SD – Mr G Burke**

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 retrospect) on land at Hillview, Kinloch, Blairgowrie, PH10 6SD.

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 27 June 2017, the Local Review Body resolved, by unanimous decision, that insufficient information was before the Local Review Body to determine the matter without: (i) receiving a copy of the prior notification 12/00544/PN together with certification for the agricultural building at Balcairn by Kinloch, Blairgowrie; (ii) confirmation of: (a) the Building Warrant (reference

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12/01315/NDOM9) for the agricultural building at Balcairn by Kiloch, Blairgowrie; (b) the amendment (15/01004/AMDOM9) to the building warrant issued on 22 December 2015 for the same building; (c) the completion certificate issued on 17 July 2016 for the same building; and (d) clarification on whether the building warrant and completion certificate for 12/01315/NDOM9 had been issued for an agricultural shed or domestic use; (iii) further information on the measures for phosphorous mitigation proposed by the applicant, including where that mitigation is to be secured; (iv) evidence of SNH and SEPA withdrawing their objections to the proposal, in terms of the impact of the proposal on the Lunan Valley Catchment Area; (v) the applicant providing information to demonstrate their ability to carry out the measures for proposed phosphorous mitigation; (vi) written proof from the applicant of ownership of Chestnut View; (vii) details from the applicant of the extent and location of any other land owned by him in the area; (viii) the applicant providing a copy of the of the legal opinion regarding the description of the planning application, dated 22 December 2016 and referred to in the letter of 14 March 2017 from Brodies LLP Solicitors; and (ix) a copy of the reply sent to the letter of complaint of 14 March 2017 from Brodies LLP.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, including the further information requested by the Local Review Body at its meeting of 27 June 2017, 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 retrospect) on land at Hillview, Kinloch, Blairgowrie, PH10 6SD be refused for the following reason:
 - 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, which is limited to the category 3 – economic need and category 5 – conversions and replacements in the Lunan Valley Catchment Area. No economic need for the house has been identified as required by category 3 and the building is not of traditional character, has not been in place for a number of years and no evidence has been submitted that the agricultural building is now redundant as required by category 5.

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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(ii) TCP/11/16(476) – Planning application 16/01865/FLL – Formation of access road on land 60 metres East of Kinwreaton, Brucefield Road, Blairgowrie – Mr B Thomson

Councillor Brawn declared a non-financial interest in this item. As a result a quorate of members could not be achieved, and consideration was deferred until a future meeting of the Perth and Kinross Local Review Body.

(iii) TCP/11/16(477) – Planning Application 17/00334/IPL – Residential development (in principle), site of former 1 Lower Gauls, Bankfoot – JM & TT Bechtel

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a residential development (in principle), site of former 1 Lower Gauls, Bankfoot.

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 25 July 2017, the Local Review Body resolved, by unanimous decision, that insufficient information was before the Local Review Body to determine the matter without: (i) receiving comment from the Interim Development Quality Manager, in consultation with the Council's Flooding Team, on the overview of previous applications and works and the Millard letter of 2 June 2017; (ii) an unaccompanied site visit. The comments and further information having been supplied, and an unaccompanied site visit having been carried out on 5 October 2017, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, including the further information requested by the Local Review Body at its meeting of 25 July 2017, and having carried out a site visit on 5 October 2017, 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 residential development (in principle), site of former 1 Lower Gauls, Bankfoot, be allowed and planning permission granted, subject to:
 - 1. the prior receipt of Education and Supplementary Transport Infrastructure contributions or the conclusion of a legal agreement; and
 - 2. the imposition of relevant terms, conditions and informatives including flood relief/protection, the use of

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water resistant materials and measures, surface water soakaway and the implementation of the bat survey recommendations.

Justification

The proposed residential development was not seen as being of significance to the functional flood plain and ample drainage was available, and in that context, was not contrary to Local Development Plan Policy EP2.

(iv) TCP/11/16(481) – Planning application 17/00252/IPL – Residential development (in principle) on land 40 metres north of 1 Netherhall Steadings, Milnathort – Mr G Sinclair

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for residential development (in principle) on land 40 metres north of 1 Netherall Steadings, Milnathort.

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 22 August 2017, 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 5 October 2017, the Local Review Body reconvened.

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 residential development (in principle) on land at 40 metres north of 1 Netherall Steadings, Milnathort, be refused for the following reason:
 - 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 comply with category (1) Building Groups, as the site does not have a defined landscape or topographical boundary to the north and therefore does not result in an extension to the existing building group as a definable site. 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

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Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.

Justification

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

(v) TCP/11/16(480) – Planning application 17/00618/FLL – Erection of a dwellinghouse on land 100 metres North West of Glendy Steading, Glenfarg – Mr P Sloan

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 on land 100 metres North West of Glendy Steady, Glenfarg.

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 12 September 2017, 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 5 October 2017, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) 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 5 October 2017, 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 on land at 100 metres North West of Glendy Steading, Glenfarg, be refused for the following reason:
 - 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 satisfactorily comply with category (1) Building Groups. It is also considered that the proposal cannot satisfy any of the remaining categories; (2) Infill Sites; (3) New Houses in the Open Countryside; Activity (4) Renovation or Replacement of Houses; (5) Conversion or Replacement of Redundant Non-Domestic Buildings; or (6) Rural Brownfield Land.

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2. The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed development would not contribute positively to the quality of the surrounding built and natural environment.
3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as the proposal would be detrimental to the local landscape character and could be cited as setting a precedent for further development in the area.

Justification

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

(vi) TCP/11/16(483) – Planning application 17/00365/FLL – Change of use, alterations and extension to store to form a flat at 90 Perth Airport, Scone, Perth, PH2 6PL – Morris Leslie Group

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for change of use, alterations and extension to store to form a flat at 90 Perth Airport, Scone, Perth, PH2 6PL.

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 2017, 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 5 October 2017, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) 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 5 October 2017, 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 change of use, alterations, and extension to store to form a flat at 90 Perth Airport, Scone, Perth, PH2 6PL, be allowed and planning permission granted, subject to the imposition of relevant terms, conditions and informatives.

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Justification

The proposed change of use, alterations and extension to store to form a flat at 90 Perth Airport, Scone, Perth, PH2 6PL, would be beneficial in creating an additional affordable residential flat in relation to the previously approved formation of flats at the first floor level of this building, which would secure a consistency of residential use and which could reduce the likelihood of conflicting uses, which provided a sufficiently material planning considerations to set aside Local Development Plan Policy ED1A as set out in the decision notice. This proposal was assessed on its own merits and in conjunction with the related proposal, planning application 17/00367/FLL.

(vii) TCP/11/16(484) – Planning application 17/00367/FLL – Change of use and alterations from antiques centre (class 1) to form 14 flats and associated works at 90 Perth Airport, Scone, Perth, PH2 6PL – Morris Leslie Group

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for change of use and alterations from antiques centre (class 1) to form 14 flats and associated works at 90 Perth Airport, Scone, Perth, PH2 6PL.

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 25 July 2017, 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 5 October 2017, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) 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 5 October 2017, 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 change of use and alterations from antiques centre (class 1) to form 14 flats and associated works at 90 Perth Airport, Scone, Perth, PH2 6PL, be allowed and planning permission granted, subject to the imposition of relevant terms, conditions and informatives including revised parking, bin storage, surface water and foul drainage and landscaping.

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Justification

The proposed change of use and alterations from antique centre (Class1) to form 14 flats and associated works at 90 Perth Airport, Scone, Perth, PH2 6PL, would be beneficial in creating affordable housing, and furthermore compliment the previously approved formation of flats above at the first floor level of this building, and it would secure a consistency of residential use which could reduce the likelihood of conflicting uses which, provided a sufficiently material planning consideration to set aside Local Development Plan Policy ED1A as set out in the decision notice. This proposal was assessed on its own merits and in conjunction with the related proposal, planning application 17/00365/FLL.

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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 18 October 2017 at 10.00am.

Present: Councillors M Lyle, B Brawn, B Band, M Barnacle (up to and including Art. 600(1)(iv), H Coates, E Drysdale, T Gray, I James, R Watters and W Wilson.

In Attendance: Councillors X McDade, T McEwan, W Robertson, C Shiers and L Simpson; N Brian, D Niven, C Hall, M Petrie, A Rennie, D Salman, J Scott, C Stewart and R Stewart (all The Environment Service); E Ritchie and N Robson (Housing and Community Safety); G Fogg and D Williams (both Corporate and Democratic Services).

Apologies: Councillors H Anderson, A Jarvis and R McCall

Councillor M Lyle, Convener, Presiding.

### **596. WELCOME AND APOLOGIES**

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

### **597. DECLARATIONS OF INTEREST**

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

### **598. MINUTES**

The minute of meeting of the Development Management Committee of 20 September 2017 (Arts. 508-512) was submitted, approved as a correct record and authorised for signature.

### **599. DEPUTATIONS**

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

| <b>Planning Application No.</b> | <b>Art. No.</b> |
|---------------------------------|-----------------|
| 17/00806/FLM                    | 600(1)(iii)     |
| 17/00838/FLM                    | 600(1)(iv)      |
| 16/01715/FLL                    | 600(2)(i)       |
| 17/00788/FLL                    | 600(2)(ii)      |
| 17/01170/FLL                    | 600(2)(iii)     |
| 17/01234/FLL                    | 600(2)(iv)      |

**600. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 16/02156/AMM - OUDENARDE - Erection of 159 dwellinghouses with associated roads, drainage and landscaping at land to the north of A912 at Oudenarde, Bridge of Earn – Report 17/338 – Taylor Wimpey East Scotland and GS Brown Construction Ltd**

**Resolved:**

**Grant**, subject to the following terms, conditions, including additional condition 17 and informatives:

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the occupation of any dwelling, 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.
3. Prior to the occupation of any dwelling, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the 50<sup>th</sup> dwelling.
4. The detailed landscaping and planting scheme as approved shall be commenced at the same time as commencement of the residential development and thereafter maintained and competed to the satisfaction of the Council as Planning Authority.
5. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.
6. Prior to the commencement of development a detailed layout of the proposed children's play area indicated in the site layout plan shall be submitted for the further approval of the Planning Authority. The play area(s) shall be designed, laid out and equipped in accordance with the Planning Authority's current criteria for play area provision within six months of the first dwelling occupied on the site. The play area and its facilities/equipment shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

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7. Prior to the commencement of development full details of proposed site boundary openings forming new access onto the spine road shall be submitted to the Planning Authority for further written approval. The opening details as approved shall thereafter be implemented prior to the occupation of any residential plot.
8. No development shall commence until a detailed delivery plan confirming the programmed delivery of the site and construction works has been submitted and approved in writing by the Planning Authority. Once approved, the development shall be implemented in accordance with the delivery plan.
9. All existing trees and hedgerows shown to be retained shall be protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction), unless otherwise agreed in writing by the Planning Authority. The details of the protective fencing and its location shall be first submitted to and agreed in writing by the Planning Authority. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.
10. No removal of hedgerows, trees or shrubs or works to or demolition of any 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 and agreed by the Planning Authority.
11. 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.
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

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- provenance unless otherwise agreed in writing with the Planning Authority.
13. Prior to occupation of any buildings on site a minimum of 30% (41 units) of all completed 2 storey houses shall incorporate a minimum of 2 bat bricks (e.g. build-in Woodstone Bat Box) and swift nest bricks (e.g. WoodStone Build-in Swift Nest Box A) shall be incorporated at eaves height.
  14. Prior to the commencement of development, any Orchids identified in the applicant's Habitat Survey shall be translocated to the landscape buffer area to allow them to be retained and thereafter maintained to the satisfaction of the Council as Planning Authority
  15. Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and be approved in writing by the Planning Authority. Thereafter the development shall be fully undertaken in accordance with the CTMP.
  16. The hours of operation at the construction stage shall be Monday to Friday 07:00 to 19:00 hours, Saturday 08:00 to 13:00 hours and no workings on a Sunday, unless otherwise agreed in writing with the Planning Authority.
  17. Within 12 months of this decision notice the exact design specification and delivery timescale of interchange improvements to be provided at the M90/A912 junctions (northbound and southbound) and widening of the northbound merge road with the M90 will be submitted for written approval to the Planning Authority in consultation with Transport Scotland. The details shall generally be in accordance with the following TA Millard Partnership/Millard Consulting Drawings 2394/03/20 Revision C and 2394/03/15 Revision A associated with application 02/01482/IPM and Roads Construction Consent (RCC) drawing 316/03/408 (dated June 2009). The works shall be carried out and completed in accordance with the agreed design specification and delivery timescale.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**Informatives**

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the

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date of planning permission in principle, whichever is later.

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. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the 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. According to 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.
6. Should any archaeology be discovered during construction, the applicant is advised to contact Mr David Strachan, Archaeologist – Perth and Kinross Heritage Trust to discuss what is required. Tel: 01738 477080.
7. 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, 35 Kinnoull Street, Perth, PH1 5GD.
8. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD
9. 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.

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10. The applicant should ensure that access and operations during construction and the routes for any services for the site take account of both the servitudes of the Shell UK and BP pipelines
11. 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.
12. 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.
13. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
14. No work shall be commenced until an application for building warrant has been submitted and approved.

**(ii) 17/00669/FLM - PERTH - Erection of 48 dwellinghouses, landscaping and associated works on land SW of Gannochy Farmhouse, Gannochy Road, Perth – Report 17/339 – The Gannochy Trust**

**Resolved:**

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

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. 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.
3. The detailed landscaping and planting scheme as approved shall be commenced at the same time as commencement of the residential development and thereafter maintained to the satisfaction of the Council as Planning Authority.

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4. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.
5. The hours of operation at the construction stage shall be Monday to Friday 07:00 to 19:00 hours, Saturday 08:00 to 13:00 hours and no workings on a Sunday.
6. The mitigation measure as recommended in Appendix E of the applicants Air Quality Assessment shall be carried out throughout the duration of the construction works.
7. Prior to the development hereby approved being completed or brought into use a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, shall be submitted and approved in writing by the Council. The RTP 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.
8. 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.
9. The conclusions and recommended action points within the applicants supporting biodiversity survey submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development to the satisfaction of the Planning Authority.
10. 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 shall be submitted to the Planning Authority for retention prior to commencement of development.



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11. 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.
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. Where it is intended to create a wetland/SUDS area wildlife kerbs shall be installed adjacent to all road gullies within 500m of wetland/SUDS.
14. Where site boundaries affect trees, the development shall fully comply with, respect and remain in full accordance with BS5837 2012: *'Trees in relation to construction, demolition and construction. Recommendations'*.
15. Prior to commencement of development, a detailed Construction Management Plan (CMP) detailing required mitigation measures and construction method statements, including specific measures for monitoring during construction, shall be submitted to and approved in writing by the Planning Authority in consultation with Perth and Kinross Council's Environmental Health Section. Such details shall be submitted not less than two month prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and air quality mitigation measures for all construction elements. Thereafter the approved CMP shall thereafter be fully respected and adhered to through the construction phase of the development.

**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. If the applicant would prefer to enter into a Section 75 Legal Agreement, consent shall not be issued until the Section 75 Agreement relating to transport infrastructure contributions has been completed and signed to reflect the current planning reference 17/00669/FLM.

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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 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. 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. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the 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. According to 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.
5. 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.
6. 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

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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.

7. 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.
8. 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.
9. 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](http://www.sepa.org.uk)
10. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
11. 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.
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.

**(iii) 17/00806/FLM – MILNATHORT – Erection of 77 dwellinghouses, formation of landscaping, open spaces and community woodland, and associated works on land north of Linden Park Road, Milnathort – Report 17/340 – Dundas Estates and Development Co Ltd**

Mr T Malcolm and Mr P Grant, objectors to the application, Councillor W Robertson, Local Member, followed by Mr B

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Dunlop, Managing Director of Dundas and Mr J Garrett, on behalf of the architect, addressed the Committee and, following their respective representations, withdrew to the public benches.

Motion (Councillors M Barnacle and B Brawn) – Refuse the application for the following reason:  
The proposal is contrary to Policies PM1A, RD1A and TA1B 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 contained within Report 17/340.

**Second Amendment (Councillors R Watters and E Drysdale)  
– Defer the application for a site visit and to allow for the  
Committee to address any concerns they may have.**

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

4 members voted for the First Amendment as follows:  
Councillors M Lyle, B Band, H Coates and T Gray.

6 members voted for the Second Amendment as follows:  
Councillors B Brawn, M Barnacle, E Drysdale, I James, R Watters and W Wilson.

The Second Amendment became the substantive Amendment, and was set against the Motion.

4 members voted for the Motion as follows:  
Councillors B Brawn, M Barnacle, I James and W Wilson.

6 members voted for the Amendment as follows:  
Councillors M Lyle, B Band, H Coates, E Drysdale, T Gray and R Watters.

**Resolved:**

In accordance with the Amendment.

- (iv) **17/00838/FLM – BLAIRGOWRIE – Erection of 71  
dwellinghouses and associated works at land at Moyness  
Park, Blackthorn Place, Blairgowrie – Report 17/341 –  
Stewart Milne Homes**

Ms W McKerchar, Mr M Smith and Mr K Kemp, objectors to the application, Councillor C Shiers, Local Member, followed by Mr R Fawcus, on behalf of the applicant, addressed the Committee. Following their respective representations, Ms McKerchar, Mr

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Smith, Councillor Shiers and Mr Fawcus withdrew to the public benches, and Mr Kemp left the meeting.

Motion (Councillors T Gray and E Drysdale)

Grant the application 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. No removal of vegetation, including trees and shrubs will take place between 1<sup>st</sup> March and 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.
3. All road gullies within 500m of a waterbody or Sustainable Urban Drainage (SUDS) basin shall have 'wildlife kerbs' installed adjacent to the gully. The details for which shall be submitted to the Planning Authority for approval and installed thereafter in accordance with the approved detail prior to the occupation of any dwellinghouse hereby approved.
4. No works which include the creation of trenches, culverts or the presence of pipes will commence until measures to protect animals from becoming trapped in open excavations and/or pipes and culverts are submitted to and approved in writing by the planning authority. The measures could include, but are not restricted to, creation of sloping escape ramps from trenches and excavations and securely sealing open pipework at the end of each working day.
5. The developer shall incorporate swift bricks and bat roost bricks at eaves height in a minimum of 40% of all 2 storey properties. These bricks shall be usable prior to the occupation of each property where the bricks have been installed.
6. 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.

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7. No part of the development shall be occupied until a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The RTP 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.
8. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of each dwellinghouse, whichever is the earlier.
9. No development shall commence until a detailed delivery plan confirming the phased delivery of the site to landscaping (public open spaces and tree lines) and construction works (incorporating the route and construction phasing for dwellings and location of any site/construction compounds) has been submitted and approved in writing by the Planning Authority. Once approved, the development shall be implemented in accordance with the delivery plan.
10. In association with Condition 9, prior to the commencement of development details for the specification, species and maintenance of the landscaping, open space and tree line areas shall be submitted to the Planning Authority for further approval. The phasing and delivery of the tree areas should incorporate provision in advance of the occupation of any dwellinghouse within any respective phase of the development in accordance with the required phasing programme (Condition 9) and agreed in writing with the Planning Authority prior to the commencement of the development. Once approved, the landscape specification shall be implemented in accordance with the approved scheme.
11. Development shall not commence on site until detailed proposals developed design of proposes to mitigate flood risk from the Sustainable Urban Drainage (SUDS) basin shall be submitted for the further written agreement of the Council as Planning Authority. Development shall not commence on site until all flood mitigation measures agreed as part of the agreed scheme are completed to the satisfaction of the Council as Planning Authority.
12. The hours of operation for all construction activity shall be restricted to between 0700 hours and 1900 hours

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Monday to Saturday only, with no operations permitted on Sundays.

13. Prior to the commencement of the development hereby approved, the applicant shall submit for the further written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), 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) a code of conduct for HGV drivers to allow for queuing traffic to pass;
  - (d) arrangements for liaison with the Roads Authority regarding winter maintenance;
  - (e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
  - (f) 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;
  - (g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
  - (h) 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;
  - (i) details of information signs to inform other road users of construction traffic;
  - (j) arrangements to ensure that access for emergency service vehicles are not impeded;
  - (k) co-ordination with other significant developments known to use roads affected by construction traffic;
  - (l) traffic arrangements in the immediate vicinity of temporary construction compound(s);
  - (m) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
  - (n) monitoring, reporting and implementation arrangements;
  - (o) arrangements for dealing with non-compliance; and
  - (p) details of HGV movements to and from the site.

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The TMS as approved shall be strictly adhered to during the entire site construction programme.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure from the relevant policies.

**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. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the 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. According to 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.
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 the detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk



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Guidance Document (June 2014)', or any subsequent update.

Associated with this, it is recommended that the following information and design should be embedded within the final drainage details:

- In the event that the soakaway overtops due to a capacity issue or siltation over time, the surrounding ground should be contoured such to allow a volume of water to be retained before it can overland flow elsewhere. I.e. the land would be graded down to the soakaway (very gently). This would make it easier to identify a problem with the soakaway in the future because it would pond around it. This would provide additional protection to surrounding land/property.
  - A clear indication of the design standard of all the SUDS features on the design and As-Built drawings.
7. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
  8. 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.
  9. No work shall be commenced until an application for building warrant has been submitted and approved.
  10. The applicant is recommended to contact the Council Contamination Officer immediately if any ground contamination is found during construction of the development.
  11. 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.
  12. The applicant is recommended to incorporate a mini glass recycling points in an appropriate location within the approved development to compliment the kerbside recycling services that will be provided. In order to comply with the 'Household Charter', each household should have access to 10 litres of recycling capacity per week, which would roughly equate to 3 mini glass points over the development. Further details of the requirements can be sought in discussion with the Council Waste

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Services Team. Further, The Environment Service Operations may request communal bins for the flatted properties; it is recommended that the developer make contact with the Community Waste Team to discuss this further.

Amendment (Councillors H Coates and B Brawn) – Refuse the application for the following reason;  
The proposal is contrary to Policies PM1A and RD1A of the Perth and Kinross Local Development Plan, and the density of the proposed development was inappropriate.

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

5 members voted for the Motion as follows:  
Councillors M Lyle, B Band, E Drysdale, T Gray and R Watters.

5 members voted for the Amendment as follows:  
Councillors B Brawn, M Barnacle, H Coates, I James and W Wilson.

In terms of Standing Order 45, the Convener exercised his casting vote for the Motion.

**Resolved:**

In accordance with the Motion.

THERE FOLLOWED A 45 MINUTE RECESS  
COUNCILLOR M BARNACLE LEFT THE MEETING AT THIS POINT.

**(2) Local Applications**

- (i) 16/01715/FLL – TUMMEL BRIDGE – Siting of 14 static caravan chalet units for holiday accommodation, partial infill of pond and associated landscaping on land Tummel Valley Holiday Park, Tummel Bridge, Pitlochry – Report 17/342 – Parkdean Holiday Parks Ltd**

Ms E Brown, objector to the application, Councillor X McDade, Local Member, followed by Ms R Whaley, applicant, addressed the Committee and, following their respective representations, withdrew to the public benches.

Motion (Councillors W Wilson and M Lyle) – Defer the application for further information regarding flood risk, also allowing the Committee to view the SSE report on the site.

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Amendment (Councillors H Coates and T Gray) –Grant the application subject to the following terms, conditions and informatives;

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted to the Council as Planning Authority and agreed in consultation with SNH and SEPA. The CMS must identify measures to prevent harmful materials entering the River Tay SAC, which could reduce water quality and lead to a damaging impact on the salmon, otter and lamprey interests. The CMS should include the following:
  - (a) pollution prevention safeguards including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds
  - (b) storage and disposal of materials including the siting of stock piles, use of buffer strips and disposal methods
  - (c) construction site facilities including extent and location of construction site huts, vehicles, equipment, fuel, chemicals and materials compound
  - (d) timing, duration and phasing of construction particularly in relation to salmon and lamprey migration/spawning.

The CMS and mitigations as agreed shall be fully implemented as part of the planning permission.
3. 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. For clarification, the CEMP shall include information to satisfy the matters referred to in the

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consultation response from SEPA and dated 13 June 2017.

4. 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.
5. Prior to the occupation of the development or any phase of the development, whichever is the sooner, a landscape and ecological management plan for the site shall be submitted for the further written agreement of the Council as Planning Authority. The Plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas and include details of tree and woodland management and watercourse and pond management. The landscape and ecological management plan as agreed shall, where appropriate, include phased implementation concurrent with the development and shall be fully implemented and thereafter maintained.
6. 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.
7. 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.
8. Prior to the commencement of development a Flood Action Plan shall be prepared for the site and submitted for the further agreement in writing of the Planning Authority in consultation with the Council's Structures and

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Flooding Section. This should detail access and egress arrangements during a flooding event.

9. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility which accords with SUDS principles 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.
10. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable a Sustainable Urban Drainage System to meet the requirements of best management practices.
11. Prior to commencement of the works a full bat activity survey shall be submitted to the planning authority for approval.
12. The conclusions and recommended action points within the supporting biodiversity survey and tree surveys submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
13. 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. The agreed lighting scheme shall be implemented and maintained in full accordance with the agreed scheme.
14. The development hereby approved shall only be occupied between 1<sup>st</sup> March and 30<sup>th</sup> November and shall be used solely for holiday accommodation and shall not be occupied as the sole or main residence of any occupant.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**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

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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. An application for Building Warrant may be required.
5. The applicant should take cognisance of the advice contained in SEPA's letter dated 13 June 2017. Regulatory advice is also available from the local SEPA office at:  
Broxden Business Park  
Lamberkine Drive  
PERTH  
PH1 1RX  
Tel: 01738 627989  
Email : [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk)
6. 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.
7. 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.
8. The Caravan Site Licence for this site will require to be updated. Contact should be made with Perth and Kinross Council Environmental Health Team tel. 01738 476415.

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

4 members voted for the Motion as follows:  
Councillors M Lyle, E Drysdale, R Watters and W Wilson.

5 members voted for the Amendment as follows:  
Councillors B Brawn, B Band, H Coates, T Gray and I James.

**Resolved:**

In accordance with the Amendment

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- (ii) **17/00788/FLL – FEARNAN – Change of use and alterations to nursery school to form holiday/staff accommodation, erection of 2 holiday/staff accommodation units and siting of 4 static caravans/chalets for holiday/staff accommodation (in part retrospect) at Boreland Farm, Fearnan, Aberfeldy – Report 17/343 – Boreland Farm Ltd**

Mr N Grant, objector to the application, followed by Mr J Ewen, applicant, addressed the Committee, and, following their respective representations, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following terms, conditions, including additional conditions 6 and 7, 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. The development hereby approved shall be used solely for holiday accommodation and staff accommodation. Furthermore no more than 2 of the approved cabins at any one time shall be used as staff accommodation. For the avoidance of doubt the holiday accommodation shall not be occupied as the sole or main residence of any occupant and the staff accommodation shall only be occupied by someone employed by Boreland Farm Limited.
3. 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.
4. Prior to the occupation of the new units hereby approved a path to link the holiday accommodation with the shorefront area under the applicants control will be formed and signposted. Details of this shall be submitted to and agreed in writing with the Council as Planning Authority.
5. The stoves shall only operate on fuel prescribed and stored in accordance with the manufacturer's instructions. The stoves and flues and any constituent parts shall be maintained and serviced in accordance with the manufacturer's instructions. No changes to the biomass

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specifications shall take place without the prior written agreement of the Council as Planning Authority.

6. The existing agricultural barn shall not be used for any activities until such times that measures to control noise have been submitted to and approved by the Planning Authority. The approved measures shall be undertaken in full prior to use recommencing and maintained thereafter.

Reason - In order to safeguard the residential amenity of the area.

7. A Noise Management Plan shall be submitted for the approval of the Planning Authority within 3 months of the date of this decision. The plan shall include such measures to ensure that noise from the site is controlled at all times and adequate protocols are instituted to prevent any impact of neighbouring residential amenity. The approved plan shall thereafter be implemented to the satisfaction of the Planning Authority.

Reason - In order to safeguard the residential amenity of the area.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**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.
2. An application for Building Warrant may be required.

**(iii) 17/01170/FLL – MURRAYSHALL – Erection of 2 dwellinghouses (revised design plot 2) on land SW of Stonegarth, Murrayshall – Report 17/344 – Fergus Purdie Architect**

Mr P Cooper, objector to the applicant, followed by Mr F Purdie, agent, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Councillor W Wilson moved a motion to refuse the Late Hours the application on the grounds that it was contrary to Policy PM1B of the Perth and Kinross Local Development Plan. Having failed to find a seconder Councillor Flynn's amendment fell.



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**Resolved:**

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

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning permission.
2. A sample of external materials shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The external materials as approved shall be implemented prior to the occupation and or use of the development.
3. Details of the proposed boundary treatments for the site shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The approved scheme shall be completed prior to the occupation of the unit.
4. The wood burning stove shall only burn fuel as recommended by the manufacturer and shall be operated and maintained in line with manufacturer's advice.
5. The gradient of the access shall not exceed 3% for the first 5.00 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road.
6. Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
7. Prior to the occupation or use of the residential unit, turning facilities shall be provided within that plot to enable all vehicles to enter and leave in a forward gear and thereafter retained to the satisfaction of the Planning Authority.
8. Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the plot and thereafter retained.
9. No development or extensions, whether or not permitted by virtue of Schedule 1, Part 1, Class 1A, 1B and 3A of the Town and Country Planning (General Permitted Development)(Scotland) Order, 1992 or any Order revoking and re-enacting that Order, shall be erected within the curtilage of the dwellinghouse hereby approved.

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**Justification**

The proposal is not in accordance with the Development Plan however there are 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).
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. 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.
5. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD for a new postal address. The form is downloadable from [www.pkc.gov.uk](http://www.pkc.gov.uk) and should be returned to [snn@pkc.gov.uk](mailto:snn@pkc.gov.uk)
6. No work shall be commenced until an application for building warrant has been submitted and approved.

- (iv) **17/01234/FLL – ABERNETHY – Erection of an agricultural building for free range egg production and associated works at Wilson Cordon Farm, Abernethy, Perth – Report 17/345 – Robert S Wilson (Cordon)**

Mr M Wilson, applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

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**Resolved:**

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

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. 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.
3. 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.
4. 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.
5. All operational traffic movements to and from the site shall be undertaken in accordance with the routing outlined in the Transport Statement hereby approved (doc ref: 17/01234/13) to the satisfaction of the Council as Planning Authority.
6. Prior to the development hereby approved being completed or brought into use, a passing place shall be constructed in full to the south of the railway bridge to formalise the existing informal passing place. The passing place shall be constructed in accordance with the National Roads Development Guide to provide a minimum road width of 5.5 metres, 15 metres in length (excluding 1:2 metre splays. Prior to the commencement of any development on site a scaled drawing at 1:200

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scale shall be submitted to and approved in writing by the Planning Authority which demonstrates the proposed location and works to form the passing place. The passing place shall be formed in accordance with these approved details.

7. 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.
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

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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. All plant or equipment 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.
10. Should any aspect of the operation of this facility lead to a breach of condition 9, within 14 days of a written request by the Council as Planning Authority the applicant shall arrange for an investigation by a suitably qualified noise consultant with the scope and timescale submitted to and agreed in writing with the Council as Planning Authority in consultation with Environmental Health. Thereafter the agreed measures shall be implemented to ameliorate the nuisance.
11. Prior to the commencement of the development, an Odour Management Plan (OMA) shall be submitted to and approved in writing by the Planning Authority in consultation with Environmental Health. The management arrangements agreed within the approved OMA shall be strictly adhered to at all times.
12. Should any aspect of the development result in verified odour complaint determined by the Council as Planning Authority in consultation with Environmental Health, within 14 days of written request by the Council as Planning Authority, the applicant shall arrange for an Odour Impact Assessment (OIA) to be carried out by a qualified consultant. The OIA findings shall be submitted for the written approval of the Council as Planning Authority, in consultation with Environmental Health and must draw conclusions and make recommendations as necessary. Thereafter any necessary measures to ameliorate the odour nuisance should be put in place, and a new or revised Odour Management Plan must be submitted to the council within a specified agreed timescale.
13. 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.

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The scheme shall include details of light spill, brightness of the lighting and the proposed hours of operation. The agreed lighting scheme shall be implemented and maintained in full accordance with the agreed scheme.

14. All external lighting shall be 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.
15. 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.
16. Prior to the commencement of development, details of the tree planting proposed to the west and south of the building shall be submitted to and approved in writing by the Planning Authority. The agreed detail shall thereafter be implemented prior to the completion of the development and completed in accordance with the timescales outlined in condition 16.
17. The planting scheme as approved under condition 15 shall be implemented fully within one calendar year of the commencement of development and thereafter maintained.
18. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species.
19. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable a Sustainable Urban Drainage System to meet the requirements of best management practices.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**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. 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. 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.
5. No work shall be commenced until an application for building warrant has been submitted and approved.
6. 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.
7. 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.
8. The applicant should be aware of the SEPA's General Binding Rules of The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) and the Intake and Outfall Good Practice Guide [https://www.sepa.org.uk/media/150984/wat\\_sg\\_28.pdf](https://www.sepa.org.uk/media/150984/wat_sg_28.pdf) with regards the proposed treatment and discharge of treated surface water to the burn. Further information is available to the applicant in the [CAR Practical Guide](#)
9. The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
10. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and

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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.

**(v) 17/01402/IPL – LONGFORGAN – Erection of a dwellinghouse (in principle) on land north of Grieves House, Longforgan – Report 17/346 – Mr G Lawson**

**Resolved:**

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

**Conditions**

1. The development shall not commence until the following matters have been approved by the Planning Authority through the submission of an application or applications for approval of matters specified in conditions:
  - (i) The siting design, height and external materials of all buildings or structures;
  - (ii) Details of vehicular access to the site and the provision of two car parking spaces and turning facilities.
  - (iii) Details of all landscaping, planting, screening and boundary treatment.
2. In pursuance of Condition 1(i), the physical development shall be:
  - (i) Limited to a single storey with any accommodation above ground floor level being contained in the roof space.
  - (ii) Situated within the western portions of the plot and shall not extend eastwards of the established building line of the property located to the south and the property to the north of the site.
3. In pursuance of Condition 1(ii), the scheme shall include:
  - (i) Turning facilities to enable all vehicles to enter and leave the application site in a forward gear which shall be formed prior to the occupation of the dwellinghouse.
  - (ii) A layout to accommodate a minimum of two car parking spaces which shall be formed prior to the occupation of the dwellinghouse.



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- (iii) Suitable storage for waste disposal/collection which shall be formed prior to the occupation of the dwellinghouse.
- 4. In pursuance of condition 1(iii), the scheme shall include;
  - (i) The location of new trees, shrubs, hedges, and grassed areas.
  - (ii) A schedule of plants to compromise species, plant sizes and proposed numbers and density.
  - (iii) The location, design and materials of all hard landscaping works including walls, fences, gates, and any other means of enclosure.

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, or such date as may be agreed in writing with the Planning Authority.

Any planting which, within a period of 5 years from the completion 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.

- 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 transport 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 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.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**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

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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.

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.

2. Applicants are advised that should their application for Approval of Matters specified be refused and/or their appeal against such refusal dismissed outwith the three year time limit they are entitled to submit a revised application for Approval of Matters specified within six months after the date of refusal of the earlier application or of the dismissal of an appeal against such refusal.
3. 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.
4. An inspection of the proposed development site did not raise any real concerns, although historical mapping indicates there was previously a nearby use which may have resulted in contamination in the vicinity of the site. The applicant is advised that, given historical uses of the wider area, there may be potential for contamination within the site. Should any contamination be found during the approved works, works should cease and the Land Quality team should be contacted on 01738 475000 or [es@pkc.gov.uk](mailto:es@pkc.gov.uk) for further advice.

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PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
26 OCTOBER 2017

LICENSING COMMITTEE

Minute of meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 26 October 2017 at 10am.

Present: Councillors R Brock, I James, C Ahern, B Brawn, D Illingworth, A Jarvis and A Parrott.

In Attendance: L Brown, L Cormack, M McLaren, K Molley and S Michie (all Corporate and Democratic Services).

Apologies for Absence: Councillors K Baird, B Pover, J Rebbeck, F Sarwar, L Simpson, and R Watters.

Councillor R Brock, Convener, Presiding.

601. WELCOME AND APOLOGIES

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

602. DECLARATIONS OF INTEREST

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

603. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Licensing Committee of 14 September 2017 was submitted and approved as a correct record.

604. TAXI AND PRIVATE HIRE CAR DRIVER CONDITIONS

There was submitted a revised report by the Head of Legal and Governance Services (17/349 Revised) seeking approval of a number of changes to the current conditions for Taxi and Private Hire Car Drivers and Operators.

Resolved:

- (i) The changes to the conditions for Taxi and Private Hire Car Drivers and Operators as detailed in the appendix to Report 17/349 be approved.
- (ii) The Head of Legal and Governance Services be instructed to undertake a further review and report back to the Licensing Committee in 6 months' time.

605. VARIATION OF PRIVATE HIRE OPERATORS LICENCE PH352

There was submitted a report by the Head of Legal and Governance Services (17/350) together with a letter received on 29 August 2017 from the licence holder seeking approval to vary the terms of the conditions of Private Hire Operator's Licence PH352.

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The representative of the Head of Legal and Governance Services advised the Committee that the licence holder had withdrawn his request for a variation to the terms and conditions of Private Hire Operator's Licence PH 352.

Resolved:

The application to vary Private Hire Operators Licence PH352 be withdrawn at the request of the licence holder.

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.

606. TAXI DRIVER APPLICATION

There was submitted a report by the Head of Legal and Governance Services (17/351) seeking approval to rescind a decision made by the Committee at its meeting on 14 September 2017 to grant a Taxi and Private Hire Care Driver Licence TD1025 due to an administrative error.

Resolved:

The decision to grant Taxi/Private Hire Car Driver's Licence TD 1025 for a period of 1 year be rescinded.

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PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
1 NOVEMBER 2017

## **HOUSING AND COMMUNITIES COMMITTEE**

Minute of Meeting of the Housing and Communities Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth, PH1 5PH on Wednesday 1 November 2017 at 10.00am.

Present: Councillors P Barrett, H Coates, C Ahern, A Bailey, K Baird, B Brawn, E Drysdale, T Gray, D Illingworth, R McCall, S McCole, T McEwan and B Pover.

In attendance: J Fyffe, Senior Depute Chief Executive; R Packham (Perth and Kinross Health and Social Care Partnership) (up to Art. 612); C Cranmer, M Dow, C Hendry (up to Art. 614), E Mackintosh (up to Art. 614), C Mailer, J McCall, E McMullen, E Ritchie, N Robson and S Watson (all Housing and Community Safety); R Lyle (the Environment Service); C Flynn, K Molley, A Taylor and M Willis (all Corporate and Democratic Services).

Also in Attendance: Chief Inspector I Scott and Superintendent S Mentis (both Police Scotland); Local Senior Officer C Grieve and Group Manager B McLintock (both Scottish Fire and Rescue Service); C Stewart, Tenants' Representative.

Councillor Barrett, Convener, Presiding.

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

The Convener welcomed all those present to the meeting. There were no apologies.

### **608. DECLARATIONS OF INTEREST**

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

### **609. MINUTE OF MEETING OF THE HOUSING AND COMMUNITIES COMMITTEE OF 20 SEPTEMBER 2017 FOR APPROVAL AND SIGNATURE**

The minute of meeting of the Housing and Communities Committee of 20 September 2017 (Arts. 513-524) was submitted, approved as a correct record and authorised for signature.

### **610. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP - PERTH AND KINROSS INTEGRATION JOINT BOARD – VERBAL UPDATE BY EXECUTIVE LEAD OFFICER**

R Packham, Chief Officer for the Integration Joint Board provided members with a verbal update on the recent work of the Perth and Kinross Health and Social Care Partnership.

PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
1 NOVEMBER 2017

*IN TERMS OF STANDING ORDER 19 THE COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS TO CONSIDER ITEMS P1 AND 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**

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

The Committee received and noted a verbal report from Local Senior Officer C Grieve of the Scottish Fire and Rescue Service on information which was not to be made publically available.

**612. POLICE SCOTLAND – OPERATIONAL UPDATE FOR PERTH AND KINROSS**

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

R PACKHAM LEFT THE MEETING DURING THE ABOVE ITEM.

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

**613. POLICE AND FIRE: LOCAL SCRUTINY AND ENGAGEMENT**

**(i) Scottish Fire and Rescue Service Quarterly Performance Report – 1 July to 30 September 2017**

There was submitted a report by Local Senior Officer C Grieve, Scottish Fire and Rescue Service (17/359) 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 2014-17, for the second quarter, 1 July to 30 September 2017.

In responding to a question from Councillor Illingworth on why trends are continuing to fall, Area Manager Grieve advised that this was down to the preventative community safety work undertaken through the Perth and Kinross Partnership.

Councillor Drysdale referred to unwanted fire alarm signals and whether there was anything specific that could be done as these must be a drain on resources. In response Area Manager Grieve reported that responding crews undertake on scene investigations in an attempt to understand the reasons for the activations, all calls are monitored and analysed for emerging trends and trigger points.

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**Resolved:**

The performance of the Scottish Fire and Rescue Service in Perth and Kinross area for the second quarter, 1 July to 30 September 2017, as detailed in Report 17/359, be noted.

**(ii) Local Fire and Rescue Plan for Perth & Kinross 2017-2010**

There was submitted a report by Area Manager C Grieve, Local Senior Officer, Scottish Fire and Rescue Service (17/360) containing background information in support of consideration of approval of the final draft Local Fire and Rescue Plan for Perth & Kinross 2017-2020.

**Resolved:**

The final draft Local Fire and Rescue Plan for Perth & Kinross 2017-2020, attached as Appendix 1 to Report 17/360, be approved.

**(iii) Perth and Kinross Local Policing Area Performance Results – 1 July to 30 September 2017**

There was submitted a report by Chief Superintendent P Anderson Police Scotland 'D' Division (Tayside) (17/361) 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 1 July to 30 September 2017, and detailing a number of community engagement and operational activities undertaken within the reporting period.

Councillor Drysdale expressed his thanks to Police Scotland for all their efforts in ensuring that the recent Scottish Defence League (SDL) protest march held in Perth City Centre passed off peacefully, he also queried whether or not there was anything that could have been done to prevent this protest taking place and on the level of resources used on the day. Chief Inspector Scott advised that under freedom of speech people are fully entitled to demonstrate in this way, Police Scotland worked with the organisers to ensure any protest would pass off as peacefully as possible. With regards to the level of resources required on the day, Chief Inspector Scott advised that he was unable to provide the specific numbers of Officers deployed.

In response to a question from Councillor Brawn regarding the recent spate of vandalism around the Wellmeadow in Blairgowrie, Chief Inspector Scott confirmed that additional patrols had recently been put in place and that an individual had now been identified.

**Resolved:**

The performance of Police Scotland against the local policing priorities for the Perth and Kinross area as detailed in Report 17/361 be noted.

PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
1 NOVEMBER 2017

**614. HOUSING AND COMMUNITY SAFETY SIX MONTH PERFORMANCE SUMMARY 2017**

There was submitted a report by the Interim Director (Housing and Community Safety) (17/362) reviewing the performance of Housing and Community Safety against its Business Management and Improvement Plan (BMIP) for the period 1 April 2017 to 30 September 2017.

**Resolved:**

- (i) The contents of the Housing and Community Safety Six Month Performance Summary 2017, as detailed in Appendix 1 to Report 17/362, pertaining to this Committee's areas of responsibility, be accepted.
- (ii) It be noted that Report 17/362 would also be submitted to the Scrutiny Committee on 29 November 2017 for scrutiny and comment as appropriate.

**615. PERTH AND KINROSS LOCAL HOUSING STRATEGY 2016-2021 UPDATED 2017**

There was submitted a report by the Interim Director (Housing and Community Safety) (17/363) noting (1) the progress in implementing the Local Housing Strategy for Perth and Kinross which was approved at Housing and Health Committee in May 2016; and (2) the approval of a revised action plan for 2017-2018.

**Resolved:**

- (i) The progress in implementing the actions set out in the Local Housing Strategy, attached as Appendix 1 to Report 17/363, be noted.
- (ii) The actions for 2018, as outlined in Appendix 2 to Report 17/363, be noted.

**616. STRATEGIC HOUSING INVESTMENT PLAN**

There was submitted a report by the Interim Director (Housing and Community Safety) (17/364) seeking approval of the revised Perth and Kinross Council Strategic Housing Investment Plan.

**Resolved:**

- (i) The revised Perth and Kinross Council Strategic Housing Investment Plan 2017-2022, as detailed in Appendix 1 to Report 17/364, be approved.
- (ii) The Interim Director (Housing and Community Safety) be authorised to ensure that where projects fall out of the plan, alternative projects prioritised in the same way can be substituted.

**617. REGULATORY SERVICES IN THE ENVIRONMENT SERVICE**

There was submitted a report by the Director (Environment) (17/365) (1) highlighting the contribution made by the Council's Regulatory Services and their contribution to public protection in 2016/17; and (2) setting out future priorities for the team.



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**Resolved:**

- (i) Endorse the activities of Regulatory Services and their contribution to the Council's objectives of protecting and promoting the health, safety and wellbeing of communities.
- (ii) The contribution of Regulatory Services to statutory enforcement duties undertaken by national bodies, be endorsed.

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PERTH AND KINROSS COUNCIL
LIFELONG LEARNING COMMITTEE
1 NOVEMBER 2017

LIFELONG LEARNING COMMITTEE

Minute of meeting of the Lifelong Learning Committee held in the Community School of Auchterarder, New School Lane, Auchterarder on Wednesday 1 November 2017 at 2.00pm.

Present: Councillors C Shiers, R McCall, W Wilson, H Anderson, K Baird, A Forbes, D Illingworth (substituting for Councillor C Purves), A Jarvis, X McDade, T McEwan, B Pover, J Rebbeck, F Sarwar; and Mrs. A McAuley and Mrs M McFarlane.

In attendance: S Devlin, Executive Director (Education & Children's Services); G Boland, P Davison, R Hill, S Johnston, H Johnstone and J Pepper (all Education & Children's Services); F Robertson, Head of Culture & Public Service Reform; C Vaskevicius, K Molley, C Flynn, K Barron and L Brown (all Corporate & Democratic Services).

Apologies for absence: Councillor C Purves and Mrs P Giles.

Councillor C Shiers, Convener, Presiding.

618. WELCOME AND APOLOGIES

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

619. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct Councillor Baird declarations a non-financial interest in Art. 625.

620. MINUTES

(i) Lifelong Learning Committee

The minute of meeting of the Lifelong Learning Committee of 23 August 2017 (Arts. 453-458) was submitted, approved as a correct record and authorised for signature.

(ii) Special Meeting of Lifelong Learning Committee

The minute of the special meeting of the Lifelong Learning Committee of 22 September 2017 was submitted, approved as a correct record and authorised for signature.

PERTH AND KINROSS COUNCIL
LIFELONG LEARNING COMMITTEE
1 NOVEMBER 2017

(iii) Annual General Meeting of the Joint Negotiating Committee for Teaching Staff

The minute of the Annual General Meeting of the Joint Negotiating Committee for Teaching Staff of 20 June 2017 was submitted and noted. (*Appendix I*)

621. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP

(i) Minute of meeting of the Economy and Lifelong Learning Group

The minute of meeting of the Economy and Lifelong Learning Group of 10 February 2017 was submitted and noted.

(ii) Minute of meeting of the Children, Young People and Families' Partnership

The minute of meeting of the Children, Young People and Families Partnership of 22 June 2017 was submitted and noted.

(iii) Minute of special meeting of the Children, Young People and Families' Partnership

The minute of the special meeting of the Children, Young People and Families Partnership of 15 August 2017 was submitted and noted.

622. PERTH AND KINROSS EDUCATIONAL TRUST COMMITTEE

It be agreed that Councillor A Jarvis be appointed to the Perth and Kinross Educational Trust Committee.

623. EDUCATION AND CHILDREN'S SERVICES SIX MONTH PERFORMANCE SUMMARY 2017

There was submitted a report by the Executive Director (Education and Children's Services) (17/353) reviewing the performance of Education and Children's Services against its Business Management and Improvement Plan (BMIP) for the period 1 April 2017 to 30 September 2017.

Resolved:

- (i) The contents of Education and Children's Service Six Month Performance Summary 2017, as detailed in Appendix 1 to Report 17/353, be accepted.
- (ii) It be noted that Report 17/353 would also be submitted to the Scrutiny Committee on 29 November 2017 for scrutiny and comment as appropriate.

PERTH AND KINROSS COUNCIL
LIFELONG LEARNING COMMITTEE
1 NOVEMBER 2017

624. RAISING ATTAINMENT STRATEGY UPDATE 2017

There was submitted a report by the Executive Director (Education and Children's Services) (17/354) providing a progress update on the Raising Attainment Strategy 2016-2019 and presenting information on a range of main and supporting measures designed to both improve performance and monitor progress of improvements. The Committee also received a short presentation from the Head of Education – Secondary and Inclusion on the report.

Resolved:

- (i) The progress made in the first year of the Raising Attainment Strategy 2016-2019 as detailed in Report 17/354, and attached appendices be noted.
- (ii) It be noted that Report 17/354 would also be submitted to the Scrutiny Committee on 29 November 2017 for scrutiny and comment as appropriate.

625. EVALUATION OF PERTH AND KINROSS LIBRARY AND INFORMATION SERVICE

There was submitted a report by the Senior Depute Chief Executive (17/355) summarising key findings and improvement actions from the 2017 validated self-evaluation of the Library and Information Service delivered on behalf of the Council by Culture Perth and Kinross.

Resolved:

- (i) The findings of the 2017 evaluation of the Libraries Service as detailed in Report 17/355 be noted.
- (ii) The improvement actions to be implemented by Culture Perth and Kinross and the monitoring arrangements in place be noted.
- (iii) The Senior Depute Chief Executive be instructed to bring an update report to Lifelong Learning Committee in Autumn 2018 in relation to the 5 year Libraries Strategy under development.

626. INSTRUMENTAL MUSIC SERVICE – PROGRESS UPDATE REPORT

There was submitted a report by the Executive Director (Education and Children's Services) (17/356) (1) providing a progress update on achieving the savings within the Instrumental Music Service previously agreed by the Lifelong Learning Committee on 2 November 2016 (Report 16/482 refers); and (2) providing an update on the proposals for greater efficiencies in the Service as set out in Report 16/482.

Resolved:

- (i) The actions taken and the savings implemented as detailed in Report 17/356 and Appendix 1 be noted.
- (ii) The Executive Director (Education and Children's Services) be instructed to further consider best and most appropriate use of Youth Music Initiative funding, within the terms of the grant, to support greater participation of young people from more deprived backgrounds with the Instrumental Music Service.

PERTH AND KINROSS COUNCIL
LIFELONG LEARNING COMMITTEE
1 NOVEMBER 2017

627. INCLUSION SERVICES REVIEW – PROGRESS REPORT

There was submitted a report by the Executive Director (Education and Children's Services) (17/357) providing an update on the Inclusion Services Review; and highlighting the next steps to implement the key findings.

Resolved:

- (i) The contents of Report 17/357 be accepted.
- (ii) The arrangements, as set out in Report 17/357, be approved.
- (iii) The Executive Director (Education and Children's Services) be requested to bring a progress report to the Lifelong Learning Committee in November 2018.

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

628. REMODELLING OF RESIDENTIAL CARE (CHILDREN AND YOUNG PEOPLE)

There was submitted a report by the Executive Director (Education and Children's Services) (17/358) outlining an implementation plan for remodelling residential care for children and young people and the costs associated with putting in place the HUB model.

Resolved:

- (i) The implementation programme for the remodelling of residential care for children and young people as detailed in Report 17/358, be approved.
- (ii) The Executive Director (Education and Children's Services) be instructed to deliver a progress report to the Lifelong Learning Committee by summer 2018.

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PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE (*Art. 620(iii)*) (*Appendix I*)  
1 NOVEMBER 2017

**JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF**

Minute of the Annual General Meeting of the Joint Negotiating Committee for Teaching Staff (JNCT) held in Room 410, Fourth Floor, Council Building, 2 High Street, Perth on Tuesday 20 June 2017 at 2.30pm.

**Present:**

**Representing Perth and Kinross Council**

Councillors R McCall (substituting for Councillor W Wilson), J Rebbeck (substituting for F Sarwar) and C Shiers; S Devlin, R Hill, S Johnston and A Thomson, (all Education and Children's Services); S McLeod (Corporate and Democratic Services).

**Representing Teachers' Associations**

E Campbell, E Connon, S Peddie, C Rose and C Weston (all EIS); A Johnston (SSTA); and S Topen-Cooper (NASUWT).

**In Attendance:**

A McAuley (Joint Secretary for Teachers' Side); and C Flynn and L Brown (for Joint Secretary, Management Side).

**Apologies:**

B Berhane, J Cook and M Laurie (all EIS) and C McDonald (VOICE); Councillors F Sarwar and W Wilson; D MacLeod and T Pupillo.

**1. APPOINTMENT OF CONVENER**

Nominations for Convener were invited from the Trade Union side. C Weston, seconded by A Johnston nominated E Campbell. There being no other nominations, E Campbell was duly appointed Convener of the Joint Negotiating Committee for Teaching Staff for a period of 2 years.

E CAMPBELL, CONVENER, TOOK THE CHAIR.

**2. APPOINTMENT OF VICE-CONVENER**

Nominations for Vice-Convener were invited from the Management side. Councillor R McCall, seconded by Councillor C Shiers nominated Councillor W Wilson. There being no other nominations, Councillor W Wilson was duly appointed Vice-Convener of the Joint Negotiating Committee for Teaching Staff for a period of 2 years.

**3. APOLOGIES**

Apologies for absence were submitted and noted as above.

#### **4. DECLARATIONS OF INTEREST (ELECTED MEMBERS ONLY)**

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

#### **5. ANNUAL REVIEW OF MEMBERSHIP**

The following changes to the membership of the Joint Negotiating Committee for Teaching Staff were noted:

- (i) Councillors F Sarwar, C Shiers and Wilson had been appointed as Management representatives on the JNC at the Council meeting on 17 May 2017.
- (ii) Emily Connon (EIS) replaced S Peddie (EIS) as a Teacher representative.

#### **6. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 21 March 2017 was submitted and approved as a correct record.

#### **7. MATTERS ARISING**

##### **(i) Employee Engagement Survey 2016 – Item 6 refers**

The Committee was advised that the Pulse survey had closed. The responses received were being analysed and completed. A report on finding will be shared with the Teachers side.

##### **(ii) Reporting Pupil Progress to Parents and Carers in Perth and Kinross – Item 11 refers**

S Johnston advised the results of the full evaluations would be reported back to the Joint Negotiating Committee once complete. It was proposed that draft guidance would be in place by August 2017 with pilot projects for Nationals being complete by August 2018.

Following questions from C Weston it was confirmed that schools, not participating in the pilot, would continue to report through Seemis. Agreement was given to consult with the Teachers' side especially around workload and identified training/support.

**8. REPORTS OF VIOLENCE AND AGGRESSION AGAINST STAFF IN PERTH AND KINROSS SCHOOLS – QUARTERLY STATISTICAL REPORT – TERM 3 (9 JANUARY 2017 TO 31 MARCH 2017) – ACADEMIC SESSION 2016-17**

There was submitted a quarterly statistical report by the Director (Education and Children's Services) (G/17/41) detailing the number of reported incidents of violence and aggression against staff in schools during the period 9 January to 31 March 2017, Term 3 of Academic Session 2016-17.

R Hill acknowledged that there had been an increase in the number of incidents reported in some secondary schools. Data returned was closely monitored by the Divisional Management Teams and QIOs met regularly with the staff to discuss any issues identified. S Johnston added that steps had been put in place to support pupils and staff in schools where multiple incidents involving individual pupils had been reported. In responding to questions from the teachers' side she advised that Headteachers received additional training sessions on how to approach parents with significant mental health issues. Prevention and intervention guidance had been developed to assist staff in order that they felt safe and that parents had clear boundaries on what would be considered acceptable behaviour. S Devlin added that the induction process for senior staff in schools included training on dealing with difficult and aggressive people. Rudeness and aggression from parents would not be tolerated.

The Committee noted the position.

**9. VIOLENCE AND AGGRESSION**

There was submitted a report by the Director (Education and Children's Services) (G/17/73) seeking agreement to formalise the status of the new Management Arrangements and Guidance on Violence and Aggression which was agreed as corporate policy at the Council's Strategic Policy and Resources Committee in September 2016.

The Committee agreed:

The formalising of the agreement be deferred to allow further discussion to take place between the Leader of the Teachers' side and senior management from both Education and Children's Services and Human Resources and that the agreement to be brought back to the Joint Negotiating Committee for approval.

**10. BESPOKE PRINCIPAL TEACHER JOB PROFILES**

There was submitted a report by the Corporate Human Resources Manager (G/17/74) seeking approval of four Principal Teacher job profiles which had been developed and deviated from the generic job profile which forms part of the SNCT handbook.



C Weston asked that the job profiles for Early Years' Family Engagement Coordinator and Guidance – Developing Scotland's Young Work Force have Principal Teacher included in their job titles.

In responding to a question from C Weston, S Devlin advised the Council does have teachers who undertake home visits. She confirmed that they are trained on the process and receive guidance on how such visits should be carried out.

The Committee approved as a local agreement the Bespoke Principal Teacher Job Profiles as detailed in Appendix 1 to report G/17/74.

#### **11. GENERIC HEAD TEACHER JOB PROFILE – LOCAL AGREEMENT**

There was submitted a report by the Corporate Human Resources Manager (G/17/75) seeking approval of a generic head teacher job profile as a local agreement.

The Committee approved as a local agreement the generic head teacher job profile as detailed in Appendix 1 to report G/17/75.

#### **12. PRINCIPLES FOR COVER IN SECONDARY SCHOOLS**

There was submitted a report by the Corporate Human Resources Manager (G/17/76) providing details on a hierarchy of principles for cover in secondary schools.

The committee agreed principles for cover in secondary schools as appended to report G/17/76 be approved and implemented with immediate effect.

#### **13. SCHOOL IMPROVEMENT PLANNING**

There was submitted for information papers relating to (1) Pupil Equity Fund Guidance, and (2) the School Improvement Framework Map and School Improvement Plan Guidance 2017-18 (G/17/77).

R Hill referred to the £1.6m of funding from the Pupil Equity Fund (PEF) which had been allocated directly to schools and was targeted at closing the poverty related attainment gap. He advised that the PEF should be viewed as part of the School Improvement planning process and that guidance had been circulated to Headteachers to assist in their preparations of indicative PEF plans for submission to the centre by the end of June 2017. The information received would be collated and shared with schools to aid collaborative working. R Hill confirmed that no action taken by a school should have a detrimental impact to another school.

In responding to a question from C Weston on the additional workload this would place on staff, R Hill advised that changes would be incremental, taking into account the requirements of Scottish Government and would not lead to an increase in the level of bureaucracy.

The Committee noted the position.

#### **14. TACKLING POVERTY**

C Weston enquired what the Council/schools are doing to address costs for families in children attending school.

S Devlin advised that the Lifelong Learning Committee had approved a Raising Attainment Strategy. The document had set out the vision, priorities and expected outcomes of Education and Children's Services in raising educational attainment and achievement for young people, and in closing the attainment gap between children and young people living in the most and least deprived communities in Perth and Kinross. The Council had also approved a report from the Fairness Commission which had made a number of recommendations on tackling the causes and consequences of poverty and inequality in Perth and Kinross. She suggested that a copy of the Fairness Commission report be circulated to members of the JNCT for information and that the Senior Depute Chief Executive be invited to attend a future meeting of the Committee to give a presentation on what was being undertaken at a strategic level to tackle this issue.

The Committee noted the position.

#### **15. ANY OTHER COMPETENT BUSINESS**

The Convener reported this was the last meeting of the JNC to be attended by Scott Peddie. On behalf of the Committee the Convener thanked Scott for his commitment to the work of the Committee over many years and wished him well in the future.

#### **16. DATE OF NEXT MEETING**

Tuesday 19 September 2017.

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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 Chambers, 2 High Street, Perth on Tuesday 7 November 2017 at 10.30am.

Present: Councillors W Wilson, M Barnacle, T Gray (excluding Art. 631(i)) and A Jarvis (Art. 631(i) only).

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); K Molley (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor W Wilson, Convener, Presiding.

629. DECLARATIONS OF INTEREST

Councillor T Gray declared a non-financial interest in Art. 631(i).

630. MINUTE

The minute of meeting of the Local Review Body of 10 October 2017 was submitted and noted.

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

631. DEFERRED APPLICATION FOR REVIEW

HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM, COUNCILLOR T GRAY WITHDREW FROM THE MEETING DURING CONSIDERATION OF ART. 631(i).

- (i) **TCP/11/16(468) – Planning application – 16/02074/FLL – Erection of 8 dwellinghouses and associated works, land 60 metres west of The Bothy, Newburgh – G & W Miller & Sons**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of 8 dwellinghouses and associated works, land 60 metres west of The Bothy, Newburgh.

It was noted that, at its meeting of 30 May 2017, the Local Review Body resolved by unanimous decision that insufficient information was before the Local Review Body to determine the matter without an unaccompanied site visit. An unaccompanied site visit having being carried out on 26 June 2017, the Local Review Body reconvened on

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27 June 2017. At its meeting of 27 June 2017, the Local Review Body resolved by unanimous decision that insufficient information was before the Local Review Body to determine the matter without the applicant providing an ecological survey of the buildings in relation to European Protected Species. It was noted that the Local Review Body unanimously agreed that, following receipt of the requested information from the applicant, copies be sent to the Interim Development Quality Manager and Interest Parties for further comment.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Legal Adviser, including the further information requested by the Local Review Body at its meeting of 27 June 2017, and having carried out a site visit on 26 June 2017, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) it be ensured that all members of the Local Review Body considering and determining this review application had undertaken a formal unaccompanied site visit;
- (iii) comment be received from the Interim Development Quality Manager on the Ecological Survey, and allowing for the applicant to comment on any comments made by the Interim Development Quality Manager.

COUNCILLOR A JARVIS LEFT THE MEETING AT THIS POINT.

COUNCILLOR T GRAY RETURNED TO THE MEETING AT THIS POINT.

632. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(489) - Planning Application – 17/00636/IPL – Residential development (in principle) on land at Mains of Stobhall Farm, Cargill – Mr J Thomson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse residential development (in principle) on land at Mains of Stobhall Farm, Cargill.

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 residential development (in principle) on land at Mains of Stobhall Farm, Cargill, be refused for the following reasons:
 - 1. In relation to 'rural brownfield land', as the whole site is not 'formerly' occupied by buildings, the proposal fails to meet the Council's specific criteria required for an acceptable rural brownfield site as is indicated in both Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Housing in the Countryside Guide 2012 – which both state that acceptable rural brownfield sites relate to sites which were 'formerly occupied by buildings' and not sites which are currently occupied. Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 do not offer support for new residential developments on sites of existing, non-traditional, non-domestic building regardless of whether or not the existing buildings are redundant (or not).
 - 2. As the site does not have a) a good landscape framework which is capable of absorbing the proposal and b) existing boundaries which are capable of providing a suitable enclosure, the proposal is contrary to Part 1 (Building Groups) of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of Perth and Kinross Council's adopted Local Development Plan 2014. Both the policy and guide seek to ensure that proposals for new development that extend existing building groups takes place within definable sites that are formed by existing topography and/or well established landscape features, have a good landscape setting and have suitable site boundaries.
 - 3. As the presence (or otherwise) of European protected species has not been established, the proposal is potentially contrary to Policy NE3 of Perth and Kinross Council's adopted Local Development Plan 2014 which states that planning permission should not be granted for a development that would either individually or cumulatively be likely to have an adverse effect upon European protected species.
 - 4. The proposal is contrary to, or not supported by, any of the other Categories within Policy RD3 of the Perth and Kinross Local Development Plan and Perth and Kinross Council's Housing in the Countryside Guide 2012.

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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(ii) TCP/11/16(490) - Planning Application – 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff – Mr & Mrs G McOmish

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 on land 40 metres south west of Glencoe, Baird Terrace, Crieff.

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) the Interim Development Quality Manager to comment on the Ecological Survey contained in the review application, and subsequently allow for further comment by the Applicant and Interested Parties on the Development Quality Manager's comments;
- (iii) following the receipt of further comment, the application be brought back to the Local Review Body.

(iii) TCP/11/16(491) – Planning application - 17/00839/FLL – Extension to dwellinghouse (in retrospect) at 24 Friar Street, Perth, PH2 0ED – Mr N Arthur

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the extension to dwellinghouse (in retrospect) at 24 Friar Street, Perth.

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 extension to dwellinghouse (in retrospect) at 24 Friar Street, Perth, be refused for the following reasons:

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1. 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 host building and wider residential area.
2. The proposal is contrary to Policy PM1B, criterion (c) of the Perth and Kinross Local Development Plan 2014, as the design and density of the proposal does not complement its surroundings in terms of appearance, height, scale and massing.
3. The proposal is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014, as the proposal would result in an increase in smoke and odour nuisance to both the host property and neighbouring properties through the 'downwash' effect, thus compromising residential amenity.
4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the design of the proposal does not contribute positively to the surrounding built environment or respect the character of place in terms of appearance, height, scale and massing.

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(492) – Planning application - 17/01203/FLL – Extension to dwellinghouse at Ardanish, Gordon Road, Crieff, PH7 4BL – Mr M McKee

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the extension to dwellinghouse at Ardanish, Gordon Road, Crieff.

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 extension to dwellinghouse at Ardanish, Gordon Road, Crieff, be refused for the following reasons:

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1. The proposals, by virtue of their poor integration, inappropriate form, unsympathetic design, massing, proportions and external finishing materials, would result in an adverse impact on the traditional character and appearance of the house and surrounding Conservation Area.
Approval would therefore be contrary to Policies HE3A, RD1(c), PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014, which seek to ensure that development contributes positively to, or improves, the character and amenity of the built environment by complementing its surroundings in terms of design, appearance, massing, materials, colours and finishes in order to preserve or enhance the character and appearance of the Conservation Area.

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 7 MINUTE RECESS

634. DEFERRED APPLICATIONS FOR REVIEW

- (ii) **TCP/11/16(476) – Planning application - 16/01865/FLL – Formation of access road on land 60 metres East of Kinwreaton, Brucefield Road, Blairgowrie – Mr B Thomson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for formation of access road on land 60 metres East of Kinwreaton, Brucefield Road, Blairgowrie.

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 25 July 2017, the Local Review Body resolved, by unanimous decision, that insufficient information was before the Local Review Body to determine the matter without: (i) receiving comment from the Interim Development Quality Manager on the Millard letter of 14 June 2017; (ii) receiving comment, and possible quantification, from the Interim Development Quality Manager, in consultation with Transport Planning, on the potential for additional housing to the four properties which already enjoy Planning Permission, being accessed via the proposed private access road in the event of planning permission being granted, notably in relation to additional land within the H62 allocation within the Perth Local

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Development Plan 2014; (iii) comment from the Council as Roads Authority on the Millard letter of 14 June 2017, in particular with reference to; (a) the acceptability of 2m x 11.3m visibility splays to serve the proposed housing; and (b) the drainage arrangements for surface water being discharged from the surface of Brucefield Road; (iv) details from the Council, as Roads Authority, the extent of the road adopted when Brucefield Road was adopted by the Council; (v) information from the Council's Community Greenspace Department on the existence of any core paths relative to the application and the retention and maintenance of any such paths should Planning permission be granted for the proposal; (vi) an unaccompanied site visit, following the receipt of all further information and comment on all further information and comment on all further information from the applicant/agent and interested parties. The comments and further information having been supplied, and unaccompanied site visits having been carried out on 5 October 2017 and 3 November 2017, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, including the further information requested by the Local Review Body at its meeting of 25 July 2017, and having carried out site visits on 5 October and 3 November 2017, 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 formation of access road on land 60 metres East of Kinwreaton, Brucefield Road, Blairgowrie, be refused for the following reasons:
 - 1. As the proposed access does not provide suitable visibility splays in both directions which are considered acceptable to serve the development which will be accessed from the new access, the proposal would have an adverse impact on the residential amenity and the existing character of the local area by introducing a development which would compromise road and pedestrian safety to an unacceptable degree. To this end, the proposal is considered to be contrary to Policies RD1 and PM1A of the Perth and Kinross Local Development Plan 2014, which both seek to ensure that existing residential areas are not adversely affected by inappropriate new developments.

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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(iii) TCP/11/16(487) – Planning application - 17/00896/FLL – Part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP – Glendevon Construction Ltd

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for a part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP.

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 10 October 2017, 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 3 November 2017, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) 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 3 November 2017, 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 a part change of use from offices to form 3 holiday accommodation units, Units H, J, F, G and 3 Glenruthven Mill, Abbey Road, Auchterarder, PH3 1DP, be refused for the following reasons:
 - 1. The proposal for holiday accommodation is contrary to Policy ED1A of the Perth and Kinross Local Development Plan 2014, which seeks to retain the site for employment uses. The development, as proposed, would not safeguard the site for employment uses. Insufficient justification has been provided to demonstrate that the existing use is no longer viable.
 - 2. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed use is not compatible with the character and amenity of the site. The use of part of the building for holiday accommodation could detract from the attractiveness of the remainder of the site for the existing businesses and future occupiers of the business units.

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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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## **ENVIRONMENT, ENTERPRISE AND INFRASTRUCTURE COMMITTEE**

Minute of meeting of the Environment, Enterprise and Infrastructure Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 8 November 2017 at 10.00am.

Present: Councillors C Stewart, M Barnacle, C Purves, A Bailey, B Band (substituting for R Watters), S Donaldson, D Doogan, A Forbes, A Jarvis, G Laing, M Lyle, A Parrott, C Reid, W Robertson, and M Williamson.

In Attendance: B Renton, N Brian, A Clegg, S D'All, C Haggart, J McCrone, N McGill, J Pritchard, B Reekie, C Rowan, D Strang and S Terras (all The Environment Service); C Flynn, S Richards, D Robertson and D Williams (all Corporate and Democratic Services).

Apology for Absence: Councillor R Watters.

Councillor C Stewart, Convener, Presiding.

The Convener led discussion on Arts. 638, 643, 645, 647, 648, 649, 650 and 651,  
Vice-Convener Barnacle led discussion on Arts. 642, 644, and 652 and Vice-  
Convener Purves led discussion on Arts. 641 and 646

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

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

### **636. DECLARATIONS OF INTEREST**

Councillor Williamson declared 2 non-financial interests on Art. 638.

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

### **637. DEPUTATION**

In terms of Standing Order 59, the Committee agreed to hear a deputation from Ms D Fuge, in relation to Art. 638.

Ms Fuge addressed the Committee and answered questions from members before returning to the public gallery.

The Convener thanked Ms Fuge for her attendance.

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**638. FREE FESTIVE PARKING**

There was submitted a report by the Director (Environment) (17/370) recommending that the Free Festive Parking initiative operates on each Saturday from 2 December 2017 until 30 December 2017 inclusive in all Council operated car parks across the whole Perth and Kinross area.

**Resolved:**

It be agreed to offer free parking on Saturdays from 2 December to 30 December 2017 inclusive in all Council operated car parks across the whole Perth and Kinross area. It was agreed that an update on the trial would be provided to the Committee in early-2018.

COUNCILLOR BAILEY REQUESTED THAT HIS DISSENT TO THE DECISION BE RECORDED.

**639. MINUTE OF PREVIOUS MEETING**

The Minute of the Meeting of the Environment, Enterprise and Infrastructure Committee of 6 September 2017 (Arts. 465-478) was submitted, approved as a correct record and authorised for signature.

**640. PERTH CITY DEVELOPMENT BOARD**

**(i) Minute of Meeting of the Perth City Development Board of 30 May 2017**

The minute of meeting of the Perth City Development Board of 30 May 2017 was submitted and noted.

**(ii) Verbal Update by Executive Lead Officer**

The Director (Environment) provided an update on the last meeting of the Board which had been held on 30 May 2017.

**641. THE ENVIRONMENT SERVICE SIX MONTH PERFORMANCE SUMMARY 2017**

There was submitted a report by the Director (Environment) (17/366) reviewing the performance of the Environment Service against its Business Management and Improvement Plan for the period 1 April to 30 September 2017.

**Resolved:**

The Environment Services six month performance summary as detailed in Appendix 1 to Report 17/366, be approved.

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**642. WASTE MANAGEMENT PLAN 2010-2025 – PROGRESS REPORT**

There was submitted a report by the Director (Environment) (17/367) (1) providing an update on progress with the Action Plan of the Perth and Kinross Council Waste Management Plan, and (2) recommending approval of the new actions 89-96 which are in line with recent national regulatory and strategy developments.

A letter from Roseanna Cunningham MSP to Councillor I Campbell, welcoming the support of the Council for the deposit return scheme, was circulated to members for information.

**Resolved:**

- (i) The annual update on progress on the Waste Management Action Plan, be noted.
- (ii) The new actions of the Waste Management Action Plan as set out in Appendix 1B to Report 17/367, be approved.

**643. POLICY ON PROVISION OF FACILITIES FOR OUTDOOR PITCH SPORTS**

There was submitted a report by the Director (Environment) (17/368) (1) outlining a policy to ensure the effective and efficient management of Council facilities for outdoor pitch sports for community use, and (2) ensuring that they are adequate for present and future needs.

**Resolved:**

The Policy on the Provision of Facilities for Outdoor Pitch Sports, attached as Appendix 1 to Report 17/368, be approved, subject to;

- (i) Goalposts not being removed for four 11-a-side football pitches and one 7-a-side football pitch.
- (ii) The Community Greenspace Team be instructed to explore alternative ways of goalpost maintenance.
- (iii) Seek further consultation with communities.

**644. NORTH INCH GOLF COURSE ANNUAL REPORT 2016/17**

There was submitted a report by the Director (Environment) (17/369) bringing forward the North Inch Golf Course Annual Report 2016/17, based on the previously approved Business Plan.

**Resolved:**

- (i) The North Inch Golf Course Annual Report 2016/17, attached as Appendix 1 to Report 17/369, be noted.
- (ii) The Director (Environment) be requested to submit the 2017/18 Annual Report to a future Environment, Enterprise and Infrastructure Committee.

**645. PLACEMAKING: PUBLIC REALM AND LIGHTING INVESTMENT**

There was submitted a report by the Director (Environment) (17/371) outlining proposed expenditure on placemaking projects within Perth and surrounding towns to support commercial and community development, along with economic growth.

**Resolved:**

- (i) Progress in the delivery of the programme of placemaking projects in Perth, Aberfeldy, Alyth and Auchterarder, be noted.
- (ii) It be noted that the specific capital allocations will be agreed through the capital budget monitoring process by the Strategic Policy and Resources Committee.
- (iii) The Director (Environment) be requested to bring forward a further report promoting the management and use of public space to a future Committee for consideration.

**646. ROADS ASSET ANNUAL STATUS REPORT – 2016/17**

There was submitted a report by the Director (Environment) (17/372) (1) presenting a status summary of the Council's Roads assets based upon the latest published Scottish local authority data as at 31 March 2017, and (2) describing the current condition of the asset, the standards achieved and provides performance indicator information to allow benchmarking of results.

**Resolved:**

- (i) The contents of the Roads Asset Status Report, together with the condition and performance of the Council's Roads assets as at 31 March 2017, as set out in Appendix 2, and the Roads Maintenance programme as set out in Appendix 3 to Report 17/372, be noted.
- (ii) The Director (Environment) be requested to continue to submit an annual report on the performance of, and investment in, the Council's Roads assets in accordance with the approved Asset Management Plan, including benchmarking information.

**647. PROPOSED 30MPH SPEED LIMITS AT FORTINGALL (C448)**

There will be submitted a report by the Director (Environment) (17/373) (1) detailing the proposal to extend the 30mph speed limit at Fortingall (C448), and (2) recommending the start of varying the Traffic Regulation Order for the 30mph Speed Limits.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the extension of the existing of 30mph speed limits, at the locations detailed in Appendices 1 and 2 to Report 17/373, and allow their implementation, be approved.

**648. PROPOSED ONE WAY ROAD AT ANDREW HEITON COURT, PERTH**

There was submitted a report by the Director (Environment) (17/374) (1) detailing the proposal to introduce a one way road restriction ay Andrew Heiton Court at the former Caledonian Road School, Perth, and (2) recommending the start of varying the Traffic Regulation Order for the one way road restriction.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the introduction of a one way road restriction, at the locations detailed in Appendix 1 to Report 17/374, and allow their implementation, be approved.

**649. PROPOSED VARIATION TO WAITING RESTRICTIONS, GEORGE STREET, UPPER ALLAN STREET, BLAIRGOWRIE**

There was submitted a report by the Director (Environment) (17/375) (1) outlining the problems experienced by local residents of George Street and Upper Allan Street, Blairgowrie due to indiscriminate parking, and (2) recommending a variation to the Blairgowrie Traffic Management Order to vary the waiting restrictions on George Street and Upper Allan Street, Blairgowrie.

**Resolved:**

- (i) The promotion of a variation to the relevant Traffic Regulation Order to reduce No Waiting at Any Time waiting restrictions on George Street, as detailed in Appendix 1 to Report 17/375, be approved.
- (ii) The introduction of additional No Waiting at Any Time restrictions on Upper Allan Street, as detailed in Appendix 2 to Report 17/375, be approved.

**650. RE-DETERMINATION OF FOOTWAYS FOR SHARED USE AT MORAY STREET, BLACKFORD**

There was submitted a report by the Director (Environment) (17/376) seeking approval to commence the legal process to propose to re-determine the footpath at Moray Street, Blackford to shared use for pedestrians and cyclists.

**Resolved:**

The legal process for the promotion of a Redetermination Order under Section 152(2) of the Roads (Scotland) Act 1984 be approved to allow the footway identified in Appendix 1 to Report 17/376 to be converted to shared use for pedestrians and cyclists.

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

There was submitted a report by the Director (Environment) (17/377) recommending that the List of Public Roads be updated to take account of the amendments detailed in this report.



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**Resolved:**

The additions to the List of Public Roads, as detailed in Appendix 1 to Report 17/377, be approved.

**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**

**652. ALMONDBANK FLOOD PROTECTION SCHEME COMPULSORY  
PURCHASE ORDER**

There was submitted a report by the Director (Environment) (17/378) seeking authority to acquire land, either by negotiation or Compulsory Purchase at Huntingtowerfield Farm, Almondbank, to facilitate the construction of the Almondbank Flood Protection Scheme and secure access for third parties.

**Resolved:**

- (i) The purchase of land required for the Scheme referred to in this report by negotiation with the affected landowner and tenant, be agreed.
- (ii) The Head of Legal and Governance Services be instructed to initiate and, if necessary, complete the statutory procedures to acquire the land by compulsory purchase in parallel with the negotiated process.
- (iii) The promotion of the Perth and Kinross Council (Huntingtowerfield Farm, Almondbank) Compulsory Purchase Order 2017 to acquire the land shown on Appendix 1 to Report 17/378, be authorised.

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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 15 November 2017 at 10.00am.

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

In Attendance: Councillor L Simpson; N Brian, A Condliffe, D Niven, M Petrie, J Scott, C Stewart and D Salman (all The Environment Service); G Fogg, K Molley and D Williams (all Corporate and Democratic Services).

Councillor M Lyle, Convener, Presiding.

653. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting. There were no apologies for absence.

654. DECLARATIONS OF INTEREST

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

655. MINUTES

The minute of meeting of the Development Management Committee of 18 October 2017 (Arts. 596-600) was submitted, approved as a correct record and authorised for signature.

656. DEPUTATIONS

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

Planning Application No.	Art. No.
17/00088/IPM	657(1)(i)

657. APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) 17/00088/IPM – STANLEY – Mixed use development/expansion at Stanley Village – Report 17/379 – Muir Homes Ltd**

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Mr and Mrs Burke followed by Mr Ewan McIntyre, agent for the applicant, addressed the Committee and, following their respective representations, withdrew to the public benches. J Scott, Team Leader, requested that, should the Committee be minded to grant the application, condition 28, as outlined in Report 17/379, be removed, as it was no longer required.

Resolved:

Grant, subject to the following terms, conditions and informatives, with condition 28, as outlined in Report 17/379, removed:

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 as respects 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 14 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 2008 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 site layout plan and housing numbers as submitted are purely indicative and are not approved.
3. No works in connection with the development of each site 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 by condition') have been submitted to and approved in writing by the Planning Authority. The specified matters include:
 - (i) a revised detailed phasing plan for each site;
 - (ii) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part

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- 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;
 - (vi) measures to maximise environmental sustainability through design, orientation and planting or any other means;
 - (vi) details of all landscaping, structure planting and screening associated with the development of each site;
 - (vii) the lighting of all streets and footpaths;
 - (viii) the layout of play areas and the equipment to be installed;
 - (ix) full details of the proposed means of disposal of foul and surface water from the development.
 - (x) details of car charging points to be provided within the development.
- 4. Prior to the start of any work on site, an agreed construction programme shall be submitted to and approved in writing by the Planning Authority. The construction programme shall accord with the phase outlined below.
 - (i) the employment land development must be fully serviced before the occupation of the first residential dwelling of H34;
- 5. 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. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.
- 6. 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.
- 7. The development hereby approved shall not exceed 431 residential units and 3,000 sqm Ground Floor Area (GFA) of Class 4 (Office) use, in addition to the 69 residential units already consented on the application sites.

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8. Prior to the occupation and use of the approved development 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. Technical Approval will be required for 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.
9. 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.
10. 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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No part of the development shall be occupied until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. 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.

11. Schemes of hard and soft landscaping works shall be submitted to the Local Planning Authority as part of the Matters Specified by Condition application for that phase of development.

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.

Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by

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- plants of similar size and species to those originally required to be planted.
12. 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.
 13. As part of any Application for Matters Subject to Conditions application for sites H30 and H31 a detail Flood Risk Assessment must be submitted for the approval of the Planning Authority in consultation with SEPA.
 14. As part of any Application for Matters Subject to Conditions application for site H31 a feasibility study with regards de-culverting the watercourse to restore it to its natural state must be submitted for the approval of the Planning Authority in consultation with SEPA.
 15. Prior to the submission for approval of further detailed applications a Feasibility Study 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 any 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.
 16. All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. Any Sustainable Urban Drainage Scheme should not be sited within 10 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development.
 17. If not already in place, and prior to the commencement of development the applicant must provide a suitable trespass proof fence (rivetless palisade or expanded mesh) 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. Network Rail's existing boundary measure must not be removed without prior permission.
 18. Where trees/shrubs are to be planted adjacent to the railway boundary they should be positioned at a distance agreed by Network Rail. For the avoidance of doubt from

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the distance should be greater than their predicted mature tree height. Clarification from Network Rail should also be sought on the proposed tree species as certain broad leaf deciduous species are not permitted adjacent to the railway boundary.

19. Prior to the commencement of development 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 and approved by Network Rail's Asset Protection Engineer. For the avoidance of doubt, 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.
20. As part of any detailed application for each site a detailed protected species surveys including breeding birds covering the site shall be submitted as part of the specified matters requiring to be the subject of a further formal planning application for the approval of the Council as Planning Authority. The report shall include appropriate mitigations to protect any identified species.
21. Should the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 12 months from the date of the planning consent, the ecological surveys shall be reviewed and, where necessary, amended and updated. Further ecological surveys shall establish if there have been any changes in the presence of any protected species and identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the approved revised ecological measures and timetable.
22. The conclusions and recommended action points within the supporting Ecological Assessment submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
23. No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect animals from being trapped in open

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- excavations and/or pipe and culverts are submitted to and approved in writing by the Council as Planning Authority and implemented thereafter. The measures should 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.
24. Prior to occupation of any buildings on site a minimum of 30% of all completed 2 storey houses shall incorporate a minimum of 2 bat bricks (e.g. build-in Woodstone Bat Box) and swift nest bricks (e.g. WoodStone Build-in Swift Nest Box A) shall be incorporated at eaves height.
25. Prior to commencement of development a Dust Management Plan shall be prepared and submitted to the Planning Authority for approval in consultation with Environmental Health. This shall include details of any required monitoring for dust and particulates (PM₁₀) and shall be maintained throughout the construction process.
26. Noise shall be reassessed at the detailed planning application stage for each site to ensure that a suitable level of residential amenity can be achieved at all residential receptors.
27. 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 Housing of the Perth & Kinross Local Development Plan 2014.
29. 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 transport infrastructure.
30. For each phase of the development, a site specific plan, detailing bin storage areas, kerbside collection locations and recycling facilities shall be submitted to and approved in writing by the Planning Authority and thereafter undertaken in accordance with the approved details.

Justification

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

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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 17/00088/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 will be ultimately recommended for refusal under delegated powers.

Informatives

1. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the 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. According to 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.
2. Applicants are advised that should their application for 'matters specified by condition' be refused and/or their appeal against such refusal dismissed outwith the three year time limit they are entitled to submit a revised application for 'matters specified by condition' within six months after the date of refusal of the earlier application or of the dismissal of an appeal against such refusal
3. 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.
4. 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.
5. 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

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- the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. 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.
 7. 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.
 8. 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
 9. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
 10. 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.
 11. 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.
 12. 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.
 13. 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.

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14. 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.
15. Public rights of access and servitude must be acquired from Network Rail for the proposed footpath link incorporating the Overbridge 133/135 between Site H33 to Site H34.

(ii) 17/00204/AMM – PERTH – Application for approval of matters specified in conditions of 12/01692/IPM for erection of 70 dwellinghouses and associated works on land to the West of Cherrybank Gardens, Perth – Report 17/380 – Bellway Homes Ltd

This item was withdrawn from consideration prior to the meeting.

(iii) 17/00357/AMM – ERROL – Erection of a restaurant/farm shop, formation of parking areas and associated works (approval of matters specified in conditions 16/00298/IPM – Phase 1) on land West of Horn Farm Cottage, Errol – Report 17/381 – Mr James Farquharson

A Condliffe, Interim Development Quality Manager, requested that, should the Committee be minded to grant the application, condition 12, as outlined in Report 17/381, be removed, as it was no longer required.

Resolved:

Grant, subject to the following terms, conditions and informatives, with condition 12, as outlined in Report 17/381, removed:

Direction

Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

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 commencement of the development hereby approved, details of the specification and colour of the

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proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

3. The detailed landscaping and planting scheme which is hereby approved shall be completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier. The approved scheme shall thereafter be maintained, with any planting which fails to become established within five years being replaced in the following planting season with others of a size and species as previously approved.
4. 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.
5. No landraising or the erection of solid boundaries within the 1 in 200 year floodplain identified on drawing number 17/00357/11 is permitted.
6. The car parking area located within the 1 in 200 year floodplain identified on drawing number 17/00357/11 shall be constructed using a permeable surface and maintained in perpetuity to the satisfaction of the Council as Planning Authority.
7. Servicing of and deliveries to the premises shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.
8. All plant or equipment 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 25 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.
9. Prior to the development hereby approved being completed or brought into use, an effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed and operated such that cooking odours are not exhausted into or escape into any neighbouring buildings. Thereafter the system shall be maintained.
10. 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

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- of the lighting and the proposed hours of operation. The agreed lighting scheme shall be implemented and maintained in full accordance with the agreed scheme.
11. All external lighting shall be 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.
 13. Prior to the commencement of the development hereby approved, a Construction Method Statement (CMS), a Site Waste Management Plan (SWMP), a Drainage Management Plan (DMP) and Environmental Management Plan (EMP) detailing pollution prevention and control measures will be submitted to and be approved in writing by the Planning Authority. 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 of that phase shall be fully undertaken in accordance with the agreed details.
 14. 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 otherwise agreed in writing by 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. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this permission or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
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

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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. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the 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.
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 the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
6. No work shall be commenced until an application for building warrant has been submitted and approved.

(2) Proposal of Application Notice (PAN)

- (i) 17/00008/PAN – BANKFOOT – Proposed creation of sand and gravel borrow pit and associated ready mix concrete and asphalt plants, on land South of Loak Farm, Near Bankfoot, Perthshire – Report 17/382**

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

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PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
22 NOVEMBER 2017

## AUDIT COMMITTEE

Minute of meeting of the Audit Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 22 November 2017 at 10.00am.

Present: Councillors E Drysdale, B Band, S Donaldson, D Illingworth, I James and X McDade.

In Attendance: J Clark, C Flynn, K Molley, M Morrison and D Williams (all Corporate and Democratic Services); J Cockburn (Education and Children's Services); J Dixon (Environment Service) and N Copland (Housing and Community Care).

Apology: Councillor H Coates.

Councillor Drysdale, Convener, Presiding.

### 658. WELCOME AND APOLOGIES/SUBSTITUTIONS

The Convener welcomed everyone to the meeting. An apology was noted as above.

### 659. DECLARATIONS OF INTEREST

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

### 660. MINUTES

The minute of meeting of the Audit Committee of 27 September 2017 (Arts. 528-535) was submitted and approved as a correct record and authorised for signature, subject to the following amendment;

With reference to 'Internal Audit Strategy & Plan 2017/18', final sentence to read as follows;

*'It was noted that whilst it was useful to have input from Councillors on suggested areas, if Councillors had a particular concern about controls in any area they should normally raise that concern with the relevant Director or Head of Service before referring the matter to Internal Audit.'*

### 661. INTERNAL AUDIT FOLLOW UP

There was submitted a Report by the Chief Internal Auditor (17/383) presenting a current summary of Internal Audit's 'follow up' work.

#### **Resolved:**

The current position in respect of the agreed actions arising from internal and external work, be noted.



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**662. INTERNAL AUDIT UPDATE**

There was submitted a Report by the Chief Internal Auditor (17/384) presenting a summary of Internal Audit's work against the 2017/18 annual plan.

In response to a query from Councillor X McDade regarding Internal Audit procedures, J Clark informed members that some areas, such as Elected Members' allowances, were audited on a cyclical basis. J Clark added that some areas were looked at more frequently due to their high risk.

In response to a query from Councillor I James regarding staffing resources, J Clark informed members that when pulling together the annual plan, staffing resources are considered.

Councillor E Drysdale asked for an update regarding work with Perth & Kinross Integration Joint Board Audit & Performance Committee. J Clark informed Councillor Drysdale that it would be taken up with the Chief Auditor of NHS Tayside as to why a recent meeting of the Committee was cancelled.

Councillor E Drysdale raised concern regarding the progress on the Assessment on Charging. N Copland informed Councillor Drysdale that issues had arisen regarding staffing and workload, although added that additional staff have been taken on. N Copland informed members that the Depute Chief Executive has requested an interim report.

In response to a query from Councillor McDade regarding prioritisation of backlogged pieces of work, and the resources required to help clear such backlog, N Copland explained that some prioritisation had taken place and that there was no advantage to having more additional staff as this would involve extensive training on benefits.

**Resolved:**

- (i) The progress of work against the plan for 2017/18, be noted.
- (ii) The removal of assignments 17 – 16 New Process Development, and 17-31 GOFA, from Internal Audit plans for 2017/18 as detailed in section 1.5 to 1.7 of this report, be approved.
- (iii) The outcome from consultancy work, be noted.
- (iv) Internal Audit will continue to engage with Housing & Community Safety to deliver improvements in the management of the financial assessment and charging function and will provide Audit Committee with a full report on the extended follow up of 16-07 in mid-2018, be noted.

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The Committee considered the following final reports:-

(i) **Education and Children's Services**

(a) **17-24 Early Learning and Childcare**

There was submitted a report by the Chief Internal Auditor (17/385) on an audit to ensure the Council is preparing adequately for the implementation of 1140 hours of early learning and childcare.

**Resolved:**

Internal Audit's findings, as detailed in Report 17/385, be noted.

(ii) **The Environment Service**

(b) **LEADER**

There was submitted a report by the Chief Internal Auditor (17/386) on an audit to ensure Regulatory requirements are met by reviewing the systems in place to deliver LEADER as well as the financial processes.

Councillor Donaldson raised concerns regarding the fact LEADER was funded by the European Union, and questioned whether the next Internal Audit Assessment would look at interim arrangements post-March 2019. J Clark informed Councillor Donaldson that LEADER will appear in Internal Audit plans until it ceases.

**Resolved:**

Internal Audits findings, as detailed in report 17/386, be noted.

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PERTH AND KINROSS COUNCIL
STRATEGIC POLICY AND RESOURCES COMMITTEE
29 NOVEMBER 2017

STRATEGIC POLICY AND RESOURCES COMMITTEE

Minute of meeting of the Strategic Policy and Resources Committee held in the Council Chamber, Council Building, 2 High Street, Perth on Wednesday 29 November 2017 at 10.00am.

Present: Councillors I Campbell, P Barrett, H Anderson (substituting for A Parrott), A Bailey, B Band, S Donaldson, D Doogan, D Illingworth (substituting for R McCall), G Laing, S McCole, X McDade (substituting for C Purves), C Shiers, L Simpson and C Stewart; and Provost D Melloy (ex-officio).

In Attendance: B Malone, Chief Executive, J Fyffe, Senior Deputy Chief Executive, J Valentine, Deputy Chief Executive and Chief Operating Officer, K Donaldson, C Irons, S MacKenzie, C Mackie, K McNamara, K Molley, L Simpson, A Taylor, G Taylor and S Walker (all Corporate and Democratic Services); J Cockburn and S Johnston (Education and Children's Services); B Renton, A Clegg, F Crofts, T Flanagan, S Merone, G Pinfield, B Reekie and S Terras (all Environment Service) and L Brady (Housing and Community Safety).

Also in Attendance: F Muir, Scottish Government Digital Scotland

Apologies for Absence: Councillors M Lyle, R McCall, A Parrott and C Purves.

Councillor I Campbell, Convener, Presiding.

663. WELCOME AND APOLOGIES

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

664. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct Councillor A Bailey declared a financial interest in Art. 667; Councillor H Anderson declared a non-financial interest in Art. 669 and Councillor S Donaldson declared a non-financial interest in Art. 670.

665. MINUTES OF PREVIOUS MEETINGS

(i) Strategic Policy and Resources Committee

The minute of meeting of the Strategic Policy and Resources Committee of 13 September 2017 (Arts. 482-494) was submitted, approved as a correct record and authorised for signature.

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(ii) Property Sub-Committee

The minute of meeting of the Property Sub-Committee of the Strategic Policy and Resources of 1 March 2017 was submitted and noted.
(Appendix I)

(iii) Corporate Health, Safety and Wellbeing Consultative Committee

The minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 13 March 2017 was submitted and noted.
(Appendix II)

(iv) Employees Joint Consultative Committee

The minute of meeting of the Employees Joint Consultative Committee of 16 February 2017 was submitted and noted. **(Appendix III)**

666. REVENUE BUDGET 2017/18 – MONITORING REPORT NUMBER 2

There was submitted a report by the Head of Finance (17/388), providing an update (1) on progress with the 2017/18 General Fund Revenue Budget based on the August 2017 ledger, updated for subsequent known material movements; and (2) on the projected financial position of the Housing Revenue Account.

Resolved:

- (i) The contents of Report 17/388 be noted.
- (ii) The adjustments to the 2017/18 Management Revenue Budget, as detailed in Sections 2 and 3 of and Appendix 1 to Report 17/388, be approved.
- (iii) The 2017/18 Service virements, as summarised in Appendices 2 and 4 to Report 17/388, be approved.

COUNCILLOR A BAILEY LEFT THE MEETING AT THIS POINT.

667. COMPOSITE CAPITAL BUDGET 2017/23 & HOUSING INVESTMENT PROGRAMME 2017/22 – MONITORING REPORT NUMBER 2

There was submitted a report by the Head of Finance (17/389), (1) providing a summary position to date for the Composite Capital Programme for 2017/18 to 2022/23 and the Housing Investment Programme 2017/18 to 2021/22 and (2) seeking approval for adjustments to the Programmes.

Resolved:

- (i) The contents of Report 17/389 be noted.
- (ii) The proposed budget adjustments to the six year Composite Capital Budget 2017/18 to 2022/23, as set out in Sections 2 and 3 of and summarised at Appendices I and II to Report 17/389, be approved.
- (iii) The proposed budget and monitoring adjustments to the Housing Investment Programme Budget 2017/18 to 2021/22, as set out in Section 4 of and summarised at Appendix III to Report 17/389, be approved.

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COUNCILLOR A BAILEY RETURNED TO THE MEETING AT THIS POINT.

668. COMMERCIAL PROPERTY INVESTMENT PROGRAMME – PROGRESS UPDATE AND REVISED PROGRAMME

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (17/390), (1) providing an update on the Commercial Property Investment Programme (CPIP) and (2) seeking agreement to the revised Programme and proposed review of the approach to ensure effective delivery of corporate property development and investment activities. It was noted that the reference in the report to Perthshire Caravans should have been to Perthshire Motor Homes.

Resolved:

- (i) The delivery of the revised Commercial Property Investment Programme be agreed, as detailed in Appendix 1 to Report 17/390.
- (ii) It be remitted to the Depute Chief Executive and Chief Operating Officer to develop proposals identifying mechanisms and approaches which could be used to:
 - increase overall employment land supply
 - work with the private sector to increase immediately available employment land
 - release Council land and property assets to develop future property-led economic development opportunitiesand to include such proposals in the Council's Property Investment Strategy which would be considered every year by the Council as part of the overall Council's Investment Strategy.

669. PERTH HARBOUR BUSINESS PLAN – PROGRESS UPDATE

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (17/391), (1) providing an update on the delivery of the Perth Harbour Business Plan in light of significant changes to ship movements and (2) preparing actions to ensure the future viability of the Harbour.

Motion – Councillors I Campbell and P Barrett

- (i) **The Depute Chief Executive and Chief Operating Officer be instructed to explore additional commercial opportunities outwith cargo coastal shipping.**
- (ii) **The Depute Chief Executive and Chief Operating Officer be instructed to report to the Strategic Policy and Resources Committee or the Council later in the financial year.**
- (iii) **The transitional Perth Harbour operational arrangements until March 2018, including the appointment of an Interim Harbourmaster, be noted.**
- (iv) **That the Marine Scotland license application had been submitted in October 2017 be noted.**
- (v) **The dredging contract tender publication be postponed until the Marine Scotland License is issued in January 2018.**

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(vi) Engagement with stakeholders to mitigate risk in terms of costs and timescales be continued.

Amendment – Councillors D Doogan and G Laing

- (i) The Depute Chief Executive and Chief Operating Officer be instructed to explore additional commercial opportunities outwith cargo coastal shipping.
- (ii) The Depute Chief Executive and Chief Operating Officer be instructed to report to the Strategic Policy and Resources Committee or the Council later in the financial year.
- (iii) The transitional Perth Harbour operational arrangements until March 2018 including, the appointment of an Interim Harbourmaster, be noted.
- (iv) That the Marine Scotland license application had been submitted in October 2017 be noted.
- (v) The Council commit to the dredging process but the dredging contract tender publication be postponed until the Marine Scotland license is issued in January 2018.
- (vi) Engagement with stakeholders to mitigate risk in terms of costs and timescales be continued.

In terms of Standing Order 44, a roll call vote was taken.

Six members voted for the Amendment as follows:

Councillors Anderson, Band, Donaldson, Doogan, Laing and McCole.

Eight members voted for the Motion as follows:

Councillors Bailey, Barrett, Campbell, Illingworth, McDade, Shiers, Simpson and Stewart,

Resolved:

In accordance with the Motion.

670. COMMUNITY GREENSPACE ASSET MANAGEMENT PLAN

There was submitted a report by the Director (Environment) (17/392), detailing the strategy for managing the maintenance and replacement programme for the Council's greenspace assets and to inform future capital investment.

Resolved:

- (i) The Community Greenspace Asset Management Plan, attached as Appendix 1 to Report 17/392, be approved.
- (ii) The Director (Environment) be requested to bring back a status report on the Plan to the Environment, Enterprise and Infrastructure Committee in November 2018.
- (iii) The Plan be reviewed every five years and reported back to the Strategic Policy and Resources Committee.

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671. TRANSFORMATION PROGRAMME 2015-2020 AND COUNCIL ONLINE SERVICES & MOBILE WORKING DIGITAL UPDATE

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (17/393) (1) providing an update on the Council's approved Transformation Programme and (2) advising of progress with the Online Services & MyAccount and Mobile Working Transformation reviews.

Resolved:

- (i) The achievement of the Transformation Programme in respect of completed projects be noted.
- (ii) The progress to date of the live Transformation Programme, including the Digital Strategy, as detailed in Appendices 1 – 5 to Report 17/393, be noted.

672. DIGITAL INFRASTRUCTURE ACROSS PERTH AND KINROSS PROGRESS REPORT

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (17/394), (1) providing an update on progress with national programmes to provide superfast fibre broadband infrastructure in Perth and Kinross; (2) outlining local community initiatives aimed at providing broadband in rural areas and (3) suggesting that the Council continue to support these community initiatives as the Scottish Government's Reaching 100% Programme progresses through its procurement process.

The Convener welcomed Fiona Muir, Scottish Government Digital Scotland to the meeting. F Muir answered members' questions on the initiatives to provide a superfast fibre broadband infrastructure in Perth and Kinross.

Resolved:

- (i) The progress made to improve broadband connectivity across Perth and Kinross by Digital Scotland and the Reaching 100% Programme be noted.
- (ii) The support being provided by Community Broadband Scotland, the Council and the Rural Perth and Kinross LEADER Programme to provide connectivity to remote rural communities be noted.

673. AUDIT SCOTLAND – EQUAL PAY IN SCOTTISH COUNCILS

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (17/395), (1) providing an update on the findings of the Audit Scotland report on equal pay in Scottish Local Government; (2) confirming there are no outstanding equal pay liabilities for Perth and Kinross Council and (3) providing reassurance that the Council has fair and transparent pay arrangements with regular equal pay audits.

Resolved:

- (i) The findings of the Audit Scotland report on equal pay in local government be noted.

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- (ii) The progress made by the Council in having fair and transparent pay arrangements and regular equal pay audits to deliver pay equality in line with our public sector equality duty be noted.

674. STRATEGIC POLICY AND RESOURCES EXECUTIVE SUB-COMMITTEE

Resolved:

Councillor M Lyle replace Councillor C Shiers on the Executive Sub-Committee of the Strategic Policy and Resources Committee, be noted.

675. STRATEGIC POLICY AND RESOURCES EXECUTIVE DIRECTOR APPOINTMENT SUB-COMMITTEE

Resolved:

Councillor M Lyle replace Councillor C Shiers on the Executive Director Appointment Sub-Committee of the Strategic Policy and Resources Committee, be noted.

676. CHARITABLE AND PUBLIC TRUSTS ADMINISTERED BY PERTH AND KINROSS COUNCIL

Resolved:

Councillor M Lyle's replacement of Councillor C Shiers as a Trustee to the Charitable and Public Trusts administered by Perth and Kinross Council be noted.

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## **PROPERTY SUB-COMMITTEE**

Minute of meeting of the Property Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 1 March 2017 at 10.00am.

Present: Councillors A Grant, D Cuthbert, I Miller, M Roberts and W Wilson.

In Attendance: L Campbell and S Merone (both The Environment Service); P Mair, G Taylor and C Irons (all Corporate and Democratic Services).

Councillor A Grant, Presiding.

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

The Convener welcomed all those present to the meeting. There were no apologies/substitutes.

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

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

### **3. MINUTES**

The minute of meeting of the Property Sub-Committee of 26 October 2016 was submitted and approved as a correct record.

**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**

#### **P1. DISPOSAL OF PLOT 4, BROXDEN BUSINESS PARK, PERTH**

There was submitted a report by the Director (Environment) (17/93) seeking approval to dispose of Plot 4 (0.585Ha/1.446 Acres), Broxden Business Park, Perth initially by way of a long ground lease with title being transferred following completion of the development to the highest bidder, or their nominees.

**Motion (Councillors I Miller and A Grant): (i) A ground lease of Plot 4, Broxden Business Park be granted to the highest bidder, or their nominees, and title be transferred following completion of the development on the terms set out in the offer received from them and otherwise on terms and conditions to the satisfaction of the Director**

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**(Environment) and the Head of Legal and Governance Services, be approved.**

**(ii) If, in the event the Council fail to conclude missives for the sale to the highest bidder or their nominees, the matter be referred back to the Property Sub-Committee for consideration.**

Amendment (Councillors D Cuthbert and W Wilson): Neither offer received be accepted and the site be remarketed.

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

Two members voted for the Amendment as follows:  
Councillors D Cuthbert and W Wilson.

Three members voted for the Motion as follows:  
Councillors A Grant, I Miller and M Roberts.

Amendment – 2 votes

Motion – 3 votes

**Resolved:**

In accordance with the Motion.

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**PERTH AND KINROSS COUNCIL
STRATEGIC POLICY AND RESOURCES COMMITTEE
CORPORATE HEALTH, SAFETY AND WELLBEING
CONSULTATIVE COMMITTEE**

Minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Monday 13 March 2017 at 10.00am.

Present: **Representing Perth and Kinross Council**
Councillor P Barrett
Councillor A Parrott (substituting for A Younger)
G Boland, Senior Business and Resource Manager (on behalf of
Director (Education and Children's Services))
P Steel, Human Resources Manager – Operations (on behalf of
the Corporate Human Resources Manager)
A Taylor, Head of Finance and Support Services (on behalf of
the Acting Executive Director (Housing and Community Safety))

**Trade Union Safety Representatives and Elected
Representatives of Employee Safety Committees**
M Blacklaws, SSTA
L McLaren, UNITE (T&G)
S Peddie, EIS
A Thomas, UNITE (AMICUS)
T Todd, UCATT

In attendance: J Handling, Health, Safety and Wellbeing Manager,
L McGeorge, Property Compliance Team Leader and S Nicoll,
Business Support Manager, all the Environment Service and
C Irons, Committee Officer, Corporate and Democratic Services.

Apologies: Councillors B Ellis, H Stewart and A Younger; S Topen-Cooper,
C Flynn and S MacKenzie.

L McLaren in the Chair.

1. DECLARATIONS OF INTEREST

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

2. MINUTES

The minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 12 December 2016 was submitted and approved as a correct record.

3. MATTERS ARISING

- (i) Fire Safety Key Performance Indicators – Quarterly Report (Item 5)
With regard to Beechgrove House, it was noted that there was ongoing discussion regarding the decanting of the residents in order for works to progress.

4. HEALTH AND SAFETY KEY PERFORMANCE INDICATORS – QUARTERLY REPORT

There was submitted and noted a report by the Head of Performance and Resources, the Environment Service (G/17/34) providing the Committee with the Health and Safety Key Performance Indicators for quarter 3 of 2016/17, 1 October to 31 December 2016.

J Handling advised that there were 4 RIDDOR incidents reported which was an increase of 2 from the same quarter last year.

The total number of employee incidents was 185 which was an increase from the previous year.(171) The number of violence and aggression incidents was 156 within the quarter: 151 employees and 5 non-employees. Slips, trips and falls were the second most common cause of incidents and it was noted there were no work-related stress incidents in the quarter.

The total number of non-employee incidents was 15, a decrease from the previous year.(23) In this category the main cause of incidents was violence and aggression, followed by incidents by sharp objects.

5. FIRE SAFETY KEY PERFORMANCE INDICATORS – QUARTERLY REPORT

There was submitted a report by the Head of Performance and Resources, the Environment Service (G/17/35) on the monitoring of fire safety performance across Perth and Kinross Council in quarter 3 of 2016/17.

J Handling advised 3 premises had their Fire Risk Assessments reviewed; 57 premises had outstanding actions from previous quarters' fire risk assessments; there had been 3 audits carried out by the Scottish Fire and Rescue Service and 6 premises had outstanding actions from previous audits. J Handling also advised there had been no reported incidents of fire or near misses during the quarter.

It was noted that there had been a Fire Risk Assessment Review of the Council Building at 2 High Street and no actions were identified.

In response to a question from Councillor P Barrett, L McGeorge advised of 4 actions identified at Portmoak Primary School, 3 were recorded as complete but it was likely the 4th action had been completed since the report was prepared.

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L McLaren asked about the situation at Blairgowrie High School as although the action plan had been issued in September 2014, it stated there was an outstanding action and design work was progressing.

L McGeorge advised that asbestos removal had to be undertaken prior to the fire safety compliance works being carried out. As asbestos removal had to be undertaken when the school was empty and with sufficient time to do the works, this would be done during the summer holidays.

J Handling assured members there were no outstanding actions which posed a significant risk.

Resolved:

- (i) Three Council premises had their Fire Risk assessment reviewed during quarter 3 of 2016/17.
- (ii) Fifty-seven Council premises had outstanding actions from the previous quarter's fire risk assessment reviews, however, no outstanding actions presented an immediate risk in terms of fire safety to either occupants or visitors to Council premises.
- (iii) The Scottish Fire and Rescue Service carried out three audits of Council premises during this quarter.
- (iv) Six Council premises had outstanding actions from the Scottish Fire and Rescue audits carried out in previous quarters and these would be addressed during 2016/17.
- (v) There were no reported incidents of fire at Council owned or operated premises during the quarter.

6. ANY OTHER COMPETENT BUSINESS

- (i) **Health and Safety Delivery Model Update**
J Handling advised that following approval of the Health and Safety policy and new Delivery Model by the Strategic Policy and Resources Committee in 2013, topic specific Management Arrangements and Guidance documents had been prepared. These provided managers with a breakdown of their responsibilities and guidance on how they can achieve and maintain compliance. Each service had undergone a risk profiling exercise with identified risks listed in a Performance Monitoring Record. These records were issued and were now being used by managers to evidence and monitor their compliance.

The delivery model was now in the last phase of implementation. Following a sample of interim reviews on high risk services, the Health, Safety and Wellbeing Team would start a programme of reviews in April 2017.

Review reports showing areas of good practice and areas of non-compliance will be submitted to the Service Health and Safety Committees. The Service Committees will ensure that outstanding

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actions were addressed and best practice shared across the Council.
A summary report will be included with the key performance indicators
report to the next and subsequent Consultative Committee meetings.

**7. DATE OF NEXT MEETING AND EXTENSION OF APPOINTMENT OF
CONVENER**

It was noted that the next meeting would be held on Monday 11 September 2017 at 10.00am in the Council Building, 2 High Street, Perth.

The appointment of Convener be extended to the next meeting on 11 September when the appointment of Convener and Vice-Convener will be determined. This would allow the appointment of elected members at the Strategic Policy and Resources Committee on 21 June 2017 following the Local Government elections on 4 May 2017.

The Convener noted it was the last meeting prior to the Local Elections and thanked Councillor Bob Ellis in his tenure as Vice-Convener. The Convener also thanked the other Councillors for their contribution and that he would be pleased to see some of the current Council members back to have some continuity at the Consultative Committee.

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PERTH AND KINROSS COUNCIL  
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**PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
EMPLOYEES JOINT CONSULTATIVE COMMITTEE**

Minute of meeting of the Employees Joint Consultative Committee, held in the Council Chambers, 2 High Street, Perth on Thursday 16 February 2017 at 10.00am.

**Present:**                      **Representing Perth and Kinross Council:**

Councillors A Grant, and M Roberts; G Boland (on behalf of the Senior Depute Chief Executive, ECS); and S MacKenzie (on behalf of the Depute Chief Executive, Environment).

**Present:**                      **Representing Trade Unions:**

F Fraser, S Hope, G Mackie, and T Maric (UNISON);  
S Robertson, A Thomas and L McLaren (Unite the Union);  
G Ramsay and T Todd (Unite the Union (formerly UCATT)).

**In Attendance:**        K Donaldson (Corporate Human Resources Manager); K Ridley and J Somerville (all Corporate and Democratic Services); and C Jolly (The Environment Service).

**Apologies:**              Councillors I Miller and A Munro; and A Taylor (on behalf of the Depute Chief Executive, HCC).

G Mackie, Convener, in the Chair

**1.        DECLARATIONS OF INTEREST**

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

**2.        MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Employees Joint Consultative Committee of 24 November 2016 was submitted and approved.

**3.        MATTERS ARISING**

**(i)       Voluntary Severance Scheme (VSS) (Item 3(iv) refers)**

The Corporate Human Resources Manager updated the Consultative Committee on the latest position in terms of the Council's VSS prior to final outcomes to be reported to the special Council meeting in February 2017. She reported that 39 employee applications had been approved, 32 applications remained pending, 27 had been declined (largely on the grounds of affordability); and 3 employees had withdrawn their applications from the process.

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In response to a question from G Ramsay regarding unsuccessful applicants, the Corporate Human Resources Manager confirmed that information outlining alternative options was made available to employees.

**(ii) Flexible Working (Item 6 (ii) refers)**

In response to a question, the Corporate Human Resources Manager confirmed that the trial to test changes to fixed elements remained at the pilot stage and that the full evaluation would not take place until the end of March 2017.

**(iii) Budget Meeting (Item 6) (iv) refers)**

The Corporate Human Resources Manager referred to reference at the last meeting to full-time trade union officials being invited to meet with the Chief Executive as part of the budget process. She confirmed that this meeting had taken place on 2 February 2017. She also advised that relevant papers were now due to be considered by Council and were due to be issued that day. JCC members would be sent a link to those papers as soon as this was available.

**4. TRANSFORMATION PROGRAMME**

C Jolly, Team Leader, provided a general update on the Council's current Transformation Programme to the Consultative Committee. He referred to delivering changes in a climate of rising demand and revenue budget constraint.

C Jolly noted that major part of the Council's Transformation Strategy was being delivered through a programme of transformation reviews and that the programme currently comprised of 33 reviews, which were developing new ways of working, supported by efficient processes and systems, and new technologies that sustain high quality service delivery. He added that a framework for Phase 4 of the programme was currently under development and that this would in due course assist in targets being met.

In response to a question, C Jolly reported that the Tay Cities deal was not a direct part of the Council's Transformation programme but was a bid to secure a City Deal led by a strategic partnership of the Leaders and Chief Executives of the four local authorities that deliver services across the Tay Cities region.

T Maric raised an issue regarding communication with employees and the need to keep staff informed of potential changes to ways of working and the Corporate Human Resources Manager advised that the Tay Cities initiative was at a formative stage and suggested that an appropriate representative be invited to a future meeting of the Consultative Committee to provide an overview and update.



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**Resolved: -**

The JCC noted the position.

**5. HEALTH AND WELLBEING**

The Corporate Human Resources Manager updated the Consultative Committee on sickness levels, reasons, and trends for the period 1 April – 30 September 2016.

She reported a slight increase from the previous period to 4.4 days lost per full-time employee in the JCC staff group. The Corporate Human Resources Manager added that mental health, musculoskeletal and stomach/kidney remained as main three reasons for medium to long term sickness absence and that this was no different from any other employers in the public or private sectors.

The Corporate Human Resources Manager reported that at the last meeting of the Consultative Committee, S Hope, Unison and H Meldrum, GMB had noted interest in being involved in joint work with Human Resources on mental health and that this would now be progressed.

In terms of the development of a policy framework, the Corporate Human Resources Manager reported that there had also been Trade Union involvement with this work from the early stages and that the hope was for a completion date after the summer of 2017.

**Resolved: -**

The JCC noted the update.

**6. ANY OTHER COMPETENT BUSINESS**

**(i) Disclosure Scotland Audit**

The Corporate Human Resources Manager reported that following an audit Perth and Kinross Council had been the first local authority to have been found 'fully compliant' and that checks on employment were being applied as they should.

**(ii) Employee Induction Packs**

S Hope reported that there had now been a general discussion amongst Trade Union representatives and that information to be included in Induction Packs would be forwarded to Human Resources later that week.

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**(iii) Employee Records**

The Corporate Human Resources Manager reported that beginning in April 2017, Corporate and Democratic Services would pilot a scheme designed to allow managers access to electronic personnel files. She added that this was in-line with the self-service approach.

**(iii) Job Family**

The Corporate Human Resources Manager referred to previous Trade Union involvement from Grant Mackie and Colin Coupar in initial discussion relevant to the 'Job Family' initiative and reported that continued Trade Union involvement would be most welcome and that JCC members would also shortly be invited to a meeting to provide an understanding of the concept and the give some background. Grant Mackie suggested that the Job Family was a very good idea and encouraged members to become involved.

**(iv) Scottish Apprenticeship Week 2017**

The Corporate Human Resources Manager reported that the 2017 Scottish Apprenticeship Week would take place from 4-10 March and that this would provide the opportunity for the Council to showcase its work with apprentices, with the opportunity for managers, parents and the employees to celebrate. She added that there would be a feature in the Courier, a stand at Pullar House and a visit from Murdo Fraser MSP.

**(v) Employees JCC Constitution**

The Corporate Human Resources Manager noted that the recent merger of UCATT and Unite the Union meant that the overall membership of the JCC now required to be examined. She added that this would also give an opportunity to review the constitution more generally. The Corporate Human Resources Manager therefore gave notice, as required in terms of the current Constitution, of a proposed variation or modification to the Constitution. She added that the review of the Constitution would be facilitated by Corporate and Democratic Services and J Somerville confirmed that, on behalf of the joint secretaries, she would liaise with members by email regarding any proposed changes to the JCC constitution.

**7. VALDICTORY**

On behalf of the Council and the Employees JCC, Karen Donaldson paid tribute to the long and dedicated service of Grant Mackie, UNISON. She recounted Mr Mackie's very significant and dedicated support for the JCC as a long serving Convener and to his skills in developing positive working relationships and in the promotion of fairness and justice in the workplace. Members joined Karen in wishing Grant well in his forthcoming retirement.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE *(Art. 665(iv)) (Appendix III)*  
29 NOVEMBER 2017

**8. DATE OF NEXT MEETING**

Thursday 28 September 2017.

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PERTH AND KINROSS COUNCIL
SCRUTINY COMMITTEE
29 NOVEMBER 2017

SCRUTINY COMMITTEE

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 29 November 2017 at 2.00pm.

Present: Councillors G Laing, S McCole, H Anderson, B Brawn (substituting for Councillor C Ahern), H Coates, S Donaldson (substituting for Councillor A Parrott), D Doogan, D Illingworth, T McEwan, C Purves, and C Stewart.

In Attendance: B Renton (Interim Executive Director, The Environment Service); J Chiles, P Davison, R Hill, S Johnston and J Pepper (Education and Children's Services); C Cranmer and C Mailer (both Housing and Community Safety); C Hendry (Perth and Kinross Health and Social Care Partnership); K McNamara, F Robertson, L Simpson, G Taylor, S Richards and D Williams (all Corporate and Democratic Services);

Apologies: Councillors C Ahern and A Parrott.

Councillor G Laing, Convener, Presiding.

677. WELCOME AND APOLOGIES

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

678. DECLARATIONS OF INTEREST

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

679. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF SEPTEMBER 2017

The minute of meeting of the Scrutiny Committee of September 2017 (Arts. 495-503) was submitted, approved as a correct record and authorised for signature.

680. UPDATE BY ARMS LENGTH EXTERNAL ORGANISATION – HORSECROSS ARTS LTD.

M Linklater, Chair; G Gibbons, Chief Executive; L Kemp, Artistic Director; and C McKenzie, Finance Director all Horsecross Arts Ltd., were in attendance and answered members' questions. Members sought assurance on matters such as: early progress on the recently re-opened Perth Theatre; shared services with other Arms' Length External Organisations; space for training and skills development at Horsecross Arts Ltd.; venues; work undertaken with local schools and colleges; the financial position of Horsecross Arts Ltd.; experience and make-up of the Board; outreach activity across Perth & Kinross; and Perth Theatre's role in economic regeneration.

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The Convener thanked all of the representatives for their attendance, and advised that representatives of the Arms' Length External Organisations would be regularly invited to attend meetings of the Scrutiny Committee on a rotational basis. The representatives of Horsecross Arts Ltd. left the meeting at this point.

681. THE ENVIRONMENT SERVICE SIX MONTH PERFORMANCE SUMMARY 2017

There was submitted a report by the Interim Executive Director (Environment) (17/366) reviewing the performance of the Environment Service against its Business Management and Improvement Plan (BMIP) for the period 1 April to 30 September 2017. It was noted that Report 17/366 had been approved by the Environment, Enterprise and Infrastructure Committee on 8 November 2017.

In response to a query from Councillor Donaldson regarding European Union funding sources post-March 2019 when the United Kingdom was expected to leave the European Union, B Renton informed members that the only guarantee that had been received was that the funding sources already in place would run until the dates already specified.

Councillor Doogan highlighted the positive progress on the Perth City Plan, and sought an assurance on continued private sector investment. B Renton confirmed that a number of positive discussions were ongoing and in particular there was a firm commitment that work would begin at Thimble Row, Perth early in 2018, with scheduled completion in 2019.

Councillor Laing raised a query regarding the introduction of 15 minutes free parking in places across Perth & Kinross, and sought information on both uptake and whether there had been any issues with enforcement. B Renton responded that she was not aware of any enforcement issues and that the scheme had been well received by both shoppers and retailers, but that she would provide figures for the Committee.

Resolved:

The contents of The Environment Service six-month performance summary against its Business Management and Improvement Plan (BMIP) for the period 1 April 2017 to 30 September 2017, as set out in Report 17/366, be accepted.

B RENTON LEFT THE MEETING AT THIS POINT

682. HOUSING AND COMMUNITY SAFETY SIX – MONTH PERFORMANCE SUMMARY 2017

There was submitted a report by the Interim Director (Housing and Community Safety) (17/362) reviewing the performance of Housing and Community Safety against its Business Management and Improvement Plan (BMIP) for the period 1 April 2017 to 30 September 2017. It was noted that Report 17/362 had been approved by the Housing and Communities Committee on 1 November 2017.

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In response to a query from Councillor Doogan on the approach by the Council and its Community Planning Partners to the situation of people begging in Perth City Centre, C Mailer assured members that discussion was taking place across the Council and with partners around this.

In response to a query from Councillor Stewart regarding areas where Perth & Kinross was behind the Scottish Averages, C Mailer stated that other local authorities have been known to garner responses by face-to-face interaction with tenants. C Mailer added that Perth & Kinross Council would be taking a wider survey approach next year.

Resolved:

The contents of the Housing and Community Safety six-month performance summary against its Business Management and Improvement Plan (BMIP) for the period 1 April 2017 to 30 September 2017, as set out in Report 17/462, be accepted.

COUNCILLOR MCEWAN, C CRANMER, C HENDRY AND C MAILER LEFT THE MEETING AT THIS POINT

683. EDUCATION AND CHILDRENS SERVICES – SIX MONTH PERFORMANCE SUMMARY 2017

There was submitted a report by the Executive Director (Education and Children's Services) (17/353) reviewing the performance of Education and Children's Services against its Business Management and Improvement Plan (BMIP) for the period 1 April 2017 to 30 September 2017. It was noted that Report 17/353 had been approved by Lifelong Learning Committee on 1 November 2017.

In response to a query from Councillor Illingworth regarding the benefits of developing the plan for Children, Young People and Families on a Tayside basis, S Johnston informed members that whilst the plan was based on Tayside to align with the Tayside Health Board, collaboration was ongoing with a number of other areas also, all of which added value to the services for Children & Young People.

COUNCILLOR S MCCOLE LEFT THE MEETING AT THIS POINT

Resolved:

The contents of the Education and Children's Services six-month performance summary against its Business Management and Improvement Plan (BMIP) for the period 1 April 2017 to 30 September 2017, as set out in Report 17/353, be accepted.

684. RAISING ATTAINMENT STRATEGY UPDATE 2017

There was submitted a report by the Executive Director (Education and Children's Services) (17/354) (1) providing a progress update on the Raising Attainment Strategy 2016-2019 and (2) presenting information on a range of main and supporting measures designed to both improve performance and monitor progress of improvements.

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Resolved:

The progress with the Raising Attainment Strategy, as set out in Report 16/354, be accepted.

J CHILES, P DAVISON, R HILL AND S JOHNSTON LEFT THE MEETING AT THIS POINT

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.

685. MINUTE OF MEETING OF SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 3 AUGUST 2017

There was submitted and noted the minute of meeting of the Social Work Complaints Review Committee of 19 May 2017.

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

686. FUTURE SCRUTINY ACTIVITY

K McNamara, Head of Community Planning, Strategic Commissioning and Organisational Development, updated members on proposed future activity of the Scrutiny Committee following a workshop which had taken place on 6 November 2017, which had agreed a more pro-active approach for the Scrutiny Committee's work.

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